

# Meeting Minutes

August 2023

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Meeting ID: 847 8713 9647

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# 1. Kimberley Country Zone Meeting Open: 10:47

Chair acknowledged the Traditional Custodians of the different lands on which people met today, and paid respect to all the Elders past, present and emerging.

# 2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
Members		
Cr Chris Mitchell	Zone Delegate, Shire of Broome	In person
Cr Malcolm Edwards	President, Shire of Halls Creek	In person
Cr Geoff Haerewa	President, Shire of Derby West Kimberley	In person
Cr David Menzel	President, Shire of Wyndham East Kimberley	In Person
Observers		
Sam Mastrolembo	CEO, Shire of Broome	In person
Cr Desiree Male	President, Shire of Broome	In person
Nicole Roukens	Manager Community Engagement and Projects	In person
Peter McCumstie	Deputy President, Shire of Derby West Kimberley	Zoom
Amanda Dexter	CEO, Shire of Derby West Kimberley	In person
Phillip Cassell	CEO, Shire of Halls Creek	In person
Cr Tony Chafer	Deputy Shire President, SWEK	Zoom
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	In person
Nick Kearns	Director of Planning / Community SWEK	Zoom
Executive Support Team		
Paul Rosair	Principal NAJA Business Consulting	In person
Michelle Mackenzie	Principal Mira Consulting	In person
Jane Lewis	Principal Redit Research	In person
Apologies		
Gordon Thomson	President, Shire of Christmas Island	
David Price	CEO, Shire of Christmas Island	
Aindil Minkom	President, Cocos (Keeling) Islands	



Name	Shire / Council / Organisation	Method
Frank Mills	CEO, Cocos (Keeling) Islands	
Cr Karen Chappel	CEO WALGA	
Tom Chapman	Regional Manager, DLGCI	
Guests		
Paul Kelly	Deputy President WALGA	In person
Nick Sloan	CEO, WALGA	In person
Tony Brown	Executive Manager Governance and Organisational Services	In person
Greg Hayes	Regional Road Safety Advisor, WALGA	Zoom
Kim Brown	Acting Director, Regional Development Australia - Kimberley	Zoom
Bill Tatchell	CEO Australia's Northwest	Zoom
Glen Chidlow	Director Industry and Infrastructure, Kimberley Development Commission	In person
Chuck Berger	CEO Kimberley Development Commission	Zoom

# 3. Disclosures, Conflicts and Declarations of Interest:

	Fina	ancial Interest	: / Impartiality
Member	Item Number	Item	Nature of Interest
Nil			



# 4. Kimberley Country Zone State Council Agenda:

**Attachments:** 

1 President's Report

2 WALGA State Council Agenda and Report on State Council Actions (Separately Attached)

## 4.1 Presidents Report – Attachment 1





#### Introduction

I welcomed the opportunity recently to visit the Kimberley to see first-hand how Local Governments in the North are working to return services and infrastructure after the devastating floods of last year.

As many of us have experienced, including my community of Morawa post Tropical Cyclone Seroja, after the Federal and State teams leave the region, it is left to Local Government to support and rebuild local communities.

I was struck by the extent of the damage to the Highway between Broome and Deby and the impact this was having on the local community. Shire President Geoff Haerawa humanised the impact of the flood on the region, the local economy, and the Local Government Elected Members and officers who support some of our State's most vulnerable communities. I was struck when I contemplated the scale of the task that it's something most of us would never experience in our day-to-day or working lives.

The issues our colleagues are facing in the Kimberley are monumental, yet they tackle the task with vigour and great spirit. Attracting and retaining staff, removal of primary health care services, maintaining and building back better damaged infrastructure, housing affordability and availability, and of course, providing a basic level of amenity for their residents and the tourists that visit their towns. These are challenges which our members don't shy away from and I'm proud of the work that WALGA does to assist them in their endeavours.

#### Parliamentary Inquiry into the Impact of Severe Weather Events on Roads

WALGA CEO Nick Sloan, Executive Manager Infrastructure Ian Duncan and I appeared before the Committee conducting the Federal Parliamentary Inquiry into the Impact of Severe Weather Events on Roads on 26 July in Perth.

Given the expert forecast that severe weather events will increase in both frequency and intensity I used my opening statement to call for Commonwealth, State and Local Governments to work co-operatively with trust to reinstate roads destroyed by floods as quickly and efficiently as possible and to a standard that would lessen the impact when future floods occur. In other words, to build back better.

The Committee was established in December 2022, following a referral from the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP. In responding to questions, we were able to provide the Committee with a better understanding of West Australian Local Governments, roads and grant funding arrangements. Together with the concurrent and ongoing reviews into disaster funding and disaster management, we are looking forward to some helpful recommendations for policy changes.

#### State Road Funds to Local Government Advisory Committee

I have been working with the Local Government delegates to the State Road Funds to Local Government Advisory Committee to agree and prioritise potential changes to the Procedures that guide how Regional Road Groups operate, and how funding provided under the Agreement with the State Government is administered. While a new Agreement is yet to be signed, both Main Roads and WALGA are working on





the basis that this will occur, and provides an opportunity to address some of the issues that are constraining effective implementation of the Agreement and the funding made available.

#### Aboriginal Cultural Heritage Act

The State Government on 8 August 2023 announced it will repeal the *Aboriginal Heritage Act 2021* and restore the original *Aboriginal Heritage Act 1972*, with amendments. No timeframe for the repeal of the 2021 Act and reinstatement of the amended 1972 Act, has been announced.

WALGA is seeking clarity from the State Government on the timeframe and the Government's intentions around the application of the existing Act in the interim. The Premier has indicated that the Implementation Group on which WALGA is a participant will continue and that the group will work on the transition to the renewed 1972 legislation.

We will continue to represent our interests of our Members on this issue and will provide updates and clarification as information is forthcoming.

#### WAEC Proposed Boundaries

The WA Electoral Commission recently published their proposed electoral boundaries to be used at the next State election in 2025. The <u>Electoral Distribution Commissioners' Explanatory Statement</u> lays out the proposed boundaries and explains the approach taken by the Commissioners.

Objections to the proposed boundaries can be submitted to the Commissioners by Monday, 21 August.

At the time of writing this report, WALGA State Council are considering the potential to submit an objection. There are concerns with the proposal to reduce the number of non-metropolitan districts by one as the reduction in political representation will negatively impact rural and regional communities with a view to developing an objection prepared by the Association on behalf of Members.

#### 2023 WALGA Convention

Registrations for the 2023 WALGA Convention are building fast. This year's Convention, from Sunday, 17 to Tuesday, 19 September, is themed Local Futures. We have an impressive line-up of speakers, including London bombing survivor Gill Hicks, Melbourne Cup winning jockey Michelle Payne, Futurist and Author Gihan Perera (Mayors & Presidents Forum) and Business Disruptor and Transformer Dominic Thurbon. In the plenary sessions on Tuesday, delegates will have the opportunity to hear from experts and other Local Governments on the topical issues of regional housing and active mobility.

Once again, we will host a Heads of Agency Breakfast (HOA Breakfast), which gives Local Government leaders an opportunity to speak directly to key decision makers from the highest level in State Government about issues relevant to their communities. This year's HOA Breakfast will be held on Monday, 18 September. Click here to register. Registrations close on Friday, 18 August.

This year, we will launch a new event alongside the Convention – the inaugural Supplier Showcase – on Tuesday, 19 to Wednesday, 20 September, in an outdoor space adjacent to Crown Perth. The event will feature WALGA preferred suppliers showcasing the latest innovations across industries such as transport, waste management, fleet and building supplies.

There is still time to register for this year's Convention <a href="here">here</a>, which is a once-a-year occasion for people from across Local Government in WA to come together to build and share knowledge, raise issues, be inspired and enjoy the company of colleagues and friends.





#### Review of the Rating Methodology used by the Valuer-General

In February, I wrote to the then Minister for Local Government, Hon. John Carey MLA about a recent State Council decision that there be a full review of the rating methodology used by the Valuer-General to value land in WA. I requested that the Minister consider a review of the rating methodologies set in the Valuation of Land Act 1978 to ensure that valuation methods relied upon by Local Governments represent the most appropriate methods.

I have recently received a response from the new Minister for Local Government, Hon. David Michael MLA. In the response, Minister Michael noted that a review of the rating and taxing valuation methodology was recently undertaken by the Western Australian Treasury Corporation, on the instructions of the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Western Australian Land Information Authority (Landgate). The review found that the existing system of Unimproved Value (UV) and Gross Rental Value (GRV) rating produce an appropriate outcome in terms of financial equity for ratepayers. Consequently, the State Government does not intend to make any changes to the rating system at this time.

