



Murchison Country Zone of WALGA

Shires of
Cue
Meekatharra
Mount Magnet
Murchison
Sandstone
Yalgoo

-

ABN 75 305 122 944



Draft Minutes

MURCHISON COUNTRY ZONE

Of

Western Australian Local Government Association

Friday 17 November 2023 9.30am

Council Chambers

Shire of Cue

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Murchison Country Zone of WALGA

Shires of –
Cue
Meekatharra
Mount Magnet
Murchison
Sandstone
Yalgoo

ABN 75 305 122 944

Ordinary Meeting, Shire of Cue Council Chambers on Friday 17 November 2023

1. Opening

Cr R Foulkes-Taylor opened the meeting at 9.31am.

2. Attendance

2.1 Delegates

| | |
|-------------------------|-----------------------------------|
| Cr Rosco Foulkes-Taylor | Zone President Shire of Murchison |
| Cr Emma Foulkes-Taylor | Shire of Murchison |
| Cr James McGorman | President Mount Magnet Shire |
| Cr Ian Black | Shire of Mount Magnet |
| Cr Les Price | President Shire of Cue |
| Cr Beth Walton | President Shire of Sandstone |
| Cr Vicki McQuie | Shire of Sandstone |
| Cr Harvey Nichols | President Shire of Meekatharra |
| CEO Kelvin Matthews | CEO Shire of Meekatharra |
| Cr Raul Valenzuela | President Shire of Yalgoo |
| Cr Stan Willcock | Shire of Yalgoo |
| Mr Richard Towell | CEO Shire of Cue |

2.2 Observers

| | |
|----------------------|--|
| Ms Samantha Appleton | Executive Officer Murchison Country Zone |
| Mr Bill Boehm | CEO Shire of Murchison |
| Mr Ian Holland | CEO Shire of Yalgoo |

2.3 Visitors

| | |
|-----------------------|--|
| Mr John D'Arcy | Water Corporation Principal Stakeholder Manager |
| Ms Karin Grima | MWDC Senior Regional Development Officer |
| Hon Neil Thompson MLC | Member for Mining and Pastoral |
| Mr Mark Holdsworth | Director Regional Development Australia Mid West |
| Mr Richard Ryan | Community Emergency Services Manager Mid West and Murchison |
| Mr Mark Bowen | Superintendent DFES |

| | |
|----------------------------|--|
| Ms Kristy Martin | Manager Commercial Management WALGA |
| Mr Boyd Brown | Regional General Manager Telstra Retail & Regional |
| Ms Merome Beard MLA | Member for Northwest Central |
| Mr Craig Vinci | Acting Regional Manager, Mid West – Gascoyne DLDSC |
| Ms Dianne Hodder | Executive Assistant Shire of Yalgoo |
| Ms Helen St /George Cooper | Corporate Services Shire of Yalgoo |
| Mr Chris Lewis | ABC Geraldton |
| Ms Carol Hodson | Shire of Sandstone |
| Ms Veronique Thomas | Communications Advisor Water Corporation |

Via Teams

| | |
|-----------------------|---|
| Hon Kyle McGinn MLC | Member for Mining and Pastoral |
| Ms Janet Hartley-West | Regional Manager Midwest-Gascoyne Region Central and Northern Regions Main Roads WA |
| Mr Kim Houghton | Regional Australia Institute |
| Ms Katherine Bassett | Regional Australia Institute |
| Mr Mark Strickland | DFES Area Officer Murchison |

2.4 Apologies

| | |
|------------------------|--|
| Ms Tralee Cable | CEO Shire of Mount Magnet |
| Mr Charlie Brown | CEO Shire of Sandstone |
| Ms Di Franklin | WACHS Acting Operations Manager Mid West Murchison |
| Ms Joanne Fabling | CEO Midwest Chamber of Commerce & Industry |
| Ms Yvonne Messina | RDA Mid West Gasgoyne Chair |
| Ms Carol Redford | CEO Astrotourism WA |
| Ms Isobel Ross | Mental Health Promotion |
| Ms Liz Lockyer | Coordinator Community Alcohol & Drug Services |
| Senator Dean Smith | Mental Health Promotion |
| Ms Emmaline James | Coordinator Community Alcohol & Drug Services |
| Cr Karen Chappel AM JP | Senator for Western Australia |
| Ms Libby Mettam MLA | Project Manager Regional Development Australia Mid West |
| Ms Samantha Adams | President WALGA |
| Cr Gail Trenfield | Leader WA Liberal Party |
| Hon Simone McGurk MLA | WALGA Roadwise |
| | Shire of Yalgoo |
| | Minister for Training; Water; Youth |
| Hon Stephen Dawson MLC | Minister for Emergency Services; Innovation and the Digital Economy; Science; Medical Research; Minister assisting the Minister for State and Industry Development |

| | |
|------------------------------|--|
| Hon David Templeman MLA | Minister for Culture and the Arts; Sport and Recreation; International Education; Heritage |
| Hon Sue Ellery MLC | Minister for Finance; Commerce; Women's Interests |
| Hon John Quigley MLA | Attorney General; Minister for Electoral Affairs |
| Hon Amber-Jane Sanderson MLA | Minister for Health; Mental Health |
| Hon Roger Cook MLA | Premier; Minister for State and Industry Development, Jobs and Trade; Public Sector Management; Federal-State Relations |
| Hon Don Punch MLA | Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing; Volunteering |
| Hon Rita Saffioti MLA | Deputy Premier; Treasurer; Minister for Transport; Tourism |
| Hon John Carey MLA | Minister for Planning; Lands; Housing; Homelessness |
| Hon Dr Tony Buti MLA | Minister for Education; Aboriginal Affairs; Citizenship and Multicultural Interests |
| Hon Rosie Sahanna MLC | Member for Mining and Pastoral |
| Hon David Michael MLA | Minister for Ports; Local Government; Road Safety; Minister Assisting the Minister for Transport |
| Hon Jackie Jarvis MLC | Minister for Agriculture and Food; Forestry; Small Business |
| Hon Sabine Winton MLA | Minister for Early Childhood Education; Child Protection; Prevention of Family and Domestic Violence; Community Services |

3. Official Opening of Conference

Cr Beth Walton, President Shire of Sandstone opened the conference. She mentioned that the current CEO Mr Charlie Brown was finishing with the Shire today and they expect to have someone in the acting position of CEO for the next year.

She also spoke about the new water tank murals and recent events the Shire has hosted and that Sandstone was a finalist in a category of the Tidy Towns competition.

Cr Walton also mentioned that the Shire has issued tenders for the construction of three cabins and a house.

She then thanked the Shire of Cue for hosting the meeting.

4. Confirmation of the Minutes

4.1 Confirmation of Minutes – Ordinary Meeting 14 April 2023

Comment

Minutes of the meeting held 14 April 2023 have been circulated to Member Shires.

Recommendation

That the Minutes of the Zone Meeting held 14 April 2023 be confirmed.

RESOLUTION

Moved: Cr Nicholls Seconded: Cr Walton

That the Minutes of the Zone Meeting held 14 April 2023 be confirmed.

Carried

5. Election of Office Bearers

Nominations to be received for all positions. These can be taken from the floor at the meeting if not received before the meeting.

5.1 Elections of Chair and Deputy Chair of the Murchison Country Zone

Cr R Foulkes-Taylor to vacate the chair. Pursuant to the WALGA Constitution, the Secretariat shall assume the Chair for conducting the election of office bearers.

The election for the Chairperson and Deputy Chairperson shall be conducted and the term set at two years expiring in November 2025, in line with the terms of State Council representatives and in sync with Local Government Elections.

Chairperson of Murchison Country Zone of WALGA

The following nomination was received for the positions of Chair for 2 years, November 2023 to November 2025.

Cr Rosasco Foulkes-Taylor Shire of Murchison

No further nominations were received.

DECLARATION

That Cr Rosasco Foulkes-Taylor be elected as Chairperson of the Murchison Country Zone for the term of 2 years, November 2023 to November 2025.

Deputy Chairperson Murchison Zone of WALGA

The following nomination was received for the positions of Deputy Chair for 2 years, November 2023 to November 2025.

Cr Leslie Price Shire of Cue

No further nominations were received.

DECLARATION

That Cr Leslie Price, be elected as Deputy Chairperson of the Murchison Country Zone for the term of 2 year, November 2023 to November 2025

5.3 Representative and Deputy Representative to Regional LEMC - Term Expires Nov 2025

Representative to Regional LEMC

The following nomination(s) was received for the position of Representative to the Regional LEMC for a period of 2 years.

Cr Raul Valenzuela

No further nominations were received.

DECLARATION

That Cr Raul Valenzuela be elected as the Representative of the Murchison Country Zone to the Regional LEMC for the term of 2 years to October 2025.

Deputy Representative to Regional LEMC

The following nomination(s) was received for the position of Deputy Representative to the Regional LEMC for a period of 2 years.

Cr Beth Walton

No further nominations were received.

DECLARATION

That Cr Beth Walton be elected as the Deputy Representative of the Murchison Country Zone to the Regional LEMC for the term of 2 years to October 2025.

The President Cr Rossco Foulkes-Taylor resumed the chair.

6. WA Local Government Association

6.1 WALGA President

Ms Kristy Martin Manager Commercial Management WALGA presented the President's report.

President's Report

December 2023

Introduction

As always, it has been a busy couple of months for the Local Government sector since the last round of Zone and State Council meetings. The 2023 Local Government elections have come and gone. We saw an increase in voter turnout of 1.4% with the total voter turnout being 31.6%. The 2021 election turnout was 30.20%.

I would like to thank and acknowledge the contribution of all Elected Members who have not returned to Councils after the recent Local Government Elections. Their commitment and contribution to their communities and Local Government is greatly appreciated. I also welcome the newly Elected and returning Members and wish them well in their Local Government journey. We held a New Councillor Seminar on 10 November 2023 with approximately 75 Elected Members attending in-person and a further 90 attending via the live streaming service. It was a great seminar with lots of knowledge sharing. The seminar has been recorded and will be distributed through WALGA's communication channels.

As we move toward the end of the calendar year, I know many of our Members are mindful of the high risk seasonal outlook.

I recently had the opportunity to attend the 2023-2024 National Preparedness Bushfire Summit hosted by the National Emergency Management Agency (NEMA) in Canberra. The summit provided a sobering outlook, with the seasonal bushfire outlook highlighting the extreme risks of natural events for many parts of our State. Of course, bushfire is not the only natural hazard Local Governments prepare for. The expected climatic conditions for this season present coastal flooding, cyclones, extreme heat and heatwaves, drought and even dust risks for the communities we represent.

I was encouraged by the messaging from Brendan Moon, Coordinator General at NEMA, who continues to advocate for a joined-up approach to managing and

responding to natural events. In order to capitalise on the timing and importance of this messaging, I was pleased that WALGA was recently able to facilitate a virtual briefing from NEMA.

This session highlighted Disaster Recovery Arrangement funding requirements and challenges for councils, the partnership work between the Commonwealth and the State in distributing disaster funding to affected councils, and an update from the Bureau of Meteorology on the outlook under an El Nino and Indian Ocean Dipole scenario for the upcoming High Risk Weather Season.

2024-25 WALGA State Budget Submission

Following State Council's endorsement of the 2023-24 State Budget Submission, I met with the Hon. Reece Whitby MLA Minister for Environment; Climate Action; Racing and Gaming and Hon Stephen Dawson MLC, Minister for Emergency Services; Innovation and the Digital Economy; Science; Medical Research to seek support for WALGA's climate change and emergency management budget proposals. Further meetings with Ministers, the Opposition, State Government agencies and other stakeholders are planned over coming months.

ARENA EV Charging Infrastructure Application

WALGA had a positive response to its final presentation to the Australian Renewable Energy Agency (ARENA) Board on Thursday 2 November, on our aggregated funding application for Local Government electric vehicle (EV) charging infrastructure and is now awaiting official notification regarding the outcome. 22 Local Governments across the State, representing 58% of the WA's population, have committed to the EV project. WALGA is seeking \$3.5 million in ARENA funding for the purchase and installation of 105 dual outlet chargers. Local Governments will fund the purchase of 129 light BEVs, and software for charging infrastructure, at a cost of \$7.7 million. The State Government through Energy Policy WA has committed \$1 million towards the project if the ARENA application is successful.

2023 Emergency Management Survey

All Local Governments have been encouraged to complete WALGA's 2023 Emergency Management Survey. Information from the survey is crucial to guide WALGA's advocacy on key emergency management issues, such as resources for emergency management, the Local Government Grants Scheme (LGGs) and the Consolidated Emergency Services legislation currently under development by the State Government.

State Road Funds to Local Government Agreement

I was pleased to sign the *State Road Funds to Local Government Agreement 2023/24 - 2027/28* alongside the Premier, Hon. Roger Cook, Minister for Transport, Hon. Rita Saffioti, Peter Woronzow (DG) and CEO Nick Sloan during the Local Government Convention in September. Funding to the Agreement is based on a share of revenue from motor vehicle licence fees. Steady increases in the number of vehicles registered and in the fees per vehicles means that this revenue stream has historically grown over time and is expected to do so in the coming years. It is forecast that the five-year agreement will provide \$1.38 billion for Local Government roads.

Local Governments have committed to work with the State Government to increase application of the State System for road safety to the Local Government road network, increase use of recycled materials in construction and maintenance and provide opportunities for the employment of Aboriginal people.

Rural Road Safety Improvement

WALGA has partnered with the RAC (WA) and Main Roads WA to prepare a business case for Government investment to improve safety on sealed rural Local Government roads. The proposed, prioritised program covers over 8,000 km of sealed Local Government managed roads. There were 18.7 road deaths per 100,000 people recorded in regional WA in 2022, which is the highest of all States. Only the Northern Territory recorded a higher fatality rate per 100,000 people. This will form a key part of WALGA advocacy for the upcoming State Budget.

Local Government Primary Healthcare Survey

Poor access to health services means that people living in outer metropolitan, regional and remote areas face increased costs, reduced quality of care and worse health outcomes than those in metropolitan areas. While primary health services are a responsibility of the Commonwealth and State Government, many Local Governments are reluctantly stepping in to subsidise the cost of the provision of these services to their communities.

WALGA, with Rural Health West (RHW) has undertaken a survey of WA Local Governments with early results indicating that in 2021-22 53% of non-metro responding Local Governments supported GP services at cost of approximately \$7.8 million. Data from the survey data is being used to support our advocacy for the Commonwealth and State Government to do more to address systemic issues in the provision regional health services. WALGA's 2024-25 State Budget Submission calls for regional Local Governments to be compensated for the costs of securing essential primary healthcare services for their communities.

Local Government Convention

It was great to see a high turnout of delegates attend the WALGA Convention in September, representing in all over 90% of our Member Councils. It remains our largest event and as well as a networking and professional development forum this convention remains an important advocacy and promotional event.

Media Activity

The last three months of August, September and October have been very busy in terms of media engagement and activity.

The lead up to the Local Government elections attracted great interest from statewide, local and community media outlets, especially given the electoral reforms. Over 250 separate media items were monitored during the campaign and after the in-person voting day on Saturday, 21 October.

I believe WALGA media and promotional campaigns were reasonably successful, given we saw a modest increase in nominations (from 948 to 1,090) and a slight increase in voter turnout from 30.2% to 31.6% of enrolled voters.

I would also note that we have been invited to comment in the mainstream media on a number of significant issues, including on proposed state government changes on planning reforms around medium density housing codes, the provision of social housing, AirBnB policy, and changes to single-dwelling approval processes, as well on the removal of banking services from regional towns.

Cr Karen Chappel AM JP
WALGA President

6.2 Zone Representative to State Council - Cr Les Price

WELCOME Kristy Martin Manager Commercial Management WALGA

ACTIVITIES SINCE LAST MEETING - 14th April 2023

- 3 x State Council Meetings
- 3 x Strategic Forums
- 2 x Information Forums
- 1 x South East Metropolitan Zone Meeting - City of Armadale
- 1 x Great Southern Country Zone Meeting - Katanning
- 3 x Environment & Waste Policy Forums
- 2 x Joint People & Place & Environment & Waste Policy Forums
- 2 x Selection Panel Meetings
- 1 x Honours Panel Meeting
- 4 x Metropolitan Waste & Advisory Council (MWAC) Meetings.
- 14 x Flying Minutes
- 1 x ACH Aboriginal Cultural Heritage Act 2021 Local Government Educational Workshop
- 3 x ACHA Advisory Group Meetings re: ACHA 2021
- 3 x ACHA Implementation Group Meetings
- 1 x ACH Knowledge Demonstration and Q&A Session - DPLH
- 1 x 'Bringing Dowerin Downtown' – Burswood
- 1 x ALGA National General Assembly Canberra
- 1 x WALGA Convention Burswood

Over time I have sent through a number of emails with attachments on topics that are of interest not only to our region but also to the wider Local Government community. These included Electoral Boundary changes, Aboriginal Cultural Heritage Act Regulations, Best Practice Governance Review and proposed Constitution changes and the Referendum on the Voice to Parliament. The business of State Council has been full on over the last 6 months, in particular the State Council Meetings of May, July and September 2023. October 2023 saw Local Government Elections with many new faces across the sector. The December 2023 will also see a number of new delegates to State Council likely to be between 30% to 40% new State Council representation.

South East Metropolitan Zone - 3rd May 2023

Hosted by the City of Armadale.

Presentations from all 5 Local Governments:-

- City of Armadale
- City of Canning
- City of Gosnells
- City of South Perth
- Town of Victoria Park

Great Southern Country Zone - 12th September 2023

Hosted by the Shire of Katanning

Presentations from all 6 Local Governments:-

- City of Albany
- Shire of Katanning
- Shire of Broomehill-Tambellup
- Shire of Cranbrook
- Shire of Plantagenet
- Shire of Denmark

Main issues confronting all Local Governments:-

- Housing.
- Available rental properties.
- High cost of rental accommodation
- Unused or vacant Government housing not being utilised.
- Administration and Depot staffing - both sourcing and retention.
- Youth incentives.
- Homelessness.
- Decreasing population in more remote and smaller Local Governments.
- Smaller Local Governments are looking for more State and Federal Government financial support.
- Bushfire mitigation.
- Volunteer numbers are dwindling to a serious level.
- Livestock export bans.
- Improved communications and connectivity.
- Renewable energy - windfarms - Community concerns (noise, access, aerial spraying, limited rules and turbine blades shelf life)

Recent activity has been very much focused on:-

1. **The Aboriginal Cultural and Heritage Act 2021.**

The repeal of the *Aboriginal Heritage Act 2021 (WA) (ACHA)* and reintroduction of an amended *Aboriginal Heritage Act 1972 (AHA)* is now complete following the *Aboriginal Heritage Legislation Amendment and Repeal Bill 2023* passing the Legislative Council on Tuesday 17 October 2023. The Bill was given Royal assent on 24th October 2023.

The new laws came into effect on 15th November 2023.

Major changes centre on

2. **ACHA Implementation Group**

This is a whole of industry and Government Agency group co-ordinated by DPLH and Chaired by Director General Anthony Kannis. It was designed to promote and implement the Government's agenda on the rules and regulations around the operation of the now much maligned *Aboriginal Heritage Act 2021*.

The group continued to meet to develop amendments to and further design Regulations around the now resurrected *Aboriginal Heritage Act 1972*.

The main purpose of my involvement was to ensure that Local Governments and other stakeholders were heard on matters that affected them to a level that would have made a lot of projects unviable and uneconomic.

3. **ACHA Advisory Group**

This is a WALGA group with representatives from across the Local Government sector with the responsibility of reviewing submissions and recommending changes to the legislation and or Regulations.

We have worked to ensure that we do not have a revisit of the oppressive Regulations develop for the now repealed *Aboriginal Heritage Act 2021*.

The new focus is around :-

- Reduced Fees - \$250 per Application.
- Section 18 and Section 16 Applications where there are multiple Aboriginal sites the fee is \$5,096 per site.
- DPLH to undertake Heritage surveys at their cost over the next 10 years.
- Rights of Review to SAT.
- Shorter engagement and response timeframes.
- Mapping to minimise 'dithering'. Survey program will identify incorrect mapping.
- The main message - *Do your Due Diligence*.

4. Best Practice Governance Review.

This review resulted in recommendations to change the governance model resulting in the establishment of a Board with only 4 Metropolitan and 4 Country representatives thus taking away the governance powers of the current State Council. The Board would also have 3 independent outside members.

This review was a hot topic around the State Council table and recommendations to change the governance model was not supported by a majority of the Country Zones

I spoke against the recommendation to amend the Constitution at the 2023 WALGA convention in September. Up to 8 of the 12 Country Zones and 3 of the 5 Metropolitan Zones would not have any representation on the new Board. The recommendation failed to achieve the absolute majority (75% of the total membership) required to amend the Constitution. The status remains.

5. Western Australian Electoral Commission - Boundary Changes.

This was a disappointing review with such a limited terms of reference that only one outcome was possible - to amalgamate the seats of Moore and North West Central. It is such a shame that politics once again has delivered our region less representation which will be further re-enforced by the next election being a 'while of state' election.

The one vote one value is, in principle, an equitable outcome however, over time, representations to WALGA have centred on looking at a wider view where it relates to population, geographic location and economic value. Unfortunately, these representations were not considered by the State Government.

All of this on top of the 2021 Electoral Reforms which reduced regional representation.

6. Local Government Act Amendment Bill 2023

- The Local Government Amendment Act 2023 passed on 11 May 2023.
- The second and final tranche of amendments to implement the Model Financial Statements were gazetted on 30 June 2023.
- A number of sections of the Act were commenced on 1 July 2023 to give effect to the changes in readiness for the October 2023 Local Government elections.

Change to the Statutory Provisions of the Act by introducing a 4th Principal to

- Recognise the interests of Aboriginal People and

- Involve Aboriginal People in the decision-making processes of Local Government.

This is only a principal and there are no further details as it is expected that each Local Government will deal differently with their communities.

Amendments to the Local Government Act include:-

- Optional Preferential voting.
- Public election of a Mayor or President from larger councils.
- Aligning the size of councils with the size of the population. Smaller country councils were not impacted by this change. Some common sense
- Reforming the 'Owners & Occupiers Roll' to prevent then use of sham leases.
- Setting Statewide caretaker periods.
- Standardised meeting procedures across all councils.
- Live streaming and recording of council meetings.
- Communication agreements between council members and the local government.
- Establishment of online registers to include information on government leases, grants and goods and services contracts.
- Publication of performance indicators and results for all local government Chief Executive Officers.

A number of the provisions will not be implemented until 2024. Work on a second tranche of additional legislation to deliver further reforms - including the establishment of the new Local Government Inspector and the introduction of local government monitors for early intervention is continuing in consultation with the local government sector.

7. Strategic Forums 5th July 2023 & 13th September 2023.

The Forum is an opportunity to canvass issues and other areas of interest that affect Local Governments. Some of the issues included.

- Preferred Supplier program.
- Training Modules for Councillors and Cert III in Local Government and 35 short courses and the introduction of a Health Safety course.
- Structural changes to Member services in WALGA. Now All under one portfolio.

- The active and militant CFMEU involvement in the Local Government space. City of Rockingham is involved in a test case over union involvement and other matters.
- Preparedness, safety and resilience from natural disasters.
- 48 Local Governments participating in a Sustainable Energy Project
- DRFA Assessment is an issue and delivery of funding.
- Caroline Spencer Auditor General delivered a presentation. OAG undertakes 1 Territory and 330 public entity audits. 'Not looking for perfection', but there is an increase in audit qualifications. Looking at a 'Principles' approach and not a 'Rules' based approach'. Cyber risk is a focus also critical infrastructure, information and operational systems. Financial professions are hard to find and there are changes in the accounting standards.
- Deputy Police Commissioner, Allan Adams, discussed how WAPOL can engage and work with Local Governments. Family Violence, Motor Vehicle theft, Burglary and Property incidences are on the increase. In the last 12 months WAPOL seized \$58M in cash and 0.5 tonne of methamphetamine.
- Hon. David Michael, Minister for Local Government (and other portfolios) presented and focused on supporting the sector and spoke of engaging more with WALGA. He was on State Council and a City of Stirling Councillor for 12 years. Regional Subsidiaries is also a focus.

8. Honours Panel and Selection Panel Updates.

Zones are encouraged to engage with their local councils to create an awareness of the opportunities that are available for elected members and officers by way of *honours recognition*. It is important to recognise the efforts of those in our communities for their contribution to Local Government.

WALGA has a *selection panel* which considers applications for a variety of roles across a number of Local Government and State opportunities. Some of these roles are in an advisory capacity and others are put to the Minister for recommendation. Elected members are encouraged to seek out these opportunities and take advantage of what can flow from such appointments.

9. **Metropolitan Waste Advisory Council (MWAC).**

The Council discussed matters relating to:-

- The State Government Consultation Paper on the proposed ban on e-waste to landfill.
- Improved waste management and recycling.
- Container Deposit Scheme (CDS) updates. Expanding the Scheme to cover a range of additional products including wine and spirits, fruit and vegetable juice containers as well as a range of other products.
- Looking to adopt a national consistent approach regarding CDS.
- WALGA has been active in working through a national alignment on material types across the various national schemes.
- State based system for Hazardous Household Waste.
- Recovery and recycling of offroad tyres.
- Packaging Reform.
- E-Waste landfill ban regulations.
- E-cigarette/Vape Disposal Issues.

10. **Environment & Waste Policy Team Activities**

- Public Open Space. Calls for increase from 10% (minimum). POS should be based on population density and not building density. Draft policy to come to the dec 2023 State Council Meeting.
- Australian Renewables Energy Agency (ARENA) Funding Application around the installation of EV charging stations and a transition to Electric Vehicles. WALGA has developed a template Fleet Transition Plan and 20 Local Governments have agreed to be part of the program.
- Native vegetation Clearing issues.
- Community Stewardship Grants.
- WALGA is developing a submission on a Code of Practice for Wastewater Disposal
- As to the Biosecurity and Agriculture Management Act (BAM Act) review WALGA continues to engage with relevant stakeholders and the Hon Jackie Jarvis, Minister for Agriculture and Food, Forestry, Small Business, Citizenship and Multicultural Interests. I will provide an update once we have further information.

11. **Policy Forms.**

WALGA has a number of Policy Forums to consider matters to go before State Council and encourages all Zones to continue to put forward issues that



affect their communities for advocacy consideration. WALGA will only know your concerns through the Zone process.

12. Status Reports.

The Zone Agenda provides the status of issues put forward to WALGA for addressing. We continue to monitor this progress.

13. **Next State Council Meeting 6th December 2023.** The meeting Agenda is available and sets out the main items for consideration. This will include the various

Les Price

PRESIDENT SHIRE OF CUE.

DELEGATE MURCHISON COUNTRY ZONE, WALGA

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6.3 WALGA Status Reports

COMPLETE ZONE STATUS REPORT November 2023

| Zone | Agenda Item | Zone Resolution | WALGA Response | Update | WALGA Contact |
|-------------|---|---|--|---------------|---|
| Murchison C | 2021 23 April Zone Agenda Item 10.1 Mental Health | That the Murchison Country Zone request WALGA to: 1. Make a representation to the Minister for Health and the Minister for Mental Health highlighting the high rate of suicide in the Midwest Region and lobby the State Government to urgently address the lack of adequate mental health resources in the region and investigate what actions could be taken to address the underlying causes of suicidal ideation; and 2. Request that the State Government be requested to fully restore proper and adequate levels of service to the Murchison Sub-region in the Departments of Child Protection, Youth Justice and Adult Corrective Services. | <p>WALGA continues to be a member of the Mentally Healthy WA Steering Committee which oversees the implementation of the evidence-based Act Belong Commit program. The Act Belong Commit program is promoted to Local Government who are encouraged to become members and access a range of community resources including resources for youth and Aboriginal cohorts.</p> <p>WALGA continues to liaise with the Mental Health Commission around the release of the new Mental Wellbeing Framework in late 2022 which will inform future initiatives relevant to Local Government. WALGA is also endeavoring to connect the Zone with the relevant staff within the Mental Health Commission to discuss this issue further.</p> | Ongoing | Nicole Matthews Executive Manager Policy nmatthews@walga.asn.au |
| Murchison C | 2021 19 November Zone Agenda Item 7.4 Review of the Mining Act 1978 | That Murchison Country Zone of WALGA: 1. Recommend WALGA Conduct a survey of all Local Governments support a review of the Mining Act 1978 with respect to supporting a review of those components of the Mining Act 1978 that affect Local Governments; and Murchison Country Zone of WALGA Minutes 19 Nov 2021 41 2. that the recommendation be forwarded to the Mining Communities Policy Forum of WALGA to undertake a review. | <p>WALGA has been in discussions with the Regional Development Australia - Mid West Gascoyne (RDAMWG) regarding the issues being considered by the Mining Communities Policy Forum with a view to progressing a discussion on the relationships between Mining Companies and communities.</p> <p>The RDMWG has contracted a consultant to carry out work and survey stakeholders. The results of this work is nearing completion</p> | November 2023 | Tony Brown, Executive Director Member Services tbrown@walga.asn.au 9213 2051 |

| | | | | | |
|---------------------------|--|---|--|-----------------------|--|
| <p>Murchison C</p> | <p>25 November 2022 Zone Agenda Item 6.3 Sealing of Goldfields Highway – Meekatharra Wiluna Road</p> | <p>That the Murchison Country Zone of WALGA:</p> <ol style="list-style-type: none"> 1. Support the Shires of Meekatharra and Wiluna in sealing the remainder of the Goldfields Highway (Meekatharra Wiluna Road) as a matter of priority; 2. Make representation to the State and Federal Governments on behalf of the Shires of Meekatharra and Wiluna to provide funding for the completion of the project; and 3. Include this motion and support in the next WALGA State Council Agenda. | <p>The Infrastructure Policy Team resolved that WALGA support the Shires of Wiluna and Meekatharra in <u>their representations</u> to State and Federal Governments for funding to complete sealing the remainder of the Goldfields Highway.</p> <p>Delegates noted that local leaders are best placed to make representations to State and Federal Government representatives. WALGA is able to support preparations and if necessary, introductions.</p> | <p>Ongoing</p> | <p>Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031</p> |
| <p>Murchison C</p> | <p>14 April 2023 Zone Agenda Item 8.1 Natural Disaster Relief Funding for Flood Damage Road Restoration Works</p> | <p>That with regard to natural disaster relief, specifically for flood damage road restoration works, WALGA continue to lobby DFES for:</p> <ol style="list-style-type: none"> 1. improved efficiencies in the assessment, processing, and acquittal payments; or 2. a systemic change in the way claims are managed that improves the whole process. | <p>A series of webinars and in person meetings have been conducted to enable senior officers from DFES and NEMA to hear directly from Local Governments the shortcomings of the current claims and approvals processes. These meetings will continue through November.</p> <p>The WALGA biennial Emergency Management survey was distributed in November and includes specific questions in relation to DRFAWA claims and approvals.</p> | <p>Ongoing</p> | <p>Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031</p> |

Mr Mark Bowen, Superintendent DFES introduced himself to the meeting and outlined experience with DEFS, his willingness to work with Local Government and LEMCs. He also mentioned that DFES have additional vehicles and appliances available if required in the forthcoming fire season and urged Local Governments to look at the proposed Combined Emergency Services Act to understand how LG's may be affected.

