



**THE
KIMBERLEY
ZONE**

Meeting Minutes

20 June 2024



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1. Kimberley Country Zone Meeting Open: 10:49am

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 David Menzel | Zone Chair, and President, Shire of Wyndham East Kimberley | In Person |
| Cr Peter McCumstie | President, Shire of Derby West Kimberley | In Person |
| Cr Malcolm Edwards | President, Shire of Halls Creek | In Person |
| Cr Chris Mitchell | President, Shire of Broome | In Person |
| Observers | | |
| Sam Mastrolembro | CEO, Shire of Broome | In Person |
| Geoff Haerewa | Zone Deputy & Deputy President, Shire of Derby West Kimberley | In Person |
| Amanda Dexter | CEO, Shire of Derby West Kimberley | In Person |
| Susan Leonard | CEO, Shire of Halls Creek | In Person |
| Vernon Lawrence | CEO, Shire of Wyndham East Kimberley | In Person |
| Cr Kerrissa O'Meara | Shire of Derby West Kimberley | In Person |
| Cr Brett Angwin | Shire of Derby West Kimberley | In Person |
| Executive Support Team | | |
| Paul Rosair | Principal NAJA Business Consulting | In Person |
| Michelle Mackenzie | Principal Mira Consulting | Zoom |
| Jane Lewis | Principal Redit Research | In Person |
| Rebecca Billing | Administrative Assistant, NAJA Business Consulting | In Person |
| Apologies | | |

| Name | Shire / Council / Organisation | Method |
|------------------|---|-----------|
| Gordon Thomson | President, Shire of Christmas Island | |
| David Price | CEO, Shire of Christmas Island | |
| Aindil Minkom | President, Cocos (Keeling) Islands | |
| Frank Mills | CEO, Cocos (Keeling) Islands | |
| Tony Lacy | Cocos (Keeling) Islands | |
| Cr Azah Badlu | Cocos (Keeling) Islands | |
| Guests | | |
| Nick Sloan | CEO WALGA | In Person |
| Cr Karen Chappel | President WALGA | In Person |
| Janine Hatch | Director, Regional Development Australia - Kimberley | Zoom |
| Kim Brown | Destination Development Manager Australia's Northwest | Zoom |
| Tom Chapman | Regional Manager, DLGSCI | In Person |
| Chuck Berger | CEO Kimberley Development Commission | In Person |

3. Disclosures, Conflicts and Declarations of Interest:

Financial 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)

1.1 Presidents Report – Attachment 1

WALGA

President's Report

July 2024

Introduction

As always, I am proud to highlight our continual efforts, to influence Government and support our Members through advocacy, expertise, and opportunities for connection.

Waste and Environment Summit

On Thursday, 30 May and Friday, 31 May, over 70 delegates gathered in Northam to discuss the key waste and environment challenges and solutions for the Wheatbelt region.

Now in its sixth year, the Summit brings together Local Government, State Government, businesses and the community for key speaker presentations, workshops, panel discussions, and a tour of Northam's key waste and environment locations.

Speakers included the Hon Darren West, Parliamentary Secretary to the Minister for Energy; Environment; Climate Action and representatives from the Departments of Primary Industries and Regional Development and Water and Environmental Regulation. A key takeaway was the need for effective regional collaboration and the opportunities for further cooperation with businesses and Local Government.

The Waste and Environment Summit highlights how our people are proactive, passionate, and committed to providing the support Local Governments need to best serve their local communities.

Inquiry into Local Government Sustainability – Public Hearing

On Friday, 7 June I joined WALGA CEO Nick Sloan and Economist Dan Thompson in representing the sector to the Standing Committee on Regional Development, Infrastructure and Transport's public hearing for their [inquiry into local government sustainability](#).

This was a valuable opportunity to speak directly to the members of the Committee and highlight the important role that Local Governments play in providing community infrastructure and services as well as the ongoing challenges in raising revenue to meet community needs.

I would also like to thank those Local Governments that have made a submission to the Inquiry.

Submissions to Regional Telecommunications Reviews and Inquiries

WALGA provided submissions to the National 2024 Regional Telecommunications Review and the State Parliament Public Administration Committee Inquiry into Regional Telecommunications in Western Australia based on endorsed advocacy positions, items raised at Zone meetings and feedback from Local Governments.

All regional and peri-urban Local Governments were invited to provide information for the WALGA submission and to make submissions directly.

2024 Federal and State Budgets

The WALGA Advocacy and Policy teams assembled on the State and Federal budget nights in May to provide analysis for our Member Councils and the public more broadly through our website.

It was disappointing that despite our extensive advocacy and positive feedback received from within Government, there was limited support for priorities identified in WALGA's State Budget Submission such as more funding for bushfire volunteers and Community Emergency Services Managers (CESMs), the renewal of aging libraries, upgrade of arts and cultural facilities and funding to address coastal erosion.

On behalf of our Member Councils, WALGA will continue to advocate strongly for areas we had previously identified, as part of our 2025 Election Policy Platform and Campaign.

National Reconciliation Week

National Reconciliation Week (NRW) is a time for all Australians to learn about our shared histories, cultures, and achievements and explore how each of us can contribute to reconciliation in Australia.

WALGA was proud to partner once again with Reconciliation WA to deliver a full program of events across the State. Highlights included the high-profile NRW Breakfast, Reconciliation Memoirs with Carol Innes AM, and many of our WALGA Staff attending the Walk for Reconciliation at Langley Park.

Thank you to all Member Councils and Elected Members who supported this important cause. Reconciliation is important, now more than ever.

Polyphagous Shot-hole Borer

The Polyphagous Shot-hole Borer (PSHB) biosecurity emergency facing Western Australia is at a critical tipping point. With no current effective treatment more than 3,000 mature trees have so far been removed. Many of these are located in the most iconic and important areas of Perth, including Kings Park, Rottnest Island, Perth Zoo, Hyde Park and around Lake Claremont.

WALGA recently convened a roundtable attended by DPIRD and Local Government CEOs from across the PSHB quarantine area. It was clear from the discussion that without an urgent and substantial increase in resourcing and escalation of the response PSHB is unlikely to be eradicated, or even contained, which would decimate our urban tree canopy and put agricultural crops like avocado and citrus at risk. It is essential that a PSHB recovery plan is developed now.

I have written to the Premier seeking an urgent meeting on this issue, and last week met with the Minister for the Environment to voice our concerns.

Local Government Legislative Reform

The Minister for Local Government has advised that it is intended to introduce a Bill to Parliament this year for the tranche two reforms.

Tranche two reforms include:

- the new Local Government Inspector
- introduction of monitors for early intervention
- council member superannuation

- increasing penalties
- enabling resource sharing
- streamlining processes for model local laws
- greater role clarity for council members and CEOs
- introduction of a rates and revenue policy for Local Governments
- changes to audit committees to require an Independent Chair
- building upgrade finance.

Information about tranche two reforms will be provided to the sector as soon as appropriate, via webinars, LG alerts and other opportunities as they arise.

Media Activity

As President, I held a number of interviews during this period, particularly on urban canopy and the WALGA greening grants, housing, changes to long service leave laws, and the Salaries and Allowances tribunal changes.