Nevertheless, Minister Michael recognised that there are cases of rating inequity related to the uneven application of UV and GRV as the basis of rates in some districts, particularly where there has been ongoing urban development or where multiple uses of land occur on individual properties. Minister Michael suggested that in those cases, Local Governments should regularly review the appropriate basis of rates and submit applications to change the basis of rating where appropriate.

Although this was not the outcome we were hoping for, WALGA will continue to advocate on this issue.

#### Australian Local Government Association (ALGA) matters

Councillor Linda Scott, President of the Australian Local Government Association participated in a recent meeting of the Planning Ministers, to discuss a number of nationally significant planning matters, including priorities tasked by National Cabinet.

The ALGA President was at the meeting alongside a number of Commonwealth Ministers with an interest in planning matters, including the Hon Julie Collins MP, Minister for Housing; Senator the Hon Jenny McAllister, Assistant Minister for Climate Change and Energy; Senator the Hon Murray Watt, Minister for Emergency Management; and the Hon Michelle Rowland MP, Minister for Communications.

Planning Ministers reinforced their commitment to national cooperation, collaboration and information sharing on a range of planning matters including:

- Governance
- National Urban Policy
- Telecommunications planning
- Housing
- Planning and environmental approvals

As ALGA Deputy President, I have been involved in the recruitment process for a new ALGA CEO. An announcement on the new CEO is imminent.

Cr Karen Chappel JP WALGA President



## 4.2 Reports from Representatives

#### WALGA -

- · Paul Kelly, Deputy President,
- Nick Sloan CEO,
- Greg Hayes, Regional Road Safety Advisor

RDA Kimberley - Kim Brown, Acting Director

Australia's North West Tourism - Bill Tatchell, CEO

Department of Local Government, Sport and Cultural Industries – Tom Chapman, Regional Manager Kimberley. (Tabled report)

Kimberley Development Commission - Chuck Berger, CEO

Glen Chidlow, Director Industry and Infrastructure

#### 4.2.1 Reports from Department of Local Government, Sport and Cultural Industries Report



# Department of Local Government, Sport and Cultural Industries Report

August 2023

## **Local Government Act Reform**

- On 18 May 2023, the Local Government Amendment Bill 2023 was passed as the Local Government Amendment Act 2023 and assented to by the Governor.
- A number of electoral reforms, including optional preferential voting and backfilling extraordinary vacancies, will take effect for the 2023 elections.
- A number of provisions have now taken effect including
  - Parental leave for council members:
  - The ability of a local government to apply for a compliance exemption:
  - Removal of the ability for a council to waive an interest relating to an electoral gift;
  - Changes to special electors' meetings to increase the number of signatures required to hold a
    meeting (from 100 to 300) and provide for a mayor or president to prevent a meeting from
    being held on the same subject more than once in a 12 month period; and
  - The requirement to record in minutes the individual votes of council and committee members.
- 63 Governor's orders for local governments and a population estimates order were gazetted on 30
  June 2023, giving effect to the reforms to representation based on population data at the upcoming
  2023 local government elections.
- In addition, regulations to support implementation of these reforms have been finalised and are also now in effect.
- The remainder of the reforms will be rolled out in the coming year, such as standardised meeting procedures, with regulations being developed in consultation with the sector.
- Further information in relation to these changes can be found on the DLGSC website on the Local Government Reforms.
- DLGSC is running a series of monthly webinars and deep dives into specific topics regarding the reforms.



- The next webinar is scheduled for 3 August 2023 to provide an update on the rollout of local government reforms generally and to take a deep dive into the lections related changes - look out for LG Alerts for more details.
- If you would like a link to recordings of previous webinars, this is available on <u>DLGSC website under</u> <u>local government reforms</u>
- DLGSC has also teamed up with LG Pro to deliver a series of monthly capacity-building webinars.

#### Model Financial Statements (MFS) and Financial

- Model Financial Statements (MFS) for Class 1 and 2, plus a reduced version for smaller local governments (Class 3 and 4) are now published on the DLGSC website.
- An LG alert was issued on Tuesday 16 May 2023 advising of their availability.
- The MFS will apply to 2022-23 annual financial statement reports.
- Guidelines have also been developed to accompany the MFS.
- A first tranche of regulatory amendments for the MFS commenced on 1 July 2022.
- A second tranche of regulatory amendments for the MFS commenced on 1 July 2023.
- The 1 July 2023 version of the Local Government (Financial Management) Regulations 1996 does not include the new credit card regulation 13A. The Regulations will be updated again on 1 September 2023 when the last provision of the Local Government Amendment Regulations 2023 commences.
- Contact LG Accounting for queries Lg.accounting@dlgsc.wa.gov.au

#### **Management Regulations Amendments**

- Model Financial Statements (MFS) for Bands 1 and 2, plus a reduced version for smaller local governments (Bands 3 and 4) are now published on the DLGSC website.
- An LG alert was issued on Tuesday 15 May 2023 advising of their availability.
- The MFS will apply to 2022-23 annual financial statement reports.
- Guidelines have also been developed to accompany the MFS.
- A first tranche of regulatory amendments for the MFS commenced on 1 July 2022.
- A second tranche of regulatory amendments for the MFS are currently being drafted and are anticipated to be gazetted by 30 June 2023.
- DLGSC has received feedback from LG Professionals and WALGA with the proposed second tranche
  of regulatory amendments to support the introduction of the MFS and improved transparency in
  financial reporting obligations.
- Contact LG Accounting for queries <u>lgaccounting@dlgsc.wa.gov.au</u>

### **Local Government (Functions and General) Amendment Regulations 1996**

 The Local Government (Functions and General) Amendment Regulations 1996 were gazetted on Friday 19 May 2023. These amendments do the following:

#### **Rural GP and Dentists tender exemption**

- Recognising the importance of maintaining medical and dental services in our regions, a tender exemption for renewing or extending a contract with a medical or dental service is being provided to regional local governments.
- This exemption means those local governments will be able to maintain the services of an existing doctor or dentist without needing to call for public tenders.
- This exemption is only available to local governments outside the Perth Metropolitan Area and City of Mandurah.

#### **Novation of Contracts**

- An additional tender exemption is provided for where a local government novates a contract.
- As an example In the context of a dental service, this means where the dental practice is sold to another dentist, the local government can novate the existing contract with the old dentist to the new dentist.



- This improves local government contract management, allowing novation of contracts to occur, local governments should however make sure it is in their interest to novate he contract.
- This exemption is available to all local government.

#### **Dental leasing exemption**

- An exemption from the property disposal requirements has been provided for the leasing of land for dental services.
- This is to align with the new exemption provided for regional medical and dental services.
- This exemption is however available to all local governments, like the existing medical services exemption is.

Further queries can be directed – <a href="mailto:actreview@dlgsc.wa.gov.au">actreview@dlgsc.wa.gov.au</a>

#### **Local Government Grants Commission**

- The WA Local Government Grants Commission now has a full composition with the recent appointment of the Chairperson (Councillor Daniel Bull), Country Urban Member (Dr Wendy Giles) and Deputy Urban Member (Ms. Virginia Miltrup).
- An advance payment of the 2023-24 Financial Assistance Grants (FA Grants), based on a funding pool equivalent to approximately 100% of the total 2023-24 funding pool, was made to local governments on the 30 June 2023.
- The advance payments were calculated by the Commonwealth using the relativities established under the Commission's calculations for 2022-23 and needs to be recognised as revenue for 2022-23.
- It is important for local governments to note that the advance payment does not reflect their total 2023-24 grant allocation, and some may receive extremely limited or no quarterly payments in 2023-24.
- Local Governments will need to ensure they have sufficient funds for 2023-24 to complete their planned programs and activities for that year and that their 2023-24 budgeted recognise the reduction in the 2023-24 FA Grants payments.

#### **Stop Puppy Farming**

- The Dog Amendment (Stop Puppy Farming) Bill 2021 was passed by the Parliament in December 2021.
- The new laws, including for the registration and breeding of dogs, will take some time to implement.
- There will be consultation with stakeholders, including local governments, for the design and development of a centralised registration system (CRS) for dogs and cats covered under the *Dog Act* 1976 and the *Cat Act* 2011, and for the development of regulations to give legal effect to the functions of the CRS.
- The DLGSC conducted engagement activities with local governments in the second half of 2022.
   Through this, local government requirements for the CRS were captured for inclusion within the system requirements and scope.
- Progression towards procurement of the CRS and scoping of the regulations is underway. The Request for Tender for the CRS was released to the market on 24 January closed on 8 March 2023.
- The DLGSC is currently evaluating tender responses received.
- The DLGSC is continuing to engage with key stakeholders to support ongoing progress towards the reforms.
- A discussion paper is currently being considered by the Minister for Local Government and further information regarding the release will be provided in due course.