Mr Rick Ryan, Community Emergency Services Manager addressed the meeting regarding total fire bans and the impact on roadworks affecting local governments and the review of what is affected by the bans. A review of what is allowed is currently taking place and submissions close 21 November 2023 can be sent to regulation.compliance@dfes.wa.gov.au.

Hon Kyle McGinn MLC, Member for Mining and Pastoral addressed the meeting concerning the repealed Aboriginal Cultural Heritage Act. He stated the main purpose of the repealed act was to prevent another Jukan Gorge being destroyed and that prospectors had now been added to the consultation group.

An Elder Abuse Diary has been recently released, to help identify issues and resources for seniors. Available through Legal Aid.

He praised the Mt Magent event around the recent eclipse.

6.4 Agenda Briefs – WALGA Meeting 6 December 2023

MURCHISON COUNTRY ZONE OF WALGA

FLYING AGENDA

WALGA STATE COUNCIL MATTERS FOR DECISION and NOTING

AT WALGA MEETING OF WEDNESDAY 6 December 2023

The following recommendations have been taken directly from the WALGA State Council Agenda for 6 December 2023 and which contains important detail of each item.

Each recommendation is followed by a direction to refer to the full WALGA State Council Agenda and 3 voting options. This is an editable Word Document so all that is required is to delete the 2 voting options you do not support and in the case of option 3 state your alternative recommendation.

Please note that this agenda will be included in our Zone Agenda for discussion on 17 November 2023 so no response is required until our meeting on the Friday 17 November 2023.

Please note full versions of the Matters for Decision and Matters for Noting including attachments, background information and comments are contained in the full Agenda for State for WALGA State Council on the WALGA website.

6.5 Matters for Decision

The President proposed that all matters for decision be moved en bloc.

RESOLUTION

Moved: Cr Venezuela

Seconded: Cr Nicholls

That matters for decision items 6.5.1 to 6.5.9 be moved en bloc.

Carried

6.5.1 2023 Annual General Meeting Resolutions

By Kathy Robertson, Manager Association and Corporate Governance

- **Support WALGA Recommendation**

1. Executive Summary

- WALGA's 2023 Annual General Meeting was held on Monday, 18 September 2023.
- The meeting resolved for WALGA to act in relation to four Member motions:
 1. Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district
 2. Land Use Policy
 3. Transparency – Management Order Determinations
 4. Regional and Remote Housing
 5. Proposed New WALGA Constitution
- Two Executive Motions, one proposing a new Constitution giving effect to an alternative governance structure and the other proposing amendments to the existing Constitution, were both lost as they failed to reach the required Special Majority of support from Members.
- The action taken or proposed to be taken in relation to each of the resolutions since the Annual General Meeting has been summarized for State Council's information.

2. Attachment

- [WALGA 2023 Annual General Meeting Minutes](#)

3. Background

The 2023 Annual General Meeting (AGM) was held on Monday, 18 September 2023.

Four Member motions, as follows, were considered and supported by Members at the AGM.

5.1 Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district

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.

5.2 Land Use Policy

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.

5.3 Transparency – Management Order Determinations

That WALGA:

1. *Advocates for Department of Planning, Lands and Heritage to consult and collaborate with Local Governments in reviewing and publishing its policies, decision making criteria, guidelines and procedures associated with the administration of management orders;*
2. *Ensure the review recognises the cost burden on local governments in managing reserves and options for supporting local governments in meeting that responsibility; and*
3. *Calls for proactive consultation and advice to Local Government management bodies.*

5.4 Regional and Remote Housing

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.

Two Executive Motions were also considered by Members at the 2023 AGM. Both Executive Motions proposed amendments to the Association Constitution and therefore required support from a Special Majority of Members (being 75% of Delegates from Members, whether present and voting or not). The first Executive Motion, which proposed a new Constitution to give effect to an alternative governance model for WALGA, was lost. The second Executive Motion, which proposed amendments to the current Constitution and otherwise maintaining the existing governance structure, was also lost for lack of a Special Majority.

4. Comment

Comment on the 2023 AGM resolutions is below:

5.1 Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district

It is recommended that this resolution be referred to the People and Place Policy Team.

5.2 Land Use Policy

It is recommended that this resolution be referred to the People and Place Policy Team.

5.3 Transparency – Management Order Determinations

State Council [Agenda item 7.2](#) deals with this resolution, proposing an Advocacy Position on Crown Land and Management Order Administration – *Land Administration Act 1997*.

5.4 Regional and Remote Housing

It is recommended that this resolution be referred to the People and Place Policy Team.

In considering these resolutions from the AGM, State Council and State Council Policy Teams are guided by Clause 22(7) of the [WALGA Constitution](#), as follows:

Where the State Council considers that a direction or decision from an Annual General Meeting has been made without information or a material nature or in circumstances which have materially altered and such direction or decision is not in the best interests of the Association, the State Council may decline to follow that direction or decision and, in that event, the Chief Executive Officer by notice shall advise the Ordinary Members of the decision of the State Council and the reasons for that decision.

Members will be informed of progress on the above issues through Policy Team Reports in future State Council Agendas and through the AGM Status Report in next year's AGM Agenda.

6.5.2 Advocacy Position – Crown Land and Management Order Administration – *Land Administration Act 1997*

By Lyn Fogg, Governance Specialist

WALGA RECOMMENDATION

That WALGA endorse the below Advocacy Position:

Crown Land and Management Order Administration - Land Administration Act 1997

WALGA advocates to the Department of Planning, Lands and Heritage (DPLH) to:

1. Apply the following principles when dealing with matters affecting Local Government's role in managing Crown land:
 - a. Local Government is an equal partner with State Government in managing, developing and administration of Crown land for community benefit.
 - b. Local Government should be provided timely advice and consulted where State Government proposals impact management of or investment in Crown land.
 - c. Ensure timely communication with Local Government where DPLH intends to challenge an intention to levy leasing or land use revenues under a power to lease arrangement.
 - d. Decision-making criteria, policy and procedure transparency contributes to whole of government efficiency, effectiveness and accountability.
2. Publish the policies and procedures that underpin decision making regarding:
 - a. Establishing, varying or revoking management orders.
 - b. Leasing Crown land or facilities, subject to a management order.
 - c. Decision review where a management body or proponent lessee is dissatisfied with a decision or process.

- **Support WALGA Recommendation**

1. Executive Summary

- Issues have been raised by the Gascoyne Country Zone and Growth Alliance Perth and Peel and are subject of a resolution from the 2023 WALGA Annual General Meeting (see [Agenda Item 7.1](#)).
- Issues are further evidenced by a sample survey of Local Governments in the: Pilbara, Gascoyne, Northern Country, Peel Country, South-West Country and South-East Metropolitan Zones.
- Transparency of the Department of Planning, Lands and Heritage (DPLH) decision making policy and procedures will help to:
 - Streamline application and decision-making processes, reduce backlog and delays.
 - Avoid wasted time, effort, resources and costs and enable consistent, transparent, and accountable decisions.
- This report seeks adoption of a new WALGA Advocacy position: 'Crown Land and Management Order Administration - Land Administration Act 1997'.

2. Policy Implications

If the recommendation is endorsed, a new WALGA Advocacy Position will be created.

3. Background

Crown land care, control and management is assigned to Local Government via:

- Management orders under the *Land Administration Act 1997*: Orders may limit purposes for which Crown land is used and require Ministerial approval for proposed leasing of that land; or
- Section 3.58 of the *Local Government Act 1995* prescribes Local Government is responsible for controlling and managing every otherwise unvested facility in a Local Government District, including thoroughfares, bridges, jetties, drains or watercourses belonging to the Crown.

These provisions require substantial Local Government investment to manage, develop, and administer Crown land, with most activities never providing a financial return. For example:

- Land and environmental management, e.g. fire mitigation, dealing with pest flora and fauna.
- Regulation, patrolling, enforcement and clean-up to preserve public amenity and address illegal activities, e.g. unauthorised camping, off-road vehicle use, dumped rubbish.
- Public amenity, tourism and activation infrastructure, e.g. road and pedestrian access, fencing, drainage, bridges, landscaping, toilets, shade, shelter, BBQs, playgrounds, trails, viewing platforms, parking, cafes, rubbish removal, cleaning, etc.

The Gascoyne Country Zone at its meeting on 24 June 2022, sought advocacy for a review of Management Order administration and Local Government approvals to lease Crown land.

The Growth Alliance Perth and Peel meeting in February 2023, raised issues regarding Local Government leasing Crown land to telcos for infrastructure delivery, lack of transparency of DPLH policy and Local Governments being denied leasing revenue.

The GOS Policy Team considered the issue on 12 April 2023. Subsequent advice was sought and provided by DPLH in June 2023 address the Gascoyne Country Zone examples. DPLH's response clarified some aspects however didn't clarify policy criteria or procedures that informed decisions.

A sample of Local Governments identified consistent themes that informed the proposed Advocacy:

- Policies and procedures are not transparent, contributing to wasted time, effort and cost where proposals are refused, or re-work required; some identified requirements changed mid-process.
- Inequitable decisions that do not adequately recognise Local Government investment.
 - Leasing refused, with the State instead seeking to be the lessor, or to take lease revenue, despite buildings / facilities having been funded / developed by the Local Government.
 - Conditions on management orders requiring Local Governments to expend revenue only on the Crown land from which the revenue was earned.
- Decision delays and policy that have financial consequences for Local Government and lessees.
 - Local Governments often not updated on progress of matters, requiring multiple follow-ups.
 - Business operator lease renewals (cafe/restaurant), previously renewed multiple times, delayed beyond lease expiry or refused on the basis that they are 'commercial'.
 - Complex matters unresolved over many months and in some cases years.
- Onerous / unreasonable conditions imposed, pre-requisite to consideration of applications.
 - A requested management order revocation required the Local Government to - find and negotiate with a new lessee for the State to enter into; declare that the building is not contaminated (former 1950s State school, included asbestos); if these conditions were not met, Local Government was asked to demolish and remediate the site.
 - Detailed 'business case' required to justify Local Government retaining even a portion of lease revenue for buildings developed by the Local Government.

The 2023 WALGA AGM endorsed the Shire of Carnarvon's member motion that WALGA:

1. *Advocates for Department of Planning, Lands and Heritage to consult and collaborate with Local Governments in reviewing and publishing its policies, decision making criteria, guidelines and procedures associated with the administration of management orders;*
2. *Ensure the review recognises the cost burden on local governments in managing reserves and options for supporting local governments in meeting that responsibility; and*
3. *Calls for proactive consultation and advice to Local Government management bodies.*

A productive meeting between WALGA officers and DPLH senior policy officers was held on 4 October, with agreement that further consultation would support DPLH to develop guidance resources.

4. Comment

The principles included in the recommended Advocacy Position, enable broader consideration of what an equal partnership between State and Local Government may demonstrate, including:

- Local Government investment in managing, developing and administration of unallocated Crown land and land subject to management orders, to be recognised by State Government decisions.
- The State should be responsible for an equitable share of costs arising from site conditions, asset dilapidation and/or contamination existing prior to a management order being assigned to a Local Government.
- Ensure timely communication with Local Government where DPLH intends to challenge an intention to levy leasing or land use revenues under a power to lease arrangement.

- Ensure Local Governments are engaged, consulted and provided with sufficient information to enable effective performance of management body functions, including:
 - Specifying constraints on types of activities, development, or leasing that may be undertaken relevant to different management order purposes.
 - Enable third party proponents to be directed to DPLH in the first instance, where appropriate.
 - Define circumstances where the State will seek to replace Local Government as the agency responsible for Crown land, enabling any third-party proponents to be directed to DPLH in the first instance.

6.5.3 Review of Public Open Space Advocacy Positions

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

That WALGA endorse:

1. the deletion of Advocacy Position 4.3 *Water Management*;
2. the deletion of Advocacy Position 4.4 *Public Open Space*; and
3. new Advocacy Position 6.11 *Public Open Space* as follows:

6.11 Public Open Space

New subdivisions and developments should provide appropriate Public Open Space (POS) or POS contributions to provide environmental benefits and meet the needs of the community.

The State Government should take a leadership role in the strategic planning of POS, in consultation with Local Government, including:

1. *Reviewing the requirement for a minimum 10 per cent of all new residential land to be provided as POS to determine if this metric is still appropriate.*
2. *Developing a 10+ year regional level sporting facilities plan to identify and prioritise gaps in regional sporting facilities and acquire and fund regional open spaces, specifically sporting facilities, in a timely manner to align with population growth.*
3. *Developing contemporary legislative and policy mechanisms to ensure that:*
 - a. *POS design and delivery:*
 - i. *appropriately allocates different POS uses and purposes, balancing environmental, recreational, sporting and community needs.*
 - ii. *does not have its use impeded by drainage and utilities facilities.*
 - iii. *is accessible and appropriately distributed.*
 - iv. *is cost effective to enable sustainable maintenance and replacement by Local Government.*
 - v. *is responsive to urban ecology, regional climatic conditions, and climate change.*
 - vi. *considers water requirements and availability as a priority, includes water sensitive urban design principles, and prioritises water allocations for the irrigation and maintenance of functional active recreational and sport facilities.*
 - b. *POS cash in lieu contributions are equitable, transparent, and simplified by:*
 - i. *streamlining the process to collect and expend cash in lieu contributions by delegating functions to Local Government.*
 - ii. *broadening how cash in lieu funds can be spent to include works beyond the current scope.*
 - iii. *allowing for the collection of cash in lieu contributions at development application stage and for all forms of subdivision, including two lot subdivisions or developments.*
 - iv. *investigating the option of a standard fixed rate contribution fee per lot or dwelling when contributions are intended for public open space upgrades.*
4. *Providing guidance documents and support to assist Local Governments with their strategic POS planning.*

- **Support WALGA Recommendation**

1. Executive Summary

- It is proposed that the Advocacy Positions 4.4 and 6.11 Public Open Space be replaced with a new position that reflects Local Governments' Public Open Space priorities.

- The new position has been informed by WALGA's [Background Paper: Public Open Space in Residential Areas](#), WALGA's submission on draft *Operational Policy 2.3 Planning for Public Open Space* and input from Local Governments.
- The position was endorsed by both the People and Place Policy Team and the Environment and Waste Policy Team at a joint meeting on 17 October.

2. Attachment

- Proposed New Advocacy Position 6.11 Public Open Space

3. Policy Implications

WALGA's Existing Advocacy Positions:

4.4 Public Open Space

Local Government:

- *acknowledges that public open space is fundamental to lifestyle wellbeing, mental and physical health*
- *asserts that new developments should have a minimum of 10 percent public open space, characterised by a combination of active, passive, regional, local areas, landscaping and natural bushland.*

6.11 Public Open Space

As public open space is fundamental to lifestyle wellbeing, mental and physical health, Local Government supports the development of new subdivisions that are characterised by a combination of public open space for recreational, sporting or natural purposes, and are distributed for neighbourhood, district and regional use.

4.3 Water Management

Local Government:

- *asserts that water for public open space should be secured in all water allocation plans, and that future community growth must be considered in allocation plans*
- *asserts that water for public open space should be excluded from any water trading regime*
- *acknowledges irrigation of public open space should be water efficient and Local Governments should continue to invest in water efficiency technologies*
- *asserts that water availability for public open spaces should be given a greater priority when planning for new development*
- *asserts that State Government, in collaboration with all stakeholders, undertake an extensive review of public open space in Western Australia and commit to further investment in this area.*

The proposed new POS Advocacy Position is attached.

4. Background

Public Open Space (POS) is fundamental to lifestyle, wellbeing, mental and physical health and accommodates environmental and social features. Local Government has the responsibility to manage most POS across Western Australia and thus has considerable interest in how POS is delivered and upgraded to satisfy community needs.

WALGA currently has two very similar POS advocacy positions, one in the Environment section - *4.4 Public Open Space*, and the other in the Place (Planning and Development) section *6.11 Public Open Space*. Another Advocacy Position *4.3 Water Management* also addresses POS specifically in the context of water allocation and management. The advocacy positions haven't been updated in over a decade.

The current POS planning framework is fragmented with *Development Control Policy 2.3 Public Open Space in Residential Areas* (DCP 2.3) being the key document governing POS provisions. DCP 2.3 establishes the requirement for 10 per cent of the gross subdivisible area to be provided free of cost by the subdivider and circumstances in where cash in lieu of land for open space may be appropriate as governed by provisions in the *Planning and Development Act 2005* (the Act).

In June 2023 draft [Operational Policy 2.3 Planning for Public Open Space](#) (draft Policy) was released by the Department of Planning, Lands and Heritage (DPLH) for public consultation and will replace *DCP 2.3*. WALGA prepared [Background Paper: Public Open Space in Residential Areas](#) in 2023 to provide an overview of the POS planning framework and WALGA's previous POS advocacy to inform the review of *DCP 2.3* and the advocacy positions.

WALGA prepared a submission generally supporting the draft Policy that was endorsed by State Council via the flying minute process and is included as an Item for Noting in this State Council agenda.

Several key advocacy priorities have been identified through the above work:

1. As population and development densities increase, and residential block sizes decrease, WA communities are more reliant on functional POS to provide for a diverse range of recreational, sporting, environmental and community functions while integrating drainage, services, and utilities. The advocacy position seeks to ensure that POS is provided for new subdivisions and development and adequately accommodates all increasing demands while being site responsive and cost effective to maintain and replace. To this effect, a recommendation has also been included to review the long standing 10 per cent POS provision which originated from the 1955 Stephenson Hepburn Plan.
2. Infill developments in established suburbs are placing pressure on existing POS. Existing POS cash in lieu arrangements provide rigorous parameters on expending funds and a cumbersome process to dispense funds, which often require Minister approval. The advocacy position provides recommendations to ensure there is an equitable, transparent, and simplified mechanisms to request, collect, process, and expend POS contributions.
3. There is a gap in the planning and delivery of regional-level sporting facilities, specifically in the outer metropolitan areas where there is rapid population growth. The need to identify and fund regional level sporting infrastructure to inform investment priorities and develop 10+ year regional-level sporting facility plan was identified in Infrastructure WA in the *State Infrastructure Strategy*.
4. The draft Operational Policy 2.3 places an increasing emphasis on Local Governments to have updated local planning frameworks, specifically Local Planning Strategies, that strategically consider open space and inform contribution amounts. Additional guidance documents and support from the State Government is required to assist Local Governments with this complex and resource intensive strategic POS planning.

5. Comment

WALGA's Advocacy Positions on POS 4.6 and 6.11 and Water Management 4.3 are outdated and do not reflect the sector's current POS advocacy priorities for legislative, regulation and policy change to manage POS design, funding, and delivery.

The proposed position has been informed by feedback from Local Government officers, WALGA's submission on draft operational policy 2.3, other previous submissions on state planning policies and WALGA's [Background Paper: Public Open Space in Residential Areas](#).

An advocacy position on broader water management issues and water allocation to general community activities will be considered when WALGA undertakes consultation on the Government's proposed Water Reform Bill in 2024.

On 17 October 2023, the People and Place Policy Team and the Environment and Waste Policy Team jointly endorsed the deletion of Advocacy Positions 4.3 and 4.6 and the new POS Position.

Item 7.3: Review of Public Open Space
Advocacy Positions
**Attachment: Proposed New Advocacy
Position 6.11 Public Open Space**

Public Open Space

Policy Statement

Policy Statement

New subdivisions and developments should provide appropriate Public Open Space (POS) or POS contributions to provide environmental benefits and meet the needs of the community.

The State Government should take a leadership role in the strategic planning of POS, in consultation with Local Government, including:

1. Reviewing the requirement for a minimum 10 per cent of all new residential land to be provided as POS to determine if this metric is still appropriate.
2. Developing a 10+ year regional level sporting facilities plan to identify and prioritise gaps in regional sporting facilities and acquire and fund regional open spaces, specifically sporting facilities, in a timely manner to align with population growth.
3. Developing contemporary legislative and policy mechanisms to ensure that:
 - a. POS design and delivery:
 - i. appropriately allocates different POS uses and purposes, balancing environmental, recreational, sporting and community needs.
 - ii. does not have its use impeded by drainage and utilities facilities.
 - iii. is accessible and appropriately distributed.
 - iv. is cost effective to enable sustainable maintenance and replacement by Local Government.
 - v. is responsive to urban ecology, regional climatic conditions, and climate change.
 - vi. considers water requirements and availability as a priority, includes water sensitive urban design principles, and prioritises water allocations for the irrigation and maintenance of functional active recreational and sport facilities.
 - b. POS cash in lieu contributions are equitable, transparent, and simplified by:
 - i. streamlining the process to collect and expend cash in lieu contributions by delegating functions to Local Government.
 - ii. broadening how cash in lieu funds can be spent to include works beyond the current scope.
 - iii. allowing for the collection of cash in lieu contributions at development application stage and for all forms of subdivision, including two lot subdivisions or developments.
 - iv. investigating the option of a standard fixed rate contribution fee per lot or dwelling when contributions are intended for public open space upgrades.
4. Providing guidance documents and support to assist Local Governments with their strategic POS planning.

Background

Public open space (POS) provides essential health, social and environmental benefits to communities. Local Government has the responsibility to manage most open spaces and recreational facilities across Western Australia.

The long-standing requirement that 10 per cent of developable residential land be provided for POS originated from the 1955 Plan for Metropolitan Regional Perth and Fremantle (Stephenson-Hepburn Plan) and needs to be reviewed to determine if it is still appropriate in the current WA context.

As population and development densities increase, and residential block sizes decrease, WA communities are more reliant on functional POS to provide for a diverse range of recreational, sporting, environmental and community functions while integrating drainage, services, and utilities.

Often POS have been designed and developed with little regard for the natural topography, existing tree canopy, impacts of drainage on the usability of POS and the long-term maintenance costs. Designing public open spaces to be adaptable to water availability and climate conditions are other issues currently faced by Local Government.

The current POS planning framework is fragmented and outdated with a lack of strategic POS planning leading to inconsistent planning decisions, specifically in relation to POS contributions. The lack of strategic planning and funding for regional sporting facilities is specifically a concern for outer growth metropolitan area which experience high population growth.

Infill developments in established suburbs are increasing placing pressure on existing POS to provide for additional residents as often there is limited land available for new POS. The current POS cash in lieu arrangements provides rigorous parameters on what funds can be spent on and a cumbersome process to dispense funds often requiring Minister approval.

6.5.4 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members

By Kathy Robertson, Manager Association and Corporate Governance

WALGA RECOMMENDATION

That WALGA endorse the submission to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members.

- **Support WALGA Recommendation**

1. Executive Summary

- The Salaries and Allowances Tribunal (SAT) conduct an annual inquiry into Local Government Chief Executive Officer and Elected Member remuneration.
- In preparation for the inquiry to be undertaken early next year, WALGA has prepared a draft submission to SAT that makes recommendations in relation to Elected Member remuneration, Chief Executive Officer remuneration and the Regional/Isolation Allowance.
- The submission argues for:
 - An increase of 4 percent for Elected Member Fees and Allowances (including maximum reimbursable expenses);
 - An increase to the Chief Executive Officer remuneration bands of 4 percent;
 - An increase to the maximum payable Regional/Isolation Allowance for Local Governments that are particularly isolated, long distances from population centres and lacking in amenities;
 - A review of the methodology, criteria and weightings for the Regional/Isolation Allowance; and
 - Publication of guidance about how the Regional/Isolation Allowance is applied in terms of methodology, criteria and weightings.
- SAT will likely publish its determination for 2024-2025 in April.

2. Attachment

- WALGA submission to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry – Local Government Chief Executive Officers and Elected Members

3. Policy Implications

The current Advocacy Position relating to this submission is [2.10 Elected Member Remuneration](#):

The Local Government sector supports appropriate remuneration of Local Government Elected Members on the basis of:

1. *Vibrant democracy and good governance: fees and allowances payable to Elected Members should be sufficient to ensure that a diversity of candidates from a range of backgrounds seek election to local Government leadership positions. Further, corporate governance literature suggests that diverse leadership groups make better decisions;*
2. *Demands of the role: as the complexity of Local Government increases, and the demands placed upon Elected Members grow in the social media age, the remuneration paid to Elected Members for their significant time commitment must compensate them for the personal and opportunity costs of taking on significant community leadership positions;*
3. *Skills and training: as Elected Members continue to undertake training – and with the implementation of the State Government’s universal Elected Member training policy likely to occur in the near future – the time that Elected Members spend on professional development should be recognised by the fees and allowances framework; and,*
4. *Economic erosion: in recent years there have been a number of ‘no increase’ determinations in relation to Elected Member fees and allowances, which means that the relative value of Elected Member fees and allowances have eroded over time. WALGA contends that this trend should be arrested and fees and allowances should be increased.*

Previous WALGA submissions to SAT have advocated for increases to Elected Member fees and allowances, increase to the Regional/Isolation Allowance and greater clarity with regards to the methodology used by SAT to determine the Regional/Isolation Allowance.

4. Background

The Salaries and Allowances Tribunal (SAT) conduct an annual Inquiry into Local Government Chief Executive Officers' and Elected Members' Remuneration. SAT invites submissions from Local Government and other stakeholders.

SAT are yet to invite submissions for the 2024 Inquiry, however in anticipation of the upcoming end of year closure period and noting that the next ordinary meeting of State Council will be in March, the submission has been drafted early for consideration by Zones and State Council.

5. Comment

The submission makes five recommendations:

1. That Elected Member Fees and Allowances (including maximum reimbursable expenses) are increased by 4 percent.
2. That the Chief Executive Officer remuneration bands are increased by 4 percent.
3. That the maximum payable Regional/Isolation Allowance be increased for Local Governments that are particularly isolated, long distances from population centres, and lacking in amenities.
4. That the methodology, criteria and weightings for the Regional/Isolation Allowance be reviewed.
5. That clear guidance be published to the Local Government sector outlining how the Regional/Isolation Allowance is applied in terms of methodology, criteria and weightings.

In relation to Recommendation 1: Elected Member Remuneration, the submission:

- Highlights the increasing responsibilities and challenges inherent to the role of Elected Member in Local Government, particularly in light of recent amendments to the *Local Government Act 1995* which has effectively reduced the number of Elected Member positions on some Councils.
- Argues that the remuneration framework should not be a barrier to prospective community leaders from diverse backgrounds.
- Points to the significant amount of positions elected unopposed in the 2023 Local Government elections and suggests that an increase to the remuneration framework would better facilitate competitive elections and enhance democracy.
- Describes the current economic environment characterised by soaring living costs fuelled by high inflation.

In relation to Recommendation 2: Chief Executive Officer Remuneration, the submission:

- Highlights the current economic conditions that warrant an increase to the Chief Executive Officer remuneration bands, namely the tight labour market and growing Wage Price Index.

In relation to Recommendations 3, 4 and 5: Regional/Isolation Allowance which may be payable to Chief Executive Officers, the submission:

- Underlines the importance of the Regional/Isolation Allowance for attracting and retaining quality Chief Executive Officers to some Local Governments that are particularly isolated or remote.
- Highlights the confusion and uncertainty in the Local Government sector regarding the methodology for calculating the Regional/Isolation Allowance.
- Recommends both a review of, and publication of guidance about, the methodology, criteria and weightings for the Allowance to provide clarity for the sector.

**Item 7.4: 2024 Salaries and Allowances Tribunal
Remuneration Inquiry for Local Government Chief
Executive Officers and Elected Members**

Attachment: WALGA submission to the 2024 Salaries and
Allowances Tribunal Remuneration Inquiry – Local
Government Chief Executive Officers and Elected Members

Submission

Salaries and Allowances Tribunal

Remuneration Inquiry: Local Government Chief Executive Officers and Elected Members

December 2023

Item 7.4: 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members

Attachment: WALGA submission to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry – Local Government Chief Executive Officers and Elected Members

About WALGA

The Western Australian Local Government Association (WALGA or ‘the Association’) is the peak organisation for Local Government in Western Australia. The Association is an independent, membership-based group representing and supporting the work and interests of 137 mainland Local Governments in Western Australia, plus the Indian Ocean Territories of Christmas Island and Cocos (Keeling) Islands.

The Association provides an essential voice for 1,137 Elected Members, approximately 22,000 Local Government employees, and the 2.8 million constituents that they serve and represent. The Association also provides professional advice and offers services that provide financial benefits to Local Governments.

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Background

WALGA appreciates the opportunity to make a submission on behalf of its Local Government members to inform the Salaries and Allowances Tribunal's Inquiry into Local Government Chief Executive Officer and Elected Member Remuneration.

The remuneration framework is respected and supported by the Local Government sector and provides assurance to the community that Elected Members and Chief Executive Officers are being remunerated appropriately in accordance with their skills, expertise, and contribution.

While the remuneration framework is supported overall, WALGA contends there is room for improvement particularly in relation to the Regional/Isolation Allowance. A review of the methodology, criteria and weighting for the Allowance may address some of the apparent inconsistency in application as experienced by Local Governments within the same region. Moreover, there is a notable lack of transparency of process when the Tribunal responds to submissions made by Local Governments seeking a review of their Regional/Isolation Allowance rates. To enhance understanding of the Regional/Isolation Allowance in the Local Government sector, the methodology and criteria should be made available, to provide guidance, clarity and transparency.