President Cr Karen Chappel AM JP
WALGA President

President's Contacts

The President's contacts since 1 May 2024 and scheduled before 10 July 2024 are as follows:

State and Commonwealth Government Relations

- Hon Darren Chester MP, Shadow Minister for Local Government and the Territories
- Office of the Auditor General, Ms Caroline Spencer
- Hon Libby Mettam MLA, Leader of the Liberal Party WA
- Hon Reece Whitby, MLA, Minister for Energy; Environment; Climate Action
- Hon Simone McGurk MLA, Minister for Training and Workforce Development; Water; Industrial Relations
- Hon Stephen Dawson MLC, Minister for Emergency Services; Innovation and the Digital Economy; Science; Medical Research

Zone Meetings

- Kimberley Country Zone Meeting
- South West Country Zone Meeting
- Northern Country Zone Meeting

Local Government Relations

- **State Council Meetings**
 - State Council Regional Meeting – May 1, 2024
 - Strategic Planning Workshop
 - Finance and Services Committee Meeting
 - State Council Information Forum
 - CEO Performance Review Committee
 - Finance and Services Budget Workshop
- **ALGA**
 - National General Assembly 2-4 July 2024
 - ALGA Board Meeting & General Meeting
 - Joint Council on Closing the Gap – Adelaide, July 5, 2024
- **LGIS**
 - Risk and Compliance Committee
 - Board Meeting, 24 May 2024
- Pre SAC Meeting
- State Road Funds to Local Government Advisory Committee Meeting
- Australian Local Government Women's Association WA
- City of Swan, Mayor, Tanya Richardson & CEO, Stephen Cain
- SBAC Quarterly Meeting
- Parliamentary inquiry into Local Government Financial Sustainability
- City of Gosnells Planting Event with the Hon Reece Whitby
- Firewise Gardening Launch

Conferences, Workshops, Public Relations

- Greening Strategy Emergency Management workshop with Department of Plannings, Lands and Heritage
- Shire of Peppermint Grove Cocktail Reception
- Lord Mayors Distress Relief Fund Board Meeting x 2
- LBR Roundtable Budget Sundowner
- State Budget Briefing, Seven West Media
- Bennie Ng, CEO Australian Medical Association WA
- National Reconciliation Week Breakfast
- 100 Years of ABC Radio Perth
- LBR Roundtable Boardroom Lunch with Minister Beazley

1.2 Reports from Representatives

WALGA –

- Karen Chappel, President,
- Nick Sloan, CEO

RDA Kimberley – Janine Hatch, Director

Australia's North West Tourism – Kim Brown, Destination Development Manager

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

Kimberley Development Commission - Chuck Berger, CEO

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



Department of
Local Government, Sport
and Cultural Industries

Department of Local Government, Sport and Cultural Industries Report

June 2024

Local Government Act Reform

Tranche 1

- The *Local Government Amendment Act 2023*, containing the first tranche of reforms, was passed on 11 May 2023 and included priority reforms to election and council representation ahead of the October 2023 Local Government Elections.
- The electoral reforms included the introduction of optional preferential voting, changes to council member representation based on population, and abolishing the use of wards for smaller local governments.
- Tranche one reforms that were implemented without the need for further regulations included:
 - changes to special electors' meetings
 - compliance exemptions (due to emergency or unusual circumstances)
 - parental leave for council members
 - recording individual votes in minutes of council meetings.
- Three regulation amendments and 63 Governor's Orders were made in 2023 to prescribe detail related to reforms. These included:
 - model financial statements
 - constitutional reforms such as the introduction of class groupings and the alignment of council sizes to population size
 - electoral reforms such as optional preferential voting, backfilling and the public election of mayors and presidents
 - remuneration for independent committee members
 - broadcasting and recording of council meetings
 - owners and occupiers' enrolments
 - payment for council professional development and training.
- Various other regulations projects are currently in development or being drafted. These include:
 - standardised meeting procedures
 - council plans
 - community engagement charters
 - community surveys
 - online registers
 - publication of CEO key performance indicators
 - communications agreements
 - standardisation of crossovers and incidental outdoor trading.

- The DLGSC provides regular updates to the local government sector on the progress of reforms via DLGSC's Reform webinar series, updates to the DLGSC website and LG alerts.
- A three-month consultation process is currently being undertaken to inform the drafting of standardised meeting procedures in regulations.
- The consultation opened on 28 February 2024 and finishes on 29 May 2024.
- As of 23 May 2024, DLGSC has received 102 responses.
- All local governments, council members, local government CEOs, local government employees and community members are encouraged to make a submission.

Tranche 2

- It is intended to introduce a Bill to Parliament this year for tranche two reforms.
- Tranche two reforms include:
 - the new Local Government Inspector
 - introduction of monitors for early intervention
 - council member superannuation
 - increasing penalties
 - enabling resource sharing
 - streamlining processes for model local laws
 - greater role clarity for council members and CEOs
 - introduction of a rates and revenue policy for local governments
 - changes to audit committees
 - building upgrade finance.
- Information about tranche two reforms will be provided to the sector as soon as appropriate, via webinars, LG alerts and other opportunities as they arise.

Long Service Leave Regulations

- The Local Government (Long Service Leave) Regulations 2024 were published on Wednesday 17 April 2024 and will come into effect on 1 September 2024.
- The Regulations have been made to modernise long service leave arrangements for employees working in the local government sector.
- The previous Regulations and corresponding industrial relations scheme had not been substantially updated since their introduction in the 1970s.
- The new Regulations will improve the operation of the local government long service leave portability scheme, which is an integral part of local government employment conditions. This means that when staff change employment from one local government to another, all their service in the local government sector counts towards their accrual of long service leave.
- The new Regulations introduce changes intended to strengthen the system of long service leave entitlements for local government employees, including:
 - a longer permitted period of break between local government sector employers that maintain continuity of service
 - period of parental leave where the employee is being paid by the Commonwealth will count towards long service leave accrual
 - employees can negotiate taking advanced long service leave and cashing out of long service leave with their employer.

- The DLGSC held a webinar on 30 April 2024 to explain the changes and answer questions.
- The webinar recording is available on DLGSC's website.
- More information about the Regulations is available on DLGSC's website.

Model Financial Statements (MFS) and Financial

- Model Financial Statements (MFS) guidelines and templates for Class 1 and 2, plus a reduced version for smaller local governments (Class 3 and 4) were published on the DLGSC website on 16 May 2023 and applied to 2022-23 annual financial statements.
- 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 September 2023 version of the Local Government (Financial Management) Regulations 1996 includes the new credit card regulation 13A.
- On 19 October 2023, an LG Alert was issued, which also provided guidance on reporting credit card and purchasing card transactions.
- An LG Alert was issued on 9 January 2024 seeking feedback on the MFS used for 2022-23 annual financial statements report.
- Feedback closed on 9 February 2024 and was reviewed prior to updating the model financial statements for 2023-24. The updated MFS for 2023-24 annual financial statements report will be published early June 2024.
- Non-financial asset valuation guidelines are currently being prepared. A draft was presented to a sector body workshop held on 22 March 2024, and feedback is being addressed with a view to finalise and publish it by the end of June 2024.

Contact LG Accounting for queries – Lg.accounting@dlgsc.wa.gov.au

Local Government Grants Commission

- The WA Local Government Grants Commission (the Commission) has five member and deputy positions with terms that end on 31 August 2024, work has progressed for nominations.
- On 15 April 2024, the Commission Chairperson Cr Dan Bull was preselected as the WA Labor Candidate for Maylands in the 2025 State Election and has therefore resigned as chair from the Commission.
- The Chairperson and the deputy position of Deputy to the Deputy Chairperson are vacant and will be filled in 2024.
- The total amount of 2023-24 Financial Assistance Grants (FA Grants) was \$393,675,581 (\$366,684,564 paid in advance). This was made up of two components:
 - \$241,099,199 for General Purpose Grants (\$230,921,687 paid in advance), and
 - \$152,576,382 for Local Roads Grants (\$135,762,877 paid in advance).
- An advance payment of the 2023-24 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.

- Local Governments were advised that the advance payment meant remaining payments during 2023-24 would be limited and that they needed to ensure they have sufficient funds for 2023-24 to complete their planned programs.
- Due to the 100% advance, all WA local governments were either over or underpaid, with the difference to be recouped from their future 2024-25 funding. All local governments with a variance of \$50,000, or greater than 2% of rates revenue, have been advised of the implications to next year's allocations.
- The Commission completed a visiting program to the Pilbara in order to conduct public hearings in October 2023, further visited nine local governments in the Upper Great Southern and Eastern Goldfields-South regions in April 2024 and recently visited four local governments in the Kimberley region in May 2024.
- The Commission is currently working on indicative funding allocations for the 2024-25 FA Grants, with the possible advance payment of 75% likely to be made in late June 2024 by the Commonwealth Government.

Stop Puppy Farming

- The State Government is delivering on its commitment to stop and prevent puppy farming. These reforms have overwhelming community support.
- The Dog Amendment (Stop Puppy Farming) Act 2021 requires the design and development of a centralised registration system (CRS) for dogs and cats.
- The CRS will also assist with the registration of cats under the *Cat Act 2011*, and the development of regulations, in consultation with stakeholders.
- The DLGSC concluded a Design and Discovery phase for the CRS on 18 March 2024.
- DLGSC is continuing to engage local governments and other key stakeholders across the State to prepare for CRS implementation.
- Public consultation on the proposed regulations closed late last year, and the final regulations are in development.
- The Department of Local Government, Sport and Cultural Industries has undertaken targeted consultation with local governments about the implementation of the stop puppy farming legislation.