#### **DLGSC Contacts**

LG Support and Engagement	lghotline@dlgsc.wa.gov.au
LG Policy and Legislation	legislation@dlgsc.wa.gov.au
CRS – Stop Puppy Farming	puppyfarming@dlgsc.wa.gov.au.
Grants Commission – Finacial Assistance Grants	Grants.commission@dlgsc.wa.gov.au
LG accounting enquiries	LG.accounting@dlgsc.wa.gov.au
LG Act Reform	actreview@dlgsc.wa.gov.au

## 4.3 Reports from Kimberley Country Zone

The following table provides a summary of Matters for Decision that will be considered at the WALGA State Meeting on 5<sup>th</sup> July, 2023, and provides an update on Matters for Noting. For full details of items, including background material and discussions, please see separately attached WALGA State Council Agenda (Attachment 2).

### 4.3.1 Item/Matters for Decision

Item / Matters for Decision	WALGA Recommendations
4.1 Minutes of the State Council meeting held 5 July 2023	That the Minutes of the WALGA State Council meeting held on Wednesday, 5 July be confirmed as a true and correct record of proceedings.
4.2 Flying Minute Consistent Local Planning Schemes Planning Reform	That the <u>Flying Minute - Consistent Local Planning Schemes Planning Reform</u> be confirmed as a true and correct record of proceedings.
4.3 Flying Minute – Submission on the draft State Wast Infrastructure Plan	That the Flying Minute - Submission on the Draft State Waste Infrastructure Plan be confirmed as a true and correct record of proceedings.
4.4 Flying Minute Submission on State Waste Strategy Directions Paper	That the <u>Flying Minute - Submission on State Waste Strategy Directions Paper</u> be confirmed as a true and correct record of proceedings.



Item / Matters for		WALGA Recommendations
4.5	Plying Minute Biosecurity and Agriculture Management Act 2007 Review Stage 3 Submission	That the Flying Minute - Biosecurity and Agriculture Management Act 2007 Review Stage  3 Submission be confirmed as a true and correct record of proceedings.
4.6	Flying Minute Independent Strategic Review of the Infrastructure Investment Program Submission	That the Flying Minute - Independent Strategic Review of the Infrastructure Investment Program Submission be confirmed as a true and correct record of proceedings.
4.7	Flying Minute – Discussion Paper, Wired for Change: Regulation for small electrical products and solar photovoltaic system waste submission	That the Flying Minute – Discussion Paper, Wired for Change: Regulation for small electrical products and solar photovoltaic system waste submission be confirmed as a true and correct record of proceedings.
4.8	Flying Minute Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines	That the Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines be confirmed as a true and correct record of proceedings.  4.8.1 Business arising from the Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines
Man	Local Emergency agement Arrangements IA) Advocacy Position	<ol> <li>That WALGA endorse the following position on Local Emergency Management Arrangements (LEMA):</li> <li>The State Government should fund the implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan endorsed by the State Emergency Management Committee (SEMC).</li> <li>A reformed LEMA system should:         <ul> <li>Clearly articulate the roles and responsibilities of Local Governments in emergency management;</li> <li>Simplify the reporting processes and reduce the administrative burden of maintaining compliance;</li> <li>Provide a suite of scalable tools and guidance materials that are accessible through an online knowledge hub;</li> <li>Build the emergency management capacity and capability of Local Governments through the provision of targeted training, exercising support, human resources and sustainable funding;</li> <li>Assist Local Governments to continue to deliver their core business activities and provide public information during an emergency event;</li> <li>Improve the connectivity of Local Governments' various risk management and hazard planning processes through an integrated approach; and</li> <li>Enable resource sharing and collaboration across the Local Government sector.</li> </ul> </li> </ol>



Item / Matters for Decision	WALGA Recommendations
	<ul> <li>WALGA recommends that State Council endorse a new emergency management advocacy position requesting the State Government to fund the implementation of the LEMA Improvement Plan endorsed by the State Emergency Management Committee (SEMC).</li> <li>A LEMA advocacy position will enable WALGA to advocate for reforms to LEMA processes, obligations and resourcing that will better meet the needs of the sector and build the resilience of local communities.</li> <li>The proposed position is informed by extensive consultation with the Local Government sector in 2022 through WALGA's LEMA Review Project.</li> <li>100 Western Australian Local Governments contributed to the LEMA Review consultation, representing 72% of the sector.</li> <li>Attachment</li> <li>WALGA LEMA Review Consultation Project Summary and Recommendations Report</li> </ul>
7.2 Advocacy Position on Road Works during Total Fire Ban	<ol> <li>That WALGA endorse the following principles in relation to the exemptions and conditions under which road works may be undertaken during a Total Fire Ban:</li> <li>Road Activity Tiers: That there be a tiered risk approach for road work activities and associated controls, based on the proposed activities and fire danger forecast.</li> <li>Local Government operations: That any controls specified in regulations to provide effective risk mitigation and response be able to be implemented within the works crew deployed for the task.</li> <li>Reduce Red Tape: That the processes where repeated notification to DFES for the same task at the same location is required be streamlined</li> </ol>
	<ul> <li>Executive Summary</li> <li>The issue of restrictions on carrying out any grading or bitumen works during a Total Fire Ban has been raised by Local Governments.</li> <li>A Total Fire Ban is declared on days when fires are most likely to threaten lives and property.</li> <li>During a Total Fire Ban, road works can be undertaken only under certain conditions as set out in the Bush Fires Regulations 1954.</li> <li>With the frequency of TFBs being declared in Western Australia increasing in recent years, road maintenance and improvement projects have been delayed, increasing the risk to road users.</li> <li>Based on consultation with Local Governments, three key principles are proposed to evaluate the effectiveness of the Regulations to manage risk of bushfire, and to enable low risk activities to proceed with appropriate controls</li> </ul>



## 4.3.2 Policy Team and Committee Reports and Matters for Noting

8.1 Environment and Waste Policy Team Report  That State Council note the matters considered by the Environment and Waste Policy Team Report  Matters for State Council Decision The Policy Team considered and endorsed the Submission on Stage 3 of the Biose Agricultural Management Act Review (see Agenda item 9.4).  Matters for State Council Noting – updates on the following  ARENA EV charger funding: WALGA presented the EOI to the ARENA Panel in early Jurgue Successful in moving onto the next stage of the process, the development of a full project WALGA are currently working to address the issues identified by the ARENA Panel and and	ecurity and ne and was t proposal.
Matters for State Council Decision The Policy Team considered and endorsed the Submission on Stage 3 of the Biose Agricultural Management Act Review (see Agenda item 9.4).  Matters for State Council Noting – updates on the following  ARENA EV charger funding: WALGA presented the EOI to the ARENA Panel in early Jurguezessful in moving onto the next stage of the process, the development of a full project	ne and was t proposal.
ARENA EV charger funding: WALGA presented the EOI to the ARENA Panel in early Jurus successful in moving onto the next stage of the process, the development of a full project	t proposal.
successful in moving onto the next stage of the process, the development of a full project	t proposal.
Submission of the full project proposal in July/August.	
Integrated Weed Management Promotion: Over the next month, WALGA will be launchi of videos showcasing Local Governments approaches to integrated weed management.	ng a series
8.2 Governance and That State Council note the Governance and Organisational Services Policy Team Re	port.
Organisational Services Policy Team Report  The Governance and Organisational Services (GOS) Policy Team have not had a meeting the last State Council meeting on 5 July.	since
Matters for State Council Noting	
Nil	
8.3 Infrastructure Policy Team Report That State Council note the matters considered by the Infrastructure Policy Team at its held on 5 July, 28 July and 9 August 2023.	meetings
Matters for State Council Decision	
Road Works during Total Fire Bans Road works can be undertaken during Total Fire Bans subject to complying with the conditi in the Bush Fires Regulations 1954. Based on consultation with Local Governments, th principles are proposed to be used to evaluate the effectiveness of the regulations to mans of bushfire and enable low risk activities to proceed with appropriate controls (see Agenda  1. Road Activity Tiers 2. Local Government operations 3. Reduce Red Tape	e following ige the risk
<ul> <li>Matters for State Council Noting The Infrastructure Policy Team met and considered the following matters that have been e State Council by way of Flying Agenda: <ol> <li>Submission to the Strategic Review of Commonwealth Infrastructure Investment Pro</li> <li>Proposed changes to the Pedestrian Crossing Facilities Guidelines, used by Main R assessing the needs of pedestrians.</li> </ol> </li></ul>	gram