Local Government Elected Members, who have received only minor remuneration increases over the last five years, should be recognised for the increasing responsibilities and challenges of the role with a broad increase in fees and allowances. Similarly, the Chief Executive Officer remuneration bands should be increased in line with wider economic conditions to continue to attract and retain quality professionals to the sector, and to recognise the skill, time commitment and importance of the role.

Elected Member Fees and Allowances

WALGA would like to reinforce both the importance and challenging nature of the role of Elected Member in Local Government. Elected Members must be appropriately remunerated for the time and commitment they bring to their decision-making and community leadership responsibilities.

Recent reforms to the *Local Government Act 1995* setting a maximum and minimum number of council seats for Local Governments based on population has effectively reduced the number of Elected Member positions on some Councils around the state. This will mean that for some Councils, the community liaison, representation, and leadership responsibilities will be borne by fewer Elected Members.

The composition of Councils in terms of diversity of representation becomes even more pressing when the number of available seats is reduced. It is WALGA's view that the overall Local Government system, including the remuneration framework, should strive to enhance the diversity of representation on Councils to reflect community demography. As community representatives, it is important that a Council includes members from a range of backgrounds and life experiences. Despite ongoing advocacy efforts, there is still more to be done to foster diversity of representation on Councils. The remuneration framework can play a role in these efforts by ensuring that serving on Council is not financially prohibitive to a broad range of prospective community leaders.

Data from the 2023 Local Government elections suggests that there may be a mismatch between the responsibilities and commitment required to serve on Council, and the fees and allowances payable to Elected Members. At the 2023 elections, 49 Local Governments (35%) did not hold an election as there was the same amount of candidates (or fewer) than the number of vacancies. Of the 619 positions up for election, over one quarter (26%) were filled by candidates unopposed. A further 20 positions were not filled and will require extraordinary elections to be held to fill the vacancies. It is WALGA's view that the remuneration framework should aim to facilitate competitive elections to enhance democracy and Council legitimacy in the eyes of the community.

The current economic environment, characterised by soaring living costs, is putting pressure on households including those of Elected Members and potential candidates. Fuelled by historically high inflation and a steep rise in interest rates, the cost of living in Western Australia has been growing at the fastest rate since the 1980s. The Consumer Price Index (CPI) for Perth peaked at an annual growth rate of 8.29% in December 2022 and as of the September quarter is currently sitting at 5.77%. Excluding 'volatile items', Perth CPI is currently 5.53% in annual terms, suggesting that inflation is widespread across the economy. In the last three financial years, Perth CPI increased by 17.3%. This rapid increase has been driven by the impact of COVID

Item 7.4: 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members

Attachment: WALGA submission to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry – Local Government Chief Executive Officers and Elected Members

on global production and trade, natural disasters, geopolitics and wars. The Reserve Bank of Australia is forecasting inflation to return to the upper level of their target band by the end of 2025.

Finally, the value of fees and allowances paid to Elected Members has been eroded over the last five years with a number of ‘no increase’ determinations by the Tribunal. The small increases in the last two years¹ do not make up for the previous stagnation in allowances. Moreover, in comparison, Members of Parliament have received notably higher increases in remuneration over the past two years.² As the demands on Elected Members increase, this trend of no or minimal increases should be reversed.

WALGA contends that the fees and allowances payable to Elected Members should be broadly increased to recognise the increasing responsibilities of the role, and to ensure that a diverse range of skilled and experienced candidates are not deterred from nominating for these important leadership positions, particularly during the current cost of living crisis.

Recommendation

1. That Elected Member Fees and Allowances (including maximum reimbursable expenses) are increased by 4%.

Chief Executive Officer Remuneration Bands

The role of Chief Executive Officer within the Local Government sector is undeniably one of importance. The expertise, skills, workload and time commitment required from the role must be reasonably compensated to both retain existing CEOs, as well as attract new, prospective candidates with the requisite qualifications and experience. The role must compete in the broader labour market, which is continuing to see strong wage increases. Western Australia, like the rest of the nation, is currently experiencing a very tight labour market with the unemployment rate sitting at 3.3% in September 2023, marking two years since the unemployment rate was above 4.0%. As a result, wages have increased with the Wage Price Index (WPI) for Perth growing 4.2% in the year to June 2023; the highest rate since December 2012. Over the last three years the WPI has increased 8.6%. In comparison, the CEO remuneration bands have increased by only 6% since 2021.³

| Index | 2020-21 | 2021-22 | 2022-23 | Last three financial years |
|-------------|---------|---------|---------|----------------------------|
| CPI - Perth | 4.1% | 7.4% | 4.9% | 17.3% |
| WPI | 1.6% | 2.7% | 4.2% | 8.6% |

Looking forward, the best forecast of WA WPI comes from the WA Treasury and is updated in May (Budget) and December (Mid-year review). In May, the WPI for 2023-24 was forecast to be 4.0% falling to 3.75% in 2024-25. However, wages have grown faster than Treasury forecast. In May 2022, they forecast an increase of 3.75% for 2022-23, however it increased by 4.2%. There is a reasonable chance that they will increase their forecast WPI for 2023-24 in the Mid-year review. However, this will depend on the next WPI reading, due mid-November, as well as Treasury's modelling.

Private sector wages are quicker to react to changing market conditions. They increased by 2.99% in the year to June 2022 and 4.35% in the year to June 2023. Public sector wages growth have significantly accelerated in the last year, increasing 3.54% after very low growth of 1.15% in the year to June 2022 (and in the years prior). A large driver of this in WA has been the end of the State Government 'wage freeze' as well as increases in award pays. Changes in Public sector wages typically lag the Private sector both on the way up and on the way down.

To acknowledge the rising cost of living, align with the growing WPI for Perth, and to generally keep pace with the broader economic context, the Chief Executive Officer remuneration bands should be increased.

¹ Salaries and Allowances Tribunal, Local Government Chief Executive Officers and Elected Members Determination No 1 of 2022 (2.5% increase), 2023 (1.5% increase).

² Salaries and Allowances Tribunal, Members of Parliament Tribunal Determination No 1 of 2022 (2.75% increase), 2023 (3.0% increase).

³ Salaries and Allowances Tribunal, Local Government Chief Executive Officers and Elected Members Determination No 1 of 2021 (no increase), 2022 (2.5% increase), 2023 (3.5% increase).

Recommendation

2. That the Chief Executive Officer remuneration bands are increased by 4%.

Regional/Isolation Allowance

The Regional/Isolation Allowance payable to Chief Executive Officers remains an issue of importance, raised consistently by many of WALGA's members.

Maximum Payable Allowance

There is a view, particularly among WALGA's more remote and isolated members, that the Regional/Isolation Allowance is insufficient to attract and retain suitably qualified and experienced Chief Executive Officers. The shortage of Chief Executive Officers in regional areas has been an ongoing issue for Local Governments in WA, with some Councils struggling to attract quality Chief Executive Officers. This is having an impact on the Local Government sector, with flow on issues to the efficient operations and accountability of many regional Councils.

We are again seeking greater flexibility with the upper limit of the Regional/Isolation Allowance to aid attraction and retention. Our view is that "isolation" and "remoteness" are insufficiently recognised. There are examples of particularly remote Local Governments that have significant difficulties recruiting a suitable Chief Executive Officer.

Recommendation

3. That the maximum payable Regional/Isolation Allowance be increased for Local Governments that are particularly isolated, long distances from population centres, and lacking in amenities.

Methodology and Criteria

Some members have also expressed concern with the lack of clarity around how the application of the Regional/Isolation Allowance is determined. For some of the states' most remote Local Governments that are long distances from regional centres, have very limited (if any) passenger air services and limited amenities, the application of the Regional/Isolation Allowance can be the difference between attracting and retaining a suitably qualified person to the position.

There is a perception that the Regional/Isolation Allowance is applied inconsistently as between Councils, which has created confusion and uncertainty in the Local Government sector. The rationale for the boundaries between eligible and ineligible Local Governments is unclear.

For example, there is a small Local Government in the Wheatbelt region that is located over 200km from Perth and 50km from the nearest population centre (which is a larger Local Government). The larger population centre is eligible for the Regional/Isolation Allowance, while the small Local Government (despite applications to the Tribunal) is not. It is difficult to understand the logic in the smaller Local Government not receiving the allowance when their neighbours do. It is argued that both Local Governments should receive the isolation allowance.

Councils in remote parts of Western Australia need the tools and flexibility to be able to attract, retain and negotiate with their Chief Executive Officer or prospective candidates, while recognising the challenges for professionals living in distant, isolated parts of the state.

The Local Government sector is seeking a review of how the Regional/Isolation Allowance is applied in terms of the methodology, criteria and their relative weightings. Whilst it is noted that the Tribunal has reviewed the quantum of the formula and boundary in previous inquiries, the ongoing review and improvement of the Regional/Isolation Allowance is essential to best support the recruitment efforts of particularly remote and isolated Local Governments in WA.

Recommendations

4. That the methodology, criteria and weightings for the Regional/Isolation Allowance be reviewed.
5. That clear guidance be published to the Local Government sector outlining how the Regional/Isolation Allowance is applied in terms of methodology, criteria and weightings.

6.5.5 Household Hazardous Waste Policy Statement and Advocacy Position

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That WALGA:

1. Rescind the 2003 WALGA *Household Hazardous Waste Policy Statement and Advocacy Position 7.10 Household Hazardous Waste*; and
2. Endorse a new Household Hazardous Waste Policy Statement and Advocacy Position as follows:

7.10 Household Hazardous Waste

1. *Household Hazardous Waste (HHW) is a small but significant component of the waste stream which requires specialised management strategies to protect human health, property and the environment.*
2. *This requires:*
 - a. *Effective Product Stewardship for all HHW; and*
 - b. *The maintenance and expansion of the HHW Program, funded by the State Government and Product Stewardship Schemes, to provide for the management of HHW collected from the community by Local Government.*

- Support WALGA Recommendation

1. Executive Summary

- The Household Hazardous Waste (HHW) Policy Statement and Advocacy Position 7.10 Household Hazardous Waste are 20 years old and require updating to reflect the roles and expectations of all tiers of government, industry and the producers of materials which become HHW.
- The Municipal Waste Advisory Council (MWAC) endorsed a new Policy Statement and Advocacy Position in August 2023.
- The new Policy Statement and Position will support WALGA's ongoing advocacy on behalf of the sector.

2. Attachment

- Household Hazardous Waste Policy Statement

3. Policy Implications

This item replaces the [existing Policy Statement](#) and Advocacy Position [7.10 Household Hazardous Waste \(HHW\)](#).

4. Background

Policy Statement

The WALGA [Household Hazardous Waste Policy Statement](#) was endorsed in 2003, prior to the enactment of the *Waste Avoidance and Resource Recovery Act 2007* and was used as the basis to advocate for the Household Hazardous Waste Program currently administered by WALGA.

In reviewing the Policy Statement, consultation occurred with the Officers Advisory Group, Municipal Waste Advisory Council, as well as the Local Governments and Regional Councils which are part of the HHW Program. The feedback received focused on the concerns regarding the inequity for Local Governments/Regional Councils where a large proportion of those using the HHW facilities are not rate payers contributing to the facility operations.

Advocacy Position

The existing WALGA Advocacy Position [7.10 Household Hazardous Waste \(HHW\)](#) is:

Local Government:

1. *Acknowledges the importance of a state-based collection system for Household Hazardous Waste;*
2. *Considers that the EPR approach should be applied to this waste stream; and*
3. *Acknowledges there is a need for the principle of waste minimisation to be applied to the management of this waste stream in the future (with regard to the Waste Management Hierarchy).*

It is proposed to replace the existing Advocacy Position with:

7.10 Household Hazardous Waste

Household Hazardous Waste (HHW) is a small but significant component of the waste stream which requires specialised management strategies to protect human health, property and the environment.

This requires:

1. *Effective Product Stewardship for all HHW; and*
2. *The maintenance and expansion of the Household Hazardous Waste Program, funded by the State Government and Product Stewardship Schemes, to provide for the management of HHW collected from the community by Local Government.*

5. Comment

Household Hazardous Waste is, and continues to be, of significant importance for Local Government in relation to waste management. For example, the challenges presented by the management of lithium batteries in relation to fires is one example of why this waste stream requires a specific Policy Statement and Advocacy Position.

The HHW Policy Statement (2003) has been a successful document, as it provided the basis for WALGA to effectively advocate for a HHW Program for Local Government. Through the three subsequent iterations of the HHW Program, it has been used as a reference point for ensuring the inclusion of agreed roles and responsibilities in the Program design. The current HHW Program guarantees over \$10 million for the 5 year Program.

This review of the Policy Statement, and associated Advocacy Position, has focused on documenting the key roles and responsibilities for all tiers of government and the importance of product stewardship in ensuring the ongoing effective management of HHW.

MWAC considered and endorsed the new Policy Statement and Advocacy Position at the August 2023 meeting.

**Item 7.5: Household Hazardous Waste
Policy Statement and Advocacy
Position**

Attachment: Household Hazardous Waste
Policy Statement

Household Hazardous Waste Policy Statement

Policy Statement

This policy statement has been developed to outline the roles and expectations of Government and industry in respect to the management of Household Hazardous Waste in Western Australia.

Background

Household Hazardous Waste (HHW) is a small but significant component of the waste stream which requires specialised strategies to manage responsibly. If not managed well, HHW has the potential to cause harm to human health and the environment. HHW is anything that is labelled toxic, flammable, corrosive, reactive, infectious or radioactive and can threaten personal health and safety if used improperly or disposed of improperly. HHW is distinguished by the characteristics of being likely to be found on residential premises and likely to find its way into the Local Government managed waste stream. Examples of hazardous products are cleaners, hydrocarbons, paint, solvents, swimming pool chemicals, pesticides and the packaging that these products come in.

Under the *Waste Avoidance and Resource Recovery Act 2007*, Local Government is empowered to collect and manage Local Government waste, which includes waste from the Local Governments own activities and households. Local Government is committed to being a responsible link in the management chain for HHW.

The involvement of State Government, Federal Government and those manufacturers producing material which becomes HHW is essential to ensure a sustainable system for managing Household Hazardous Waste.

The Household Hazardous Waste (HHW) Program was established in 2008 and is administered by WALGA. The objective of the program is to support Local Governments to safely collect and manage hazardous materials generated by households that present a significant risk to human health and the environment. The program supports permanent collection sites for Household Hazardous Waste, operated by Local Governments and Regional Councils, as well as ad hoc drop off days, allowing households to safely dispose of these materials. The Program works with, or seeks to establish, Product Stewardship Schemes to facilitate producer responsibility for the materials collected through the Program.

Item 7.5: Household Hazardous Waste Policy Statement and Advocacy Position

Attachment: Household Hazardous Waste Policy Statement

Roles and expectations

Local Government

- Resourcing and operating (or contracting operation) of drop-off points to accept Household Hazardous Waste, from the community.
- Complying with regulatory requirements specific to handling and storage of Household Hazardous Waste, including Environmental and Work Health and Safety considerations.
- Collecting and reporting on data on Household Hazardous Waste accepted through drop off facilities and temporary collection days.
- Undertaking behaviour change activities to support safe Household Hazardous Waste collections and waste avoidance.

Collection contractors

- Undertaking collection, transport and reuse, recycling, recovery or disposal of HHW material from drop off points and temporary collection days.
- Identification of unknown materials, from all facilities.
- Reporting accurately on collection and processing amounts, recovery activities and end markets for collected materials.

State Government

- Funding Programs to ensure the safe collection, transport and reuse, recycling, recovery or disposal of HHW from Local Government or Regional Council drop off facilities, or temporary collection days.
- Developing, and resourcing, behaviour change campaigns and tools to assist Local Government with educating and engaging the community in safe Household Hazardous Waste collection and waste avoidance.
- Developing guidelines for Local Government and Regional Council on the appropriate procedures for handling and storage of Household Hazardous Waste.
- Supporting the development and implementation of Product Stewardship Schemes for Household Hazardous Waste.

Federal Government

- Supporting the development and implementation of Product Stewardship Schemes for Household Hazardous Waste.

Producers/Manufacturers of Household Hazardous Waste

- Work with Government to develop and implement Product Stewardship Schemes for Household Hazardous Waste.

6.5.6 Waste Education Policy Statement and Advocacy Position

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That WALGA:

1. Rescind the existing WALGA *Waste Management Education Policy Statement 2008 and Advocacy Position 7.8 Waste Management Education*; and
2. Endorse a revised WALGA *Waste Education Policy Statement 2023 and Advocacy Position* as follows:
 1. *Waste education is essential part of waste management that empowers the community to engage in waste avoidance, reuse and recovery, and to use services correctly.*
 2. *Effective waste education requires:*
 - a. *Consistent communications by all stakeholders to ensure messages are clear and the community has confidence in the information provided.*
 - b. *A strategic and long-term investment from the State Government, with funding mechanisms in place to support and enable collaboration between Local Governments and Regional Councils.*
 - c. *Recognition of waste education in the definition of 'waste service' in the Waste Avoidance and Resource Recovery Act 2007, in order to allow a charge for waste education as part of the waste service charge.*
 - d. *Identification of priority problematic materials within the waste stream and ongoing advocacy for evidence based alternative approaches.*

- Support WALGA Recommendation

1. Executive Summary

- The WALGA Waste Management Education Policy Statement was endorsed in 2008, prior to prior to any significant State or Federal Government involvement or investment in waste education.
- The Policy Statement has been updated to incorporate feedback from MWAC to define the role of Regional Councils and highlighting the need for a long-term strategic approach to waste education.
- The Advocacy Position on Waste Education has been updated to reflect the essential nature of waste education in the management of waste, roles and responsibilities of all stakeholders, the importance of sustained and strategic investment and the challenges certain materials pose at point of disposal.
- The Advocacy Position and Policy Statement were considered and endorsed by the Municipal Waste Advisory Council in October 2023.

2. Attachment

- 2023 Waste Education Policy Statement

3. Policy Implications

This item proposed the amends an existing policy statement and advocacy position [7.8 Waste Management Education](#).

4. Background

The WALGA [Waste Management Education Policy Statement](#) was endorsed in 2008, prior to any significant investment by the State or Federal Government in waste education. The Policy Statement was developed to inform WALGA and Local Government advocacy in relation to the roles and responsibilities of Local, State and Federal Governments regarding waste education. The Policy Statement has been revised and updated to reflect contemporary roles and expectations of all levels of government as well as industry and community partnerships.

The *Waste Management Education Policy Statement* has been used successfully in WALGA and Local Government advocacy to increase resourcing and focus on waste education as a key element of effective waste management. The Policy Statement was reviewed and updated following feedback from a working group of waste education experts, convened through the Consistent Communications Collective and following review by the Officers Advisory Group and Municipal Waste Advisory Council.

The existing Advocacy position [7.8 Waste Management Education](#) is:

Local Government asserts that the different spheres of government have different roles and responsibilities in relation to waste education: Local Government's role is primarily concerned with 'behavioural change', whereas State and Federal Governments have a strategic role that focuses on 'attitudinal change'.

It is proposed this be replaced with:

7.8 Waste Management Education

1. *Waste education is essential part of waste management that empowers the community to engage in waste avoidance, reuse and recovery, and to use services correctly.*
2. *Effective waste education requires:*
 - a. *Consistent communications by all stakeholders to ensure messages are clear and the community has confidence in the information provided.*
 - b. *A strategic and long term investment from the State Government, with funding mechanisms in place to support and enable collaboration between Local Governments and Regional Councils.*
 - c. *Recognition of waste education in the definition of 'waste service' in the Waste Avoidance and Resource Recovery Act 2007, in order to allow a charge for waste education as part of the waste service charge.*
 - d. *Identification of priority problematic materials within the waste stream and ongoing advocacy for evidence based alternative approaches.*

5. Comment

Since the Policy Statement was first developed the awareness and importance of waste education, as an essential part of waste management, has significantly increased. The complexity of waste has increased, and commensurately, so have the solutions being put in place and the behaviours requested from the community. With the increased expectations of the community for managing their own waste, without effective waste education, systems and infrastructure put in place will not be used effectively and waste avoidance will not be possible.

This review of the Policy Statement, and associated Advocacy Position, has focused on:

- Documenting the importance of consistent communications regarding waste education, by all stakeholders, to reduce any potential community confusion and ensure there is public confidence in the messages provided.
- The key role for Local Government and Regional Councils in educating the community, as well as identify other stakeholders and their respective roles.
- The need to ensure that funding for waste education is sustained and strategic and provides mechanisms to assist Local Government and Regional Councils to collaborate, through programs such as Recycle Right (provided by Resource Recovery Group).
- Ensuring that waste education was recognized and included in the relevant legislation.
- Difficult to manage and problematic materials were also identified as a focus, this was associated with the consequences of these materials being disposed of in the kerbside system. For example the link between battery disposal in kerbside bins and truck fires.

MWAC discussed a draft Advocacy Position at its August meeting and requested that the position be strengthened to reflect that without effective waste education no effective services can be implemented. MWAC considered and endorsed the Policy Statement and Advocacy Position at the October 2023 meeting.

**Item 7.6: Waste Education Policy Statement and
Advocacy Position**
Attachment: 2023 Waste Education Policy Statement

Waste Education Policy Statement

Item 7.6: Waste Education Policy Statement and Advocacy Position

Attachment: 2023 Waste Education Policy Statement

Policy Statement

The Waste Education Policy Statement has been developed to identify the roles and expectations of Local, State and Federal Governments and the private sector regarding Waste Education for the community. Without this clarity, duplication of effort and mixed messages are likely to occur.

Background

Waste education is an essential part of waste management, as it provides information and motivation necessary to empower the community to engage in waste avoidance, reuse and recovery and accurately use services provided.

Strong community support and positive engagement with waste programs is essential to meet State Waste Strategy targets to reduce overall waste generation, maximise recovery of resources from waste and minimise waste to landfill.

Improved sorting and disposal behaviour by the community assists in reducing contamination across all waste streams and providing higher quality material to be recovered as resources.

While all levels of government have roles to play in waste education, there are many areas where they intersect. Local Government has greater responsibility for direct waste education to the communities it services, while State and Federal Government support and enable the implementation of effective waste management systems by Local Government, through strategic planning and funding mechanisms.

Roles and Expectations

WALGA

Through active collaboration with Local, State and Federal Government, and the wider waste industry, WALGA facilitates the development of consistent messaging to assist Local Governments in effective waste education and engagement.

WALGA's engagement with State and Federal Government on waste policy, along with other State and Territory Associations, informs consistency in messaging across jurisdictions.

Local Government

Local Government takes the primary role in waste education, as the first point of contact for waste queries from the community. Acting as both service provider and educator, Local Government's key commitments are to provide information on available waste services and engage with the community to encourage positive waste behaviours that contribute to State Waste Strategy targets.

Individual Local Governments, some in collaboration with Regional Councils, have varying capacities to undertake waste education and engagement activities, dependent on availability of resources. The use of consistent messaging, relevant to Local Government waste management systems, is therefore key to ensuring effective communication to all community members.

Local Government:

- Informs the community about waste, recycling, reuse and resource recovery services available and relevant to their area
- Uses consistent and data informed waste education messaging tailored to their local area
- Takes a holistic approach to education throughout the waste 'lifecycle' through providing clear information on collection and recovery processes

Item 7.6: Waste Education Policy Statement and Advocacy Position

Attachment: 2023 Waste Education Policy Statement

- Encourages active community participation in waste management through highlighting the individual impact of correct waste separation and contribution to overall environmental goals, including State waste Strategy targets

Regional Councils

Regional Council refers to an entity formed by two or more Local Governments for a specific purpose under the *Local Government Act 1995*, in this context to manage waste on behalf of its members.

Regional Councils' role in waste education supports their member Local Governments through:

- Providing waste education resources, including staff support, for events and programs
- Raising awareness of collection and processing activities through facilitating site tours and providing clear and timely information for reporting and communication purposes
- Coordinating and delivering joint waste education and engagement programs and services across Local Governments to increase value while providing consistent messaging.

State Government

State Government provides the strategic direction for waste management in Western Australia through the State Waste Strategy targets and Action Plan.

To facilitate achievement of the State Waste Strategy, State Government provides overarching communication and education strategies, implemented by Local Government, ensuring consistency of information to minimise community confusion.

In respect to Waste Education, State Government:

- Provides assistance, through funding for statewide and targeted education and communications programs
- Undertakes research to ensure programs are evidence based and fit for purpose
- Provides appropriate strategies to minimise waste impacts
- Creates Waste Education programs that can be used co-operatively between Local and State Governments
- Provides specific State and Local Government level waste data and recovery information to improve awareness of waste management activities and progress toward targets.

Federal Government

Federal Government provides national strategic direction and legislation on waste management, however its involvement in waste activities does not extend to policy regarding kerbside waste collection or direct waste education to the community.

In respect to Waste Education, Federal Government:

- Provides assistance, through funding for national and targeted education and communications programs
- Provides national influence on industry practices to contribute to waste avoidance
- Sets national priority and direction for product stewardship schemes
- Provides national waste data and recovery information to improve awareness of waste management activities and progress toward targets.

Item 7.6: Waste Education Policy Statement and Advocacy Position

Attachment: 2023 Waste Education Policy Statement

Partnerships and Support

Local Government partnerships with community groups, not for profit organisations, the waste industry and product stewardship organisations contribute to waste education throughout the community.

Community Groups and Organisations

Community groups and organisations, including not for profit organisations, support waste education activities by delivering consistent messaging on the importance of positive waste behaviours in their engagement with the community.

Opportunities include delivering joint waste reduction and education programs and services, using resources from all partners to increase reach and value across the community.

Waste Industry

The role of the waste industry is to provide clear and factual information on collection and processing activities and end markets for collected materials. This is key to maintaining public awareness and confidence in waste management activities.

Product Stewardship Organisations

Product stewardship initiatives place responsibility on producers and manufacturers of products to drive environmentally beneficial outcomes through the product lifecycle, by designing out waste, using components and materials that are easier to recover and reuse and funding recovery activities.

Organisations managing product stewardship schemes provide financial and operational support for Local Governments to recycle specific materials through collection networks, while partnering with Governments and private industry to deliver clear information to the community on correct disposal, processing activities and end markets.

A key element of success in product stewardship schemes is community engagement. Consulting Local Government throughout the development and implementation process of product stewardship schemes is essential to ensure consistency of information and approach.

6.5.7 Submission E-Waste Landfill Ban Regulations

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That WALGA endorse the Submission on the *Waste Avoidance and Resource Recovery (e-waste) Regulations 2023*.

- **Support WALGA Recommendation**

1. Executive Summary

- The Department of Water and Environmental Regulation (DWER) has released a [consultation draft of the Waste Avoidance and Resource Recovery \(e-waste\) Regulations 2023](#) (draft Regulations) for comment.
- The draft Regulations have been developed to support the implementation of a statewide ban on e-waste disposal to landfill by 2024, with the aim of improving management and recycling of e-waste produced by households and businesses across the State.
- The draft Regulations outline the materials to be covered in the first stage of the ban from 1 July 2024, as well as the regulatory obligations for e-waste service providers, commercial e-waste generators and landfill operators.
- WALGA has developed a Submission on the regulations which requests clarification on several areas and reiterates our Advocacy Position that comprehensive and effective product stewardship schemes must be implemented for products subject to the e-waste landfill ban prior to the ban taking effect.
- WALGA was granted an extension to the 22 November 2023 closing date to allow State Council consideration of the submission at the 6 December meeting.

2. Attachment

- Submission on the Waste Avoidance and Resource Recovery (e-waste) Regulations 2023

3. Policy Implications

WALGA's [existing Advocacy Position](#) is reiterated in the Submission.

7.12 Landfill Bans

Landfill bans are only supported in the presence of effective product stewardship schemes, or other funding mechanisms, for products which would be subject to the ban.

4. Background

The Western Australian Government has committed to deliver a statewide ban on e-waste disposal to landfill by 2024, with the aim of improving management and recycling of e-waste produced by households and businesses across the State. The [draft Regulations](#), which have been released for comment, are the legal instrument to implement the ban.

The draft Regulations include:

- A Schedule of applicable e-waste items, ensuring sufficient detail for the scope of items included in the ban.
- Regulatory obligations that focus on responsible waste management for:
 - E-waste service providers (e.g. collection network, recyclers, waste management industry),
 - Commercial e-waste generators (where they are a 'significant business' with over 200 employees),
 - Landfill operators.
- Reporting and recordkeeping obligations.
- Defenses to prosecution in relation to the Regulations, under certain circumstances.
- Exceptions where matters are considered out of scope for the Regulations, or in extraordinary circumstances.

5. Comment

WALGA developed a draft Submission on the draft Regulations, which reiterates its position that comprehensive and effective product stewardship schemes must be implemented for products subject to landfill bans prior to the ban taking effect. The ban in its current form will have significant financial implications for Local Governments and the communities they service. WALGA undertook consultation with Local Government on the Draft Submission, including hosting a webinar, for Local Government. The Submission has been updated to reflect the feedback from Local Government.

Through the consultation, questions were raised about the intent and wording of certain sections of the draft Regulations. WALGA met with DWER to clarify:

- That as currently written in the regulations, Local Governments collecting e-waste through transfer stations would be considered as e-waste providers.
- The focus of the ban is to regulate e-waste separated for recycling. E-waste that is unintentionally captured and mixed with putrescible or other general waste in kerbside collections, or verge skip bins, would be considered as 'incidental capture' and covered by the exceptions in Section 6 of the draft Regulations.
- That the wording 'landfill operators must separate regulated e-waste from mixed waste' in Section 14 is intended to apply to large quantities of commercial e-waste. For example, a truck arriving at a landfill with mixed waste containing predominantly regulated e-waste items that could be easily separated.
- For landfill operators that are not licensed to collect and store e-waste, the requirement for licence amendments would be dependent on licence thresholds. Under the Environmental Protection Act 1986, the trigger for a licence is 500 tonnes of material per year.
- There would be direct communications to designated entities and licence holders until the end of 2023, however the responsibility to identify the need for licence amendments will be on the licence holder.