Off Road Vehicles

- ORV committee are continuing to meet regularly.
- A private proponent is currently investigating the potential of an ORV area south of Perth.
- The government has invested \$100,000 to improve the ORV areas, specifically in York and Ledge Point.
- Upgrades at other sites are in the pipeline, as the search continues to expand Western Australia's ORV network.
- The future of Pinjar's ORV site was assured when the government decided to end pine harvesting in the Gnamangara State Forest, to preserve the roosting habitat of the endangered black cockatoo and support the recreational use of the area.
- A safety assessment has been conducted at the Lancelin ORV area, within the Shire of Gingin with the final report to be delivered before the end of the financial year.

Local Government Election Commitments

- The City of Bayswater's Riverside Gardens Urban Development project is on track. Detailed design is expected to be completed in June 2024, with an estimated project cost to be known at this time.
- The City of Gosnells' Sutherlands Park Youth (Skate) Plaza is on track. Detailed design is complete, and a contractor appointed for design and construction. Civil works are underway with main works commencing in August 2024 with expected completion in January 2025.
- The City of Joondalup's Greenwood Scout and Guide Hall Refurbishment project is on track with construction underway and due for completion in November 2024
- The City of Swan's Ellenbrook Community Hub project has completed community consultation and a detailed needs analysis. The City is currently finalising the detailed design to a 50 per cent brief by August 2024.

Ratability of Misc Licenses

- The State Administrative Tribunal (SAT) has recently determined that land subject to a Miscellaneous License is not subject to local government rates under any circumstances,
- The DLGSC has already issued an LG alert to warn regional local governments of this issue.
- The DLGSC is also preparing to consult with regional areas to identify whether any local governments have been charging rates over miscellaneous licenses or intended to do so.
- The intention of the consultation is to quantify the potential financial impact that this SAT decision has had on the sector.
- The DLGSC has been advised that the local government involved in the SAT decision is intending to appeal that decision, on the grounds that it contains errors of law.

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 – Financial 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 |
| LG Advisory Board | advisoryboard@dlgsc.wa.gov.au |

5.3 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 10 July 2024, 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).

5.3.1 Item/Matters for Decision

| Item / Matters for Decision As per State Council Agenda | WALGA Recommendations |
|---|--|
| 8.1 Caravan Park and Camping Grounds Regulations | <p>That State Council:</p> <p>Endorse a new Caravan Park and Camping Grounds Regulations Advocacy Position:</p> <p>Part 2 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> should be amended to allow Local Governments to:</p> <ol style="list-style-type: none"> 1. Consider camping on private property for a period of greater of three months. 2. Establish policy to guide approvals beyond 3 months to ensure that camping is locally appropriate and provide for circumstances where caravans, predominantly in the form of tiny homes on wheels, can be occupied on a more permanent basis. <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • Tiny Homes on Wheels (THOWs) are an emerging form of housing that offers an alternative and affordable housing option that can assist in addressing the current housing shortage. • THOWs are classified as caravans under the Caravan Parks and Camping Grounds Act 1995 (the Act) and the Caravan Parks and Camping Grounds Regulations 1997 (the Regulations). • The Regulations restrict the length of occupation of THOWs. • A new advocacy position proposes that the Regulations be amended to allow THOWs to be occupied for longer periods and for Local Governments to be able to establish policy to guide these longer approvals. • The Environment Policy Team endorsed the draft advocacy position on 29 May 2024. <p>ATTACHMENT</p> <ul style="list-style-type: none"> • Policy Statement – Caravan Parks and Camping Grounds Regulations |

| Item / Matters for Decision As per State Council Agenda | WALGA Recommendations |
|---|---|
| 8.2 2024 Audit Experience Survey Results and Advocacy Position | <p>That State Council:</p> <ol style="list-style-type: none"> Note the Audit Experience Survey Results Summary; and Amend Advocacy Position 2.2.2 <i>Local Government Audit Process</i> to remove point 7 as it has been achieved. <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> WALGA, in partnership with Local Government Professionals WA (LG Professionals), has recently conducted a survey of the Local Government sector to seek feedback on the annual audit process. The 2024 survey was based on the inaugural audit experience survey conducted last year, allowing for direct comparison of results over time. Five key emerging issues were identified following the 2023 survey, and these areas demonstrated varying levels of improvement this year: <ul style="list-style-type: none"> timeframe and delays; additional workload on Local Government staff; cost; inconsistent advice from contract Auditors and the Office of the Auditor General (OAG); and asset valuation requirements. An outcome of advocacy efforts last year was the achievement of a review of the application of Fair Value principles, particularly as applied in audit related asset valuation. It is recommended that the WALGA Advocacy Position on Local Government Audit Process (position 2.2.2) be updated to reflect this achievement. An initial meeting with the OAG has recently been held to discuss the outcomes from the survey. WALGA and LG Professionals will continue to work with the OAG to reform the audit process in line with sector feedback, with a particular focus on those areas of concern identified in the 2024 survey results. This item was considered at the Governance Policy Team held on 15 May 2024, where the recommendation was supported. <p>ATTACHMENT</p> <ul style="list-style-type: none"> Audit Experience Survey Results Summary |

4.3.2 Policy Team and Committee Reports and Matters for Noting

| Item / Matters for Noting / Information | WALGA Recommendations |
|---|--|
| 9.1 Environment Policy Team Report | <p>That State Council note the matters considered by the Environment Policy Team at its meetings on 1 May and 29 May 2024.</p> <p>1. MATTERS FOR STATE COUNCIL DECISION Caravan and Camping Ground Regulation Both the Great Southern Zone and South West Country Zones at their respective April 2024 Zone meetings passed resolutions calling on WALGA to adopt a sector-wide advocacy position on Caravan and Camping Group Regulation.</p> <p>The Policy Team was provided with WALGA's new Advocacy Position at its meeting on 29 May 2024 and endorsed the recommendation that State Council adopt the Advocacy Position related to the Caravan and Camping Ground Regulations.</p> <p>Item 8.1 of the State Council Agenda relates to this matter.</p> <p>2. MATTERS FOR STATE COUNCIL NOTING The Policy Team discussed the following items for noting on the 1 May 2024 State Council agenda:</p> <ul style="list-style-type: none"> • Item 8.1 - Environment Policy Team Report • Item 9.2 - Tree Retention Model Local Planning Policy • Item 9.4 - Planning and Building Performance Monitoring Report <p>3. PORTFOLIO UPDATES The Policy Team was provided with updates on the following at their 1 May 2024 meeting:</p> <ul style="list-style-type: none"> • Urban Forests, • Planning Reform, • Nature Positive Law reforms, • Climate Change Policy Statement and Advocacy Position review, and • Polyphagous shot-hole borer. |
| 9.2 Governance Policy Team Report | <p>That State Council note the matters considered by the Governance Policy Team at its meetings on 1 May and 15 May 2024.</p> <p>1. MATTERS FOR STATE COUNCIL DECISION 2024 Audit Experience Survey Results and Advocacy Position WALGA, in partnership with Local Government Professionals WA, has recently conducted a survey of the Local Government sector to seek feedback on the annual audit process.</p> |