Item / Matters for Noting	WALGA Recommendations
	The Joint Infrastructure and People and Place Policy Teams meeting on 9 August considered a draft submission to the Independent Review of Commonwealth Disaster Funding and following discussion resolved that the submission be considered by State Council by Flying Agenda.  The Policy Team also considered matters in relation to line marking on roads and resolved to seek the development of a formal advocacy position for consideration at a future State Council meeting.
8.4 People and Place Policy Team Report	That State Council note the matters considered by the People and Place Policy Team at its meetings held on 5 July and 9 August 2023.  Matters for State Council Decision Nil  Matters for State Council Noting
	At the meeting on 5 July, the People and Place Policy Team received briefings on:  the State Council Agenda for the 5 July meeting; and  the release of draft Operational Policy Planning for Public Open Space by the Department of Planning, Lands and Heritage for comment until 25 August; and  the commencement of the Aboriginal Cultural Heritage Act 2021.  At the meeting on 9 August, the People and Place Policy Team:  jointly with the Infrastructure Policy Team, endorsed a draft submission on the Independent Review of Commonwealth Disaster Funding to be provided to State Council by Flying Agenda; endorsed the submission of Draft Operational Policy 2.3 Planning for Public Open Space to the Department of Planning, Lands and Heritage; and  endorsed the following advocacy position on Local Emergency Management Arrangements (LEMA) Improvement (see Agenda item 7.1):  1. The State Government should fund the implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan endorsed by the State Emergency Management Committee (SEMC).  2. A reformed LEMA system should:  a) Clearly articulate the roles and responsibilities of Local Governments in emergency
	management; b) Simplify the reporting processes and reduce the administrative burden of maintaining compliance; c) Provide a suite of scalable tools and guidance materials that are accessible through an online knowledge hub; d) Build the emergency management capacity and capability of Local Governments through the provision of targeted training, exercising support, human resources and sustainable funding; e) Assist Local Governments to continue to deliver their core business activities and provide public information during an emergency event; f) Improve the connectivity of Local Governments' various risk management and hazard planning processes through an integrated approach; and g) Enable resource sharing and collaboration across the Local Government sector.
8.5 Municipal Waste Advisory Council (MWAC) Report	That State Council:  rescind Advocacy Position 7.5 Waste Management Data Collection and accompanying Policy Statement; and note the resolutions of the 28 June 2023 Municipal Waste Advisory Council Meeting.



Item / Matters for Noting	WALGA Recommendations
	Matters for State Council Decision
	Data and Information Policy Statement  ALGA Advocacy Position 7.5 Waste Management Data Collection and Waste Management Data and Information Management Policy Statement were endorsed in 2010 and were used to advocate regarding Local Government reporting requirements as the State Government developed their voluntary data reporting requirements and for funding for Local Government to undertake data collection.
	While the principles and approach to data collection in the advocacy position and policy statement are still valid, data provision by Local Government is now standard, and required under regulation. It was therefore agreed that MWAC recommend this Policy Statement and associated Advocacy Position and be rescinded.
	Matters for Discussion
	<ul> <li>MWAC discussed the following matters:</li> <li>Waste Levy Rate Increase and Schedule: The Council discussed the differences between the capacity of larger metropolitan Local Governments and small regional Local Governments to collect the Levy. Illegal dumping in peri-urban areas is a significant issue and it was considered that an extension of the Levy was only likely to exacerbate the issue. The focus for advocacy was discussed, including seeking full hypothecation for the Levy, expenditure on positive actions for example FOGO infrastructure funding and the implications of State Government relying on an environmental levy which will decrease over time. MWAC requested the WALGA write to the Environment Minister regarding the Levy.</li> <li>Product Stewardship for Electrical and Electronic Waste: MWAC identified the key elements to include in the Submission to the Federal Government Discussion Paper Wired for Change: Regulation for small electrical products and solar photovoltaic systems waste. This included State Government plans to progress a ban on e-waste to landfill by 2024. Local Governments were also encouraged to comment on the Discussion Paper.</li> <li>Household Hazardous Waste Program: A new 5-year funding agreement has been finalised for the HHW Program, starting from 1 July 2023. WALGA has extend the contract with the current service provider, Cleanaway, for 6 months to ensure sufficient time for the tender process for the new Program.</li> <li>Waste Education Resourcing: A short survey on resourcing for waste education was distributed to 34 metropolitan Local Governments and Regional Councils. Complete and partial responses were received from 11 Local Governments and 3 Regional Councils. Results included:         <ul> <li>10 Local Governments indicated that waste education was provided internally. 7 of these</li> </ul> </li> </ul>
	respondents noted one full-time equivalent (FTE) officer allocated to waste education. The remaining three respondents noted at least two FTE officers.  One Local Government specified that waste education was provided by their Regional Council. One Local Government specified that in addition to waste education being provided internally, their waste contractor also delivers waste education in schools.  Two Regional Councils each indicated at least four FTE officers allocated to waste education.  In the 2022-23 financial year, Local Government/Regional Council waste education budgets ranged from \$15,000 to \$300,000.  The Review of the Container Deposit Scheme Minimum Network Standards: MWAC received notification that the 5th review of the Minimum Network Standards is currently underway, with feedback due 21 July 2023. The review proposes to increase the number of Refund Points for towns of greater than 500 people. The proposal will result in an additional 11 Refund Points statewide. This is aligned with WALGA's previous advocacy and submissions to increase the number of Refund Points. Rather than make a formal submission it was agreed that the MWAC Chair would send a letter supporting the proposal to the Department of Water and Environmental Regulation.



Item / Matters for Noting	WALGA Recommendations
9.1 Flying Minute – Consistent Local Planning Schemes	That State Council note the submission on Consistent Local Planning Schemes to the Department of Planning, Lands and Heritage and updated advocacy position (6.2 Planning Reform), as endorsed via Flying Minute.
	<ul> <li>Executive Summary</li> <li>The Consistent Local Planning Scheme reform project released by the Department of Planning, Lands and Heritage (DPLH) responds to the State Government's Action Plan for Planning Reform (Action Plan) aimed at making local planning schemes more consistent and legible and improving associated guidance.</li> <li>Proposals involve changes to land use terms (and associated definitions); zones and reserves (and associated objectives) for all local planning schemes; and land use permissibility and development requirements for commercial and industrial type zones in the Metropolitan and Peel region schemes.</li> <li>WALGA's submission generally supports greater consistency in local planning schemes as proposed but raises several concerns about the ongoing and incremental erosion of Local Government control over their own schemes that can be seen as imposing standardisation beyond what is reasonable.</li> <li>WALGA Advocacy Position 6.2 Planning Reform was revised to include specific reference to ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks.</li> <li>State Council endorsed the submission and amended Advocacy Position via Flying Minute on 8 June 2023.</li> <li>Attachments</li> <li>DPLH's Stakeholder Consultation Report</li> <li>WALGA submission on Consistent Local Planning Schemes including DPLH Submission Form</li> </ul>
9.2 Submission on the Draft State Waste Infrastructure Plan	<ul> <li>That State Council note the Submission on the Draft Western Australian State Waste Infrastructure Plan, as endorsed via Flying Minute.</li> <li>Executive Summary         <ul> <li>The Department of Water and Environmental Regulation released the draft Western Australia State Waste Infrastructure Plan for comment by 23 June 2023.</li> <li>The draft Plan was developed to guide decision making for the planning and development of waste infrastructure in Western Australia and focuses on the built waste and recycling infrastructure needed to achieve 2030 State Waste Strategy targets.</li> <li>The draft Plan includes analysis of waste infrastructure in each region to identify unique needs, challenges and opportunities.</li> <li>Identified priorities include expansion of existing infrastructure, establishment of new processing and consolidation facilities and transfer of materials between regions to utilise existing capacity.</li> <li>A draft Submission was developed and distributed to Local Government for feedback.</li> <li>State Council endorsed the Submission via Flying Agenda on 23 June 2023.</li> </ul> </li> <li>Attachments:         <ul> <li>Flying Minute and Submission on the Draft Western Australian State Waste Infrastructure Plan</li> </ul> </li> </ul>
9.3 Submission on Directions Paper: Review of the	That State Council note the Submission on the Directions Paper: Review of the Waste Avoidance and Resource Recovery Strategy 2030, as endorsed via Flying Minute.