WALGA raised with DWER that clear communication will be essential to support the ban's implementation, as there is potential for significant increases in the amounts of both regulated and non-regulated e-waste received by Local Governments.

WALGA has requested, and received, an extension to the deadline to allow State Council to consider this Submission at the 6 December meeting.

Item 7.7: Submission E-Waste Landfill Ban Regulations

Attachment: Submission on the Waste Avoidance and Resource Recovery (e-waste) Regulations 2023

Submission on the Waste Avoidance and Resource Recovery (E-waste) Regulations 2023 Consultation Draft

November 2023

About WALGA

The Western Australian Local Government Association (WALGA) is the united voice of Local Government in Western Australia. The Association is an independent, membership-based organisation representing and supporting the work and interests of 139 Local Governments in Western Australia, comprising 1,215 Elected Members and approximately 22,600 Local Government employees, as well as over 2.5 million constituents of Local Governments in Western Australia.

Western Australian Local Governments vary greatly in:

- size, ranging from less than 1.5 to over 370,000 square kilometres,
- population, just over 100 to more than 224, 000 people,
- the number of staff employed, from less than 10 to over 1000,
- in revenue received, which in 2019-20 ranged from just over \$2 million to just over \$226 million.

Acknowledgement of Country

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth) on the land of the Whadjuk Noongar People where WALGA is located, and we acknowledge and pay respect to Elders past and present.

WALGA is committed to supporting the efforts of WA Local Governments to foster respectful partnerships and strengthen relationships with local Aboriginal communities.

Introduction

WALGA appreciates the opportunity to comment on the [Consultation Draft of the Waste Avoidance and Resource Recovery \(E-Waste\) Regulations 2023](#) (the Draft Regulations).

The Western Australian Government has committed to deliver a statewide ban on e-waste disposal to landfill by 2024, with the aim of improving management and recycling of e-waste produced by households and businesses across the State.

WALGA acknowledges the objectives of the ban and its alignment to global, national and local environmental and recovery targets, in particular the [Waste Avoidance and Resource Recovery Strategy 2030](#). However, as stated in previous [submissions](#), the implementation of an e-waste to landfill ban by 2024, in its proposed form, will have significant financial implications for Local Governments, and the communities they service.

WALGA's Advocacy Position on landfill bans is clear - *Landfill bans are only supported in the presence of effective product stewardship schemes, or other funding mechanisms, for products which would be subject to the ban.*

WALGA reiterates its position that comprehensive and effective product stewardship must be implemented for products subject to the e-waste landfill ban prior to the ban taking effect. WALGA acknowledges the provision of grant funding to assist in increasing the capacity of recyclers in WA to accept increasing amounts of e-waste and to assist with collection and reuse. However, this does not address the key concern of Local Government regarding ongoing funding to cover all costs associated with e-waste recycling.

While the Draft Regulations outline the responsibilities of designated entities within the e-waste collection and recycling process. However, clarification of the roles and responsibilities of Local Governments, in collecting and managing e-waste, is needed in order for the Regulations to be effective and practicable.

Item 7.7: Submission E-Waste Landfill Ban Regulations

Attachment: Submission on the Waste Avoidance and Resource Recovery (e-waste) Regulations 2023

Definitions and responsibilities

The Draft Regulations outline responsibilities for designated entities under the ban, which have been classified into three categories:

- An e-waste service provider: a person who conducts a business or undertaking that involves or includes the collection or receipt of regulated e-waste for storage, management, aggregation, treatment, processing, sorting, recycling, transfer or disposal.
- A landfill operator: a person who occupies premises which constitute or include a landfill site.
- A significant business: an entity involved in business, industry, trade or commerce that, together with any related entity (if the entity is a body corporate), in relation to any financial year —
 - a) has 200 or more employees at the beginning of the financial year; or
 - b) created, during the immediately preceding financial year, 5 or more tonnes of regulated e-waste.

A number of WA Local Governments will fit into all three categories; as they would be considered an e-waste service provider (for example by collecting e-waste at a transfer station), could operate a landfill and may also be a significant business.

To relieve administrative burden on Local Governments, it is recommended the Department streamline reporting requirements. The Department of Water and Environmental Regulation (DWER) has acknowledged Local Government has existing mandatory reporting requirements for waste and recycling data, including e-waste, under Regulation 18C of the *Waste Avoidance and Resource Recovery Regulations 2008* (WARR Regulations), and is investigating how additional requirements may be integrated into the reporting system.

Recommendation: That Local Governments are not subject to the Reporting requirements in the Draft Regulations, and instead continue to report through the existing mandatory reporting requirements under the *Waste Avoidance and Resource Recovery Regulations 2008*.

The ability of Local Governments to establish e-waste collections for recycling is dependent on the licence condition of the site under the *Environmental Protection Act 1986* (EP Act), which may require licence application or amendment to the Department for Local Governments which are not currently aggregating e-waste for recycling.

In particular, the collection and storage of lithium-ion batteries as part of an e-waste collection presents a fire risk to Local Government sites and may require upgrades to on-site systems to meet safety requirements.

DWER has confirmed that:

- the requirement for a licence, or licence amendment, under the EP Act is dependent on the annual amount of waste accepted at a site, and smaller sites aggregating e-waste may not be required to apply for a licence if the received amounts are below the threshold; and
- designated entities and licence holders will be directly contacted regarding their responsibilities under the regulations, however the responsibility to identify if a change of licence conditions is required will be on the licence holder.

DWER recommended Local Governments refer to the [Guideline: Industry Regulation Guide to Licensing](#) or contacting its Waste Industries Licensing section for guidance on works approvals and licensing or registration of prescribed premises.

The definition of 'landfill site' in the Draft Regulations is as follows:

landfill site means premises —

- which are used for the purpose of receiving waste; and
- in respect of which the occupier is required to hold a licence within the meaning of the EP Act, whether or not such a licence is in force.

Recommendation: Clarification is required on whether the description of landfill site in the Draft Regulations applies to those landfills which are registered rather than licenced, including the 109 landfills managed under the Remote Essential and Municipal Services (REMS) program.

Item 7.7: Submission E-Waste Landfill Ban Regulations

Attachment: Submission on the Waste Avoidance and Resource Recovery (e-waste) Regulations 2023

Prohibition of disposal to landfill and operator requirements

Recommendation: The wording on prohibition of e-waste to landfill, in Section 14, requires further clarification in relation to the responsibility of landfill operators.

Throughout the consultation process on the landfill ban to date, it has been made clear that unintentionally captured regulated e-waste, for example which has been placed in a kerbside bin, is not subject to the regulations. This is confirmed in the Draft Regulations, Section 6 – Exceptions.

Section 14 refers to 'regulated e-waste received by a landfill operator which is mixed with other waste' and specifies the landfill operator 'must separate the regulated e-waste from other waste'.

DWER has confirmed the intent of Section 14 is to identify and separate significant amounts of e-waste, for example, if a commercial truck arrived at a landfill with mixed waste containing multiple TVs or whitegoods which could be easily separated, then the regulation would apply.

It is not intended to apply to small amounts mixed with putrescible or other general waste, as this is covered by the exceptions in Section 6, which would be considered incidental capture.

Recommendation: That the wording of Section 14 on what constitutes 'regulated e-waste which is mixed with other waste' be revised and clarified if this is not intended to refer to e-waste incidentally captured through the kerbside or other collection systems.

Defences to a breach under Section 14 are as follows:

- It is a defence to a charge for an offence under subregulation (2) to prove that the landfill operator
 -
 - (a) took reasonable steps to avoid the commission of the offence; or
 - (b) did not know, and could not reasonably have known, that regulated e-waste was mixed with other waste.

Further guidance will be required to ensure that the "reasonable steps" identified in the regulation are clearly defined, otherwise it is likely that this will generate significant administrative burden for landfill sites, for example if requiring a signed declaration from each individual depositing waste. This is further complicated for small regional landfills which may not be staffed.

Recommendation: That the Department develop guidance on what the 'reasonable steps' identified in the Regulations would include.

Regional considerations

Consultation with regional Local Governments has shown costs to establish and maintain e-waste recycling activities are significantly higher due to transport distances and limited economies of scale. Consumers, Local Governments and retailers operating in regional and remote areas of WA are subject to higher than average costs of living and operation, which places added pressure on meeting any additional costs outside of scheme operations.

Several regional Local Governments have expressed concern over their ability to resource additional requirements in the management and recording of e-waste, particularly in areas with unstaffed landfills where monitoring of the loads will require significant resourcing changes.

DWER has acknowledged the concerns of regional Local Governments about the additional resourcing that would be required to monitor e-waste at landfills and confirmed that staff at small regional landfills would not be expected to separate waste, noting that where there are clearly significant amounts that are able to be separated and it is not unintended capture, the intent of the regulations supports that those amounts are separated and sent to recovery.

WALGA notes the draft Regulations provide for exemptions in extraordinary circumstances where compliance with the regulations may not be feasible, such as geographical remoteness affecting the availability of facilities or resources.

Item 7.7: Submission E-Waste Landfill Ban Regulations

Attachment: Submission on the Waste Avoidance and Resource Recovery (e-waste) Regulations 2023

As a number of regional Local Governments are not currently collecting e-waste for recycling due to feasibility, clarification is required on what would be considered eligible for an exemption under the criteria.

In all circumstances where an exemption is applied for, ensuring the appropriate level of resourcing within DWER to assess and grant the exemption in a timely manner is essential, to mitigate the risks of stockpiling regulated e-waste or potentially breaching further sections of the regulations.

Recommendation: DWER develop guidelines for exemptions, similar to the [Waste Levy Exemption guidelines](#) and ensure sufficient resourcing to assess and grant exemptions in a timely manner.

Schedule 1 - Regulated e-waste

Schedule 1 of the Draft Regulations sets out the materials to be covered by the initial stage of the ban. Feedback from Local Governments highlighted that the implementation of an e-waste to landfill ban will require the development of a comprehensive communications and education campaign to ensure effective community participation and minimise administrative and resourcing burden on Local Governments. Local Government feedback shows community confusion currently exists around the definition of e-waste, and Local Governments are primarily the point of contact for residents with queries on disposal options.

A key concern of Local Governments is that unclear definitions of e-waste and lack of awareness around which materials are subject to the ban will lead to community members bringing unregulated e-waste to drop off sites expecting it to be recycled. E-waste not covered by a product stewardship scheme (known as 'by-catch') currently costs Local Governments \$650 per tonne to recycle, along with increased transport, resourcing and administrative costs.

Existing e-waste recycling messaging needs to be further developed and expanded to clarify which items are accepted under product stewardship schemes such as the NTCRS, as well as how the ban will affect disposal options for different items. Table 1 provides commentary on several of the materials.

Recommendation: That the Department actively engage with Local Government in the development and delivery of e-waste landfill ban messaging.

Table 1: Materials Subject to the Ban

| Material | Comments |
|-------------------|--|
| TVs and Computers | <p>As stated in WALGA's submission on the e-waste to landfill ban consultation, while it is acknowledged that there are Product Stewardship Schemes in place for some of the products subject to the ban, such as the National TV and Computer Recycling Scheme (NTCRS) and Flurocycle, a new National Product Stewardship Scheme, anticipated to cover a wider scope of e-waste, is not scheduled for introduction until mid-2025, with on ground implementation timeframes still to be determined.</p> <p>Local Governments are currently and will continue to incur significant costs for e-waste recycling, as the Product Stewardship Schemes in place cover only a percentage of the total cost of recycling. This is a significant barrier for Local Governments in establishing and maintaining e-waste collections for their communities, particularly in regional WA.</p> <p>A 2021 survey of 29 Local Governments offering e-waste collection services to the community showed that each Local Government provides staffing, infrastructure and sites which contribute to the in-kind costs of recycling e-waste. The amount of financial in-kind costs varied from \$1,000 - \$150,000 per year per Local Government, for both in and out-</p> |

Item 7.7: Submission E-Waste Landfill Ban Regulations

Attachment: Submission on the Waste Avoidance and Resource Recovery (e-waste) Regulations 2023

| | |
|---------------------------|--|
| | <p>of-scope NTCRS products. WALGA understands that recycling of NTCRS material is a direct cost of \$350 per tonne to Local Government, and e-waste not included in the NTCRS \$650 per tonne.</p> |
| <p>Fluorescent lights</p> | <p>Flurocycle, the voluntary national product stewardship scheme, does not provide any funding for recycling of fluorescent lighting. 22,403kg of fluorescent lighting materials were collected through the Household Hazardous Waste (HHW) Program in 2021-22 and cost \$70,568 to recycle, excluding transport. This material comprised 5 per cent of the overall material collected through the HHW Program.</p> |
| <p>Batteries</p> | <p>The inclusion of batteries as a blanket category in the regulations requires further review, as there are a range of battery types not covered by an existing product stewardship scheme or large-scale recycling programs.</p> <p>The national battery product stewardship scheme, Bcycle, accepts household batteries of all sizes, button batteries, rechargeable batteries up to 5kg, and batteries that can be easily removed from devices such as power tools and cameras.</p> <p>Mobile phone and portable device batteries are covered under Mobile Muster and the NTCRS scheme, while lead acid batteries are accepted for recycling through a range of retailers.</p> <p>There are currently no product stewardship schemes or viable recycling options available for larger batteries such as those used to power electric vehicles, e-scooters and bikes, or residential energy storage.</p> <p>Recommendation: A staged approach be taken to including batteries in the ban:</p> <ul style="list-style-type: none"> • Phase 1: Batteries covered by the BCycle scheme and automotive batteries (with an existing recycling option and end market) • Phase 2: Batteries not included in the BCycle Scheme, once a Product Stewardship Scheme or other funding mechanism is in place. |

6.5.8 Submission on Philanthropic Engagement Framework for Emergency Management

By Susie Moir, Policy Manager Resilient Communities

WALGA RECOMMENDATION

That WALGA endorse the submission to the State Emergency Management Committee on the Draft Philanthropic Engagement Framework for Emergency Management.

- **Support WALGA Recommendation**

1. Executive Summary

- The State Emergency Management Committee is currently consulting on a draft [Philanthropic Engagement Framework for Emergency Management](#).
- The Framework has been developed in recognition of the increasing role of philanthropic organisations in emergencies, the increasing frequency and severity of natural disasters, and the current lack of a governance framework to guide and manage these interactions.
- The Framework aims to support increased collaboration between public and private sectors for an effective and efficient emergency management system and provides guidance on the key issues to be considered when determining appropriate governance arrangements for public-private partnerships for emergency management across preparedness, prevention, response and recovery (PPRR).
- WALGA's submission supports the development of the Framework as an important milestone in the growing maturity of emergency management governance in Western Australia, noting that fundamental responsibility for emergency management rests with the State Government, and makes a number of recommendations, including that the Framework should:
 1. Seek to strengthen the decision-making and ownership of community across PPRR.
 2. Ensure equitable philanthropic funding to meet the needs of communities.
 3. Clarify the roles and responsibilities of philanthropic organisations across PPRR.
 4. Support LEMCs and DEMCs to identify, develop and maintain partnerships with philanthropic organisations.
 5. Incorporate an additional guiding principle based on building resilience.

2. Attachment

- Letter to State Emergency Management Committee Chair - WALGA Submission on Draft Philanthropic Engagement Framework for Emergency Management

3. Policy Implications

The submission is aligned to [WALGA Advocacy Positions](#) as follows:

8.1 Emergency Management Principles

1. *The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.*
2. *The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.*
3. *The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.*

8.2 State Emergency Management Framework

Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:

1. *Protecting people, the economy, and the natural environment from disasters;*
2. *Supporting communities in preventing, preparing for, responding to and recovering from emergencies;*

3. *Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;*
4. *Scalability and adaptability that supports Local Governments of varied capacity and capability; and*
5. *Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.*

4. Comment

WALGA participated in a design workshop on 8 June 2023 to support the development of the Philanthropic Engagement Framework, as well as arranging a meeting between the consultants and representatives from the Shire of Mundaring and the City of Swan, to enable them to share insights from the 2021 Wooroloo bushfires.

The Framework will provide useful guidance for those wishing to engage with philanthropic organisations, with potential benefits including:

- Clarity on the emergency management capability and resources that can be provided by philanthropic organisations, and any costs involved.
- Reduced costs to the sector through philanthropic engagement.
- Improved opportunity to pre-plan any partnerships or arrangements with the philanthropic sector that may be utilised in an emergency response or recovery context before an emergency occurs.
- Enhanced community resilience, and improved ability for a community to recover from a significant event due to expanded and well-developed support from a range of stakeholders.
- Greater partnership between philanthropic organisations and all levels of government in WA.
- Greater connectivity between community and philanthropic organisations.
- Increased capacity and capability across the emergency management sector.

There are no obligations placed on Local Governments.

7 December 2023

Via email: **SEMC chair**

Ms Emma Cole
 Chair
 State Emergency Management Committee
 Emergency Services Complex
 20 Stockton Bend
 Cockburn Central WA 6164

Item 7.8: Submission on Philanthropic Engagement Framework for Emergency Management
 Attachment: Letter to State Emergency Management Committee Chair - WALGA Submission on Draft Philanthropic Engagement Framework for Emergency Management

Dear Ms Cole

WALGA SUBMISSION ON DRAFT PHILANTHROPIC ENGAGEMENT FRAMEWORK FOR EMERGENCY MANAGEMENT

Thank you for the opportunity to provide a submission in response to the draft *Philanthropic Engagement Framework for Emergency Management* (the Framework). **This submission was endorsed by WALGA State Council on 6 December 2023.**

As the peak body for the 139 Local Governments in Western Australia and a member of the State Emergency Management Committee (SEMC), WALGA undertakes advocacy and policy development work on behalf of Local Government and supports our members to discharge their extensive roles and responsibilities in emergency management. These responsibilities include preparing Local Emergency Management Arrangements (LEMA), managing recovery following an emergency, local bushfire response and management of volunteer Bush Fire Brigades, and providing evacuation centres for communities during incidents, among others.

The Local Government sector is highly diverse with respect to capacity, capability, financial and human resources, local populations, and geographic location (metropolitan, regional, remote).

The purpose of the Framework is to provide guidance on the key issues to be considered when determining appropriate governance arrangements for public-private partnerships for emergency management across preparedness, prevention, response and recovery (PPRR). WALGA supports the development of the Framework, which is an important milestone in the growing maturity of emergency management governance in our State, and informed by recent emergency events including the 2021 Wooroloo bushfires and Tropical Cyclone Seroja. The Framework provides a sound starting point to further develop our understanding and approach to engaging with philanthropic organisations.

To date, engagement with the emergency management sector by private and philanthropic organisations has been largely on an ad-hoc as needed basis, with little to no coordination or strategic oversight. While there are clear benefits associated with partnering with philanthropic and private organisations in the emergency management space, WALGA also acknowledges the potential risks associated and the importance of defining roles, responsibilities and expectations for such arrangements.

Item 7.8: Submission on Philanthropic Engagement Framework for Emergency Management

Attachment: Letter to State Emergency Management Committee Chair - WALGA
 Submission on Draft Philanthropic Engagement Framework for Emergency Management

WALGA has a number of Advocacy Positions relevant to the Framework:

8.1 Emergency Management Principles

1. The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.
2. The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.
3. The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.

8.2 State Emergency Management Framework

Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:

1. Protecting people, the economy, and the natural environment from disasters;
2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies;
3. Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;
4. Scalability and adaptability that supports Local Governments of varied capacity and capability; and
5. Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.

These Advocacy Positions speak clearly to the approach outlined by the Framework, in particular Advocacy Position 8.2 (2), (3) and (4) which provide that the State Emergency Management Framework should support communities in PPRR: clearly outline roles, responsibilities and accountabilities of emergency management stakeholders; and be scalable and adaptable.

As WALGA’s *Advocacy Position 8.1 Emergency Management Principles* states, the State Government bears fundamental responsibility for emergency management and it is essential that the Framework is a complement to the contribution of other emergency management stakeholders, rather than diminishing or eroding the contribution and leadership of the State Government in emergency management.

Emergency events are becoming increasingly frequent and severe, being driven in part by climate change. Since 2020, there have been 32 declared disasters impacting 77 of the 139 WA Local Governments. Communities experiencing forms of inequity are often more severely affected by disasters than others and have fewer opportunities to access the resources required for recovery, thereby further entrenching disadvantage.

A risk in developing the Framework is the potential for inequitable distribution of benefits leveraged via the Framework. It will be essential that all stakeholders endeavour to ensure that the benefits that flow from the Framework benefit the entire community. In this regard, the Framework needs to carefully balance the importance of local and place-based approaches with considerations of equity as well as the capacity of individual emergency management agencies to engage with philanthropic organisations. A tiered approach to State level, regional level, district level and local level partnerships should be developed.

Item 7.8: Submission on Philanthropic Engagement Framework for Emergency Management

Attachment: Letter to State Emergency Management Committee Chair - WALGA
Submission on Draft Philanthropic Engagement Framework for Emergency Management

Local Government has been a key participant in enabling philanthropic giving to support community members impacted by emergency events through the Lord Mayor's Distress Relief Fund (LMDRF) established in 1961 following severe fires in Dwellingup. The LMDRF was established in conjunction with the State Government, and the City of Perth has donated administrative and other support services to the LMDRF since its inception. The LMDRF provides a permanent fund for the alleviation and relief of distress, suffering, hardship and misfortune brought about by any declared disaster or emergency event. The LMDRF has been activated 50 times, and since 1996 raised and distributed more than \$50 million and assisted over 2000 people.

The LMDRF provides a strong mechanism for collecting financial donations from individuals and philanthropic organisations and ensuring that all funds raised are distributed to impacted individuals, as well as redirecting people from donating goods which is an additional management burden for communities impacted by emergency events. Natural disasters are occurring with more frequency and some are more high profile than others. The funds raised by the LMDRF are specific to each event, and as a result much more funding is available per person for some events than others, for example, the Wooroloo bushfires vs Tropical Cyclone Seroja, which can lead to inequitable outcomes.

The Framework offers an opportunity to tap into the resources and capabilities of philanthropic organisations to enhance PRR across Western Australia. In particular, philanthropic investment should be utilised to build resilience and preparedness through systemic change, and ensure that solutions across PRR benefit the whole of community. By engaging with these organisations, Western Australia is presented with the unique opportunity to build equitable resilience where it is needed most. The most benefit will flow if philanthropic investment is focused on where the comparative advantages of philanthropy, such as risk tolerance and responsiveness, are best targeted.

An existing philanthropic mechanism that may complement the Framework is the [Resources Community Investment Initiative](#) announced in August 2023 as a new partnership between the State Government and the resources industry, facilitating investment in iconic State infrastructure projects and community and social initiatives across the State for the benefit of Western Australians for generations to come.

The Framework provides a high-level overview for how philanthropic engagement may be structured in the State. WALGA recognises the benefits of developing and implementing this Framework, including but not limited to:

- Clarity on the emergency management capability and resources that can be provided by philanthropic organisations, and any costs involved.
- Reduced costs to the sector through philanthropic engagement.
- Improved opportunity to pre-plan any partnerships or arrangements with the philanthropic sector that may be utilised in an emergency response or recovery context before an emergency occurs.
- Enhanced community resilience, and improved ability for a community to recover from a significant event due to expanded and well-developed support from a range of stakeholders.
- Greater partnership between philanthropic organisations and all levels of government in WA.
- Greater connectivity between community and philanthropic organisations.
- Increased capacity and capability across the emergency management sector.

Item 7.8: Submission on Philanthropic Engagement Framework for Emergency Management

Attachment: Letter to State Emergency Management Committee Chair - WALGA
 Submission on Draft Philanthropic Engagement Framework for Emergency Management

WALGA submits that the following Recommendations should be integrated into the Framework:

The Framework should:

1. **Seek to strengthen the decision-making and ownership of community across PPRR and ensure all efforts for partnership take into account a community’s unique context, knowledge and assets.** There will not be a one-size-fits-all for how philanthropists can support community, and any engagement should be developed collaboratively to ensure it meets the unique needs of that community. It is essential to foster partnerships that are not only responsive to immediate needs but also attuned to the long-term goals and aspirations of the communities being served. It is also important to ensure that local organisations are recognised and supported by larger philanthropic organisations, and that their roles are enhanced not supplanted. While acknowledging that the capacity of some smaller organisations to engage with philanthropic organisations will be limited.
2. **Ensure equitable philanthropic funding to meet the needs of communities impacted by emergency events.** We know from previous events that philanthropic engagement is not always equitable, and that communities severely impacted by disaster may not receive a level of philanthropic funding that correlates to the impact of that event. Where possible, efforts should be made to allocate funding proportionate to the impact on affected communities.
3. **Provide further clarify on the roles and responsibilities of private and philanthropic organisations across PPRR.** This includes:
 - a. How and when philanthropic organisations are involved within risk reduction strategies and programmes.
 - b. How and when philanthropic organisations should engage with the response phase.
 - c. Clear boundaries for engaging during the recovery phase, including how philanthropics fit into the Local Recovery Coordination Committee and into locally-led recovery processes.
4. **Support the identification, development and maintenance of partnerships with philanthropic organisations at the State, regional, district and local level as appropriate.** This includes:
 - a. State Government leadership on partnerships with large philanthropic organisations that are well placed to focus on projects of State wide benefit.
 - b. Exploring opportunities for regional level partnerships facilitated by Regional Development Commissions and other regional level actors.
 - c. Exploring opportunities for district and local level partnerships, acknowledging the often limited resources at that level to foster and develop partnerships. A key principle of these partnerships should be that the capacity and capability of local organisations is enhanced not depleted by the partnerships.

Note this should also be considered within the context of the current LEMC/DEMC review.
5. **Incorporate an additional guiding principle based on building resilience.** The Framework provides an opportunity to focus philanthropic engagement on resilience and preparedness where traditionally most resources are directed to response and recovery. Philanthropic partnerships focused on building resilience will reduce risk from future events and enhance resilience at the community and state level. By strategically developing relationships based on improving disaster resilience outcomes, WA communities will be able to reduce vulnerability to disasters and help achieve broader social and economic benefits. Philanthropic organisations that have built existing relationships in a community through resilience work will be better placed to provide support in the case of an emergency response or recovery.

Item 7.8: Submission on Philanthropic Engagement Framework for Emergency Management

Attachment: Letter to State Emergency Management Committee Chair - WALGA
Submission on Draft Philanthropic Engagement Framework for Emergency Management

WALGA appreciates the opportunity to provide feedback and is supportive of efforts to enhance and invest in our State's emergency management capability.

For enquiries, please contact Susie Moir, Policy Manager Resilient Communities, on smoir@walga.asn.au or telephone 9213 2058.

Yours sincerely

Cr Karen Chappel AM JP
President

6.5.9 Submission to the WA Action Plan for Young People Consultation Paper

By Rebecca Hicks, Policy Officer Community

WALGA RECOMMENDATION

That WALGA endorse the submission to the *WA Action Plan for Young People Consultation Paper*.

- **Support WALGA Recommendation**

1. Executive Summary

- On 25 August 2023, the Department of Communities (DoC) released the consultation paper 'WA Action Plan for Young People Consultation Paper'. WALGA obtained an extension to enable this draft submission to be considered by State Council and zones.
- The development of a new three-year whole-of-government Action Plan for Young People in Western Australia (the Action Plan), follows the expiry of the existing [Beyond 2020 WA Youth Action Plan 2020-22](#).
- The submission reflects WALGA's advocacy position on Children and Young People, the key issues for the sector on youth policy, and highlights case studies of best practice engagement with youth across the sector.
- The recommendations focus on the need to reflect the diversity of young peoples' needs across the State, the need for ongoing engagement and funding for initiatives, including those delivered by Local Governments, and the need for an evaluation process.
- The submission also restates the WALGA 2024-25 State Budget Submission call to prioritise the establishment of a Child Safeguarding Independent Oversight Body, increased State and Commonwealth funding for primary healthcare services and increased funding for libraries.

2. Attachment

- WALGA Submission to the WA Action Plan for Young People Consultation Paper
- [Consultation Paper: WA Action Plan for Young People Consultation Paper](#)

3. Policy Implications

This submission aligns with WALGA's existing Advocacy Position 3.6 Children and Young People:

The Local Government sector supports the development and well-being of children and young people through strategic partnerships and a combination of services and facility provision. The Association advocates that the State and Commonwealth should continue to invest in the wellbeing of young West Australians.

(State Council Resolution July 2022 – 363.5/2022)

4. Background

The whole of government Action Plan will set out the actions the State government will take to achieve improved outcomes for young people in Western Australia over the next three years.

Consultation commenced on 25 August 2023 and closed on 17 November 2023, however WALGA obtained an extension for this submission. DoC consulted via a survey and a number of community consultations were delivered between 23 October to 17 November 2023 throughout WA. WALGA encouraged the direct inclusion of Local Governments in the community consultations and promoted them to members. It is anticipated that the Youth Plan will be published in early 2024, to align with the release of a national youth plan.

The WA Action Plan for Young People Consultation Paper sets out six priority areas:

1. Profile of young people in Western Australia

2. Celebrating young people
3. A voice for young people
4. Success! Reaching your potential
5. Climate Change
6. Wellbeing, connection, and inclusion

The consultation survey questions focused on seeking the views of young people on their aspirational goals, however the consultation paper provided scope for responses from other stakeholders.

5. Comment

WALGA's capacity to undertake a full sector consultation process was limited by the short consultation period. A high-level consultation approach was developed to ensure the views, successes, and challenges faces by Local Government were covered in the submission. The submission demonstrates the role of Local Government in the delivery, partnership, advocacy, and facilitation of vital youth services, which is enhanced by Local Government's place-based, contextual knowledge. The submission makes six recommendations, identifying additional measures that would support Local Governments in their successful delivery of outcomes for young people.

The submission recommends:

1. the Action Plan reflects the diversity of young person needs across Western Australia and works in partnership key stakeholders with place-based knowledge.
2. the Action Plan aligns with the strategic direction of all tiers of Government to amplify the voice of young people.
3. sufficient funding is provided to implement the Action Plan, with consideration of the role Local Government and other stakeholders provide in delivering vital youth services and opportunities.
4. State Government address the critical under funding of services for young people including primary healthcare services and libraries, as raised in the WALGA State Budget Submission.
5. the Action Plan addresses the broader social issues that disproportionately impact young Western Australians.
6. State Government prioritise the establishment of a Child Safeguarding Independent Oversight Body.
7. the Action Plan includes an evaluation document to review the Beyond 2020 – WA Youth Action Plan 2020-22 and the WA Action Plan for Young People for 2023-2026.