| Item / Matters for Noting / Information | WALGA Recommendations |
|---|--|
| | <p>The Policy Team was provided with the Audit Experience Survey Results Summary Report and recommends that State Council adopt the recommendation to note the survey results and amend Advocacy Position 2.2.2.</p> <p>Item 8.2 is included in the Agenda for State Council's decision.</p> <p>2. MATTERS FOR STATE COUNCIL NOTING Local Government Election Analysis The Policy Team considered a report which presented the findings of a review and analysis of five election cycles up to and including the 2023 local government, against a backdrop of legislative reforms to the Local Government electoral process in WA.</p> <p>The Policy Team resolved to defer to item to a future meeting and:</p> <ul style="list-style-type: none"> • Requested WALGA seek advice from the WAEC on the expected timing for the delivery of their Local Government Elections Report. • Expressed disappointment in the Local Government response rate to the WALGA request for information and requested re-engagement with Local Governments to improve participation. |
| <p>9.3 Infrastructure Policy Team Report</p> | <p>That State Council note the matters considered by the Infrastructure Policy Team at its meeting on 1 May 2024.</p> <p>1. MATTERS FOR STATE COUNCIL DECISION Nil</p> <p>2. MATTERS FOR STATE COUNCIL NOTING At its meeting on 1 May, the Infrastructure Policy Team:</p> <ol style="list-style-type: none"> 1. Received a briefing from Cr James Rowe JP representing the North Metropolitan Zone regarding a motion carried by the Zone seeking an investigation into the impact of the new light vehicle emissions standard on Local Governments. The team resolved that input be sought from the WALGA environment team to understand how the impacts of this new legislation can be integrated into broader climate change related work. 2. Discussed the submissions to: <ol style="list-style-type: none"> a. 2024 Regional Telecommunications Review; and b. State Parliamentary Inquiry into Regional Telecommunications; that were to be considered by State Council. 3. Considered progress of the work with Regional Road Groups to update the multi-criteria analysis models used to prioritise investments funded by the State Road Funds to Local Government Agreement. 4. Received updates for on-going policy or advocacy activities in relation to: 5. Regulating heavy vehicle road access conditions; 6. Extended lead time for quotes from Western Power for headworks and changes to infrastructure; 7. Royalty payments for mine site materials used in road construction and maintenance; |

| Item / Matters for Noting / Information | WALGA Recommendations |
|---|--|
| | 8. Review of Main Roads WA Cross over Policy; and 9. Local Government Active Transport Working Group |
| 9.4 People and Place Policy Team Report | <p>That State Council:</p> <ol style="list-style-type: none"> Note the matters considered by the People and Place Policy Team at its meeting on 30 April 2024. Determine to retire Advocacy Position 3.12.1 State Trail Bike Strategy. <p>1. MATTERS FOR STATE COUNCIL DECISION Advocacy Position Review The People and Place Policy Team provides recommendations regarding WALGA community and emergency management advocacy positions for State Council's decision. Advocacy Positions may be reviewed in the WALGA Advocacy Position Manual.</p> <p>The Policy Team recommends that State Trial Bike Strategy Advocacy Position 3.12.1 be retired. This position relates specifically to the <i>WA State Trail Bike Strategy 2008</i>, which is no longer in circulation or available on State Government platforms.</p> <p>The Policy Team considered that existing Advocacy Position 3.12 Off-Road Vehicles captures the sector's desire to manage land use activities related to the use of trail bikes in line with their local context:</p> <p style="padding-left: 40px;"><i>3.12 Off-Road Vehicles</i> <i>Legislation relating to off road vehicles should be reviewed to align registration and licensing of off-road vehicles with other vehicle types are users. In addition, educational resources should be developed in consultation with users, regulators, and vendors relating to safety, regulatory compliance and other associated matters.</i></p> <p>2. MATTERS FOR STATE COUNCIL NOTING The Policy Team discussed the following items for noting on the 1 May 2024 State Council agenda:</p> <ul style="list-style-type: none"> Item 9.1 - WALGA 2023 Emergency Management survey Item 9.3 - Local Emergency Management Arrangements (LEMA) Improvement Plan implementation Item 9.5 - 2024 WALGA Aboriginal Engagement Forum |
| 9.5 Municipal Waste Advisory Council (MWAC) Report | <p>That State Council note the report from the Municipal Waste Advisory Council to the 10 July 2024 meeting.</p> <p>1. MATTERS FOR STATE COUNCIL DECISION Nil</p> |

| Item / Matters for Noting / Information | WALGA Recommendations |
|--|---|
| | <p>2. MATTERS FOR STATE COUNCIL NOTING</p> <p>MWAC considered the following matters:</p> <ul style="list-style-type: none"> • Policy Statement Review - Extended Producer Responsibility: The Council considered a proposed update of the Extended Producer Responsibility Policy Statement. An updated Policy Statement will be provided to State Council for consideration at its September meeting. • Development of Advocacy Position - Circular Economy: The development of a Circular Economy Advocacy Position is a priority for 2024. The Council was provided with a summary of WALGA's plan for the position and were given an opportunity to provide their input. • Draft State Waste Strategy - Focus and Process for Submission: The Council was provided with WALGA's Submission on the Directions Paper, which informed the development of the Draft Strategy. Members supported the proposed process to develop a response to the Draft Strategy. • Waste Levy Policy and Advocacy Position - Feedback from Zones: WALGA Zones have considered the Waste Levy Advocacy Position and Policy Statement and have provided feedback, an overview of their comments was provided to MWAC. The Policy and Advocacy Position was endorsed by State Council at the 1 May 2024 meeting. <p>Updates on the following items were noted:</p> <ul style="list-style-type: none"> • Policy Statement Review Update, • Wheatbelt Waste and Environment Summit being held in Northam on 30-31 May 2024, • DWER Non-Metropolitan Roundtable, and • Bin Tagging Program. |
| <p>10.1 2024-25 State and Federal Budget Update</p> | <p>That State Council note the update on the 2024-25 State and Federal Budgets.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • The 2024-25 State Budget was handed down on Thursday, 9 May 2024. • The Government used the Budget to set out its priorities for the upcoming election, with a focus on addressing the high cost of living, new industry development and economic diversification. • Limited funding was provided for initiatives in WALGA's State Budget Submission, however a number of these may be considered for funding during the election campaign. • The 2024-25 Federal Budget, handed down on Tuesday, 14 May 2024 also focussed on providing cost of living relief and investing in new industry development. • While the Federal Budget retained the Government's commitment to a number of key funding programs for the Sector it missed the opportunity to invest in other priorities identified in WALGA's Federal Budget Submission. <p>ATTACHMENTS</p> <ul style="list-style-type: none"> • WALGA State Budget 2024-25 Highlights • WALGA Federal Budget 2024-25 Highlights • WALGA State Budget Submission 2024-25 |

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| 10.2 Submission to the Commissioner for Children and Young People WA Priority Area Discussion Papers | <p>That State Council note the submission to the Commissioner for Children and Young People Priority Area Discussion Papers.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> The Western Australian Commissioner for Children and Young People requested that WALGA provide a submission to the Commissioner's policy area discussion papers. WALGA's submission aligns to Advocacy Position 3.6 Children and Young People and 3.10.2 Child Safeguarding. It provides a high-level overview of the interaction of Local Government with the identified priority areas, noting that the issues raised are predominantly within the remit of State Government or service delivery specific. The People and Place Policy Team noted the submission at its 29 April 2024 meeting. <p>ATTACHMENT</p> <ul style="list-style-type: none"> WALGA Letter to CCYP – comments on Discussion Papers |
| 10.3 Perth and Peel Urban Greening Strategy | <p>That State Council note the submission on the Perth and Peel Urban Greening Strategy.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> The Department of Planning, Lands and Heritage (DPLH) is seeking feedback to inform the State Government's development of an Urban Greening Strategy for the Perth and Peel Regions, to be finalised by December 2024. Local Government is a key stakeholder in the development of the Strategy. WALGA's submission aligns with WALGA's Urban Forest Advocacy Position, including the need for: <ul style="list-style-type: none"> a lead State Government agency to be responsible for delivery of the strategy, and coordination across government, the Strategy to be statewide, a 30% canopy by 2040 target to be set for the Perth and Peel Region, effective State level policy and regulation to protect trees on private land and retain more native vegetation as part of the development process, and an expanded and sustained Urban Greening Grant program. <p>ATTACHMENT</p> <ul style="list-style-type: none"> Perth and Peel Urban Greening Strategy – Further Information WALGA submission on the Perth and Peel Urban Greening Strategy |
| 10.4 Polyphagous Shot-Hole Borer Update | <p>That State Council note the update on the Polyphagous shot-hole borer emergency and WALGA advocacy.</p> |