Item / Matters for Noting	WALGA Recommendations
Waste Avoidance and Resource Recovery Strategy 2023	<ul> <li>Executive Summary</li> <li>The State Government has released a Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy) Directions Paper, as the first stage of consultation for the Strategy Review. Submissions were due 11 July 2023.</li> <li>Feedback on the Directions Paper will inform an updated Draft Waste Strategy, which will be released for consultation in late 2023 for a minimum of 12 weeks.</li> <li>A draft Submission was developed and distributed to Local Government for feedback.</li> <li>Focus areas for the updated Strategy identified in the Submission, include:</li> <li>Increased focus on evidence-based waste avoidance programs for priority wastes;</li> <li>Engagement with Commercial &amp; Industrial sector;</li> <li>Influencing effective national product stewardship schemes for electronic waste, packaging and tyres; and</li> <li>Coordination and support for regional and remote areas.</li> <li>State Council considered and endorsed the Submission via Flying Agenda on 10 July 2023.</li> </ul>
	Attachments:  • Flying Minute and Submission on the Directions Paper: Review of the Waste Avoidance and Resource Recovery Strategy 2030
9.4 Flying Minute – Submission on Discussion Paper: Stage 3 Biosecurity and Agriculture Management Act 2007 Review	<ul> <li>That State Council note the Submission on the Discussion Paper: Stage 3 Biosecurity and Agriculture Management Act Review, as endorsed via Flying Minute.</li> <li>Executive Summary</li> <li>The Independent Review Panel released a Discussion Paper on the third and final stage of consultation on the Biosecurity and Agriculture Management Act 2007 (BAM Act) for comment by due 30 June 2023. WALGA requested and received an extension until 12 July 2023.</li> <li>The Review Panel sought feedback on nine priority areas for reform, and 21 opportunities to 'clarify, strengthen and support a strengthened biosecurity system in WA'.</li> <li>WALGA's Stage 3 Submission builds on the recommendations in the WALGA BAM Act Review Discussion Paper and aligns with the Biosecurity Advocacy Position endorsed by State Council in December 2022.</li> <li>Feedback from Local Government identified the key reform areas as:</li> <li>Clarifying the role of the BAM Act: ensure that the ecological impact of pests and diseases as well as the agricultural impacts are considered equally;</li> <li>Planning and reporting: establishing a formal biosecurity body, including key stakeholders, to provide strategic leadership and consideration of local, regional and state-wide priorities; and</li> <li>Community led pest management: establishing a broad-based Declared Pest Rate, applied across WA to all freehold, leasehold or rural land above a certain size, with Local Government as an eligible entity to receive funding from this Rate.</li> <li>The key concerns raised by the sector were in relation to:</li> <li>Emergency Powers: Ensuring Local Government is consulted on the development of these powers, particularly where the emergency response will impact on Local Governments' operations and responsibilities;</li> <li>Community led pest management: Although there may be additional funding available, this may not guarantee funding to deliver all programs expected by the community; and</li> <li>Compliance with WA's biosecurity laws: Increased budg</li></ul>



Item / Matters for Noting	WALGA Recommendations				
	Attachments  • Flying Minute and Submission on the Discussion Paper: Stage 3 Biosecurity and Agriculture  Management Act Review				
9.5 Flying Minute – Independent Strategic Review of the Infrastructure Investment Program Submission	<ul> <li>That State Council note the Independent Strategic Review of the Infrastructure Investment Program submission, as endorsed via Flying Minute.</li> <li>Executive Summary</li> <li>The Commonwealth is conducting a 90-day independent strategic review of the \$120 billion infrastructure investment program.</li> <li>The scope includes key Local Government infrastructure funding programs such as Roads to Recovery.</li> <li>The submission supports continuation and expansion of the Commonwealth Government investment in Local Government infrastructure through both non-competitive and specific purpose funding programs.</li> <li>The submission was endorsed by State Council on 14 July by way of Flying Minute.</li> </ul>				
9.6 Flying	Attachments  • Flying Minute and submission to the Independent Strategic Review of the Infrastructure Investment Program  That State Council note the Submission on the Discussion Paper: Wired for Change: regulation				
Minute – Submission on Discussion Paper – Wired for Change: regulation for small electrical products and solar photovoltaic system waste	for small electrical products and solar photovoltaic system waste, as endorsed via Flying Minute.  Executive Summary  The Department of Climate Change, Energy, the Environment and Water released a Discussion Paper outlining the proposed new regulated product stewardship scheme for two categories of electrical waste: small electrical and electronic equipment and solar photovoltaic (PV) systems for comment by 23 July 2023.  The current national Product Stewardship Scheme for electronic waste does not meet the needs of Local Government as it does not cover all electronic waste, or the costs associated with recycling. Local Government has also expressed concern regarding the equity of the geographic coverage of the Scheme.  The proposed new scheme meets most Local Government requirements, with:  a guarantee that all costs associated with the recycling of this e-waste is covered for sites which are part of the Scheme;  most electronic waste currently being disposed of at Local Government sites being included, as well as an opportunity for additional products to be added over time; and  an equitable access requirement.  The design of the proposed scheme has been informed by consultation with WALGA, other Local Government Associations, and key stakeholders. WALGA has emphasised the need for these elements of the Scheme, as well as targets that do not limit collection amounts and align with infrastructure and markets for products collected.  State Council considered and endorsed the Submission via Flying Agenda on 21 July.  Attachments  Flying Minute and Submission on the Discussion Paper: Wired for Change: regulation for small electrical products and solar photovoltaic system waste				



	KIMBERLEY REGIONAL CHOLP
Item / Matters for Noting	WALGA Recommendations
9.7 Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines	That State Council note the submission to Main Roads WA on the draft Pedestrian Crossing Facilities Guidelines, and the following principles regarding the design and implementation of pedestrian crossings, as endorsed via Flying Minute:  1. Planning at the local level  A detailed understanding of modal networks at the local level and/or local transport plans should inform where and which pedestrian crossing types are implemented.  2. Pedestrian Crossings are essential  High-speed, high-volume roads are the major barrier to active transport that must be resolved.
	<ul> <li>3. Pedestrian Priority</li> <li>Pedestrian travel should be given equal weight to vehicular travel. High-quality, cost-effective, pedestrian-priority crossings should be implemented wherever possible. Pedestrian Crossings on roads with heavy vehicles should also be given higher priority toward the implementation of a safe, pedestrian- priority crossings in the Guidelines, based on the risk to the pedestrian.</li> <li>4. Cost</li> <li>Cost-effective pedestrian-priority crossings should be considered first, rather than high-cost facilities. The Guidelines should provide guidance on the cost of installing pedestrian crossing facilities and general information on which party may bear the costs.</li> <li>5. Proactive Approach</li> </ul>
	Forecast pedestrian demand based on network planning, rather than existing pedestrian counts should be used to plan appropriate crossings.  6. Speed  Vehicle travel speed requirements for implementing pedestrian crossings must not be a barrier to selecting and installing pedestrian-priority crossings, but should be a consideration in selecting cost-effective designs.
	<ul> <li>7. Intersections         Intersection designs, including roundabouts, should accommodate pedestrian crossing priority.     </li> <li>Executive Summary         <ul> <li>Main Roads provided the draft Pedestrian Crossing Facilities Guidelines to WALGA for review and comment</li> </ul> </li> </ul>
	<ul> <li>Seven overarching principles are proposed to inform revisions to the draft Guidelines document:         <ul> <li>That planning at the Local Government level be considered in determining where and which crossing types are implemented;</li> <li>That pedestrians must be accommodated with facilities, regardless of vehicle speeds and vehicle volume considerations;</li> <li>That high-quality, pedestrian-priority crossings be considered first rather than last;</li> <li>That lower cost high-quality, pedestrian-priority crossings be considered first, rather than higher cost crossings</li> <li>That the guidelines incorporate a proactive approach, rather than react to pedestrian demand, which is often not present;</li> <li>That the operating speed to implement high-quality, pedestrian-priority crossings be increased, so this is not a barrier to implementing pedestrian crossings;</li> <li>That intersection designs, particularly roundabouts, be included that support pedestrian-priority crossings.</li> </ul> </li> <li>These principles guide numerous proposed revisions to the text of the draft Guidelines.</li> </ul>
	<ul> <li>Revisions to the Pedestrian Crossing Facility Guidelines are important to Local Government,</li> </ul>

include priority pedestrian networks.

as Local Governments maintain most of the path network, have a nuanced understanding of transport in their jurisdiction, and often prepare active transport planning documents that