Item 7.9: Submission to the WA Action Plan for Young People Consultation Paper
Attachment: WALGA Submission to the WA Action Plan for Young People Consultation Paper

7 December 2023

Via email: youngpeople@communities.wa.gov.au

Mr. Mike Rowe
Director General
Department of Communities
42 Queen Street
FREMANTLE WA 6160

Dear Mr. Rowe

SUBMISSION TO THE WA ACTION PLAN FOR YOUNG PEOPLE CONSULTATION PAPER

Thank you for the opportunity to provide a submission on the [WA Action Plan for Young People consultation paper](#). This submission was endorsed by WALGA State Council on 6 December 2023.

The Western Australian Local Government Association (WALGA) is an independent, member-based, not for profit organisation representing and supporting the Western Australian (WA) Local Government sector. Our membership includes all 139 Local Governments in the State. WALGA uses its influence, support and expertise to deliver better outcomes for WA Local Governments and their communities. We do this through effective advocacy to all levels of Government on behalf of our Members, and by the provision of expert advice, services and support to Local Governments. WALGA's vision is for agile and inclusive Local Governments enhancing community wellbeing and enabling economic prosperity.

The Local Government sector is highly diverse with respect to capacity, capability, financial and human resources, local populations, and geographic location (metropolitan, regional, remote). Local Governments implement a range of strategies, policies and plans to engage with young people in their communities.

WALGA supports the development of the WA Action Plan for Young People (The Action Plan). WALGA's Advocacy Position on Children and Young People provides:

Policy Position 3.6 - Children and Young People

The Local Government sector supports the development and well-being of children and young people through strategic partnerships and a combination of services and facility provision. The Association advocates that the State and Commonwealth should continue to invest in the wellbeing of young West Australians.

Further WALGA advocacy positions of relevance to young people are provided at [Attachment A](#) to this letter.

The United Nations' World Youth Report identifies the unique and important role of Local Government authorities in delivering effective youth plans and activities.⁴ Western Australian Local Governments actively champion the needs and aspirations of young people, supporting them to reach their potential and to foster connection to community and culture. Through their delivery, partnership, and facilitation of vital youth services, enhanced by place-based knowledge, Local Governments are a key stakeholder in achieving State Government aspirations to improve the lives of young Western Australians. Additionally, Local Governments are well positioned to facilitate and enable connections between stakeholders and service providers.

The profile of young people across Western Australia

The [WA State Commissioning Strategy for Community Services 2022](#) highlights the need for place-based responses to local community needs. Regional populations for the past ten years have increased, with the

⁴ United Nations, 'World Youth Report: Youth and the 2030 Agenda for Sustainable Development', 2018, p.98

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Attachment: WALGA Submission to the WA Action Plan for Young People Consultation Paper

Bunbury (SA4) area growing significantly.⁵ Young people, aged 10 – 24 years, living outside of Greater Perth, make up 17 per cent of the total WA population.⁶ Services for young people in regional areas need to reflect this growth. Regional Local Governments are often restricted through limited resources, lower rates revenue and housing supply shortages for employees and service providers.

These challenges impact the provision and facilitation of youth services in regional areas. By ensuring that youth services are adequately resourced and funded to reflect the diverse regional context, wider policy priorities such as responding to acute shortages of mental health services, can also be addressed. The need for place-based knowledge, connection and capacity building is a priority for the Youth Affairs Council of Western Australia (YACWA). Pilot regional place-based models in the Midwest and Great Southern are delivering results which, with further funding, could be replicated across the State's regions. Another example of innovative responses to place-based youth services is the Manjimup Senior High School trial of in-house General Practitioners in response to limited access to youth mental health services. The Shire of Broome's annual Youth Forum provides an example of Local Government creating opportunities for service providers and local stakeholders to engage with young people on issues that impact them locally.

Case Study – Young People Across Western Australia

The Shire of Meekatharra provides a dynamic youth program to engage with young people in their community and to promote healthy self-esteem and self-development. Their [Mental Wellbeing Stories](#) project supported by West Australian Primary Health Alliance (WAPHA) highlights the different ways young members of the community keep mentally healthy.

Recommendation One: The Action Plan reflects the diversity of young person's needs across Western Australia and enables partnerships between key stakeholders with place-based knowledge.

Local Governments celebrate young people

Young people are valuable contributors to their communities. Celebrating their achievements is a powerful way of building community connection and support for young people to reach their potential. Local Governments celebrate young people through initiatives such as Youth Week and Young Citizen of the Year Awards. The annual Young Community Citizen of the Year Award category celebrates young person achievements within the community with winners and nominees providing examples of youth engagement and leadership across a wide range of issues. Of the 40 Department of Communities [Youth Week Grants](#) awarded in 2023, 23 recipients were Local Governments.

Case Study – Celebrating young people

In 2023, the [City of Kalgoorlie-Boulder](#) was selected as the host city for 2023 Youth Week celebrations in Western Australia. The City's Youth Council and Youth Services team collaborated with the Department of Communities and local community organisations to deliver a range of activities and programs to promote and celebrate young people within the region. Activities included an Opening Party, a Young Leaders Forum, and a presentation by the City of the region's new youth precinct.

Local Governments provide a voice for young people

The importance of engaging young people in decision-making on services that impact them is acknowledged by the sector. Many Local Governments provide opportunities for youth empowerment through shared decision-making opportunities and young-person initiated and led actions. Some Local Governments, such as the City of Rockingham, have well established Junior Council and Youth Council programs. Others are utilising alternative youth engagement practices such as youth leadership programs.

Although not a legislative requirement, WA Local Governments create the strategic direction for their services with, and in support of, young people through youth plans and strategies. Youth plans and strategies prioritise local spaces for young people, career pathways and development, empowerment for young people and health and wellbeing outcomes. Youth plans are informed by consultation with young people, ensuring their voices are central. The principle of providing a voice for young people is evident in a

⁵ [2021 Bunbury, Census All persons QuickStats | Australian Bureau of Statistics \(abs.gov.au\)](#)

⁶ [2021 Rest of WA, Census All persons QuickStats | Australian Bureau of Statistics \(abs.gov.au\)](#)

number of Local Government Youth plans such as the City of Canning [Youth Engagement Framework 2022 – 2024](#).

Young people’s increasing activation and involvement in issues for their generation and the wider community are demonstrated by the increase in young people standing for Local Government election.

Case Study – Young People’s Voice

The youngest ever City of Fremantle Councillor, 21-year-old Cr Williamson-Wong, was elected at the 2023 Local Government elections on 21 October.

Recommendation 2: The Action Plan aligns with the strategic direction of all tiers of Government to amplify the voice of young people.

Local Governments provide opportunities for young people to reach their potential

Local Governments facilitate and advocate for young people developing life skills to reach their potential through program delivery and working in partnership with other stakeholders. Local Governments, such as the City of Stirling and the City of Canning, provide opportunities for young people to increase their capacity building and leadership skills through embedding Youth Leadership, change-making and active citizenship activities in their programming. The [WA Youth Award 2023 Finalist](#) Jessica Chant demonstrates the supporting role Local Government plays in providing opportunities for young people to reach their potential.

Case Study – Reaching Potential

The City of Albany’s [Youth Friendly Albany Plan 2022 – 2025](#) was developed in partnership with the Youth Advisory Council. Through partnering with education providers, the Albany Chamber of Commerce and Industry, and Registered Training Organisations, the City have identified the need to promote employment and traineeship opportunities for young people, whilst highlighting the benefits of employing young people to local businesses.

Local Governments also provide a number of employment and training opportunities for young people within their organisations. The [Solid Futures Aboriginal Traineeship Program](#) provides Aboriginal and Torres Strait Islander young persons the opportunity to pursue traineeships within Local Government designed to develop their skills, whilst completing a [Certificate III in Local Government](#). WALGA, as the only Registered Training Organisation to deliver the training in WA, is supporting the skill and knowledge development for Junior Officers to establish a career in Local Government.

Case Study – Reaching Potential

The [Regional Youth Driver Education \(RYDE\) Program](#) was developed by the Town of Bassendean in response to marginalised and at-risk young people not being able to complete the necessary supervised driving hours. This program is facilitated and promoted by at least nine Local Governments throughout WA and provides community outcomes for community safety, youth justice and community cohesion.

Local Governments facilitate young person engagement on climate change

The [2020 National Survey of Children and Young People on Climate Change and Disaster Risk](#), indicated that 78% of respondents reported being ‘concerned’ or ‘very concerned’ about climate change. All tiers of Government have a role to play in championing climate change policy and engaging young people in the process. Climate change continues to be a policy priority for WALGA and its members. 51 Local Governments have signed the [WALGA Climate Change Declaration](#), representing over 85% of Western Australia’s population. The declaration further supports WALGA to advocate for the appropriate funding and development of legislative mechanisms to support Local Government climate change management. The WALGA Advocacy position on Climate Change reflects the critical importance climate change policy has on future generations.

Case Studies – Youth Engagement in Climate Change

The City of Wanneroo recognised the importance of climate change to young community members and consulted with the Climate Change Youth Forum to develop the City's [Climate Change Adaption and Mitigation Strategy 2020/21-2025/6](#). Similarly, the [City of Fremantle](#) responded to the Fremantle Youth Network's call for urgent actions to address climate change. The council unanimously supported a declaration on a world state of climate and biodiversity emergency that required urgent action by all levels of government, including by local councils. The Shire of Gingin, the Department of Fire and Emergency Services and the Gingin District High School have partnered to deliver a [Bushfire Cadets Program](#) to raise young person awareness and build capacity within the community to prepare for and respond to bushfire, and other emergencies.

Local Governments facilitate young person wellbeing, connection and inclusion

The capacity of Local Governments varies across the State however, all Local Governments have place-based knowledge and ongoing relationships with key stakeholders. These relationships enable Local Governments to play a key role in identifying and facilitating the implementation of effective youth services. These services are both directly and indirectly strengthening young people's connection and inclusion in their communities, providing vital wellbeing outcomes. Young person services are also supported through the use of Local Government infrastructure such as sports and cultural facilities and libraries.

Case Study – Wellbeing, Connection and Inclusion

The Shire of Broome have worked in partnership with the Department of Communities to facilitate a key action of the Shire of Broome's [Youth Plan 2021 – 2025](#) and [Community Safety Plan 2021 - 2025](#).⁷ Through the 'A Sporting Chance' program, the Shire has taken an active role in diverting local, at-risk young people from the justice system by implementing a program that has holistic outcomes for the entire community.

Local Governments are increasingly compelled to fill service gaps, especially in regional and remote locations where services provider coverage is limited. This is particularly prevalent in relation to mental health and youth justice. Service provision cost-shift to the Local Government sector diverts funding away from the other essential community services and infrastructure.

Case Study - Wellbeing, Connection and Inclusion

The Shire of Ashburton, in their recently developed [Youth Strategy 2023 – 2025](#), recognised that young people were struggling to feel a sense of belonging to their towns and identified the need to address engagement barriers. The consultation also highlighted the need for holistic partnerships with mental health service providers and ongoing advocacy for increased culturally appropriate health services.⁸ The Shire's Youth Strategy includes actions to increase feelings of representation and identity through youth-directed activities and holistic engagement opportunities, particularly to land and culture.

Recommendation 3: Sufficient funding is provided to implement the Action Plan, with consideration of the role Local Government and other stakeholders provide in delivering vital local youth services and opportunities.

Recommendation 4: State Government address the critical under funding of services for young people including primary healthcare services and public libraries, as advocated for in WALGA's 2-24/25 State Budget Submission.

Wider issues facing young people

WALGA notes that the scope of the WA Action Plan for Young People is concentrated on the Youth portfolio focus areas of youth development; engagement; promotion; and advocacy. While these are tools

⁷ [Youth Plan 2021-2025 Shire of Broome](#)

⁸ [Youth Strategy Booklet WEB.pdf \(ashburton.wa.gov.au\)](#) pp.15

Item 7.9: Submission to the WA Action Plan for Young People Consultation Paper

Attachment: WALGA Submission to the WA Action Plan for Young People Consultation Paper

to empower young people, they fail to acknowledge the key social issues that are disproportionately impacting young Western Australians such as cost of living, increasing rental prices and online safety. A more holistic approach has already been included in the New South Wales, Queensland, and South Australian Youth Action Plans.

Consideration of, and renewed partnership to deliver, key State Strategy actions impacting young people would fundamentally improve the lives of young people. State Strategies with critical intersectionality with the Action Plan include: *WA Housing Strategy 2020-2030*, *All Paths Lead to a Home: Western Australia's 10-Year Strategy on Homelessness 2020-2030*; *Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025*; and the *At Risk Youth Strategy 2022-2027*.

Recommendation 5: The Action Plan addresses the broader social issues that disproportionately impact young Western Australians.

The right to feel safe and respected is a prerequisite for improving the lives of young people. WALGA continues to advocate for the establishment of a Child Safeguarding Independent Oversight Body as proposed by the *Royal Commission into Institutional Responses to Child Sexual Abuse*. An oversight body is essential to oversee and support improvements in child safe cultures and practices across organisations in WA to.

Recommendation 6: The State Government prioritise the establishment of a Child Safeguarding Independent Oversight Body.**Recommendation 7: The Action Plan includes an evaluation of the *Beyond 2020 – WA Youth Action Plan 2020-22* and a framework to evaluate the *WA Action Plan for Young People for 2023-2026*.****Summary of Recommendations**

1. The Action Plan reflects the diversity of young person's needs across Western Australia and enables partnerships between key stakeholders with place-based knowledge.
2. The Action Plan aligns with the strategic direction of all tiers of Government to amplify the voice of young people.
3. Sufficient funding is provided to implement the Action Plan, with consideration of the role Local Government and other stakeholders provide in delivering vital youth services and opportunities.
4. State Government address the critical under funding of services for young people including primary healthcare services and public libraries, as advocated for in WALGA's 2024/25 State Budget Submission.
5. The Action Plan addresses the broader social issues that disproportionately impact young Western Australians.
6. State Government prioritise the establishment of a Child Safeguarding Independent Oversight Body.
7. The Action Plan includes an evaluation of the *Beyond 2020 – WA Youth Action Plan 2020-22* and a framework to evaluate the *WA Action Plan for Young People for 2023-2026*.

WALGA thanks the Department of Communities for providing an extension to enable WALGA to engage with our members through the State Council decision making process to develop this submission.

WALGA looks forward to working with the Department to ensure that the *WA Action Plan for Young People* supports the wellbeing of young Western Australians.

For enquiries, please contact Nicole Matthews, Executive Manager Policy on nmatthews@walga.asn.au or telephone 9213 2039.

Yours sincerely,

**Cr Karen Chappel AM JP
President**

Attachment A

WALGA Advocacy Positions

3.7.1 - Community Infrastructure

The Association continues to advocate for better planning and support for community infrastructure and investment by the State, Commonwealth and private partners.

May 2018 38.2/2018

3.10.2 - Child Safeguarding

1. Local Government supports:
 - a. the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse 2017, in particular Recommendation 6.12 which can be achieved by Local Government implementing and embedding child safeguarding across its functions with support from Governments at the national, state and territory levels; and
 - b. the ten National Principles for Child Safe Organisations (Australian Humans Rights Commission).
2. The State Government through an Independent Oversight Body should provide financial, resourcing and capacity building support to Local Governments to implement and embed child safeguarding across its functions, through the provision of:
 - a. supporting materials such as template policies, procedures and guidelines;
 - b. consistent key messaging and resources to promote and share in venues and facilities and online;
 - c. examples of best practice, including case studies;
 - d. self-assessment tools to assist Local Government;
 - e. ongoing training and skills development for Local Government staff, including online training options;
 - f. funding for the delivery of the child safeguarding function within smaller, less well resourced (Band 3 and Band 4) Local Governments; and www.walga.asn.au 93
 - g. expert officers within each region to provide support and guidance to Local Government on child safeguarding.
3. The Local Government sector supports Local Government participation in the State's National Redress Scheme, with full financial coverage by the State.

May 2023 – 440.2/2023

3.11 - Homelessness

WALGA recognises that Local Government through its planning, health, community development and regulatory powers can facilitate positive local and regional responses to end homelessness, however does not see that it has a lead role. Rather, Local Government's role is one of a stakeholder that requires early engagement in the understanding of collaborative approaches that improve the quality of life for people experiencing homelessness in all of its manifestations.

July 2019 – 71.5/2019

6.6 Matters for Noting / Information

Recommendation:

That WALGA agenda items 6.6.1 to 6.6.12 be noted.

RESOLUTION:

Moved: E Foulkes-Taylor

Seconded: Cr: Venezuela

That WALGA agenda items 6.6.1 to 6.6.12 be noted.

Carried

6.6.1 Planning and Development Amendment Bill 2023 and Associated Regulations and Guidelines

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

That State Council notes the *Planning and Development Act Bill 2023* and associated Regulations and Guidance documents.

1. Executive Summary

The Planning and Development Amendment Bill 2023 (the Bill) was introduced to Parliament on 18 October 2023.

The Bill includes various changes to the Planning and Development Act 2005 including creation of new permanent significant development pathway, reforms to Development Assessment Panel (DAPs), reform of the Western Australian Planning Commission (WAPC), changes to Local Government delegations relating to Single House developments and other additional modifications with the stated aim to streamline and simplify planning processes.

The Bill is supported by various new regulations, regulation amendments and guidance documents. Previous consultation with WALGA and Local Government on the key elements of the Bill has been occurred over previous years.

2. Attachment

- WALGA summary of changes proposed as part of *Planning and Development Amendment Bill 2023* and associated Regulations and Guidelines
- [Planning and Development Act Bill 2023 and Associated Regulations](#)
- [WALGA Media Release \(18/10/2023\)](#)

3. Policy Implications

6.1 Planning Principles

*All legislation and policy that deals with planning and development must:
ensure role clarity and consistency across all legislation controlling development, to avoid confusion of powers and responsibilities,
be easily interpreted by, understood by, and accessible to all sections of the community,
and*

be amended only with WALGA involvement and/or consultation/involvement with Local Government.

6.2 Planning Reform

The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system while ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks.

6.4 Development Assessment Panels

The Association does not support Development Assessment Panels (DAPs), in their current structure. Necessary changes to the structure of the DAPs system include:

- 1. the abolishment of the current 'mandatory' mechanism where a proposal has a value of \$10 million or greater, and its replacement with an 'opt in' mechanism for all proposals,*
- 2. raising the DAP threshold from the current \$2 million to \$5 million,*
- 3. the composition DAPs should be modified to provide equal representation of Specialist Members and Local Government Members,*
- 4. the creation of a distinct Special Matters DAP (SMDAP) is not supported, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications. Should the State Government progress with the implementation of a SMDAP, the following changes are proposed to the model released in March 2022:*
 - allow proponents with proposals that meet the threshold or criteria being able to opt-out of the SMDAP pathway and allow assessment and determination by Local Government,*
 - mandate consultation with the relevant Local Governments prior to the issuing of a Ministerial Order in relation to SMDAP Precinct Criteria, and*
 - ensure SMDAP Precincts be identified through Regulations, rather than by the Minister,*
 - include greater professional planning expertise, and knowledge of local context through the Local Government members of the District DAP, by including majority professional town planner panel members, with two Local Government representatives,*
 - expand the role of Local Governments in SMDAP processes and appropriate remuneration for involvement of Local Governments be included to support the SMDAP decision-making process*
- 5. in principle, the further reduction in the number of panels from five to three is supported, to the extent that this reduces the administrative burden on local governments and enhances consistency of decision making,*
- 6. in principle, the permanent appointment of panel members where this results in consistent decision making is supported as this reduces the potential for conflicts of interest and ensures sound knowledge of DAP processes and procedures,*
- 7. WALGA supports greater transparency around DAP processes and decisions, as community distrust of DAP decision-making is a key area of concern for many local governments.*

WALGA also supports the introduction of Third-Party Appeal Rights for decisions made by Development Assessment panels (see section 6.4 of this document).

4. Background

The [Planning and Development Amendment Bill 2023](#) (the Bill) was tabled in Parliament in October 2023. The Bill includes various changes to the *Planning and Development Act 2005* focused on increasing housing supply and accelerating the decision-making process.

The Bill, and associated regulations, regulations amendments and guidance documents is the culmination of many key planning reforms initiatives identified by the State Government in the [2019 Action Plan for Reform for Planning Reform](#).

The bill also aligns with the [National Planning Reform Blueprint](#) that was recently agreed by National cabinet and requires states and territory to review their planning system to streamline planning and accelerate housing supply.

The key changes in the Bill include:

Establishment of a Permanent Significant Development Pathway for the assessment and determination of significant development proposals (\$20 million in metropolitan areas and \$5 million in regional areas).

Changes to the current DAPs will be implemented through future changes to the Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations).

All single house applications, including additions (sheds, garages etc), except where heritage is involved, will automatically be delegated to the Local Government administration, removing ability for Council to determine these applications.

Review of the structure and operation of the WAPC to increase its efficiency and focus on strategic planning.

Other changes aimed at cutting red tape and streamlining planning processes, including the introduction of Planning Codes and changes to the status of State Planning Policies.

A more detailed summary of the changes with commentary on alignment with WALGA's advocacy positions is attached.

Two consequent amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) are required to implement changes relating to Planning Codes and Single House delegations and are open for public comment until the 17 November 2023 and the 31 January 2024 respectively.

The changes to the DAP system, including the concept of a 'Special Matters DAP' was publicly consulted on in 2022 and WALGA's submission informed the current advocacy position 6.4 that does not support DAPs in the proposed form and recommended some modifications. In early 2023 the State Government announced modifications to the DAPs and the introduction of a significant development pathway in lieu of the 'Special Matters DAP'.

5. Comment

WALGA and Local Governments have been previously consulted on many of the key elements proposed in the Bill through different mechanisms, including formal public consultation as part of the Planning Reform Stage 2 process and targeted consultation with stakeholders through stakeholder reference groups.

The significant development pathway was opposed by WALGA when it was originally introduced on a temporary basis during COVID-19 as it removed Local Government as the decision maker and could ignore Local Planning Schemes. The permanent pathway decisions can still vary local planning frameworks, but the Bill sets out specific circumstances in which this can occur, establishing a clear and transparent framework for WAPC to justify their decision making.

The modifications to the DAPs and the significant development pathway had been announced by the Government earlier this year and were expected as part of this Bill. WALGA has also had a long-held position to oppose DAP system in its current form and the current advocacy position recommends several changes to the DAP system to ensure it operates in an efficient, effective, and transparent way, and where matters of local planning context are adequately considered by decision makers. The retention of Local Government representatives and the removal of the mandatory thresholds making it a completely opt-in pathway aligns with WALGA's



recommendations. WALGA will continue to continue to advocate for further improvements to the DAP system consistent with our Advocacy Position.

Changes to Single House delegations have not been previously consulted on but reflects the current level of delegated decision making already in place in most Local Governments. WALGA's Performance Monitoring data demonstrates that the overwhelming majority of development applications across the state are already dealt with under delegation, rather than determined by Council.

6. **Attachment – WALGA summary of key changes proposed as part of *Planning and Development Amendment Bill 2023* and associated Regulations and Guidelines**

| Proposed Changes | Explanation | Comment |
|---|---|--|
| <p>Permanent Significant Development Pathway</p> | <p>A temporary pathway for significant development applications that were assessed by DPLH and determined by WAPC was introduced during COVID-19.</p> <p>The permanent pathway is a refined version of the temporary pathway and is proposed in lieu of the Special Matters DAP' that was publicly consulted on in 2022.</p> <p>The prescribed financial thresholds to opt-in the pathway will be \$20 million for Perth and Peel and \$5 million for regional areas. Proposals not meeting the above criteria may be authorised by the Premier on the recommendation of the Minister for Planning to lodge an application based on their State or regional importance.</p> <p>The pathway retains WAPC as the decision maker and Local Governments will have 60 days to provide comments on applications. Applications subject to 120-day timeframe and include a 28-day public consultation.</p> <p>In its decision making WAPC is not bound by planning framework where:</p> <ul style="list-style-type: none"> • Minor variation to local planning schemes but consistent with other planning policies and strategies, | <p>WALGA has historically opposed the Significant Development Pathway as applications were not bound by local planning frameworks and it eroded the role of Local Government in providing a valuable community perspective on planning proposals.</p> <p>The new permanent pathway still incorporates the ability to ignore local planning frameworks but sets out specific circumstances in which this can occur.</p> <p>Since the State Government announced the permanent pathway in early 2023, WALGA and Local Government officers have been involved in a DPLH Stakeholder Reference Group to provide feedback on the design and operation of the permanent pathway specifically Local Government's role.</p> <p>The introduction of the 60-day Local Government referral timeframe, 28-day public consultation and clear parameters on when local planning frameworks can be varied will provide greater ability for local communities and Local Government to influence planning outcomes.</p> <p>Greater clarity is required on Local Government's role in clearing conditions of development approval and ongoing compliance of approvals. Currently Local Government officers provide significant technical support to DPLH in these areas with no financial compensation. Feedback to this effect was provided to DPLH through WALGA's submission on the Applicant's Guidelines.</p> |

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| | <ul style="list-style-type: none"> • Local Planning Scheme is not up to date, • Raises issues of state and regional importance and in public interest, and • Other circumstances set out in the Regulations (none currently proposed) <p>Enforcement and compliance may be undertaken by WAPC or 'normal decision maker' (Local Government)</p> <p>Draft <i>Planning and Development (Significant Development) Regulations 2023</i> and a draft <i>Significant Development Pathway Guide for Applications</i> have been released. DPLH consulted on the Guidelines until 17 November 2023.</p> | |
| <p>DAPs</p> | <p>Changes to the current DAPs will be implemented through future changes to the <i>Planning and Development (Development Assessment Panels) Regulations 2011</i> (DAP Regulations)</p> <ul style="list-style-type: none"> ○ Reducing the number of panels from five to three. ○ Appointing full time, fixed term specialist members and retain a pool of sessional members. Retaining five members on each panel, with two Local Government Members. ○ Removal of mandatory thresholds and making the DAP system an opt-in pathway for developments over \$2 million. ○ Option for community housing projects to be considered by DAP regardless of size or value. ○ Clarification that Responsible Authority Reports are to be submitted by the Chief Executive Officer of the Local Government. | <p>WALGA's long held position opposes the DAP system in its current form and the current advocacy position recommends several changes to the DAP system to ensure it operates in an efficient, effective, and transparent way, and where matters of local planning context are adequately considered by decision makers.</p> <p>The retention of Local Government representatives and the removal of the mandatory thresholds making it a completely opt-in pathway aligns with WALGA's recommendations.</p> <p>The clarification that Responsible Authority Reports (RAR) need to be submitted by Local Government administration instead of Council will require some Local Governments to review and update their internal processes. There is currently inconsistent practice across the Local Government sector with regards to Council involvement in the approval of RAR.</p> <p>The DAP advocacy position will be reviewed and updated as the position is now outdated, specifically reference to the 'Special Matters DAP' which is been replaced with the significant development pathway.</p> |

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| | As mentioned above, the 'Special Matters DAP' will not proceed as it is replaced by the permanent significant development pathway. | |
| Single House Delegations | <p>All single house applications, including additions (sheds, garages etc), except where heritage is involved, will automatically be delegated to the Local Government administration, removing ability for Council to determine these applications.</p> <p>These changes require subsequent modifications to the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (LPS Regulations) and DPLH are currently seeking comments on these change by 31 January 2024.</p> | <p>WALGA's Performance Monitoring Project collects data indicates that 98% of development applications are already determined by Local Government administration under delegation.</p> <p>Therefore, this amendment will have a negligible impact on most Local Governments and recognises the expertise of Local Government Planners.</p> <p>The Association is currently reviewing the proposed amendments to the LPS Regulations to ensure it is practical and can be easily implemented.</p> |
| WAPC Reform | <p>Review of the structure and operation of the WAPC to increase transparency, efficiency and enable greater focus on strategic planning matters.</p> <p>The WAPC membership has been reduced from 16 members to 7 – 9 members including at least one Local Government representative.</p> | <p>The current WAPC includes two Local Government representatives, one regional and one metropolitan.</p> <p>While the total number of Local Government representatives on the WAPC will be reduced, the amended WAPC membership will still include adequate Local Government representation.</p> <p>It should be noted that Local Government officers may also be able to serve on the WAPC in their professional capacity in addition to the one Local Government representative.</p> |
| State Planning Policies (SPPs) and Planning Codes | <p>The 2020 Amendment Act introduced the concept of Planning Codes into the planning framework. The process for creating and amending both Planning Codes and SPPs will be moved from the Act into new regulations. Two new sets of regulations have been prepared that include the processes to prepare, amend and repeal SPPs and Planning Codes.</p> | <p>Planning Codes are prescriptive policies that will be read into local planning schemes. Currently the Residential Design Codes has been identified as the only Planning Code.</p> <p>The minor amendments to the LPS Regulations are required to integrate Planning Codes into Local Planning Schemes.</p> |

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| | <p>Consequential amendments to the LPS Regulations are required to facilitate these changes and comment on these changes were due to DPLH by 17 November 2023.</p> | |
| <p>Reviewing and Updating Planning Frameworks</p> | <p>New Part introduced which requires the WAPC and Local Governments to review their respective planning frameworks in a 10-year timeframe.</p> | <p>Currently Local Governments are required to review their Local Planning Schemes every 5 years. The new provisions require Local Governments to review local planning instruments every 10 years which is a more reasonable and practical timeframe.</p> |

6.6.2 WALGA Emergency Management Survey 2023

By Rachel Armstrong, Senior Policy Advisor, Emergency Management

WALGA RECOMMENDATION

That State Council note the update on the WALGA Emergency Management Survey 2023

1. Executive Summary

WALGA's 2023 Emergency Management Survey was provided to all Local Government CEOs on Monday, 6 November, and will be open until Friday, 1 December 2023.

Focus areas for the 2023 survey include: resources for emergency management, the Local Government Grants Scheme (LGGs), Community Emergency Services Managers (CESMs), the Commonwealth-State Disaster Recovery Funding Arrangements (DRFA-WA), and the Consolidated Emergency Services legislation, which is currently under development by the State Government.