| Item / Matters for Noting / Information | WALGA Recommendations |
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| | <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> The Department of Primary Industries and Regional Development (DPIRD) is leading the national response to eradicate Polyphagous shot-hole borer (PSHB), with tree removal the only effective treatment. More than 3,000 mature trees have been removed so far, many of which are in the most iconic and important areas of Perth, including Kings Park, Rottnest Island, Perth Zoo, Hyde Park and around Lake Claremont. WALGA has intensified its PSHB advocacy in recent months, including representations to the Premier and Environment Minister with our concerns regarding the adequacy of the response to date, the need for greater urgency and support from the State Government, and to commence recovery immediately, including funding for replanting and research into alternative treatment methods. <p>ATTACHMENTS</p> <ul style="list-style-type: none"> Letter to the Premier |
| <p>10.5 Flying Minute: Submission on Emergency Management Sector Adaptation Plan</p> | <p>That State Council note the update on WALGA's submission on the Emergency Management Sector Adaptation Plan (EM-SAP) to the State Emergency Management Committee as endorsed by State Council via Flying Minute.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> The State Emergency Management Committee (SEMC) is developing an Emergency Management Sector Adaptation Plan (EM-SAP) to embed climate change adaptation into the WA emergency management sector. WALGA was engaged by the SEMC to consult with the WA Local Government sector on the content, questions and actions presented in an EM-SAP Discussion Paper. 32 Local Governments participated in WALGA's EM-SAP consultation activities, and a consultation summary report was submitted to the SEMC as preliminary findings. WALGA prepared a formal submission on the EM-SAP to the SEMC. The submission supports the WA EM-SAP initiative as an important milestone in strengthening the consideration of climate change in emergency decision-making, however, provides 25 recommendations to inform the development of the final EM-SAP to ensure it is fit for purpose for Local Governments. WALGA's submission on the EM-SAP was endorsed by State Council via Flying Minute on 18 April 2024 and submitted to the SEMC on 24 April. <p>ATTACHMENT</p> <ul style="list-style-type: none"> Submission on the Emergency Management Sector Adaptation Plan (EM-SAP) |
| <p>10.6 Flying Minute: Stage Wage Case Submission</p> | <p>That State Council note the WALGA 2024 State Wage Case submission to the Western Australian Industrial Relations Commission as endorsed by State Council via Flying Minute.</p> |

| Item / Matters for Noting / Information | WALGA Recommendations |
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| | <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> Annually the Western Australian Industrial Relations Commission (WAIRC) in Court Session issues a decision setting the WA minimum wage. WALGA had an opportunity to file a submission with the WAIRC containing Local Government specific information and economic data for the WAIRC to consider when making its decision. The provision of a submission is important because Local Governments are now the second largest employer in the State industrial relations system (after the State Government) and the decision issued may impact on Local Government employee wages. The submission outlines WALGA support for: <ul style="list-style-type: none"> Wage increases that balance the need for fair wages with the requirement for Local Governments to carefully manage their budgets in the interest of their communities. Increases in line with wage fixing principles. The Governance Policy Team approved the recommendation that the submission be provided to State Council for endorsement. State Council endorsed the submission via Flying Minute on 9 May 2024 and the submission was provided to the WAIRC on 14 May 2024. <p>ATTACHMENT</p> <ul style="list-style-type: none"> Flying Minute: Submission for 2024 State Wage Case Written Submissions of parties WALGA Submission in Reply Annual Wage Review 2023-24 |
| <p>10.7 Flying Minute: Submission on the Inquiry into Local Government Sustainability</p> | <p>That State Council note the submission on the Inquiry into Local Government Sustainability to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport as endorsed by State Council via Flying Minute.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport (The Committee) is conducting an inquiry into local government sustainability, with submissions due by 31 May 2024. WALGA's submission addresses current and future Local Government funding and expenditure challenges, as well as current labour market shortages with a focus on regional issues. The submission was informed by WALGA's advocacy positions, 2024-25 State and Federal Budget submissions and relevant data and statistics from a range of sources. The endorsed submission was provided to the sector and Local Governments were encouraged to prepare their own submission to the inquiry. At its meeting of 1 May 2024, State Council resolved the following: |

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| | <ol style="list-style-type: none"> 1. <i>That the submission on the inquiry into Local Government Sustainability to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport be endorsed in principle.</i> 2. <i>A working party of State Councillors to be established by the President to work with the WALGA Economist to refine the submission and submit to State Council as a Flying Minute, for approval by the submission deadline.</i> <ul style="list-style-type: none"> • A working party was created and met on 2 May 2025. The working party made minor changes to the submission. The submission as amended was provided to State Council by Flying Agenda for endorsement. • State Council endorsed the submission via Flying Minute on 8 May 2024 and the submission was provided to the Committee on 31 May 2024. • WALGA will appear before the Committee on 7 June 2024. <p>ATTACHMENT</p> <ul style="list-style-type: none"> • Flying Minute: WALGA's Submission on the Inquiry into Local Government Sustainability |
| <p>10.8 Flying Minute: Standardised Meeting Procedures Submission</p> | <p>That State Council note WALGA's submission on Standardised Meeting Procedures to the Department of Local Government, Sport and Cultural Industries as endorsed by State Council via Flying Minute.</p> <p>EXECUTIVE SUMMARY</p> <ul style="list-style-type: none"> • An element of the State Government's Local Government Reform Proposals is to introduce standardised meeting procedures as regulations, and thereby discontinue the making of local laws for this purpose. • Sector consultation on the Reform Proposals indicated broad support for standardised meeting procedures. • The Department of Local Government, Sport and Cultural Industries (DLGSC) released a Consultation Paper in February 2024, seeking sector feedback on the proposed standardised meeting procedures with consultation closing on 29 May 2024. • WALGA released a companion Discussion Paper raising matters for consideration to assist Local Governments with their assessment of the proposed meeting procedures and to assist WALGA develop a sector position on the proposals. • Feedback on the Discussion Paper closed end of April to facilitate developing a Flying Minute to State Council by the consultation closing date of 29 May 2024. • State Council endorsed the submission via Flying Minute on 27 May 2024. • On 29 May 2024, the DLGSC extended the deadline to 7 June 2024. • The submission was provided to DLGSC on 7 June 2024. <p>ATTACHMENT</p> <ul style="list-style-type: none"> • Flying Minute: Standardised Meeting Procedures Submission |

| Item / Matters for Noting / Information | WALGA Recommendations |
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| 11.1.1 Report on Key Activities, Advocacy Portfolio | <p>That State Council note the Key Activity Report from the Advocacy Portfolio to the July 2024 State Council meeting.</p> <p>Activities:</p> <p>Advocacy: worked has commenced on WALGA's election policy platform and State election campaign.</p> <p>Marketing</p> <ul style="list-style-type: none"> • Campaigns <p>Communication and Media</p> <ul style="list-style-type: none"> • Media Coverage • 2024/25 State Budget Communications • 2024/25 Federal Budget Communications • Media Releases <ul style="list-style-type: none"> ○ 2024 WA Tree Festival branches out into second week (12 April 2024) ○ In a fire emergency, the badge you wear shouldn't matter (16 April 2024) ○ WALGA welcomes changes to Long Service Leave (LSL) for LG employees (19 April 2024) ○ WALGA response to State Budget 2024-25 (9 May 2024) • Social Media; LinkedIn, Facebook and Instagram <p>Events</p> <ul style="list-style-type: none"> • 2024 WALGA Local Government Convention and Exhibition • 2025 Urban Forest Conference |
| 11.1.2 Report on Key Activities, Infrastructure Portfolio | <p>That State Council note the Key Activity Report from the Infrastructure Portfolio to the July 2024 State Council meeting.</p> <p>Activities:</p> <p>Roads</p> <ul style="list-style-type: none"> • Local Government Transport and Roads Research and Innovation Program (LGTRRIP) • Condition Assessment of Roads of Regional Significance • Road Rail Interface Agreements • Update of User Guides for calculating the cost of road wear for defined freight tasks <p>Funding</p> <ul style="list-style-type: none"> • State Road Funds to Local Government Agreement 2023/24 – 2027/28 • Achievements of the State Road Funds to Local Government Agreement • GIS Mapping of the Rural Road Safety Business Case Alignments • Multi-Criteria Assessment (MCA) Model Revisions |