Item / Matters for Noting	WALGA Recommendations			
	<ul> <li>The submission was considered and endorsed by State Council by way of Flying Minute on 11 August.</li> </ul>			
	Attachments Flying Minute: Submission to the Review of the Main Roads Pedestrian Crossing Facilities  Guidelines			
9.8 Concurrent Commonwealth Disaster Reviews	That State Council note that the National Emergency Management Agency (NEMA) is undertaking three separate but complimentary reviews to improve the effectiveness and efficiency of Commonwealth disaster funding and governance.			
	The National Emergency Management Agency (NEMA) is undertaking three separate but complimentary reviews to improve the effectiveness and efficiency of Commonwealth disaster funding and governance:      Independent Review of Commonwealth Disaster Funding     Disaster Recovery Funding Arrangements Review     Independent Review of National Natural Disaster Governance Arrangements      These reviews will seek to identify areas of duplication, gaps, and opportunities to streamline processes and align with best practice and the recommendations of the Royal Commission into National Natural Disaster Arrangements and National Disaster Risk Reduction Framework.      WALGA is preparing a submission to the Independent Review of Commonwealth Disaster Funding, due 18 August 2023.      The submission will be provided to State Council for endorsement via Flying Agenda.      The submission presents an opportunity to raise the sectors concerns about the Commonwealth Disaster Recovery Arrangements (DRFA) and other Commonwealth Disaster Funding grant processes.      WALGA is seeking further information to ascertain if there is an opportunity to contribute to the Governance and DRFA reviews.			
10.1.1 Report on Key Activities, Infrastructure Portfolio	That State Council note the Key Activity Report from the Infrastructure Portfolio for September 2023.  Activities: Roads:  Local Government Transport and Roads Research and Innovation Program  Update of User Guides for calculating the cost of road wear for defined freight tasks  Condition Assessment of Roads of Regional Significance  Road Rail Interface Agreements  Funding:  Procedures for the State Road Funds to Local Government Agreement  Procedures for the State Road Funds to Local Government Agreement  Multi-Criteria Assessment (MCA) Model Revisions  Business Case for Safety Improvement to High Speed Sealed Local Government Roads  Utilities:  Streetlighting  Underground Power  Road Safety:  Road Safety Council Update			



Item / Matters	WALGA Recommendations
for Noting	WALGA Recommendations
10.1.2 Report on Key Activities, Member Services Portfolio	That State Council note the Key Activity Report from the Member Services Portfolio for September 2023.  Activities: Association and Corporate Governance:
	Training:      State Employment Law Essentials course     Health and Safety Representative Course     Council Member Essentials training for new Elected Members     Certificate III in Local Government
10.1.3 Report on Key Activities, Policy Portfolio	That State Council note the Key Activity Report from the Policy Portfolio for September 2023.  Activities: Economics



Item / Matters for Noting	WALGA Recommendations			
	Aboriginal Forum			
	Most Accessible Community in Western Australia Awards (MACWA)			
10.1.4 Report on Key Activities, Policy Portfolio	That State Council note the Key Activity Report from the Advocacy Portfolio for September 2023.  Activities: Events: WALGA Convention 2023 Media Marketing  Local Government Election Campaign Brand refresh			

# 4.4 Status Report on State Council Resolutions

Meeting	Zone Resolution	Comment	Completio	Officer
			n Date	Responsible
5 July 2023 Item 7.1 Review of Urban Forest Advocacy Position	1 <i>1</i>	The Advocacy Positions Manual has been updated	Complete	Nicole Matthews Executive Manager Policy



Meeting	Zone Resolution	Comment	Completio n Date	Officer Responsible
5 July 2023 Item 7.2 State Planning Policy 3.7 Bushfire	That WALGA endorse the submission on State Planning Policy 3.7 Bushfire and the Planning for Bushfire Guidelines.  RESOLUTION 461.3/2023	The submission has been lodged.	Complete	Nicole Matthews Executive Manager Policy
5 July 2023 Item 7.3 Reforming WA Disability Legislation Submission	That WALGA endorse the submission to the Department of Communities relating to the Consultation Paper – Reforming WA Disability Legislation.  RESOLUTION 462.3/2023	The submission has been lodged.	Complete	Nicole Matthews Executive Manager Policy
5 July 2023 Item 7.4 Landfill Bans Advocacy Position	That WALGA endorse the submission to the Department of Communities relating to the Consultation Paper – Reforming WA Disability Legislation.  RESOLUTION 462.3/2023	The Advocacy Positions Manual has been updated	Complete	Nicole Matthews Executive Manager Policy
5 July 2023 Item 7.5 Audit Experience Survey Results	<ol> <li>State Council note the Audit Experience Survey Results Summary; and</li> <li>WALGA advocate to the Office of the Auditor General (OAG) to reform the audit process for Local Governments by seeking:         <ol> <li>Audits of Local Governments are completed and reported on in a timely manner and that the processes, procedures and scope of audits are consistently applied.</li> <li>That the OAG review the requirements for pre-audit information with a view to reducing the need for additional information where possible;</li> <li>That the OAG review their costing formulae for Local Government audits and show constraint in audit cost increases;</li> </ol> </li> </ol>	A letter has been sent to the Auditor General outlining WALGA's advocacy positions and suggested reforms to the audit process for Local Governments.  In respect to item g, the Minister for Local Government, Hon David Michael has advised that he will make a regulation change to the Financial Management regulations to only require Local Governments to revalue assets once every five years. This will occur with the next installment of regulatory	Ongoing	Tony Brown Executive Director Member Services



Meeting	Zone Resolution	Comment	Completio	
			n Date	Responsible
	<ul> <li>d. That the OAG provide a breakdown on the cost of the audit and justification for any variance to the estimate to the Local Government as part of the final billing process;</li> <li>e. That auditors be required to improve their communication and information management and avoid repeated requests for information that has already been provided or that is publicly available;</li> <li>f. That Local Governments only be required to communicate with contract Auditors (unless the OAG is directly auditing the Local Government) and the onus be placed on the contract Auditors to confirm their advice with the OAG before instructing the Local Government;</li> <li>g. In-conjunction with the Department of Local Government, Sport and Cultural Industries, review the application of Fair Value principles in the context of the audit; and</li> <li>h. Seek an opportunity for Local Government to make representations in relation to any adverse findings prior to the publication of the report.</li> </ul>	reforms as part of the current legislative reform process.  This is very good news and an advocacy success for the Local Government sector and the Minister and Department of Local Government assistance on this matter has been appreciated.  The Advocacy Positions Manual has been updated.		
	RESOLUTION 464.3/2023			
5 July 2023 Item 7.6 Amendments to WALGA's Constitution	That State Council endorse putting two items to the 2023 Annual General Meeting that:  1. considers a new Constitution to give effect to the alternate governance model as per the attached, subject to amending clause 2 in respect to the definition of "Special Majority" by inserting the words "the Board or of" after the words "in relation to" and inserting the words "the Board Members or" after the words "comprising enough of" and amending clause 32 as per the following:  a. Replace "An Absolute" with "A Special"; and  b. Insert the word "Special" before majority and delete "of not less than 75%"; and  2. amend the Constitution to retain the current governance model with necessary changes, as per the attached mark-up.  RESOLUTION 466.3/2023	A Notice of Proposed Amendments to the Association Constitution has been distributed to all Local Government Chief Executive Officers and is available on the WALGA website <a href="here">here</a> . The Notice contains the two items that will be put to Members at the 2023 Annual General Meeting (AGM) on Monday, 18 September.  Information contained in the Notice will also be included in the Agenda papers for the AGM which will be distributed shortly.	Ongoing	Tony Brown Executive Director Member Services



Meeting	Zone Resolution	Comment	Completio n Date	Officer Responsible
5 July 2023 Item 7.7 Finance and Services Committee Minutes incorporating the Governance Budget 2023-24 – 28 June 2023 – CONFIDENTIAL	<ol> <li>That:</li> <li>the Minutes of the Finance and Services Committee meeting held on 28 June 2023 be endorsed; and</li> <li>the Governance Budget 2023-24, being for the full year ending 30 June 2024, as recommended by the Finance and Services Committee be endorsed.</li> </ol> RESOLUTION 467.3/2023	Action has been taken to implement the 2023/24 WALGA budget.	Complete	Tony Brown Executive Director Member Services
5 July 2023 Item 7.8 Selection Committee Flying Minute – 20 June 2023 – CONFIDENTIAL	That the recommendations contained in the 20 June 2023 Selection Committee Flying Minute be endorsed.  RESOLUTION 468.3/2023	The appointments have been actioned.	Complete	Tony Brown Executive Director Member Services
5 July 2023 Item 7.9 LGIS Fees and Board Minutes – CONFIDENTIAL	<ol> <li>That State Council:</li> <li>Approve the annual Scheme Management fee payable to JLT is increased by 3.71% for the 2023-24 financial year as recommended by the LGIS Board;</li> <li>Approve a 3.71% increase to the WALGA Trustee Fee from the Scheme;</li> <li>Endorse the reappointment of Mary Woodford as an Independent Director of the LGIS Board for a three-year term upon the expiry of her current term on 31 December 2023; and</li> <li>Note the minutes of the LGISWA Scheme Board meeting held on 11 May 2023.</li> <li>May 2023</li> <li>Item 7.3</li> <li>Abandoned Shopping Trolleys Advocacy Position RESOLUTION 469.3/2023</li> </ol>	The resolution has been actioned.	Complete	Tony Brown Executive Director Member Services