The results from the 2023 Survey will support WALGA's emergency management advocacy on 2024-25 State Budget Submission priorities and in the lead up to the 2025 State Government elections.

A report on the survey results will be provided to State Council in March 2024.

2. Background

WALGA undertakes a Local Government emergency management survey every two years, with previous surveys undertaken in 2019 and 2021.

In 2019, WALGA undertook the 'Before, During, After' Local Government emergency management survey. Actions undertaken as a result of the survey feedback include the establishment of a Local Government Emergency Management Network, and development of a new 'Emergency Management for Local Government Leaders' training course.

The 2021 survey aimed to build on the feedback received in the 2019 Survey to inform WALGA's emergency management policy and advocacy on current and emerging matters of importance to the sector, with a specific focus on managing volunteer bushfire brigades. The survey results provided the basis for a review of WALGA's [Emergency Management Advocacy Positions](#) and have enabled us to effectively represent the Local Government sector's interests, including through:

The State Emergency Management Committee, State Bushfire Advisory Committee, Inter-Agency Bushfire Operations Committee; and
Representations to Government and policy submissions, including the 2023-24 and 2024-25 WALGA State Budget Submissions.

3. Comment

In 2021, 104 Local Governments responded to the Emergency Management Survey. The high response rate meant the survey results provided a robust and reliable evidence base to inform WALGA's advocacy on behalf of the sector. WALGA is seeking to replicate or improve on this response rate in the 2023 survey. The survey results will ensure that WALGA's emergency management advocacy continues to effectively represent the interests of all Western Australian Local Governments.

All Local Governments are strongly encouraged to complete the survey.

6.6.3 WALGA Submission on Aboriginal Cultural Heritage Legislation dated 26 September 2023 and Update

By Hannah Godsave, Senior Policy Advisor Community

WALGA RECOMMENDATION

That State Council note:

1. The submission to the Department of Lands, Planning and Heritage on the Aboriginal Heritage Legislation Amendment and Repeal Bill Regulations, Consultation Policy and Section 18 Guideline, as endorsed via Flying Minute; and
2. The update on the commencement of the amended *Aboriginal Heritage Act 1972*.

1. Executive Summary

On 8 August 2023 the State Government announced it would repeal the Aboriginal Cultural Heritage Act 2021 (the ACH Act) and restore the Aboriginal Heritage Act 1972 (AH Act), with amendments.

WALGA engaged with the State Government on the development and implementation of the amended legislation through membership to the DPLH Implementation Group, as well as direct contact with the Minister for Aboriginal Affairs and senior Department officials.

WALGA provided two submissions to State Government on the Aboriginal Heritage Legislation Amendment and Repeal Bill, including feedback on the draft Regulations, Consultation Policy and Section 18 Guideline.

The feedback aligns to WALGA's relevant Advocacy Position, previous sector consultations and submissions, and discussions with WALGA's Local Government Aboriginal Heritage Reference Group and People and Place Policy Team.

WALGA's submission was supportive of the content of the Bill and supporting documents, with the exception of the Fees Regulations.

WALGA sought, and shared with DPLH, legal advice to give effect to an exemption for Local Government from per site investigation fees.

State Council endorsed WALGA's submission pertaining to the draft legislation and supporting documents via Flying Minute on 23 September 2023 (RESOLUTION 234.FM/2023).

The repeal of the ACH Act and commencement of the AH Act as amended will take effect on 15 November 2023.

Local Government has not been provided with an exemption from per site investigation fees in the Regulations, however DPLH Director General, Anthony Kannis, has agreed to work with WALGA to determine the parameters on Local Government projects that may be eligible for a fee waiver and to provide guidance for works that require approval under Regulation 10 versus Section 18.

2. Attachment

[Flying Minute: Aboriginal Heritage Legislation Amendment and Repeal Bill, Regulations, Consultation Policy and Section 18 Guideline – Submission to the Department of Planning, Lands and Heritage](#)

3. Policy Implications

WALGA's submission is consistent with the key principles of **Advocacy Position 3.1.4: Aboriginal Cultural Heritage Act 2021 and South West Native Title Settlement:**

WALGA supports the introduction of the Aboriginal Cultural Heritage Act 2021 which will provide a modern framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognises the fundamental importance of Aboriginal cultural heritage to Aboriginal people.

The State Government must ensure that:

- 1. The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;*
- 2. The implementation and ongoing operation of the legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;*
- 3. Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and*
- 4. Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.*
- 5. Regional local Aboriginal people are actively engaged in the Local Aboriginal Cultural Heritage Services (LACHS) groups; and*
- 6. The various Prescribed Body Corporates (PBCs) be required to actively seek out local regional members to be included in the consultation and decision making process.*

(July 2022 -363.5/2022)

4. Background

The critical amendments to the AH Act include:

Greater representation of Aboriginal people on the Aboriginal Cultural Heritage Committee through maintaining the membership created under the 2021 Act;

Proponents and Native Title parties having the same right of review for Section 18 decisions with clear timeframes and an ability for the Premier to call-in a decision of 'State significance'; and

A new requirement for a landowner to notify the Minister of any new information arising about any Aboriginal heritage site where a Section 18 approval has been granted.

Through its participation in the DPLH Aboriginal Heritage Implementation Group, WALGA's feedback on the Draft Bill, Regulations and supporting policy and guidance was sought. WALGA's submission recommended:

That the Section 18 Guideline include a risk matrix to assist proponents, including Local Government, to assess the likelihood of risk to Aboriginal heritage from various activities and determine the appropriate application pathway;

Guidance be developed on the process and requirements for Regulation 10 approvals in consultation with Local Government and that these approvals are provided in a timely manner to ensure that routine and regular maintenance activities can be undertaken as needed; and Local Governments be exempt from site investigation fee for Section 16 and 18 applications.

The submission also restated matters previously raised including the development of an online assessment tool and process map and development of a Local Government Guide to Aboriginal Heritage. Since the announcement of the ACH Act repeal, WALGA has been working with Local and State Government to assist the sector navigate their legislative requirements and ensure the sectors needs and views are reflecting in the amended AH Act.

State Council endorsed WALGA's submission pertaining to the draft legislation and supporting documents via Flying Minute on 23 September 2023 (RESOLUTION 234.FM/2023).

5. Comment

The repeal of the ACH Act and commencement of the AH Act as amended will take effect on 15 November 2023.

WALGA's advocacy for Local Governments to not be subject to the per site investigation fees as specified in the Regulations was unsuccessful. However the power to waive, reduce or refund fees, or extend the time within which fees can be paid is included in the Regulations, delegated to the Director General of DPLH. The Director General, Anthony Kannis, has committed to work

with WALGA to determine the parameters on what types of Local Government projects could be considered eligible for a waiver.

The Director General has also undertaken to provide guidance for works that require approval under Regulation 10 consents versus Section 18. On the 3 November representatives of WALGA's Local Government Aboriginal Heritage Reference Group met with the Registrar of Aboriginal Sites to discuss options for improvement of Regulation 10 processes.

WALGA will continue to advocate for support to build Local Government capacity and capability to comply with Aboriginal Heritage legislation, including monitoring sector costs associated with Section 18 application fees.

6.6.4 Legal Response to the Local Government Approaches to Tree Retention Issues Paper

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

That State Council notes the *Legal Response to Local Government Approaches to Tree Retention Issues Paper* prepared by McLeods Lawyers.

1. Executive Summary

The Legal Response to the Local Government Approaches to Tree Retention (2023) provides a certified legal response to questions posed in the March 2023 Issues Paper Local Government Approaches to Tree Retention.

The legal advice assists Local Governments to understand the existing measures available to retain trees on public (street trees) and private land and the further mechanisms in the planning framework that could be used to Local Government.

47 Local Governments have purchased the legal advice from WALGA, with estimated savings of approximately \$1.2 million in legal fees compared to participating Local Government seeking their own advice.

The legal advice will inform the development of further policy guidance for the sector and advocacy to the State Government on tree retention in the State planning framework.

2. Attachment

- [Issues Paper: Local Government Approaches to Tree Retention \(March 2023\)](#)

3. Policy Implications

WALGA's existing Advocacy Position 4.6 Urban Forest:

To promote the growth of Western Australia's urban forest the State Government should:

1. *Identify a lead agency with responsibility for setting the strategic direction and oversight of urban forest initiatives.*
2. *Provide recurrent funding for a comprehensive and accessible Urban Greening Grant program to support Local Government investment in public realm planting, focusing on high urban heat areas and enhancing biodiversity outcomes.*
3. *In consultation with Local Government:*
 - a. *Develop a state-wide Urban Forest Strategy, based on the overarching principles of a resilient, connected, expanded and equitable urban forest including:*

- i. a minimum tree canopy target of 30% by 2040 for the Perth and Peel regions,*
 - ii. robust and contemporary data to inform decision making,*
 - iii. funding mechanisms to support growth in urban canopy.*
 - b. Develop contemporary legislative and policy mechanisms to enable the protection and growth of urban forest, including:*
 - i. an effective and efficient regulatory mechanism that allows Local Government to consider the removal or alteration of a significant tree as a form of development,*
 - ii. incentivising the provision and retention of trees on private property within the state planning framework,*
 - iii. prioritisation of trees and vegetation as a key structural element in the design of new neighbourhoods to facilitate climate resilient and liveable communities,*
 - iv. consideration of public realm design to maximise opportunities for tree retention and new planting consistent with any tree canopy targets.*
- 4. *Work with Local Government and other stakeholders to increase community awareness and promote behaviour change in relation to urban forest growth and retention to support State and Local Government targets and action.***

4. Background

The *Legal Response to the Local Government Approaches to Tree Retention (2023)* is certified legal advice responding to questions outlined in the March 2023 *Issues Paper Local Government Approaches to Tree Retention* (Issues Paper).

The Issues Paper was prepared by WALGA in consultation with the Local Government Urban Forest Working Group (UFWG) Tree Retention Subcommittee. It outlines the key challenges for Local Governments in retaining trees on private land and verges and proposes several hypothetical scenarios based on common situations Local Government experience when they seek to retain trees, as well as other questions relating to additional policy and legislative measures.

The Issues Paper was refined into a series of questions on which legal advice was procured from McLeods Barristers and Solicitors. 47 Local Governments have purchased the advice from WALGA for the nominal sum of \$500. The advice was provided and a briefing session held for officers of participating Local Governments in September 2023.

The advice is general in nature and Local Governments have been advised to consider seeking specific legal advice and assistance to ensure appropriate adaptation of the general advice to specific local circumstances.

5. Comment

Key findings from the legal advice include:

- The removal of a tree is an activity that falls within the concept of ‘works’;
- Whether or not the works involved in removing a tree amount to a development that requires approval is a matter of fact and degree and is therefore inherently uncertain;
- To remove uncertainty, it would be preferable for the planning framework to stipulate the circumstances in which approval is required to remove a tree. This can be done via scheme or policy provisions;
- There is merit in a tiered system in which the first tier regulates tree damaging activity by requiring development approval, and the second tier provides additional protection for significant trees. Ideally, this should be done via legislative change at State level through the introduction of new deemed provisions or model provisions; and

- The current planning framework does promote the retention of existing trees, but in practice insufficient weight may be given to that objective – particularly in the subdivision process
 - There is scope for Local Governments to advocate for the WAPC to place greater weight on tree retention and improve their policy framework to the same effect.

The legal advice is estimated to have saved the sector approximately \$1.2 million in legal fees had each participating Local Government sought their own independent legal advice. The content and findings are a valuable reference and resource for Local Governments in their planning and decision making related to tree retention.

The current planning framework is lacking guidance on the best practices regulatory and policy mechanisms that can be used to retain trees. Various Local Governments have sought to address this void through different statutory mechanisms including policy and local planning scheme provisions.

WALGA, in consultation with the UFWG, will now develop policy guidance, specifically a model Local Planning Policy for tree retention on private land, to support a consistent approach to how Local Governments action the information in the advice.

WALGA will also continue to advocate to the State Government on tree retention and the importance of this to be considered in the State planning framework, consistent with the endorsed advocacy position.

6.6.5 Flying Minute: Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines

By Max Bushell, Policy Officer Road Safety and Infrastructure

WALGA RECOMMENDATION

That State Council note:

- **the new Advocacy Position regarding the design and implementation of pedestrian crossings; and**
- **the submission to Main Roads WA on the draft Pedestrian Crossing Facilities Guidelines**

as endorsed by State Council via Flying Minute.

1. Executive Summary

Main Roads provided the draft Pedestrian Crossing Facilities Guidelines to WALGA for review and comment.

Seven overarching principles are proposed to inform revisions to the draft Guidelines document:

- That planning at the Local Government level be considered in determining where and which crossing types are implemented;
- That pedestrians must be accommodated with facilities, regardless of vehicle speeds and vehicle volume considerations;
- That high-quality, pedestrian-priority crossings be considered first rather than last;
- That lower cost high-quality, pedestrian-priority crossings be considered first, rather than higher cost crossings
- That the guidelines incorporate a proactive approach, rather than react to pedestrian demand, which is often not present;
- That the operating speed to implement high-quality, pedestrian-priority crossings be increased, so this is not a barrier to implementing pedestrian crossings;

- That intersection designs, particularly roundabouts, be included that support pedestrian-priority crossings.

These principles guide numerous proposed revisions to the text of the draft Guidelines.

Revisions to the Pedestrian Crossing Facility Guidelines are important to Local Government, 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 include priority pedestrian networks.

State Council endorsed the new Advocacy Position and submission via Flying Minute on 11 August. The Advocacy Positions Manual has subsequently been updated and the submission provided to Main Roads.

2. Attachments

[Flying Minute: Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines](#)

3. Policy Implications

This submission created a new [Advocacy Position](#), which outlines seven general principles that enable Local Governments to provide pedestrian crossings to support a safe, comfortable, and connected pedestrian network.

4. Background

WALGA has been invited by Main Roads WA to review and provide comment on a draft version of the Pedestrian Crossings Facilities Guidelines (the Guidelines) from the Local Government perspective. The current Guidelines were published in 2020. This is part of our standard review process for Main Roads WA policies that affect Local Governments. Main Roads WA have invited individual Local Governments to make submissions, so this was not duplicated by WALGA.

The Infrastructure Policy Team considered this issue on 28 July 2023 and unanimously supported a recommendation to consider this issue in a State Council Flying Minute. State Council endorsed the principles and submission via Flying Minute on 11 August.

5. Comment

The Guidelines provide advice on appropriate types, locations, and treatments for pedestrian crossing facilities and outline the warrants for implementing pedestrian crossing facilities. The stated intent of the Guidelines is to support the provision of facilities for safer, accessible, and convenient pedestrian movements.

WALGA identified elements of the Guidelines that limit the capacity for Local Governments to manage the safe, comfortable, and connected movement of pedestrians, which are outlined in the bullet points below.

- **Planning Documents/Sound Planning:** Local Governments are often responsible for active mobility infrastructure, including the provision of footpaths. The implementation of the pedestrian network of infrastructure elements is often guided by an Integrated Transport Plan, Walk and Ride Plan, or other strategic planning document. No mention is made of Local Government's plans in planning for pedestrians in the Guidelines.
- **Vehicle Volumes/Speed:** The Guidelines, as written, make implementing high-quality pedestrian priority crossing facilities very difficult on roads with higher speeds/higher traffic volumes. However, it is precisely on these roads that such crossing facilities are fundamental to the creation of a safe, comfortable, and connected pedestrian network.
- **Pedestrian Priority:** A cornerstone of delivering a safe, comfortable, and connected pedestrian network is providing crossings with pedestrian priority, i.e. where motorists give way to pedestrians. The Guidelines make it very difficult to implement pedestrian-

priority crossings, e.g. zebra/wombat crossings or pedestrian signals, and clearly state that vehicle delay is more important than pedestrian delay.

- **Cost:** Particularly on higher speed or higher volume roads, the Guidelines recommend treatments that are often prohibitively expensive for Local Governments to implement (pedestrian bridges or pedestrian signals). If the Local Government cannot afford the treatment, then pedestrians are not accommodated to cross at all.
- **Retrospective Approach:** Pedestrian demand is a key determinant of the type of crossing that would be proposed or considered. However, without a crossing in place, it is unlikely that pedestrian demand can be demonstrated.
- **Speed Reduction Stipulation:** In order to implement an at-grade pedestrian priority crossing, vehicle speeds must be reduced to 30 km/h or below at that location. This is exceedingly difficult to achieve without substantial cost implications for Local Governments and is particularly difficult to achieve on higher speed roads, making this well-intentioned stipulation a barrier to implementing pedestrian crossings. In addition, Local Governments do not have authority to set speed limits.
- **Crossings at Intersections:** Roundabouts are particularly unfriendly to pedestrians in that vehicles are not required to stop. This guide reinforces vehicular priority at roundabouts. Designs do exist to create roundabouts that are safer and more comfortable for people walking (pedestrian priority), but are not proposed in the Guidelines.

To realise the goals identified in Local Government planning documents (e.g., Integrated Transport Plans, Walk and Ride Plans) of developing a safe, comfortable, and connected pedestrian network, seven principles to inform revisions to the Guidelines are presented below.

These principles align with the following State Strategies/Initiatives:

- Driving Change – Road Safety Strategy for Western Australia – “Community feedback shows widespread support for **traffic calming measures in busy areas** that will prevent collisions with pedestrians and cyclists and **make local communities more people-friendly.**”
- Foundations for a Stronger Tomorrow: State Infrastructure Strategy – Under Tomorrow 2042 - “Fully integrated planning and delivery results in more efficient and flexible connections between transport modes and stimulates and supports greater infill housing development, with **a modal shift towards greater public transport use and active transport.**”
- WA Active Mobility Strategy – “The WA Active Mobility Strategy (AMS) will be an overarching strategic document that outlines **a coordinated approach to increase active mobility in Western Australia.**”
- Your Move: More Ways to Get There – “Your Move is a Department of Transport program that helps **people find alternative, active ways** to get to and from work, school and around their local community.”

1. Planning at the Local Government Level

Local Governments have a nuanced understanding of their modal networks. The State Government does not share this micro-level understanding of the local context. These guidelines should acknowledge this expertise and allow sound planning at the Local Government level to inform where and which pedestrian crossing types are implemented.

2. Pedestrian Crossings are Essential

High-speed, high-volume roads are the barrier most likely to be encountered by people completing trips on foot across WA. The guidelines should acknowledge that pedestrian

crossings are essential regardless of vehicle speed and volume and that not providing a safe crossing is an unacceptable outcome.

3. Pedestrian Priority

The Guidelines identify non-priority crossings as the crossings to consider first. However, this type of crossing provides the lowest level of safety and comfort for pedestrians. The guidelines should recommend starting with high-quality, cost-effective, pedestrian-priority crossings in the first instance and recommend only implementing non-priority crossings as a last resort. Pedestrian travel should be given equal weight to vehicular travel. 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.

4. Cost

Local Governments are responsible in most instances for the installation and maintenance of active mobility facilities within their jurisdictions. The Guidelines recommend installing pedestrian signals or grade-separated pedestrian crossings under certain circumstances. However, these are often very expensive to construct and maintain. The guidelines should recommend the implementation of lower-cost pedestrian-priority crossings first, rather than high-cost facilities. The Guidelines should also provide guidance on the cost of installing pedestrian crossing facilities and general information on which party may bear the costs.

5. Proactive Approach

As vulnerable road users, pedestrians are unlikely to cross in large numbers in areas that are unsafe. The Guidelines should adopt a more proactive approach and acknowledge the value of network planning, instead of responding to pedestrian demand, which will not be present in areas with no crossing facilities. Additionally, a suite of appropriate design options should be provided to fit every situation.

6. Speed

The Guidelines mandate an operating speed reduction to 30 km/h at pedestrian crossings. Most roads in WA are speed zoned at 50 km/h or higher. While this reduction in operating speed is laudable from a safety perspective, this requirement effectively acts as a barrier to implementing pedestrian crossings, due to the difficulty in achieving this reduction without very costly infrastructure improvements and the prevailing high speeds on most roads in WA. Local Governments also do not have the authority to set speed limits.

7. Intersections

Certain infrastructure types, while safer for vehicles, can be very difficult to navigate for pedestrians, particularly roundabouts. The Guidelines should provide designs that accommodate pedestrians with priority at roundabouts to support the creation of a safe, comfortable, and connected pedestrian network.

6.6.6 Flying Minute – Draft Operational Policy 2.3: Planning for Public Open Space

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

That State Council note the submission on Draft Operation Policy 2.3 Planning for Public Open Space to the Department of Planning, Lands and Heritage as endorsed by State Council via Flying Minute.

1. Executive Summary

Draft [Operational Policy 2.3 Planning for Public Open Space](#) (draft Policy) released by the Department of Planning, Lands and Heritage (DPLH) will replace *Development Control Policy 2.3 – Public Open Space (DCP 2.3) in Residential Areas* and *Position Statement – Expenditure of Cash in Lieu of Public Open Space* and will supplement the Livable Neighbourhoods policy. The draft Policy seeks to retain the minimum 10 per cent POS contribution for greenfield areas and clarifies the circumstances when cash-in-lieu contributions can be charged for infill development and the calculation of the contribution. The draft Policy also provides a greater emphasis on Local Planning Strategies and other higher order planning documents to strategically inform the POS needs of communities.

WALGA's submission generally supports the draft Policy as it will provide a contemporary update to the current policy framework and sets clear provisions, including clarity and consistency on POS contributions and proposes reasonable reduced contribution amounts for infill development. WALGA recommends further guidance and support from DPLH on the impact of the draft Policy in preparing Local Planning Strategies.

State Council endorsed the submission via Flying Minute on 21 August and the submission was provided to DPLH on 23 August.

2. Attachment

- [WALGA submission on Draft Operational Policy 2.3 Planning for Public Open Space](#)

3. Policy Implications

WALGA's submission is consistent with the following WALGA Advocacy Positions:

6.1 Planning Principles All legislation and policy that deals with planning and development must:

- ensure role clarity and consistency across all legislation controlling development, to avoid confusion of powers and responsibilities,*
- be easily interpreted by, understood by, and accessible to all sections of the community, and*
- be amended only with WALGA involvement and/or consultation/involvement with Local Government.*

6.2 Planning Reform

The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system while ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks.

6.11 Public Open Space

As public open space is fundamental to lifestyle wellbeing, mental and physical health, Local Government supports the development of new subdivisions that are characterised by a combination of public open space for recreational, sporting or natural purposes, and are distributed for neighbourhood, district and regional use.

4.6 Urban Forest

To promote the growth of Western Australia's urban forest the State Government should:

- 1. Identify a lead agency with responsibility for setting the strategic direction and oversight of urban forest initiatives.*
- 2. Provide recurrent funding for a comprehensive and accessible Urban Greening Grant program to support Local Government investment in public realm planting, focusing on high urban heat areas and enhancing biodiversity outcomes.*
- 3. In consultation with Local Government:*
 - a. Develop a state-wide Urban Forest Strategy, based on the overarching principles of a resilient, connected, expanded and equitable urban forest including:*

- i. a minimum tree canopy target of 30% by 2040 for the Perth and Peel regions,
- ii. robust and contemporary data to inform decision making,
- iii. funding mechanisms to support growth in urban canopy.
- b. Develop contemporary legislative and policy mechanisms to enable the protection and growth of urban forest, including:
 - i. an effective and efficient regulatory mechanism that allows Local Government to consider the removal or alteration of a significant tree as a form of development,
 - ii. incentivising the provision and retention of trees on private property within the state planning framework,
 - iii. prioritisation of trees and vegetation as a key structural element in the design of new neighbourhoods to facilitate climate resilient and liveable communities,
 - iv. consideration of public realm design to maximise opportunities for tree retention and new planting consistent with any tree canopy targets.
4. Work with Local Government and other stakeholders to increase community awareness and promote behaviour change in relation to urban forest growth and retention to support State and Local Government targets and action.

4. Background

Public Open Space (POS) is fundamental to lifestyle, wellbeing, mental and physical health and accommodates environmental and social features. Local Government has the responsibility to manage most POS across Western Australia and thus has considerable interest in the objectives and policy measures of the draft Policy and how these will impact POS provision, delivery, upgrade and the wider implications on communities from any change in policy.

The current DCP 2.3 establishes the requirement for 10 per cent of the gross subdivisible area to be provided free of cost by the subdivider and circumstances in where cash in lieu of land for open space may be appropriate as governed by provisions in the *Planning and Development Act 2005* (the Act). Cash in lieu requirements generally did not apply to subdivisions of less than 5 lots but can be requested in specific circumstances.

Position Statement – Expenditure of Cash in Lieu of Public Open Space (September 2021) provides advice on how to spend cash in lieu contributions in accordance with the Act. The draft Policy will supersede DCP 2.3 and this position statement.

The draft Policy seeks to provide a contemporary framework for planning for POS and has been prepared on the underlying principle that additional residential lots generate additional demand for POS, whether that be in new suburb, or via infill development in established communities.

Key elements of the policy include:

retention of the minimum 10 per cent POS provision in all residential areas to be provided by land or as a cash contribution with the potential to reduce the contribution amount in infill suburbs as existing POS is already provided and caters for some of the community's needs;

greater emphasis on the role of Local Planning Strategies in identifying community needs for POS in terms of land provision, facilities and distribution, including opportunities for upgrades to existing POS. This is not restricted to just residential areas as demand for POS can also occur in other areas; and

in absence of strategic planning framework setting reduced default contribution amounts for infill development, specifically five per cent contribution for all infill residential subdivision, excluding two lot subdivisions.

The [development and housing industries](#) have been critical of the draft Policy, specifically raising concerns with the impact on housing affordability due to POS contributions for infill development. On 26 June, the Minister for Planning, Hon. John Carey MLA [announced](#) that “no new changes to the Public Open Space policy will be introduced that halt or create price increases to infill

developments”. Minister Carey also announced interim measures to revoke Local Government delegations on any applications of public open space contributions for built strata applications in the Perth metropolitan area and the south-west.

WALGA has previously advocated on issues relating to POS provision and prepared [Background Paper: Public Open Space in Residential Areas](#) in 2023 to inform the review of DCP 2.3. As outlined in the paper, WALGA’s *Advocacy Position 6.11 Public Open Space* hasn’t been reviewed since 2010. While this position is still applicable a revised advocacy position has been drafted and will be considered by State Council and is included as a matter for decision in this agenda.

5. Comment

The release of the draft Policy was generally welcomed, as it provides a contemporary update to the current DCP 2.3. The draft Policy sets clear provisions, including greater clarity and consistency around the circumstances when POS contributions can be charged and the contribution amount for infill development.

DPLH has proactively engaged with the Local Government sector, with WALGA hosting officers from DPLH for a POS workshop attended by over 30 Local Governments in July 2022 to inform the provisions of the draft Policy. Following the release of the draft Policy WALGA again hosted officers from DPLH for an online Local Government Information Session on 28 June 2023 where feedback was provided to WALGA through an interactive session.

WALGA’s submission generally supports the provisions of the draft Policy, as it retains the ability to collect POS contributions for infill developments, albeit at a reduced rate. These funds are critical to providing sufficient POS for local communities.

WALGA also supports the greater emphasis placed on strategic planning, specifically Local Planning Strategies, to strategically identify the POS needs for local communities. However, the submission recommends assistance in the form of guidance documents and funding from the State Government to facilitate the preparation and processing of these complex documents.

The public comment period closed on Friday, 25 August. The People and Place Policy Team endorsed the submission at its meeting on 9 August. State Council endorsed the submission via Flying Minute on 21 August. The Submission was provided to DPLH on 23 August.

6.6.7 Flying Minute – Submission on Independent Review of Commonwealth Disaster Funding Arrangements

By Rachel Armstrong Senior Policy Advisor Emergency Management

WALGA RECOMMENDATION

That State Council note WALGA’s Submission to the *Independent Review of Commonwealth Disaster Funding Arrangements* as endorsed by State Council via Flying Minute.

1. Executive Summary

- The Federal Minister for Emergency Management has commissioned an [Independent Review of Commonwealth Disaster Funding](#) (the Review), led by Andrew Colvin AO.
- The Review will consider how Commonwealth arrangements for disaster funding can be optimized, following the significant government financial support provided to communities over the last three years in response to disasters.

- WALGA's submission to the Independent Review on Commonwealth Disaster Funding was endorsed by the State Council via flying minute in August 2023.
- The final report on the Independent Review of Commonwealth Disaster Funding is expected to be provided to Government in April 2024.

2. Attachment

[Independent Review of Commonwealth Disaster Funding Submission](#)

3. Background

The Independent Review of Commonwealth Disaster Funding is examining all Commonwealth disaster funding to ensure it supports a system that is effective and fit-for-purpose given the increasing frequency and severity of natural disasters. It is also considering how government investment in disaster risk reduction, preparedness, response and recovery can better support a national system that makes our communities safer and builds resilience to natural disasters.

The Review is considering how Commonwealth disaster funding measures can be redefined and enhanced to:

complement and support state and territory arrangements and programs,
proactively improve resilience and promote disaster risk reduction to constrain growing recovery costs, and

deliver a system that is effective, responsive, equitable, and accessible.

4. Comment

Both Commonwealth and State Government policy identify Local Government as a key player in community disaster resilience, preparedness and response. Commonwealth disaster funding, including through the Commonwealth - State Disaster Recovery Funding Arrangements (DRFA) and other programs such as the Disaster Ready Fund, is critical to enable Local Governments to fulfill their emergency management responsibilities.

WALGA's submission addresses the five questions posed in the request for public submissions, and is intended to be read in conjunction with individual submissions received from WA Local Governments. The submission highlights several areas for improvement so that Commonwealth Disaster Funding better meets the needs to the Western Australian Local Government Sector, including:

Implementation of the findings of the Royal Commission into National Natural Disaster Arrangements, in relation to recovery services and funding assistance.