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| | <p>Transport</p> <ul style="list-style-type: none"> • Regional Freight Strategy • Bus Stop Infrastructure • Active/Green Transport Discussion Paper <p>Utilities</p> <ul style="list-style-type: none"> • Underground Power • Streetlighting <p>Road Safety</p> <ul style="list-style-type: none"> • RoadWise Councils • RoadWise Recognised <p>Asset Management</p> <ul style="list-style-type: none"> • Road Assets and Expenditure Report Update Project |
| <p>11.1.3 Report on Key Activities, Member Services Portfolio</p> | <p>That State Council note the Key Activity Report from the Member Services Portfolio to the July 2024 State Council meeting.</p> <p>Activities:</p> <p>Commercial</p> <ul style="list-style-type: none"> • Preferred Supplier Program (PSP) Development • Sustainable Energy Project <p>Governance & Procurement</p> <ul style="list-style-type: none"> • Local Government Elections <p>Employee Relations</p> <ul style="list-style-type: none"> • WA Industrial Relations Commission applications • WALGA Salary and Workforce Survey 2023 • People and Culture Seminar • Long Service Leave – new regulations <p>Training</p> <ul style="list-style-type: none"> • Elected Member Training • Officer Training • Brand new course offerings • LGA30120 Certificate III in Local Government |
| | <p>That State Council note the Key Activity Report from the Policy Portfolio to the July 2024 State Council meeting.</p> |

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| 11.1.4 Report on Key Activities, Policy Portfolio | <p>Activities:</p> <p>Economics</p> <ul style="list-style-type: none"> • Inquiry into Local Government Sustainability (Agenda Item 10.7 refers) • State and Federal Budgets (Agenda Item 10.1 refers) <p>Environment & Waste</p> <ul style="list-style-type: none"> • Dry Season Taskforce • Wheatbelt Waste & Environment Summit • Release of the draft State Waste Strategy and Waste Infrastructure Plan • Meeting with Minister for Energy; Environment; Climate Action <p>Planning & Building</p> <ul style="list-style-type: none"> • Urban Greening Grants • Polyphagous Shothole Borer Advocacy • STRA Planning Regulations – Information Session <p>Emergency Management</p> <ul style="list-style-type: none"> • State Emergency Management Committee • WALGA 2023 Emergency Management Survey <p>Community</p> <ul style="list-style-type: none"> • Aboriginal Affairs <ul style="list-style-type: none"> ◦ Aboriginal Cultural Heritage ◦ National Reconciliation Week • Commencement of Stage 5A of the <i>Public Health Act 2016</i> |

6.4 Status Report on State Council Resolutions

| Meeting | Zone Resolution | Comment | Completion Date | Officer Responsible |
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| 10 May 2024 Flying Minute Submission for the 2024 State Wage Case | That the WALGA 2024 State Wage Case submission be endorsed. RESOLUTION 240.FM/2024 | WALGA submission lodged 14 May 2024. Included in July State Council Agenda as an item for noting (see Item 10.6) | May 2024 | Tony Brown Executive Director Member Services |
| 9 May 2024 Flying Minute Submission on the Inquiry into Local Government Sustainability | That the submission on the Inquiry into Local Government Sustainability to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport be endorsed. • RESOLUTION 239.FM/2024 | WALGA submission lodged 31 May 2024. Included in July State Council Agenda as an item for noting (see Item 10.7) | May 2024 | Nicole Matthews Executive Manager Policy |
| 1 May 2024 Item 7.1 Waste Levy Advocacy Position | <ol style="list-style-type: none"> The Waste Avoidance and Resource Recovery Levy (the Levy) was established in WA to fund programs relating to the management, reduction, reuse, recycling, monitoring or measurement of waste and administering the fund. The current Levy is applied to waste generated, or landfilled, in the Perth metropolitan area. Currently, only 25% of the collected funds are retained for strategic waste management activities, 75% are allocated to the ongoing operations of the Department responsible for administration of the Levy. Local Government considers that: <ol style="list-style-type: none"> The Waste Avoidance and Resource Recovery Levy (<u>the Levy</u>) funds must be fully hypothecated to strategic waste management activities in line with the State Waste Strategy <u>including focus on priority materials such as organic waste.</u> <u>The Levy funds must</u> not be used for non-waste management related activities, such as funding State Government core activities. Strategic waste management activities funded by the State Government should: | The Advocacy Positions Manual has been updated. | May 2024 | Nicole Matthews Executive Manager Policy |

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| | <ul style="list-style-type: none"> a. Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments; b. Reflect the targets and priorities within the Waste Strategy; c. Fully fund and acknowledge the life cycle costs of infrastructure and services; and d. Facilitate the development, implementation and ongoing operation of Product Stewardship Schemes. <ul style="list-style-type: none"> 4. The Levy should not be applied to waste generated in the non-metropolitan area as it is not feasible, or appropriate, to implement the Levy in areas with a limited rate base, access to markets for recycled materials, economic growth and resources to manage such a change. 5. The Levy should not be applied to waste received at premises undertaking licensed activities whose primary purpose is resource recovery. 6. The Levy must be supported by a clear, evidence-based rationale to demonstrate the suitability of how charges are set, how and where funds are allocated, and the extent to which it is delivering on its objectives. 7. <u>The Levy must be supported by a comprehensive regulatory regime for activities that are, or should be, licenced.</u> <p>RESOLUTION 025.2/2024</p> | | | |

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| 1 May 2024 Item 7.2 Association Constitution Proposed Amendments | That State Council note the update on proposed amendments to the Association Constitution to: <ol style="list-style-type: none"> primarily, allow WALGA to be in a position to apply to be registered as an organisation of employers under the <i>Industrial Relations Act 1979 (WA)</i>; and make some changes to address inconsistencies and modernise terminology. <ul style="list-style-type: none"> RESOLUTION 026.2/20214 | An item is being prepared for State Council consideration at the July State Council. | | Tony Brown Executive Director Member Services |
| 1 May 2024 Item 7.3 Submission on the Inquiry into Local Government Sustainability | That: <ol style="list-style-type: none"> the submission on the inquiry into Local Government Sustainability to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport be endorsed in principle. a working party of State Councillors to be established by the President to work with the WALGA Economist to refine the submission and submit to State Council as a Flying Minute, for approval by the submission deadline. <p>RESOLUTION 028.2/2024</p> | The submission was updated by the working party and distributed for endorsement by State Council via Flying Minute. The endorsed submission was lodged on 31 May 2024. Included in July State Council Agenda as an item for noting (see Item 10.7). | May 2024 | Nicole Matthews Executive Manager Policy |
| 1 May 2024 Item 7.4 Submissions to Regional | That State Council: <ol style="list-style-type: none"> Endorse the attached submission to the 2024 Regional Telecommunications Review. | WALGA submission to the Public Administration Committee Inquiry lodged on Thursday, 2 May. Some hearings have been scheduled for telecommunications providers and electricity distributors during June. | May 2024 | Ian Duncan Executive Manager Infrastructure |

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| Telecommunications Reviews and Inquiries | 2. Endorse the attached submission to the Public Administration Committee Inquiry into Regional Telecommunications in Western Australia. RESOLUTION 029.2/2024 | WALGA Submission to the Federal Regional Telecommunications Review was submitted on Monday, 6 May 2024. | | |
| 1 May 2024 Item 7.5 WALGA Submission – Draft Local Planning Scheme Regulations 2015 (Short-Term Rental Accommodation) | That State Council endorse the submission on the proposed amendments to the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> related to Short-Term Rental Accommodation. RESOLUTION 030.2/2024 | WALGA submission lodged with the Department of Planning, Lands and Heritage on 1 May 2024 | May 2024 | Nicole Matthews Executive Manager Policy |
| 1 May 2024 Item 7.8 Selection Committee Minutes – 16 April 2024 and 17 April 2024 | That: 1. the resolution contained in the 16 April 2024 Selection Committee Minutes be noted; and 2. the recommendations contained in the 16 April 2024 Selection Committee Minutes and 17 April 2024 Selection Committee Special Meeting Minutes be endorsed. RESOLUTION 033.2/2024 | Selection Committee items have been actioned. | May 2024 | Tony Brown Executive Director Member Services |
| 18 April 2024 Flying Minute | That State Council endorse WALGA's submission on the Emergency Management Sector Adaptation Plan (EM-SAP) be provided to the State Emergency Management Committee. | WALGA submission lodged and included in July State Council Agenda as an item for noting (see Item 10.5) | May 2024 | Nicole Matthews Executive Manager Policy |