Meeting	Zone Resolution	Comment	Completio n Date	Officer Responsible
5 July 2023 Item 7.12 CEO Performance Review Report 2022-2023 – CONFIDENTIAL	<ol> <li>That State Council:</li> <li>Note the appraisal of Mr Nick Sloan Chief Executive Officer has been completed for the period of July 2022 to June 2023.</li> <li>Endorse the findings of the 2022-23 Annual Performance Review Report as presented by Price Consulting and thank Mr Sloan for his efforts.</li> <li>Endorse the proposed CEO's Performance Criteria for the 2023-2024 period, as per the attached report.</li> <li>Endorse the next annual performance review process to include 360-degree feedback. RESOLUTION 472.3/2023</li> </ol>	Noted	Complete	Tony Brown Executive Director Member Services
5 July 2023 Item 8.2 Governance and Organisational Services Policy Team Report	<ol> <li>That State Council:</li> <li>retain, without amendment, Advocacy Positions:         <ul> <li>(a) 2.1.10 Recovery of Rates and Service Charges; and</li> <li>(b) 2.5.31 Annual Electors' General Meetings;</li> </ul> </li> <li>delete Advocacy Position 2.5.25 Attendance at Council Meetings by Technology; and</li> <li>notes that the Governance and Organisational Services Policy Team endorsed the WALGA 2023 State Wage Case submission.</li> </ol> RESOLUTION 474.3/2023	The Advocacy Positions Manual has been updated.	Complete	Tony Brown Executive Director Member Services
3 May 2023 Item 7.3 Abandoned Shopping Trolleys Advocacy Position	That State Council endorse the following position on Abandoned Shopping Trolleys:  The Local Government Sector advocates for State Government to consult with the Sector and prioritise legislative reforms that require retailers to contain shopping trolleys within shopping centre property boundaries, inclusive of enforcement and modified penalty mechanisms that are a realistic economic imperative for retailers to comply with containment requirements.  RESOLUTION 441.2/2023	Local Government advocating for legislative reforms to require retailers to contain shopping trolleys within their	Ongoing	Tony Brown Executive Director Member Services



Meeting	Zone Resolution	Comment	Completio	Officer
Meeting	Zone Resolution	Comment	n Date	Responsible
3 May 2023 Item 7.5 State Road Funds to Local Government Agreement 2023/24 to 2027/28	That the State Roads Funds to Local Government Agreement 2023/24 – 2027/28 be endorsed.  RESOLUTION 443.2/2023	We understand that the draft Agreement endorsed by WALGA State Council was recommended for signing by the Premier and Minister for Transport. A date for signing was not secured prior to the Premier resigning and is now dependent on a new Premier and potentially new Transport Minister being briefed and agreeing.	Ongoing	lan Duncan Executive Manager Infrastructure
1 March 2023 Item 7.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities	<ol> <li>That WALGA:</li> <li>Note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball.</li> <li>Write to the Ministers for Environment, Local Government, Sport and Planning requesting the formation of a cross Government working group, including relevant representative bodies, to consider and develop solutions to balance urban density and infill, public recreation and noise management.</li> </ol> RESOLUTION 422.1/2023	Correspondence has been sent, awaiting a	Ongoing	Nicole Matthews Executive Manager Policy
7 December 2022 Item 5.1 2022 Annual General Meeting	3.1 Road Traffic Issues That WALGA advocate on behalf of the local government sector to the State Government	The Infrastructure Policy Team resolved:  That efforts to increase the importance given to Local Government knowledge regarding traffic issues be deferred for consideration in mid-2023 after a clear Local Government advocacy position on speed management is developed and endorsed.  This matter is central to the new Speed Management Policy adopted by State Council in May 2023. Implementation strategy being considered.	Ongoing	lan Duncan Executive Manager Infrastructure



Meeting	Zone Resolution	Comment	Completio n Date	Officer Responsible
7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions		The Infrastructure Policy Team resolved:  That WALGA uses its role at the Safe Active Travel to School Working Group to advocate for these outcomes and provide advice back to the Local Government sector.	Ongoing	Ian Duncan Executive Manager Infrastructure
7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:  3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA  That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.  RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: That the opportunities and interest in contracting Local Governments to undertake maintenance and minor works on the State Road network be explored in discussion with Main Roads WA.	Ongoing	lan Duncan Executive Manager Infrastructure



Meeting	Zone Resolution	Comment	Completio n Date	Officer Responsible
7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:  3.4 Northern Australia Beef Roads Program  That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.  RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved:  That the Association write to the Goldfields Esperance Regional Road Group identifying the issue raised and invite them to consider whether they may partner with other organizations such as Meat and Livestock Australia, the Pastoral and Graziers Association and the Regional Development Commission and RDA to develop a business case to fund roads critical to the southern pastoral beef industry.	Ongoing	lan Duncan Executive Manager Infrastructure
1 December 2021 Item 5.3 2021 Annual General Meeting	That the following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: <u>Cost of Regional Development</u> That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.  RESOLUTION 294.7/2021	In March the State Government announced the establishment of a new Infrastructure Development Fund that includes a stream to support the delivery of regional worker accommodation with applications open until September 2024. This is an infrastructure investment program to address infrastructure constraints in the water, wastewater and electricity network at a precinct or strategic site scale impacting the delivery of regional worker accommodation. Full details can be found here.	Ongoing	Ian Duncan Executive Manager Infrastructure
3 September 2021 Item 6.1 Stop Puppy Farming Legislation	<ol> <li>That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted.</li> <li>That:         <ul> <li>a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and</li> <li>b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index.</li> </ul> </li> <li>RESOLUTION 275.5/2021</li> </ol>	Correspondence has been sent to the Minister for Local Government advising of resolution 2.	Ongoing	Tony Brown Executive Director Member Services

Link to Key Pillar/s and Strategies:			Budget Implications		
Advocate Facilitate Partner Fund Promote Monitor People Place Prosperity Performance			Nil		
Resolution(s)				Action(s)	
That the Kimberley Regional Group:  1. Notes the report from the WALGA President 2. Notes the State Council Agenda Items as circulated 3. Supports the recommendations in the Matters for Decision contained within the State Council Agenda 4. Acknowledges the Items for noting 5. Acknowledges the Status Report on State Council Resolutions 6. Notes the Kimberley Zone Status Report			Nil		
Moved:	Moved: Shire of Broome			Responsible:	
Seconded:		by West Kimberle	У	Due date:	
Carried: 4/0					



# 5. 2023 Local Government Elections – Zone Office Bearer Elections

**Item For Noting** 

By Chantelle O'Brien, Governance Support Officer

#### **BACKGROUND**

With the bi annual Local Government elections being held on Saturday, 21 October 2023, Zones will also be required to hold an election process for State Council representatives.

A chronological overview of the process is detailed below:

- Local Government elections occur on Saturday, 21 October 2023.
- Member Councils to elect/appoint their Zone Delegates and to advise the Zone Executive Officer, as soon as possible but preferably by 3 November 2023.
- For the purpose of electing their representatives and deputy representatives to the WALGA State Council, the Zones are required to hold these elections at their November 2023 meeting.
- Zones to advise WALGA, in writing, of their elected State Council representative and deputy representative immediately following the 2023 November Zone meeting.
- A State Councillor Induction Session will be held for all State Council representatives and deputy representatives before the first meeting in December.
- The new State Council will take office at the Ordinary Meeting of State Council on 6 December 2023.

In relation to the nominations and election process to be followed by each Zone in electing a representative and deputy representative to the WALGA State Council, the below process has been instituted by State Council:

- 1. Zone Executive Officer to write to all Member Councils <u>no later than 1 month</u> prior to the Zone meeting at which the election is to be held calling for nominations from Delegates to the Zone for the positions of representative and deputy representative to State Council. The correspondence is to state that all nominations are to be made in writing to the Zone Executive Officer, and only Elected Members who are a nominated Zone Delegates are eligible to nominate. The time period for the receipt of nominations is preferably to be **one week prior** to the Zone meeting at which the election will be held. However, nominations will be accepted from the floor at the Zone meeting.
- 2. Zone Executive Officer to receive written nominations from Zone Delegates for the positions of representative and deputy representative to State Council and then provide written confirmation to Member Councils of the nominations received.
- 3. Elections are to be held at the next Zone meeting as the first item of business. Nominations will be permitted from the floor at the Zone meeting. Where there is more than one nomination for each vacant position, an election will be conducted using a secret ballot, with the Zone Executive Officer to represent WALGA as the returning officer for the election. Prior to the ballot, nominees for each position are to be extended the opportunity to provide a 2 minute election bid to Delegates.
- 4. All voting Delegates to the Zone are entitled to cast one (1) vote in the ballot process. The candidate with the greater or greatest number of votes is elected to the office.
- 5. **Tied vote** in the event of a tied vote, election will be determined by drawing names from a box. The Secretariat will put the names of the candidates concerned in a box and the first name drawn is the Elected Member.