Considering the Commonwealth – State Disaster Recovery Funding Arrangements (DRFA):

- Incorporating betterment funding;
 - Streamlining administration, approvals and evidentiary requirements;
 - Providing additional resources, training and support to Local Governments for DRFA administration;
 - Reducing the amount of time it takes to reimburse for recovery works;
 - Ensuring flexibility of the DRFA to meet local needs; and
 - Providing for equity between jurisdictions.
- Considering other Commonwealth disaster funding, such as the Disaster Ready Fund, which provides grants for natural disaster resilience and risk reduction projects:
 - Building a sustainable grant funding model that enables Local Governments to discharge their Emergency Management responsibilities;
 - Increasing the amount of grant funding available to Western Australian Local Governments and revising the co-contribution requirements;
 - Increasing the support available to Local Governments to develop grant ready projects and submit successful applications by funding dedicated project officer positions; and
 - Streamlining Commonwealth Disaster Funding communication and administration and ensuring that application timeframes consider Local Government budget requirements and the impact of the high threat bushfire season.

WALGA's submission to the Independent Review on Commonwealth Disaster Funding was endorsed by the State Council via flying minute in August 2023.

The final report on the Independent Review of Commonwealth Disaster Funding is expected to be provided to Government in April 2024.

6.6.8 Flying Minute – Objection to the 2023 WA Electoral Distribution Commission Proposed Boundaries

By Kathy Robertson, Manager Association and Corporate Governance

WALGA RECOMMENDATION

That WALGA's objection to the 2023 Western Australian Distribution Commission's proposed boundaries as endorsed via Flying Minute be noted.

1. Executive Summary

In July, the WA Electoral Commission published their proposed electoral boundaries to be used at the next State election in 2025.

A key proposal from the Commissioners is to amalgamate two non-metropolitan districts. Objections to the proposed boundaries could be submitted to the Commissioners up until 21 August.

Based on existing advocacy positions as well as discussions with State Council at the August Information Forum, the Association drafted an objection on behalf of Local Government Members.

The objection primarily focused on the impact of reduced political representation for non-metropolitan communities, and asks for increased resourcing for regional electorate offices, particularly those in districts of large geographical size.

State Council endorsed the submission by way of Flying Minute on 16 August.

2. Attachment

[Objection to the 2023 WA Electoral Distribution Commission Proposed Boundaries](#)

3. Policy Implications

The objection aligns with relevant WALGA [Advocacy Positions](#), namely:

2.4.7 Regional, Rural and Remote Representation

The Local Government sector recognises the importance of political representation for rural and regional Western Australia.

2.7 Whole State Electorate

In relation to electing members of the Legislative Council, the Local Government sector:

- 1. supports the retention of a regional system; and*
- 2. opposes the introduction of a whole state electorate option.*

2.4.5 Legislative Council Member Allowances – Regional Representation

Additional allowances should be provided to Members of the Legislative Council provided they have a staffed office in a non-metropolitan location to ensure a regional presence of Parliamentarians.

4. Background

In July, the WA Electoral Commission published their proposed electoral boundaries to be used at the next State election in 2025. The [Electoral Distribution Commissioners' Explanatory Statement](#) lays out the proposed boundaries and explains the approach taken by the Commissioners.

The *Constitutional and Electoral Legislation Amendment (Electoral Equality) Act 2021* requires the Commissioners to calculate the appropriate number of electors in each of the 59 Legislative Assembly districts. The proposed boundaries are based primarily on the distribution of electors within the state. The Commissioners may consider other factors, including community of interest, land use patterns and existing Local Government boundaries, however elector numbers is the paramount consideration.

The key proposal from the Commissioners is to amalgamate two non-metropolitan districts to allow the creation of a new metropolitan district. This was based on a number of factors, including:

a high rate of population growth in the expanding northern, eastern and southern areas of the greater Perth region;

an ongoing trend of elector population within the metropolitan area growing at a significantly faster rate than the elector population located outside the metropolitan area; and

population reports forecasting the continuation of the above growth trends.

Objections to the proposed boundaries could be submitted to the Commissioners on or before 21 August.

5. Comment

WALGA President Cr Karen Chappel discussed the possibility of submitting an objection with State Council at an Information Forum on 2 August. There was general support from State Councillors for the Association to prepare an objection on behalf of Members, with regards to the proposal to reduce the number of non-metropolitan Legislative Assembly districts by one.

The draft objection was shaped by WALGA's existing advocacy positions, the Association's previous submission to the Ministerial Expert Committee on Electoral Reform back in 2021, and comments from State Councillors at the August Information Forum.

The focus of the objection was the proposal to amalgamate two non-metropolitan districts and thereby reduce the political representation for regional communities in WA at the State level.

The objection also called for increased resourcing for regional electorate offices, particularly those located in districts covering vast distances.

State Council endorsed the submission via Flying Minute on 16 August, and the submission was subsequently submitted to the Commissioners on 21 August.

6.6.9 Flying Minute: Submission on the Exposure Draft of the Recycling and Waste Reduction (Export – Paper and Cardboard) Rules 2023

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That State Council note the Submission on the Department of Climate Change, Energy, the Environment and Water (DCCEEW)'s Exposure Draft of the Recycling and Waste Reduction (Export - Paper and Cardboard) Rules 2023 as endorsed by State Council via Flying Minute.

1. Executive Summary

Western Australia currently relies heavily on export of paper and cardboard for recycling due to the lack of processing infrastructure within the State.

The draft Rules provide conditions for export including being recyclers being licenced, providing export declarations and meeting strict contamination limits.

Material Recovery Facility (MRF) operators have expressed concern over meeting the new requirements with their existing infrastructure and resources.

If paper and cardboard, which represent just over 50% of the material in the kerbside bin, cannot be exported, or requires significantly more processing prior to export, the impact on the cost of kerbside recycling will be significant.

On the basis of these risks and the lack of processing infrastructure in the State, WALGA strongly recommends an exemption be granted for WA exports of paper and cardboard a minimum of six months before the bans come into effect and will continue advocating for effective product stewardship for the materials covered by the Export Bans.

State Council endorsed the Submission via Flying Minute on 21 September.

2. Attachment

- [Flying Minute – Submission on the Exposure Draft of the Recycling and Waste Reduction \(Export – Paper and Cardboard\) Rules 2023](#)

3. Background

The Department of Climate Change, Energy, the Environment and Water has released the Exposure Draft of the Recycling and Waste Reduction (Export – Paper and Cardboard) Rules 2023. These Rules will complete the Government's commitment to implement Export Bans on glass, plastic, tyres and paper and cardboard.

In Western Australia export is the primary way recycling has been undertaken, with the most [recent data](#) (2020/21) showing the vast majority of paper and cardboard is exported. In 2020/21, data from the Material Recovery Facilities showed that of what was collected through kerbside recycling, 54% was paper and cardboard (13% Old News Print, 22% mixed paper/cardboard and 19% cardboard and paper packaging).

As was identified in the Export Ban Regulation Impact Statement, there is limited processing and manufacturing in WA; until this changes export remains a key market for material collected. In 2021, \$30 million in State and Federal Government funding was announced towards a 100,000 tonne waste paper and cardboard facility, which has not yet been constructed. The Government has recently announced an additional infrastructure funding for secondary paper and cardboard sorting infrastructure to upgrade fibre quality.

The Rules provide conditions for the export licences for paper and cardboard and set the conditions that the holder of an export licence must meet to export the material. This includes being licenced and providing the Minister with an export declaration for each consignment and contamination rates.

4. Comment

WALGA's Submission was informed by feedback from Material Recovery Facility (MRF) operators and industry groups. MRF operators have indicated the timeframe for introduction of the ban is not adequate to consider infrastructure upgrades or amendments which would assist in meeting the new targets, or to establish safeguards for potential stockpiling of material in the absence of viable processing options.

WA is heavily dependent on export markets to recycle paper and cardboard. The Draft Rules provide for a certain level of contamination, but the additional requirements of the Draft Rules

such as licenses for export mean a higher degree of control, and increased regulatory requirements, for material exported.

Feedback from MRFs indicates that paper and cardboard exported from Western Australia is at present subject to strict industry regulation, with requirements set in place by destination markets enforced through regular inspection of loads for export. MRF operators consider that the level of regulation in the current export market is at an appropriate level of maturity to meet quality requirements, and further regulation would be an unnecessary strain on resources.

If paper and cardboard, which represent over 50% of the material in the kerbside bin, cannot be exported, or require significantly more processing prior to export, the impact on the cost of kerbside recycling will be significant.

For the Export Ban to be successful, the necessary conditions include:

Effective product stewardship for paper and cardboard to:

- Reduce the amount of unnecessary paper and cardboard produced
- Generate markets for recycled content
- Ensure producers contribute to the costs associated with recycling their products at end of life.

An exemption be granted to export material from Western Australia until processing infrastructure is in place, with the exemption in place six months before the implementation of the ban.

Processing infrastructure in place in Western Australia to ensure that the material collected through kerbside recycling can meet the contamination levels required by the Rules.

Contingency planning conditions be established to allow the Minister to grant timely exemptions in the event of recycling infrastructure failure due to natural disaster, fire, or financial instability.

The submission was considered and endorsed by MWAC via Flying Minute, before being endorsed by State Council via Flying Minute on 21 September.

6.6.10 Flying Minute: Submission on National Asbestos Strategic Plan

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That State Council note the Submission on the Draft Asbestos National Strategic Plan (2024-2030) as endorsed via Flying Minute.

1. Executive Summary

The Asbestos Safety and Eradication Agency (ASEA) has released the Draft Asbestos National Strategic Plan (2024-2030) for comment by 13 October. WALGA's request for an extension to this deadline was refused.

The Plan documents the national priorities for action in relation to asbestos management and identifies the roles and responsibilities of Government and Regulators, including Local Government, in implementing the Plan.

WALGA's Submission was developed in consultation with other Local Government Associations and national discussions with Local Governments across Australia.

WALGA's submission generally supports the draft Plan, but recommends further clarification be provided on resourcing, responsibilities, performance measures and targets for the plan to be effectively implemented.

The Submission was endorsed by State Council via Flying Minute on 12 October 2023 and was provided to ASEA on 13 October 2023.

2. Attachment

[Flying Minute: Submission on National Asbestos Strategic Plan](#)

3. Background

The Asbestos Safety and Eradication Agency (ASEA) was established in 2013 to administer the [Asbestos National Strategic Plan](#) (Draft ANSP). The third phase of which is now out for consultation. The aim of the Strategic Plan is to eliminate asbestos related diseases in Australia by preventing exposure to asbestos fibres. The Plan is delivered by Government and regulatory agencies, who are signatories to the Plan, taking action to improve asbestos management. Phase three of the Strategic Plan key priorities are:

- Accurate identification and consistent assessment of asbestos
- Proactive management and removal
- Safe and effective transport and disposal
- International collaboration and leadership.

ASEA has highlighted the changing conditions in relation to asbestos includes increases in emergency events and asbestos related impacts and the aging of asbestos infrastructure which leads to greater risk.

4. Comment

WALGA has actively engaged with ASEA to ensure that role of Local Government is appropriately recognised. Local Government has the following roles in relation to asbestos:

- Maintaining asbestos in Local Government assets
- Work health and safety for Local Government workers and volunteers
- Local planning and development
- Community engagement and education
- Illegal dumping response
- Emergency preparedness response and recovery

Some Local Governments and Regional Councils provide disposal options for their communities.

WALGA's submission generally supports the Plan but recommends:

- Amending the ANSP to include the anticipated timeframe, status and responsibility for delivering actions.

- Including commentary on the current rates of asbestos compliance, illegal dumping and illegal imports, to provide a baseline.

- Ensuring sufficient resources are available to ensure the Plan can be implemented.

- Provide further clarification in the document regarding the roles and responsibilities for all stakeholders and particularly the role that Local Government plays in emergency preparedness, response and recovery.

The Local Government Association of NSW coordinated a Local Government consultation session on the Draft ANSP which was attended by over 30 Local Governments/Local Government Association from across Australia, including Western Australia. This consultation highlighted the need for resourcing for Local Governments to assist with emergency event preparation, response and recovery.

WALGA's request for an extension to the Submission timeframe was refused. The submission was endorsed by the Environment and Waste Policy Team on 3 October and by State Council via Flying Minute on 12 October 2023. The submission was provided to ASEA on 13 October 2023.

6.6.11 Flying Minute: Draft Code of Practice for On-Site Wastewater Disposal

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That State Council note the Submission on the Draft Code of Practice for On-Site Wastewater Disposal in Western Australia 2023, as endorsed via Flying Minute.

1. Executive Summary

The Department of Health (DoH) is consulting on a Draft Code of Practice for on-site wastewater disposal.

Local Government has a key role in approving the installation and construction of wastewater disposal systems, including Local Government Authorised Officers (Environmental Health Officers (EHOs)) reviewing all stages of the approval process and ensuring compliance.

WALGA's submission includes the concerns expressed by the EHOs, as those officers currently implementing the approval/regulatory system, and the impact on cost and complexity in regional and remote areas.

The WALGA Submission also identifies opportunities to streamline some of the proposed processes and that further resourcing and clarification is needed for successful implementation. The Submission was endorsed by State Council via Flying Minute on 12 October 2023 and was provided to DoH on 13 October 2023.

A copy of the submission is attached.

2. Attachment

[Flying Minute: Draft Code of Practice for On-site Wastewater Disposal](#)

3. Background

DoH has developed a [Draft Code of Practice for On-site Wastewater Disposal in Western Australia 2023 \(Draft Code\)](#). Local Government has a key role in approving the installation and construction of these systems. Local Governments have Authorised Officers responsible for reviewing all stages of the approval process, including ensuring compliance with the Draft code and other relevant guidelines and standards.

The Draft Code does not cover all the regulatory approvals and identifies some of the other relevant Guidelines/Codes, such as those relating to Wastewater Recycling and management or disposal of trade waste. The Draft Code only applies to individual lots. For a subdivision an alternative pathway is required. The Draft Code applies to new systems and changes to existing systems made after the Code has commenced.

4. Comment

Local Government EHOs have expressed concerns about the adoption, through the Draft Code, of the Australian/New Zealand Standard for the design, installation and operation of on-site wastewater systems on individual lots. The Department of Health intends, by taking this approach, to align with the WA planning framework which includes this standard for unsewered developments and allow for industry innovation. EHO concerns are that this approach will complicate and increase costs, compared to the current system, which is operating efficiently. These concerns, and detailed comments, are covered in a separate submission by the WA Principal EHO Network.

The WALGA Submission includes the concerns expressed by the EHOs, as those officers currently implementing the approval/regulatory system, and emphasises the impact on costs and complexity in regional and remote areas. The WALGA Submission also identifies:

The opportunity for to streamline the process if the Authorised Officer is able to waive the site and soil evaluation in circumstances where an assessment has already occurred some circumstances.

That sufficient resourcing of the Department of Health website, as the main resource for key information, is essential to ensure timely application assessment by Local Government.

There are mechanisms for cost recovery and appropriate penalties.

There is also need for the Department of Health to provide further clarification on the requirements for the various professional/activities listed in the Draft Code.

The submission requests that these concerns are addressed prior the Code being implemented, and that DoH considers the scope for flexibility in the Code's application for regional and remote areas as appropriate.

The Submission was endorsed by the Environment and Waste Policy Team on Tuesday 3 October and by State Council via Flying Minute on 12 October 2023.

The submission was provided to the Department of Health on 13 October 2022.

6.6.12 Flying Minute – 2024-25 WALGA State Budget Submission

By Dana Mason, Manager Economics

WALGA RECOMMENDATION

That State Council note WALGA's 2024-25 State Budget Submission as endorsed by State Council via Flying Minute.

1. Executive Summary

Each year, WALGA prepares a submission to the State Government outlining the sector's priorities for the upcoming budget.

Given the 2024-25 Budget will be the last before the State election and the State's financial position is strong, WALGA is seeking funding for a wider range of initiatives than in previous years.

WALGA's 2024-25 State Budget Submission was endorsed by the State Council via Flying Minute in October 2023.

A copy of the final submission is attached, along with the Flying Minute.

2. Attachment

[Flying Minute: 2024-25 WALGA State Budget Submission](#)

3. Background

Each year, WALGA prepares a submission to the State Government outlining the sector's priorities for the upcoming budget.

WALGA's submission in advance of the 2024-25 Budget sets out initiatives that the Local Government sector considers to be priority areas of spending. These initiatives are consistent with the sector's aspirations to enhance community wellbeing and enable economic prosperity, and seek to contribute towards the following important outcomes:

Making our roads safer

Community Infrastructure that meets the needs of a growing population
Taking action on climate change
Accelerating the transition to a circular economy
Communities that are prepared for, and resilient to, disasters
Improved services
Better governance and oversight

Details on the specific funding asks can be found in the full submission attached. The Submission was provided to the State Council for endorsement via Flying Minute in October. The submission was endorsed with minor amendments.

4. Comment

The State Budget Submission is an important opportunity to put forward priority issues for Local Governments and demonstrate the sector's willingness to work collaboratively with the State Government. Now that the submission has been endorsed by State Council, it will be provided to the State Government for consideration in early November. An advocacy and communications strategy for the submission is also being prepared. WALGA will undertake advocacy linked to the key milestones associated with the State Government's process for developing the Budget and target a range of audiences, including the Minister for Local Government, Premier/Treasurer, key members of the Expenditure Review Committee, other relevant Ministers and heads of agencies.

There will also be traditional and digital media promotion of the key initiatives included in the submission.

7.0 Matters for Consideration

7.1 Financial Statements

Proposed by Executive Officer

Attachments Income & Expenditure – 1/07/2022 to 30/06/2023
Income & Expenditure – 1/07/2023 to 31/10/2023

Comment –

Refer Financial Statements on next page

30 June 2023

Reconciled balances of account as at 30 June 2023 –

Cheque Account (229 492) \$19,871.93 Westpac Bank, Kalamunda

Reconciled balance of account as at 30 June 2023

Cheque Account (229 492) \$19,871.93

31 October 2023

Reconciled balances of account as at 31 October 2023 –

Cheque Account (229 492) \$33,871.93 Westpac Bank, Kalamunda

Reconciled balance of account as at 31 October 2023

Cheque Account (229 492) \$33,871.93

Recommendation

That the Financial Statements for the period 1 July 2022 to 30 June 2023 and 01 July 2023 to 31 October 2023 be received.

RESOLUTION

Moved: Cr Walton

Seconded: Cr Venezuela

That the Financial Statements for the period 1 July 2022 to 30 June 2023 and 01 July 2023 to 31 October 2023 be received.

Carried

MURCHISON COUNTRY ZONE FINANCIAL STATEMENT 1/07/2022 to 30/06/2023
Bank Balance (as Per B/S) 01/07/2022
\$18,500.13
Income

| Date | Source | Amount |
|------------|--------------------------------------|--------------------|
| 15/08/2022 | Shire of Meekatharra - Subscription | \$2,600.00 |
| 25/08/2022 | Shire of Yalgoo - Subscription | \$2,600.00 |
| 29/08/2022 | Shire of Sandstone - Subscription | \$2,600.00 |
| 02/09/2022 | Shire of Mount Magnet - Subscription | \$2,600.00 |
| 21/09/2022 | Shire of Cue - Subscription | \$2,600.00 |
| 15/11/2022 | Shire of Murchison - Subscription | \$2,600.00 |
| | Total Income to 30 June 2023 | \$15,600.00 |

Payments

| Date | Payee | Description | Amount |
|------------|--|--|--------------------|
| 18/11/2022 | Samantha Appleton | Executive Services and Reimbursements | \$4,947.60 |
| 22/11/2022 | Cue Accommodation & Cafe | Catering | \$1,540.00 |
| 14/04/2023 | Cr Ross Foulkes-Taylor | President Fee | \$600.00 |
| 14/04/2023 | Cr Les Price | Deputy President & WALGA Delegate Fees | \$930.00 |
| 14/04/2023 | Murchison Club Hotel | Catering | \$1,225.00 |
| 17/04/2023 | Samantha Appleton | Executive Fee & Reimbursements | \$4,985.60 |
| | Total Expenditure to 30 June 2023 | | \$14,228.20 |

Reconciliation

| | |
|---|--------------------|
| Balance Bought Forward 01/07/2022 | \$18,500.13 |
| Add Income Received | \$15,600.00 |
| Less Expenditure | - \$14,228.20 |
| Balance | \$19,871.93 |
| Balance as per Bank Statement 30 June 2023 | \$19,871.93 |

MURCHISON COUNTRY ZONE FINANCIAL STATEMENT 1/07/2023to 31/10/2023
Bank Balance (as Per B/S) 01/07/23
\$19,871.93

Income

| Date | Source | Amount |
|------------|--|--------------------|
| 24/07/2023 | Shire Of Cue - Subscription | \$2,800.00 |
| 31/07/2023 | Shire of Murchison - Subscription | \$2,800.00 |
| 31/07/2023 | Shire Of Sandstone - Subscription | \$2,800.00 |
| 03/08/2023 | Shire Of Meekatharra - Subscription | \$2,800.00 |
| 09/08/2023 | Shire Of Yalgoo - Subscription | \$2,800.00 |
| | Total Income to 31 October 2023 | \$14,000.00 |

Payments

No payments have been made in the period 01 July 2023 to 31 October 2023

Reconciliation

| | |
|--|--------------------|
| Balance Bought Forward 01/07/2023 | \$19,871.93 |
| Add Income Received | \$14,000.00 |
| Less Expenditure | \$0.00 |
| Balance | \$33,871.93 |
| Balance as per Bank Statement 31 October 2023 | \$33,871.93 |

Murchison Country Zone of WALGA

Financial Statement to 30 June 2023

| Account | Budget | Actual |
|-------------------------------------|----------------|----------------|
| | 2022-23 | 2022-23 |
| Income | | |
| General Subscriptions | 15,600 | 15,600 |
| Interest Earned | 20 | 0 |
| Reimbursements | 0 | 0 |
| Total Income | 15,620 | 15,600 |
| Expenditure | | |
| Meeting Expenses | 4,600 | 3,055 |
| Teleconferences | | |
| Special Meetings & Workshops | | |
| Bank Fees & Charges | 20 | 0 |
| Reimbursable Expenses | 100 | 0 |
| Unclassified Expenses (Minute Book) | | |
| Zone Representative Gratuities | 1,530 | 1,530 |
| Executive Officer Services | 8,000 | 8,000 |
| Executive Officer Reimbursements | 2,000 | 1,643 |
| Total Expenses | 16,250 | 14,228 |
| Net Income/(Loss) | (-630) | 1,372 |
| | | |

Murchison Country Zone of WALGA

Financial Statement to 31 October 2023

| Account | Budget | Actual | Projected |
|---|------------|---------------|------------|
| | 2023-24 | 2023-24 | 2023-24 |
| Income | | | |
| General Subscriptions | 16,800 | 14,000 | 16,800 |
| Interest Earned | 20 | 0 | 20 |
| Reimbursements | 0 | 0 | 0 |
| Total Income | 16,820 | 14,000 | 16,820 |
| Expenditure | | | |
| Meeting Expenses Teleconferences Special Meetings & Workshops | 4,000 | 0 | 4,000 |
| Bank Fees & Charges | 0 | 0 | 0 |
| Reimbursable Expenses Unclassified Expenses (Minute Book) | 200 | 0 | 200 |
| Zone Representative Gratuities | 2,500 | 0 | 2,500 |
| Executive Officer Services | 8,000 | 0 | 8,000 |
| Executive Officer Reimbursements | 2,000 | 0 | 2,000 |
| Total Expenses | 16,700 | 0 | 16,700 |
| Net Income/(Loss) | 120 | 14,000 | 120 |
| | | | |

7.2 WALGA Item for Noting

Submissions to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members

By Kathy Robertson, Manager Association and Corporate Governance

- **Background**

The Salaries and Allowances Tribunal (SAT) conduct an annual inquiry into Local Government Chief Executive Officer and Elected Member remuneration.

SAT generally advertises its intention to receive submissions in December. The Tribunal will invite individual Local Governments, the Department of Local Government, Sport and Cultural Industries, WALGA, Local Government Professionals WA and other interested individuals to provide information or submissions.

SAT will likely publish its determination for 2024-2025 in April 2024.

- **Comment**

In preparation for the inquiry to be undertaken early next year, a draft submission from WALGA has been prepared that makes recommendations in relation to Elected Member remuneration, Chief Executive Officer remuneration and the Regional/Isolation Allowance. The draft WALGA submission is contained in the December State Council Agenda (see Agenda item 7.4) for Zone and State Council consideration.

Local Governments can also put forward a submission, particularly in relation to their own circumstances including requests to be classified in a different band.

WALGA encourages all Local Governments to make a submission to SAT.

Recommendation

That the item Submissions to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members be received and noted.

RESOLUTION

Moved: Cr E Foulkes-Taylor

Seconded: Cr McQuie

That the item Submissions to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members be received and noted.

Carried

Mr John D'Arcy, Principal Stakeholder Manger, Water Corporation addressed the meeting. He stated that Cue has been rated the best tasting tap water in WA and about the Thrive 2035 program for the Water Corporation rolling out green initiatives with regard to power generation for water treatment plants.

Mr Craig Vinci , Acting Regional Manager Mid West – Gascoyne DLGSC outlined recent successful CSRFF grant applications for the region and said he is happy to discuss funding. He was also attending the Mid West sports awards tonight.

7.3 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

November 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
 - the requirement to record in minutes the individual votes of council and committee members.
- Over 60 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.
- On 30 June 2023 regulation amendments were introduced ahead of the October 2023 elections to:
 - prescribe classes of local governments (in alignment with the Salaries and Allowances Tribunal band system)
 - abolish wards for class 3 and 4 local governments
 - require elector mayors for class 1 and 2 local governments.
- Additional regulation amendments are being progressed, with the next set of regulations anticipated to be published in October 2023 that include:

- owners and occupiers enrolment reforms
- livestreaming and recording requirements for council meetings
- payment and reimbursement for council member professional development and training
- fair value amendments.
- The DLGSC is providing ongoing updates to the sector in relation to these reforms as part of LG Alerts and monthly reform webinars.
- Other regulations reforms are being rolled out in 2024, including integrated planning and reporting, standardised meeting procedures, online registers and local government CEO KPIs and reporting.
- Further information in relation to these reforms are on the DLGSC website.
- DLGSC is running a series of monthly webinars and deep dives into specific topics regarding the reforms - look out for LG Alerts for more details.
- If you would like a link to recordings of previous webinars, this is available on [DLGSC website under local government reforms](#)
- 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 September 2023 version of the Local government (Financial Management) Regulations 1996 includes the new credit card regulation 13A.

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 – lgaccounting@dlgsc.wa.gov.au

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:

7. 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.

8. 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 the contract.
- This exemption is available to all local government.

9. 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 – actreview@dlgsc.wa.gov.au

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 evaluated responses throughout March and April 2023. Consensus was reached in May 2023 and the tender evaluation report was endorsed by the State Revenue Committee in July 2023
- Negotiations with the preferred respondent were finalised in September 2023. The Discovery and Design phase of CRS implementation will commence mid-October

2023. This phase is expected to run until March 2024. DLGSC is working towards implementing the CRS in June 2024.

- 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 – 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 |

Recommendation

That the Department of Local Government, Sport and Cultural Industries Report be received.

RESOLUTION

Moved: Cr Nicholls

Seconded: Cr Price

That the Department of Local Government, Sport and Cultural Industries Report be received.

Carried

7.4 Fees for objection under the Mining Act 1978

Proposed by: Shire of Yalgoo

Attachments: Appendix - 7.4 Fee for Objections under Mining Act - DMIRS Sept 2023

Summary

The Shire of Yalgoo calls on the Murchison Country Zone of WALGA to lodge a (currently free) objection to the DMIRS drafted “Consultation Paper – Fee for Objections under the Mining Act 1978”.

Support is also sought for a WALGA Advocacy position that – calls for the State Government to stop cost shifting the regulation of industry to local government directly or indirectly – particularly when it relates to extractive industries or industries that are overseen by a well-resourced State Government Department.

The Shire of Yalgoo believes that this is a discriminatory fee that shifts the land rights power imbalance further towards large scale mining corporations. Costs for external objectors should not be unproportionally shifted outside the profitable mining industry.

Background

It is extremely rare that Wardens or the Department of Mines (DMIRS) will side with objections from non-mining related entities. The voices of small and medium enterprises (SME) such as pastoral stations, Aboriginal Corporations or Local Governments should still however be heard and not further penalised, especially where they are directly impacted by mining activity.

In what are already David vs Goliath situations, DMIRS is seeking to impose an \$859 fee for objections that hasn't existed in Western Australia, where mining is king, for the past 30 years.

Amendments to the *Mining Act 1978* to enable a fee to be prescribed for lodgement of objections were made as part of the *Mining Amendment Act (No.2) 2022* which came into effect on 2 November 2022. The amendments provide that an objection under the Mining Act must be accompanied by a prescribed fee. The act provides the legislative authority for a fee to be prescribed for objections. To prescribe a fee, the Mining Regulations 1981 need to be amended.

DMIRS has drafted a “Consultation Paper – Fee for Objections under the *Mining Act 1978*” to provide more details on the proposed amendment.

The Consultation Paper is available on the DMIRS website [Open consultations | Department of Mines, Industry Regulation and Safety \(dmirs.wa.gov.au\)](https://www.dmirs.wa.gov.au/open-consultations)

It is expected the fee will be included in the annual review of fees and charges for the 2024/2025 financial year and will come into effect on 1 July 2024.

Written submissions to RTD.Consultation@dmirs.wa.gov.au are due before the closure of the public consultation period being 5pm on the 21st November 2023.

Comment

The vast majority of objections and the recently described increase in objections have come from within the mining sector. Lucrative mining companies not getting along or disagreeing with DMIRS are therefore the primary factors that have resulted in the Wardens Court not being able to maintain the required resources that are of concern to the Treasurer as described by their instruction 810 on cost recovery.

Local Governments in mining dense areas already field numerous complaints regarding access, damage and environmental concerns. With fees being introduced by DMIRS more parties with overlapping interests in land will approach local government asking them to mediate with or police their neighbours in areas that we have very little authority. It is, however, still an expectation of the community that we intercede.

Costs for Mining Regulation should not be shifted to other industries or authorities

The WA Mining Sectors contribution of \$12.7 billion in royalties for 2022-23 to the State Government (estimated by CME, cmewa.com.au) should allow for sufficient mining funded regulation of the industry. Through extrapolation of the complaint information provided in the Consultation Paper current fees would equate to 0.015% of the States yearly royalties and does not include other regulatory income.