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| Submission on the Emergency Management Sector Adaptation Plan (EM-SAP) | RESOLUTION 238.FM/2024 | | | |
| 6 December 2023 Item 7.1 2023 Annual General Meeting Resolutions | <p>That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken</p> <p>...</p> <p>5.1 Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district <i>That WALGA lobby the State Government for legislative reform to enable Local Governments the automatic right to be a represented party at all State Administrative Tribunal hearings related to planning matters within its district.</i></p> <p>RESOLUTION 501.5/2023</p> | <p>That the Environment Policy Team met on 16 February 2024 and determined:</p> <p>That the Environment Policy Team:</p> <ol style="list-style-type: none"> 1. Note the 2023 AGM resolution, that WALGA lobby the State Government for legislative reform to enable Local Governments the automatic right to be a represented party at all State Administrative Tribunal hearings related to planning matters within its district. 2. Note that the AGM resolution is consistent with the intent of WALGA Advocacy Position 6.3 Third Party Appeal Rights, and 6.4 Development Assessment Panels. 3. Requests that WALGA continue to pursue advocacy consistent with these positions as part of the Planning reform process. <p>The WALGA Secretariat supports in principle the motion and notes that the DAP Advocacy Position is scheduled for review later in 2024.</p> | Complete | Nicole Matthews Executive Manager Policy |

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| | | Proposals such as those raised by the Shire of Toodyay will be considered during this review. | | |
| 6 December 2023 Item 7.1 2023 Annual General Meeting Resolutions | That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken ... 5.2 Land Use Policy <i>That WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.</i> RESOLUTION 501.5/2023 | Following the Environment Policy Team's consideration of WALGA's Research Paper at its February meeting, WALGA met with the Department of Planning, Lands and Heritage (DPLH) and the Department of Primary Industries and Regional Development (DPIRD) to discuss progress with the various initiatives being undertaken at a State level to prioritise agricultural land. The WALGA Secretariat will provide the Environment Policy Team with an update and draft advocacy position for consideration in July, with a view to inclusion in the September 2024 State Council agenda. | | Nicole Matthews Executive Manager Policy |
| 6 December 2023 Item 7.1 2023 Annual General Meeting Resolutions | That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken. 5.4 Regional and Remote Housing | Ongoing | | Nicole Matthews Executive Manager Policy |

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| | <p><i>That WALGA advocates to the WA State and Commonwealth Governments to address the dire shortage of affordable key worker family housing options in regional and remote towns to encourage families to live and work in regional and remote towns. Social housing is addressed at both the State and Federal levels.</i></p> <p>RESOLUTION 501.5/2023</p> | | | |
| <p>1 March 2023 Item 7.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities</p> | <p>That WALGA:</p> <ol style="list-style-type: none"> 1. Note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball. 2. 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. <p>RESOLUTION 422.1/2023</p> | <p>Update sought from the Minister's office on 1 June 2024.</p> | Ongoing | Nicole Matthews Executive Manager Policy |
| <p>7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions</p> | <p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: ...</p> <p>3.1 Road Traffic Issues</p> | <p>The Infrastructure Policy Team resolved: <i>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</i></p> | Ongoing | Ian Duncan Executive Manager Infrastructure |

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| | <p><i>That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.</i></p> <p>RESOLUTION 394.8/2022</p> | <p><i>advocacy position on speed management is developed and endorsed.</i></p> <p>This matter is central to the new Speed Management Policy adopted by State Council in May 2023. Implementation strategy being considered.</p> | | |
| <p>7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions</p> | <p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: ...</p> <p>3.2 Car Parking and Traffic Congestion Around Schools <i>That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:</i></p> <ol style="list-style-type: none"> 1. <i>Reviewing car parking standards for schools;</i> 2. <i>Ensuring sufficient land is set aside for the provision of parking on school sites;</i> 3. <i>Reviewing the co-location of schools to avoid issues being exacerbated;</i> 4. <i>Restricting school access from major roads;</i> 5. <i>Developing plans to enable schools to manage school traffic;</i> 6. <i>Develop programs to educate drivers; and</i> | <p>The Infrastructure Policy Team resolved: <i>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.</i></p> | Ongoing | Ian Duncan Executive Manager Infrastructure |

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| | <p><i>7. Develop options and implement initiatives to encourage alternative modes of transport to school.</i></p> <p>RESOLUTION 394.8/2022</p> | | | |
| <p>7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions</p> | <p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:</p> <p>3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA <i>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.</i></p> <p>RESOLUTION 394.8/2022</p> | <p>The Infrastructure Policy Team resolved: <i>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.</i></p> | Ongoing | Ian Duncan Executive Manager Infrastructure |
| <p>7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions</p> | <p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: ...</p> <p>3.4 Northern Australia Beef Roads Program</p> | | Ongoing | Ian Duncan Executive Manager Infrastructure |

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|--|---|---|-----------------|---|
| | <p><i>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.</i></p> <p>RESOLUTION 394.8/2022</p> | | | |
| <p>1 December 2021 Item 5.3 2021 Annual General Meeting</p> | <p>That the following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:</p> <p>Cost of Regional Development <i>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.</i></p> <p>...</p> <p>RESOLUTION 294.7/2021</p> | <p>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.</p> | Ongoing | Ian Duncan Executive Manager Infrastructure |

5.5 COMPLETE ZONE STATUS REPORT –

| Agenda Item | Zone Resolution | WALGA Response | Update | WALGA Contact |
|---|--|---|------------------|---|
| 19 April 2022 Zone Agenda Item 9.7 Underground Power | That the Kimberley Regional Group requests that WALGA enter into discussions with Horizon Power in relation to programs and funding to transition overhead wires to underground power. | WALGA staff met with Julianne Bush (Community Engagement Manager) and Robin John (Government Relations and Stakeholder Engagement Manager) from Horizon Power during October and raised the opportunities from underground power in Pilbara and Kimberley towns. This is now listed for discussion at the next meeting. | Ongoing | Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031 |
| 19 April 2024 Zone Agenda Item 8 Enhanced and Alternative Education Opportunities for Regional WA | That the Kimberley Country Zone: 1. Support the call to action to reduce regional disadvantage in educational opportunities. 2. Request the WALGA Secretariat to advocate to State Government on this matter | WALGA notes that the Kimberley Country Zone supports the call to action raised by the Great Southern Zone to reduce regional disadvantage in educational opportunities and that the Zone will write to the Minister for Education on the matter. WALGA understands that the Great Southern Zone received a response to their letter to the Minister of Education on this issue on 24 April 2024. The letter references a number of initiatives including a \$7.1 million funding boost for the School of Isolated and Distance Education, a proposed expansion of VET certificates in the coming years, Education and Training Participation Plans, the support provided by the School of Special Educational Needs: Behaviour and Engagement located in Albany, the recently announced federally funded two new Regional University Study Hubs, further financial investment in the attraction and retention payments/packages, and a developing Regional Education Strategy. | June 2024 | Nicole Matthews Executive Manager Policy nmatthews@walga.asn.au 9213 2039 |

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|--|--|--|--|--|
| | | <p>WALGA is also aware that the Great Southern Zone has raised these issues directly with Department of Education representatives at recent Zone meetings.</p> <p>Of the initiatives raised in the response from the Minister, the development of a Regional Education Strategy could provide a good opportunity to engage with and influence State Government policy on regional disadvantage in the Education system. WALGA is seeking to make contact the team leading this work within the Department of Education to discuss potential engagement with regional members.</p> <p>WALGA notes that 2024-25 State Budget included an additional \$10 million for the School of Isolated and Distance Education.</p> <p>WALGA is continuing to advocate broadly on issues that intersect with regional education such as Government Regional Officer Housing (GROH). WALGA has written to the Department of Communities Deputy Director General, Housing and Assets on this matter. Department of Communities officials will present on the GROH program at the July Strategic Forum.</p> | | |
|--|--|--|--|--|

| Link to Key Pillar/s and Strategies: | | Budget Implications | |
|--|----------------------|---------------------|---|
| <div> <div> People Place Prosperity Performance </div> <div> Advocate Partner Promote <div>Facilitate Fund Monitor</div> </div> </div> | | Nil | |
| Resolution/s | | Action(s) | |
| <p>That the Kimberley Country Zone:</p> <ol style="list-style-type: none"> 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: | Shire of Broome | Responsible: | - |
| Seconded: | Shire of Halls Creek | Due date: | - |
| Carried: | 4/0 | | |