6. Zone Executive Officer to advise WALGA in writing immediately following the Zone meeting of the outcome of their elections.

If you have any questions or require further information in relation to the above mentioned process, please contact Tony Brown, Executive Director Member Services on 9213 2051 or email <a href="mailto:thorough:

Link to Key	Pillar/s and	Strategies:	Budget Implications
Advocate Partner Promote		People Place Prosperity Performance	Nil
Resolution(s)			Action(s)
election of Z	one Repres	ntry Zone note the pr entative and Deputy ALGA State Council.	ocess for Nil
Moved:	ved: Shire of Halls Creek		Responsible:
Sacandad:	conded: Shire of Broome		Due date:
Seconded.			



# 6. Commonwealth Disaster Ready Fund – Round Two

**Item for Noting** 

Submitted by Rachel Armstrong, Senior Policy Advisor Emergency Management

#### **Executive Summary**

- The <u>Disaster Ready Fund</u> (DRF) is a \$200 million Commonwealth Government fund that provides grants to government and non-government organisations to help them reduce disaster risk.
- Expressions of Interest (EOIs) for DRF Round 2 are open now and applications for Round 2 will open in early 2024.
- Benefits to Local Governments in applying for the DRF include building partnerships with other organisations and receiving financial assistance for projects that reduce community vulnerability to disasters.
- The Department of Fire and Emergency Services (DFES) is actively engaging with organisations in preparation for Round 2 of the DRF, to identify projects that are most likely to be successful, as well as providing support and advice to develop strong applications.
- DFES is encouraging Local Governments interested in applying for DRF Round 2 to start planning now.
- DFES is holding a <u>grants webinar</u> on Monday 4 September, 10am to 12pm, which will provide more detail on how to submit a successful grant application, and the support available.

## **Background**

The first round of the DRF opened on 10 January and closed 6 March 2023. 19 out of 23 successful Western Australian projects involved Local Governments. Although many WA Local Governments that applied to Round One of the DRF were successful, WA were only allocated just over \$8 million of the total \$200 million available. Successful projects from the first round are listed here.

EOIs for DRF Round 2 are open now and applications for Round 2 will open in early 2024.

#### Comment

Examples of the types of projects that were successful across Australia, and may be of interest to Local Governments considering applying for a DRF grant in Round Two include:

- Evacuation centre upgrades
- Coastal erosion mitigation
- Flood resilience
- Community disaster risk reduction and resilience projects
- Green canopy initiatives
- Community engagement, education, and preparedness
- Improving natural environments to build resilience.



The extra support being provided by DFES through the early EOI process may help increase DRF funding to Local Governments in Round Two. A key factor in funding success is a well substantiated application, which can be resource intensive to develop.

DFES will hold a grants webinar 10am - 12pm, Monday 4 September, with information on how to submit a successful grant application, and what support is available. Register your interest <a href="here">here</a>.

Further information is available on the <u>SEMC website</u> or semc.grants@dfes.wa.gov.au.

Link to Key Pillar/s and Strategies:				Budget Implications	
Advocate Facilitate Partner Fund Promote Monitor People Place Prosperity Performance			Nil		
Resolution(s)			Action(s)		
That zones note that Expressions of Interest for Round 2 of the Disaster Ready Fund are now open, and that the Department of Fire and Emergency Services is providing support to Local Governments to assist with the development of high-quality applications.					
Moved:	Shire of Bro	ome		Responsible:	
Seconded:	Shire of Hall	s Creek		Due date:	
Carried: 4 / 4					



# 7. Funding Support for Arts in Regional Western Australia

**Item for Noting** 

Submitted and presented by: Nicole Roukens, Manager of Community

Engagement and Projects, Shire of Broome

Attachment: Nil Time: 11:30 – 11:40

### **Executive Summary**

This report recommends the Kimberley Zone of WALGA requests the WALGA State Council lobby the State Government to:

- Fund Regional Arts WA for the employment of Regional Arts Hub Coordinators to be based across regional WA;
- Expand KidSport program to include arts activities.

#### **Background:**

The Western Australia Cultural Infrastructure Framework 2030+ states 'we want WA to be the most culturally engaged State in Australia—with cultural infrastructure that celebrates our rich cultural diversity and creative talent, the State recognised as a major hub for technical innovation and the creative industries, and WA known as one of the most artistic and inspiring places in the world.'

The Framework includes multiple opportunities relating to regional WA including:

6.2 Increasing regional prosperity and economic diversity.

Partnerships with local government, industry and local businesses to plan for and promote sustainable growth and leverage regional WA's strengths will further establish our regional cities and towns as open for business and vibrant places to work, play and learn.

6.4 Supporting strong and resilient remote communities.

Cultural tourism has been identified as a growth area in tourism markets and a realistic economic stimulus for remote and regional WA. International cultural tourist visitor numbers and spend has increased at a higher rate than average in Australia in recent years.

Following the development of the State's Framework the Shire of Broome recently adopted its own Arts and Culture Strategy. The Strategy determines the local arts and culture sector's needs and long-term ambitions, and how it can be supported and enhanced by Shire investment and action so it can thrive and reach its full potential. The Strategy was developed in collaboration with key local stakeholders to ensure it meets local needs, whilst alignment with State and Federal strategies.



Many of the actions included in the Strategy are proposed to be delivered in partnership with local arts organisations, Regional Arts WA and the State Government.

The Strategy includes actions to:

- Advocate for the State and Federal Government to provide increased organisational arts investment in the Kimberley region and increased regional WA specific organisational funding delivered through the peak body for regional arts in WA
- Partner with arts organisations providing youth programs to seek funding for subsidised program participants and Advocate for the introduction of a KidSport like program for arts activities.

#### Details:

Regional Arts WA have previously secured philanthropic funding for Regional Arts Hub Coordinators to be based in arts organisations across regional WA. The Hub Coordinators work to:

- advocate for the value of arts and culture by strengthening relationships with local governments and stakeholders, and
- promote and seek development opportunities for artists and arts workers.

Isolation and lack of resources are key challenges for the regional arts sector. Hub organisations support each other through these challenges by sharing knowledge, expertise, and resources. They connect back to one another (and Regional Arts WA) to create the Regional Arts Network.

The Regional Arts Network works collectively to amplify the voice of regional arts in WA. Together, they are finding new ways of connecting and collaborating on statewide projects to benefit the wider regional arts sector.

Recently the Shire of Broome became aware that funding for the Regional Arts WA, Regional Arts Hub Coordinators was being reduced and coming to an end in June 2025. This program is currently funded through the Minderoo and Ian Potter Foundations.

Through this program Broome has had a part-time Regional Arts Hub Coordinator based in Broome for the past 2 years based out of Goolarri Media. We believe that this role is crucial for the sustainability and development of arts in the Shire and enabling the Shire and State to meet their strategic objectives. The Shire of Broome would like to see State Government funding committed to this program to ensure it can continue.

The Shire of Broome has received funding from the State Government for over 10 years for the Every Club grant (previously Club Development Officer). This position works with local sporting groups to improve their governance practices, sustainability and capacity. This has been an incredibly successful program and the Shire has witnessed firsthand the benefit to the local community.

Sport and art are vital to creating a strong and vibrant community and funding is required to support regional arts groups.

KidSport has been supporting the Western Australian community since 2011. The Kidsport program enables eligible children aged 5 – 18 years to participate in community sporting by offering them financial assistance of up to \$150 per calendar year towards club fees.

It is recommended the State Government extend the KidSport program to include arts activities. The social, physical and mental health benefits of participation in the arts are well documented, similar to the benefits of participation in sports. The KidSport model and delivery are proven, and we believe should be extended to include arts activities.



### Risk:

If no further funding is secured for the Regional Arts Hub Coordinators to be based in regional WA this will result in reduced service to regional arts organisations and the sustainability of regional arts.

Link to Key F	Pillar/s and Strategies:	Budget Implications		
People Place Prosperity Performance	Advocate Facilitate Partner Fund Promote Monitor	Nil		
Resolution(s		Action(s)		
Request the advocate the Fund employed Coord region Expa	berley Country Zone of WALGA; e WALGA State Council to State Government to: Regional Arts WA for the Dyment of Regional Arts Hubdinators to be based across hal WA; and the KidSport program to de arts activities.	resolution		
Moved:	Shire of Broome	Responsible:	Executive Team	
Seconded:	Shire of East Kimberley	Due date:	As required	
Carried:	-1-			

**Conclusion of Zone Matters:12:05**