5. Conclusion of Zone Matters: 11:49am

6. WALGA's efforts to become an employer Organisation

Item For Noting

Submitted by: Tony Brown, Executive Director, Member Services,

EXECUTIVE SUMMARY

- As previously detailed in an item to all Zones in April, WALGA has been considering amending the Association Constitution to enable WALGA to become a registered employer organisation under section 54 of the *Industrial Relations Act 1979 (WA)* (IR Act).
- Despite advocacy efforts by WALGA since December 2022, the State Government has not agreed a pathway for WALGA to be provided with standing as an employer organisation by being named in the IR Act.
- Becoming an employer organisation would provide WALGA with more opportunity to modernise the Local Government State Awards, intervene in industrial matters concerning the Local Government sector, and generally better represent Members' views.
- Whilst the benefits of becoming an employer organisation are considerable, legal advice received by WALGA suggests that the constitutional amendments necessary for WALGA to comply with the requirements for registration are considerable and unachievable without wholesale changes to the governance structure of the Association.
- WALGA will continue to advocate to the State Government for WALGA to be named in the IR Act and given the status of an employer organisation, without needing to make constitutional amendments.

POLICY IMPLICATIONS

The existing [Advocacy Position](#) on WALGA's registration as an Employee Organisation is contained in position 2.8.3:

That WALGA advocate for amendments to the Industrial Relations Act 1979 (WA) (IR Act) for WALGA to be named in the IR Act like the Western Australian Branch of the Australian Medical Association Incorporated (AMA) at s.72B and given the status of an employer organisation, including to the Minister for Industrial Relations, the Minister for Local Government and the Department of Mines, Industry Regulation and Safety.

BACKGROUND

Currently, WALGA is a registered industrial agent under the [Industrial Relations Act 1979 \(WA\)](#) (IR Act). This status allows WALGA to:

- appear as an agent for a WA Local Government or Regional Council in the Western Australian Industrial Relations Commission (WAIRC) and Industrial Magistrate's Court or Industrial Appeal Court; and
- provide advice or other services to Local Governments in relation to 'industrial matters' as defined in section 7 of the IR Act.

Since the mandate for Local Governments¹ to operate in the State industrial relations system from 1 January 2023, unions have commenced various Local Government State awards variation claims in the WAIRC to amend industry employment conditions.

Currently, WALGA can intervene in award matters, but is unable to represent named employers and the broader Local Government sector in its own right.

WALGA has been advocating to the State Government since late 2022 to amend the IR Act and name WALGA as an employer organisation in the Act. These advocacy efforts have been unsuccessful to date.

Without being named in the IR Act, WALGA would need to comply with strict governance requirements to apply to become an employer organisation. This would require significant amendments to the Association Constitution, as well as endorsement by State Council and Members.

Even if these constitutional amendments were made and an application supported by State Council and the membership, the ultimate decision as to whether or not to register WALGA as an employer organisation rests with the WAIRC.

COMMENT

As foreshadowed in an Agenda item to Zones in April, WALGA has been looking to amend the Association Constitution to enable WALGA to apply to become a registered employer organisation under the IR Act.

WALGA has recently engaged lawyers, Jackson McDonald, to provide legal advice as to what constitutional amendments must be made to ensure WALGA is best placed to make a successful application for registration.

The advice received indicates that the changes required would be substantial, costly and potentially unwieldy, involving significant changes to the current governance structure and election processes of WALGA.

In particular, the following three changes required under the IR Act are considered to be untenable with the current structure of WALGA, and would therefore prohibit the Association from making a successful application for registration:

¹ with the exception of the Shires of Christmas Island and Cocos (Keeling) Islands

1. Secret Postal Ballot

Section 56 of the IR Act requires that elections for the holder of each office within the organisation must be conducted by way of secret postal ballot. Due to the broad definition of "office" and "officer" in the IR Act, WALGA office holders include every State Council representative, as well as the President and Deputy President.

Whilst conducting the elections for President and Deputy President via a secret postal ballot would be achievable, a postal voting system for the election of State Council representatives by Zone Delegates across 17 Zones would be unmanageable. As well as timing issues (see below), there would be significant costs involved in conducting elections in this manner, with no benefit to Members.

To accommodate an election of State Council representatives by secret postal ballot, the election cycle of WALGA would need to be changed. Currently, the terms of State Councillors run from the day of the first Ordinary State Council meeting immediately following the biennial Local Government elections (being the first week of December), to the day before the first Ordinary State Council meeting immediately following the next Local Government elections (2 years later). To allow for sufficient time for an election by postal ballot (an unavoidably slow process), the terms for State Councillors would need to be amended to commence at the next meeting (being March the year following the Local Government elections). In the meantime, the composition of State Council would be subject to the results of the Local Government elections (which may result in vacancies, with representatives needing to leave their State Council position due to no longer being on Council).

2. Independent Returning Officer

Section 56 of the IR Act requires that the rules of an employer organisation must provide for the conduct of every election to an office within the organisation by an independent returning officer, not being the holder of any other office in, and not being an employee of, the organisation. As described above, WALGA office holders include the President, Deputy President and State Councillors.

An independent returning officer could be engaged relatively easily for the election of President and Deputy President. However, engaging independent returning officers to conduct the election of State Council representatives at all 17 Zone meetings in the weeks following the biennial Local Government elections raises significant concerns in terms of cost, administrative burden and timing.

At present, the State Council elections are conducted in mid-November, about 4-5 weeks after the Local Government elections. In the interim, Councils are required to meet and elect or appoint their Zone Delegates. This leaves very little time for an independent returning officer to carry out a formal nomination and election process.

This difficulty would only be compounded if the postal voting requirement were also adopted for State Council elections.

The Commissioner must refuse an application for registration if they are not satisfied that the rules conform with the election requirements in section 56 (including secret postal ballot and independent returning officer).

3. Secretary

The IR Act requires the creation of a position of "Secretary". Under the current governance structure of WALGA, the functions of Secretary are held by the CEO. However, under the IR Act, the Secretary is considered an "office", meaning it is subject to the same election requirements as other offices. Therefore, on a strict view, the Secretary should be the President, Deputy President or a State Councillor, not the CEO.

Once again, this is a significant non-compliance risk that jeopardises the likelihood of WALGA's application for registration being successful.

NEXT STEPS

For the reasons described above, it is proposed that WALGA does not proceed with the original plan to amend the Association Constitution and apply for registration as an employer organisation under the IR Act.

Instead WALGA has the following options to seek standing to become a registered organisation of employers under the IR Act:

1. Option 1 – Advocate to the Minister for Industrial Relations to either:
 - a. name WALGA in the IR Act as an employer organisation similar to the Western Australian Branch of the Australian Medical Association Incorporated under s. 72B; or
 - b. amend the IR Act provision to permit WALGA to register as an employer organisation without making modifications to its Constitution or governance model. This might be achieved by amending the provisions to permit dual registration of organisations or making modifications to the election procedures of organisations.
2. Option 2 – Establish a new entity to apply for registration as an organisation of employers which will require separate management/committee, a motion approving an application for registration to the WAIRC under s. 54 of the IR Act and a Constitution which complies with all aspects of Part II, Division 4 of the IR Act.
3. Option 3 - In the event that neither Option 1 or 2 are achieved or considered appropriate, the final option will be for WALGA to establish protocols with Member Local Governments to notify WALGA when new union claims are made and to work with Members to bring award variations in the names of Local Governments.

WALGA met with the Minister for Industrial Relations, Hon Simone McGurk MLA, on 13 June to again advocate for WALGA to be named in the IR Act. The importance of WALGA becoming an employer organisation was discussed, alongside the complexities of amending the Association Constitution to adhere to IR Act registration requirements (as detailed above).

WALGA will keep the Zones updated on any progress on this item.

| Link to Key Pillar/s and Strategies: | | | | Budget Implications |
|--|--------------------------------|-------------------------------|--|---------------------|
| People Place Prosperity Performance | Advocate Partner Promote | Facilitate Fund Monitor | | Nil |
| Resolution/s | | | | Action(s) |
| For noting only | | | | Nil |