In comparison a 3000ha pastoral property could be overlapped by 20 to 30 separate tenements owned by the same or different companies. All twenty tenements could change hands during the year and apply for multiple permits of work that could disadvantage the operations of a pastoral lease or aboriginal corporation.

It is easy to hypothesise that unethical but legal conduct by a mining corporation could result in application fees totalling tens of thousands of dollars, for a SME. This would not include their travel to a Perth based Wardens Court, legal representation, downtime and a number of other factors.

This regulatory function could be used as a tool to financially cripple a complainant in situations where the balance of power squarely already sits with the Mining Industry.

Local Governments in the Pastoral and Mining Region already spend a significant amount of time negotiating infrastructure usage and mediating access between mines. Policing of prospector activities in large parts of the state is non-existent resulting in local governments mediating between overlapping landholders and pursuing disruptive small scale operators under other legislation like the Caravan and Camping Act.

Significant trust is handed to mining companies in areas of environmental, cultural and water management. The industry is still able to self-report in these areas with limited oversight however should someone else with a vested interest wish to examine this data or object to the work it will cost them \$859.

Separation of complaints originating within the industry from those externally

The discussion paper describes that the majority of complaints originate from within the mining industry itself. Due to the small sample size the research does not adequately describe whether the historical increase in complaints is coming from inside or outside the industry. On the whole however most relates to mining company complaints.

What needs to be taken into consideration in this instance is the impact the mining industry has on other businesses and landholders. If DMIRS have been unable to curtail discontent in the sector why should other industries have the cost shifted to them for an objection that should be an inherent right. Under recent changes to the Land Administration Act cooperation between all stakeholders and proponents is a primary component of any diversification lease and a key focus of the Minister for Lands.

Objections from outside the sector will typically relate to livelihood, land rights, amenity and the same environmental, social and cultural concerns that DMIRS should be protecting in the first place. This is a very different situation to who mapped out a tenement first or has the rights to gold, that is contested by an overlapping company.

A flat fee is discriminatory and disproportionately effects some applicants

One reason an objection fee would reduce the number of active matters before the wardens is that it takes the opportunity away from those that can't afford it.

The discussion paper claims that flat fees provide clarity and efficiency however the same Department requires tradespeople, local governments and homebuilders to negotiate and understand the variable fees applied to building permits. If this can be accomplished by a lone carpenter based on the type and scale of work then surely a variable system could be understood by a mining company.

The Australian Income Tax system is built on the premise that wage earners earning more money should be required to pay more tax than those earning less. In the examples given of other jurisdictions where fees are imposed there is often tiered or significantly lower consideration to that which is proposed by DMIRS.

A local proponent must also contend with the tyranny of distance. A 15min meeting at a local Court could be a 200km one way drive equating to a whole day of travel when compared to a companies legal representation attending multiple sittings in a Perth Court 15km from their office.

Further comments

While Local Governments may only make up 1% of objections it is a role of local government to provide for the good governance of the district. As part of this function we can see how this fee will create a further power imbalance for NGOs, Aboriginal Corporations, Environmental Groups and Landholders. We can also see that it will result in more resources being stripped from local communities and businesses never to be circulated into the local economy again.

If serious concerns are held by the Department regarding the timeliness of processing matters, why are regional offices only attended monthly?

As this fee has not been imposed in WA for a significant period of time a small scale review does not seem to match the intent of Treasurers Instruction 810. A yearly review should be comparing details to previous years (and involve significant details from previous years) and not use a small sample size to justify the introduction of a significant new charge.

Proponents with overlapping land tenure such as local governments, aboriginal corporations and pastoral stations have a legislated responsibility to environmentally protect or care for, control and maintain their respective land. If they are unable to field these cost increases and not object to a Mining proposal could they be in breach of their own legislation?

DMIRS could consider:

1. A percentage based fee that provides exemptions for parties with overlapping rights and interests.
2. Higher fees for companies with a poor regulatory history and vexatious complainants.
3. A settlement process for the transfer or termination of mining tenements which will promote better cooperation during the sale of tenements.

If administering mining activities cannot be sustained on a fee free basis then maybe a levy or royalty should be considered...

Recommendation

That the Murchison Country Zone of WALGA;

1. lodge an objection to the Department of Mines regarding their introduction of an \$859 Mining Objection Fee,
2. call for WALGA to develop an advocacy position which requests the State Government to provide public analysis on cost shifting to the local government sector when changes are proposed to legislation not administered by the Department of Local Government – namely mining, planning, building and emergency management.

RESOLUTION

Moved: Cr Venezuela

Seconded: Cr Willock

That the Murchison Country Zone of WALGA;

- 1. lodge an objection to the Department of Mines regarding their introduction of an \$859 Mining Objection Fee,**
- 2. call for WALGA to develop an advocacy position which requests the State Government to provide public analysis on cost shifting to the local government sector when changes are proposed to legislation not administered by the Department of Local Government – namely mining, planning, building and emergency management.**

Carried

Cr Price commented that notification of applications are often received so late in the approvals process there is insufficient time to gather information for any objections to be made.

7.5 Murchison Regional Strategy 2023 -2033

Proposed by Murchison Executive Group

Attachments *Appendix - 7.5 Murchison Strategy*

Background

The Murchison Executive Group has been working in conjunction with the Mid-West Development Commission and Regional Development Australia to create a strategic working document to guide the future direction of the Murchison Region.

The Murchison Regional Strategy (Strategy) provides a comprehensive road map for the sustainable development and growth of the Murchison Region. The Strategy examines the regions evolution over the next decade and beyond, identifying economic, environmental, and social challenges. The aim of the Strategy is to provide strategic direction and focus for the participating Councils in the Murchison Region to work collaboratively with Local, State and Federal Government resources to achieve desired outcomes for the future of the Murchison Region.

Recommendation

That Murchison Country Zone of WALGA endorse the Murchison Regional Strategy 2023 – 2033.

RESOLUTION

Moved: Cr Price

Seconded: Cr Venezuela

That Murchison Country Zone of WALGA endorse the Murchison Regional Strategy 2023 – 2033.

Carried

Mr Mark Holdsworth, Director Regional Development Australia Mid West introduced Mr Kim Houghton and Ms Katherine Bassett of the Regional Development Australia Institute who presented a Regional Profile of the Zone, showing population trends, the composition of the population and identified needs with regards to skills.

Mr Boyd Brown, Regional general Manager Telstra Retail and Regional addressed the meeting about the closure of the 3G network and roll out of new towers. He also addressed signal strength and stated the way to determine signal strength was to do a speed test rather than depend on the number of bars for the signal.

He also spoke about the set up of mobile towers and wifi zones for events to improve accessibility to the network at a cost to the event holder, as well as upgrades to towers with the roll out of new batteries and mobile batteries where needed. They are also working with DFES and DRD on addressing power outages affecting the network.

Telstra are also introducing additional Starlink services as well as reviewing service obligations, extension and improvements to mobile coverage and working with the City of Karratha regarding cyber security.

7.6 Disaster Recovery Funding Arrangements WA

Proposed by Shire of Cue

Attachments Nil

Background

The Shire of Cue has been waiting for approval to undertake Disaster Recovery Funding road works for the past eighteen months. On discussion with other Councils' there are a number of Shires and the Department of Main Roads still waiting for approval to undertake works.

During the period 26 March to 3 April 2022 a low-pressure system occurred across the Mid West and Gascoyne regions. The weather system brought heavy rain in very short periods of time which caused significant localised flooding. The storm caused disruption to communities by damaging property and many roads and drainage structures within a number of local government areas.

The Shires affected included Yalgoo, Carnarvon, Murchison, Upper Gascoyne, Cue, Meekatharra, Morawa and the Geraldton-Mt Magnet Road under the control of Main Roads. Subsequent events have affected the Shires of Wiluna, Cue, East Pilbara, Greater Geraldton, Meekatharra, Murchison and Upper Gascoyne.

As far as can be ascertained, all the proponents listed above are still waiting for approval to undertake the repair works to their infrastructure. The Department of Fire and Emergency Services website shows there are thirty-two current activated events around the State dating back to January 2020.

Comment

Recent discussions indicate that DFES are still dealing with a backlog of claims. Further hold ups are being experienced with the levels of information being requested by DFES in relation to additional evidence of the road condition prior to the event by way of photographic evidence. This is creating a lack of confidence in the system amongst affected Shire's.

Emergency repair works are allowed to be undertaken within three months of the event. These works are now getting close to being two years old in some cases and further works are needed to make the road carriage safe. This is becoming evident as Shires are undertaking their maintenance works and need to decide if they make further repairs to the flood damaged affected areas to make them safe for road users or to omit this section from their maintenance works.

Recommendation

That Murchison Country Zone of WALGA advocate on behalf of the local government sector to expedite the approval process for the delivery of Disaster Recovery Funding Arrangements.

RESOLUTION

Moved: Cr Venezuela

Seconded: Cr Price

That Murchison Country Zone of WALGA request WALGA to advocate on behalf of the local government sector to expedite the approval process for the delivery of Disaster Recovery Funding Arrangements.

Carried

Motion amended to have WALGA do the advocacy on behalf of the Murchison Country Zone.

CEO Towell commented that it has been two years since a significant event occurred and as funding has still not been received the Shire has been doing ongoing repairs at their own cost.

CEO Matthews stated he supports the motion as mining companies are pressuring Council to get roads to be in a usable condition.

The meeting adjourned for lunch at 12.29pm and resumed at 1.19pm.

Ms Merome Beard, Member for Northwest Central addressed the meeting and thanked the Shire of Cue for the Calcutta Event and meal the previous evening. She also spoke about the areas of need for the region and the need for services to come back to the region.

7.7 Improving the Patient Assisted Travel Scheme

Proposed by Shire of Cue

Attachments Nil

Background

The Patient Assisted Travel Scheme (PATS) provides permanent country residents in a WA Country Health Service region with financial assistance when travelling more than 100kms to access the nearest eligible medical specialist service.

PATS provides financial assistance to regional West Australians by subsidising travel and accommodation for patients travelling long distances to seek specialist medical services.

The current PATS fuel rate for Western Australia was raised from 13 cents to 16 cents per kilometre in 2009. Over the past fourteen years the cost of fuel and travel has risen significantly with no increase in the PATS fuel subsidy.

Comment

With rising fuel prices and increases in the cost of living, a review of the PATS subsidies is well overdue. In comparison to other States in Australia the fuel rates vary but are higher than Western Australia with New South Wales leading with a generous 40 cents per kilometre subsidy, South Australia 32 cents and Queensland 30 cents. South Australia doubled their fuel subsidy rate from 16 cents to 32 cents in January 2023. Western Australia is currently the lowest fuel subsidy rate in Australia.

Recommendation

That Murchison Country Zone of WALGA advocate for improvements to the Patient Assisted Travel Scheme (PATS) for regional Western Australia particularly around fuel and accommodation subsidies.

RESOLUTION

Moved: Cr McGorman

Seconded: Cr Willock

That Murchison Country Zone of WALGA request that WALGA advocate for improvements to the Patient Assisted Travel Scheme (PATS) for regional Western Australia particularly around fuel and accommodation subsidies.

Carried

Motion amended to have WALGA do the advocacy on behalf of the Murchison Country Zone.

CEO Towell commented that WA has the lowest subsidy in Australia and that the National party are pushing for an increase in the subsidies for travel and accommodation.

Cr Walton stated she strongly supports the proposal.

Ms Mem Beard stated that there is a digital petition to address this and that there were many areas of concern for regional residents with regard to healthcare.

7.8 Optional Preferential Voting ('OPV')

Proposed by Shire of Sandstone

Attachments Nil

Background

The Local Government Amendment Bill 2023 passed through the Western Australian State Parliament on 11 May 2023 delivering tranche one of the most significant changes to the Local Government sector across Western Australia in more than 25 years.

The Bill provides reforms to allow for key changes to be implemented for the most recent October 2023 Ordinary Elections for Local Government.

The changes were designed to deliver a range of major benefits for ratepayers, strengthen local democracy and provide greater transparency and accountability by introducing optional preferential voting, bringing local government elections more in line with State and Federal elections;

Comment

The Local Government sector is in favour of the first past the post method of vote counting. Optional preferential voting can lead to the risk of the infiltration of party politics, and that preference swapping leading to alliances amongst candidates has potential for factionalisation of Councils. 'First past the post' voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual.

Recent voting in Band 3 and Band 4 Local Government elections resulted in some confusion, incorrect processes, miscalculation of preference votes and dissent among Councillors. The impact on election outcomes is more significant in Band 3 and Band 4 Local Governments where population numbers are at their lowest.

Recommendation

That WALGA advocate to the Minister for Ports; Local Government; Road Safety; Minister Assisting the Minister for Transport, Hon David Michael MLA to review and repeal legislation to remove Optional Preferential Voting (OPV) for Band 3 and Band 4 Local Government Elections and for the election of Presidents, Deputy Presidents and



Chairs of Committees of Band 3 and Band 4 Local Governments and to revert to the First Past the Post method of counting votes.

RESOLUTION

Moved: Cr Walton

Seconded: Cr McGorman

That WALGA advocate to the Minister for Ports; Local Government; Road Safety; Minister Assisting the Minister for Transport, Hon David Michael MLA to review and repeal legislation to remove Optional Preferential Voting (OPV) for Band 3 and Band 4 Local Government Elections and for the election of Presidents, Deputy Presidents and Chairs of Committees of Band 3 and Band 4 Local Governments and to revert to the First Past the Post method of counting votes.

Carried

Cr Price spoke to the motion that he was supportive of it and that a number of Councils were also supportive of it.

CEO Towell also spoke about the change of legislation affecting the election of Shire Presidents and Deputy Presidents requiring preferential voting where there are more than two candidates for the positions.

7.9 Proposed Changes to the Regulations on Performing Road Works during a Total Fire Ban

Proposed by WALGA

Attachments Appendix - 7.9 Road Work Review Update - Stakeholder Consultation2023(2) (2)
Appendix - 7.9 LG Session One Road Work TFB proposed regulatory changes presentation 2023 (1)

Background

This item has been submitted by WALGA for discussion at this meeting.

Comment

Recent changes to the Australian Fire Danger Rating System and Department of Fire and Emergency Services (DFES) internal policies have resulted in an increase in the declaration of Total Fire Bans (TFB) across Western Australia. This increase has resulted in frequent and substantive impacts to road works on Local Government roads with a consequent loss of productivity and increased risk for road users, as road repair issues are not able to be addressed in a timely fashion. DFES have identified some changes to the current regulations and have held information sessions outlining the proposed changes, as indicated in the attached presentation. These changes acknowledge that a uniform approach to regulating road work during a TFB is not effective or applicable across the diverse spectrum of Local Government activities and landscapes in WA and greatly simplify the requirements placed on Local Governments with regard to performing road works during a TFB. Notwithstanding this change, the onus will remain on Local Governments to ensure that fire safety provisions, based on type of work, prevailing conditions, and work area, etc. are sufficient and that a risk assessment has been undertaken.

The DFES presentation on the review and the letter regarding consultation about the proposed changes are in the attachments to this agenda.

Recommendation

That the information on the proposed changes to the Total Fire Ban regulations affecting the performance of roadworks be received.

RESOLUTION

Moved: Price

Seconded: Cr E Foulkes-Taylor

That the information on the proposed changes to the Total Fire Ban regulations affecting the performance of roadworks be received.

Carried

8. Late Items

There were no late items.

9. Shire Reports

9.1 Shire of Yalgoo



Activity Report November 2023

Tourism and Community Events

The Shire of Yalgoo has recently experienced another busy wildflower season. With limited poorly timed rainfall the natural spectacle was not at the same level as recent years, however tourism revenue and visitor numbers are still significantly above pre-covid levels.

Human Resources and Council

Two Councillors including the previous Shire President stepped

Cr Simpson has not renominated for Council and is bringing some new life back to the Yalgoo Art Centre which continues to attract sales for local artwork.

The Shire is currently undertaking recruitment for the Caravan Park. Long Term accountant Mr Carbone is stepping back in December and thanks is extended for his work in the region.

Road and Plant

A Howard Porter trailer combination has just been delivered after a 12 month wait and a Kenworth Prime Mover is still on back order. Due to vehicle availability the Shire has had to move from a trade in/tender model to an auction model once new vehicles have been received.

The replacement of a written off grader resulted in a \$100,000 (20%) increase when compared to the original purchase of a similar vehicle two years prior.

The Shire is waiting for audit reports so that it can finalise the spending of R2R funding before it becomes unavailable in June 2024 and a new program is hopefully rolled out.

RRG and LRCI funding will be spent this year to seal the Yalgoo-Ninghan Road to within 5km of Great Northern Highway from Geraldton-Mt Magnet Highway.

The Shire is still awaiting approval for flood damage for events AGRN962 and AGRN1021 which occurred in 2021 and 2022 respectively.

Projects

This financial year the Shire of Yalgoo will look to offset the pollution generated by its diesel fleet and significantly increase the solar capacity of the Shire prior to Horizon carrying out similar projects. A Charge Up Grant application is being considered with Horizon to provide electric vehicle charging on the Geraldton-Mt Magnet Highway.

Administration is still struggling to attract non modular builders to the region. Stone work on the Yalgoo Railway Hall has been completed and looks excellent. It is lit up at night to draw attention and is regularly yellow representing road safety. The Shire crew continues to renovate the woodwork and other aspects of the building alongside the courthouse and other Shire building projects. Two new houses have recently been completed. Both may not be offered to WACHS as GROH has requested \$740 per week from the Shire to rent an empty 2x1 that is 40 years old. This is more expensive than a brand new build across 6 years.

The Shire continues to advocate for expanded fit for purpose local health services. It is disappointing to see the current state and age of the regions dental van which is clearly on its last legs. Multiple Shires have to carry out repairs so that it can be functional at the region's primary schools.

Ian Holland
Chief Executive Officer
Shire of Yalgoo - Where the Outback Starts!



9.2 Shire of Mount Magnet

No report received

9.3 Shire of Murchison



WALGA - Murchison Country Zone November 2023 Report

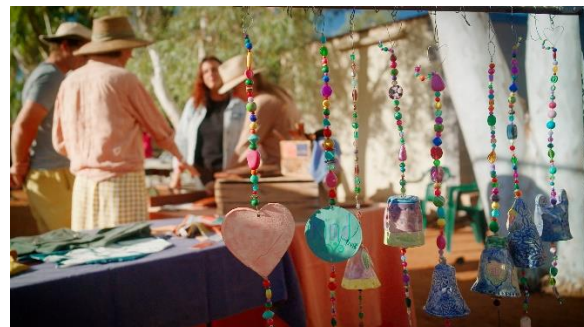
Community Economic Development

Through funding support from Lottery West and others work has accelerated in preparing for the inaugural “Ancient Land Under Brilliant Skies Festival” on 15-16 April 2023, day following the Murchison Country Zone Meeting.

Locally established working group has been active and very with significant logistical issues further complicated by recent rain events which will see the Murchison River in flood and power capacity issues the settlement.

Nevertheless, program including Fly by Fun, Bouncy Castles, Market Stalls, Stilt walkers, Junkadelic, Helicopter Tours, Camp Ovens, Bush Talks, Zain Laudher, Ben Mayhem, Zap Circus, CSIRO Tours and Star Gazing is impressive and a testimony to the committed local individuals who might be small in number but with significant passion and dedication.

Learning from the experience will be significant





Carnarvon-Mullewa Road

Recent works to seal to 7.2m width of the remaining 9.0km gravel section on the Carnarvon-Mullewa Road between the Murchison Settlement and our Shire boundary has seen the Shire construct and seal 37km since 2021. Work has just commenced in widening various sections of the existing narrow 4.0m seal.



As a major celebration a Community Picnic Official Opening was undertaken on the road 8 September 2023.



As part of future planning Council was able to work with Main Roads WA who were able to facilitate the ARRB pavement testing machine to come to Murchison and undertake pavement deflection testing to the sealed section of the Carnarvon-Mullewa Road. Amongst other things it is hoped that results will assist in future management of the road, particularly with respect to potential future mining traffic.



Roads for Rehydration

Recent Roads for Rehydration Forum held at Mt Magnet on 27 and 28 March 2023 has been a huge success and highlights the significant wider impacts of what even small changes in changes in surface level can have on the landscape and degradation of pastoral areas through the diversion or obstructing of flood surface flows. As shown road construction and design can be a significant element which also impact on road safety the effects of ponding of water and congregation of cattle (and other wildlife) adjacent to the road after a rain event with a resultant increase risk.



Further presentation to the Murchison Executive Group on 16 November 2023 and at this Zone Meeting on 17 November 2023 are scheduled.

Murchison Settlement Redevelopment Works

Council has been progressing on upgrade to its water supply and has let a contract for new ring main, and water supply pumps and building to distribute water from new bores.

Application has been made to the State Government's Infrastructure Development Fund for works to Chlorinate the upgraded water supply and to upgrade the current power supply network which has arisen following detailed review. Both projects will advance the provision of worker accommodation which as significant part of the aims of Infrastructure Development Fund. Decision on the application is expected in the near future.

Total Est Cost of both projects around \$1.9m.

Council has also let a contract for the construction of new Ablution Block at the Caravan Park. Project has been planned for some time and schedule for completion in around March-April 2024. Est Cost \$480k.



Meanwhile Council has noted the State Governments positive commitment to improved redevelopment of public spaces that are enhanced through “placemaking” actions and programs. Councillors and staff have committed to accessing online training offered free to all local governments through DLGSC.

Bill Boehm
Chief Executive Officer

9.4 Shire of Sandstone

No report received

9.5 Shire of Meekatharra



WALGA Murchison Zone Meeting – November 2023

Activities Report - Shire of Meekatharra

Meekatharra District Hospital

Architectural design and project planning continues following the completion of the community consultation process with heritage surveys of the site still uncompleted. Tendering for the project is now expected to be scheduled for early 2024.

Sealing of the Goldfields Highway Wiluna Meekatharra Road

The Shire's of Meekatharra and Wiluna received formal written advice from the Standing Committee on Environment and Public Affairs regarding the outcome of Petition Number 080 following the presentation of the final Petition to the WA Parliament Legislative Council by the Shire's of Meekatharra and Wiluna in early March this year. The written advice is extremely disappointing to say the least, where the Committee has decided not to conduct any further inquiries into the matters raised in the petition. This decision appears to be solely based on the grounds of the submissions made by the Minister for Transport; Planning and Ports, the Hon Rita Saffioti MLA and the Minister for Training; Water and Youth the Hon Simone McGurk MLA, where the Committee advice states *"that the issues are being adequately dealt with by the relevant authorities"*. Anyone who travels on the Goldfields Highway unsealed 124 kms would seriously question this assertion? It quite clearly also appears that the submissions made by both Ministers were the only submissions considered by the Committee in reaching their decision, as both the Shire's of Meekatharra and Wiluna were not requested to provide any further information and/or comment to further support their submission.

The Shire Presidents of Meekatharra and Wiluna will continue to lobby and explore alternative options for the complete sealing of the remaining 124 km of unsealed road between Wiluna and Meekatharra. The condition of the unsealed road continues to deteriorate with vehicle accidents also an unfortunate regular occurrence.

Mining Activities

The Shire of Meekatharra has received formal advice that Technology Minerals (KOP Ventures) and Australian Vanadium Limited (AVL), both located near Gabanintha will merge. At this stage the likely merger timeline is February/March 2024. Abra Mining located on the Ashburton Downs Rd conducted their official mine site operations opening in September this year.

Meekatharra Airport Upgrade

Council's tendered its sealing works for the airport in October 2023 with the successful tenderer being Bitutek Pty Ltd. Works are scheduled to commence in mid February 2024 with GHD having been appointed as Project Manager.

Land/Buildings

Council awarded the tender for additional housing at its meeting in September 2023 to MI Global who are based in Geraldton. Construction is scheduled to commence in December 2023 with an expected completion date of June/July 2024.

Council is seeking Expressions of Interest from architectural design consultants to undertake a design feasibility study to investigate the viability of utilizing the unused land adjacent to the current Lloyds building complex on the same parcel of land. Major refurbishment of several Council buildings and housing continues.

Road Construction & Equipment

Landor Meekatharra Road

Sealing of approximately 8 kms on the Landor Meekatharra Road has been completed at SLK 25kms to SLK 33kms. A further 5 kms will be sealed in February 2024 as part of LRCIP funding leaving approximately 32 kms sealing to complete the entire road network. Council has already submitted a funding application under the GRF program for the 2024/25 year.

Wiluna North Road

Council intends to apply for the section of Wiluna North Road to be included in the Main Roads WA 2040 Regional Strategies for Significant Local Government Roads to coincide with the Shire of Wiluna section of the road already included in the 2040 Strategy for the Esperance Goldfields Region. It is expected submissions will be called in early December this year.

Maintenance Program

Ashburton Downs, Turee Creek, Mingah Springs/Three Rivers, Wiluna North, Mt Clere, Woodlands and Sandstone Road(s) general grading maintenance continues with grids maintenance planned at several locations.

Plant & Equipment

- Construction of remote accommodation mobile camp units by Royal Wolf completed with units at Shire depot. Skeleton camp trailer units by Haulmore Trailers expected to arrive mid November.
- Purchase of one x 150 CAT Grader.
- Purchase of one x Smooth Drum Roller, and
- Replacement of several works light vehicles.

Governance/Admin/Finance

Elections

Elections held on 21 October 2023 with eight candidates for five vacancies, being four, 4 year terms and one 2 year term. Elected were Crs Harvey Nichols, Barkley Day, Wesley Ward, Mark Smith and David Hodder (for 2 year term). All newly elected Crs were sworn in at Special Meeting on 23 October 2023 with election of Cr Harvey Nichols as Shire President for a 2 year term and Cr Mark Smith for a 2 year term as Deputy President.

Health, Building & Planning Services

The Shared Services Agreement with the Shire of East Pilbara for the provision of health, building and planning services commenced in February 2023 and continues to work well.

Finance

Councils 2022/23 audit commenced in October 2023 and is expected to be completed by mid December this year.

Human Resources

Council has recruited and filled several positions in the organization since November 2022. These have included:

- Finance Officers x 2 – commenced June and August 2023.
- Customer Services Officer – commenced early July 2023.
- Admin/Library Officer part time– commenced August 2023.
- Community Development Officer – external recruitment – commenced March 2023.
- Maintenance Officer – internal recruitment – commenced February 2023.
- Town Crew Parks & Gardens x 1 – external recruitment – commenced May 2023.
- Plant Operators x 1 – external recruitment – commenced August, and
- Construction Grader Operator/Leading Hand – external recruitment – commenced August 2023.

Community Activities

Meeka Outback Festival 2023 – This year's Meeka Festival was held over the long weekend 23rd to 25th September 2023 and was hugely successful, especially with the newly introduced community arts workshops and exhibition.

Entry Statements

Completed and installed September 2023 at north and south highway entrances. Shire boundary signs installed June 2023.

Cemeteries Management Plan

Stage 3 of Councils Cemeteries Management Plan process was completed September 2023 with Councils Stonemason Nick Lukacs completing renovation works at Nannine cemetery. Further stonemason work is scheduled for Peak Hill and Abbots closed cemeteries in May 2024. Council has recently installed the 'Chronicle Cemeteries Management' software system as part of the Cemeteries Management Plan process for the town cemetery.

Town Median Strip Project

The town main street median strip project has been completed. Commenced.

9.6 Shire of Cue



WALGA – Murchison Country Zone November 2023 Report

Governance

Shire President Ross Pigdon chaired his last Council meeting on 17 October before stepping down from the role and Council. A dinner was held after the Council meeting to thank Ross for his dedication to the community over the past eight years. At the Special Meeting on 24 October 2023, new Councillor Neil Montgomery was sworn in along with returning Councillors Les Price, Ron Hogben and Leonie Fitzpatrick. Councillor Les Price has been elected as the new Shire President.

A full-scale Aerodrome Emergency exercise was conducted on 09 October 2023. This exercise was facilitated by Aerodrome Management Services. All our local emergency services including Westgold's Emergency Response Team attended along with a representative from National Jet Express and Penjet. We were able to secure use of the Dash 8 Q400 aircraft to enable us to simulate this exercise.



Administration

Caroline Spencer from the OAG congratulated the Shire of Cue for making it into the top 20 best practice entities list for the 2021-2022 audit. This was unexpected but shows the excellent work done by all our staff.

Cr Les Price, Glenn Boyes attended Canberra for the National General Assembly Conference in June 2023.

Several Councillors, the Chief Executive Officer and the Manager of Works and Services attended the WALGA annual Local Government Convention.

Economic Development

Fenix Resources has bought a 10Mt high grade iron ore deposit for \$1/tonne from Sinosteel next to its Iron Ridge mine. The company has already mined more than 3Mt from its flagship mine at Iron Ridge and generated more than \$150 million in free cashflow. With 6 Mt of iron ore left to mine at Iron Ridge the acquisition of a further 10 Mt nearby significantly extends mine life and should be a valuation catalyst.

Fenix Resources will look at increasing parking areas on the Miners Pass to keep the traffic on each side of the road. They will also be expanding their housing in Cue. They are currently endeavoring to purchase a block to construct another unit development like the current eight-person accommodation they built in Dowley Street.

Town Developments

The Cuerosity Shoppe has moved back to the Murchison Traders building at 59 Austin St. The Senior Citizens group in conjunction with volunteers from the Cue Tourist Park have done a great job of cleaning the premises, moving all the stock and the shop is now open to the public again. The area designated for the community gymnasium has been cleaned up and works are underway to bring this space to life.

Cue has the Best Tasting Tap Water in WA. The Water Corporation's Cue treatment plant received the coveted 2023 IXOM Best Tasting Tap Water title and will now compete in the national competition in November 2023.

The four staff housing units have been completed. Furniture is being installed and staff will be occupying these units by end of November 2023.

Works

The Works Department has taken delivery of several vehicles including an Isuzu 4WD service truck, Kubota track loader, Kubota mini excavator, Ford Ranger, 3 x Isuzu D-Max utes and a Yutong 27-seater bus. A Freightliner prime mover truck and two Isuzu light trucks are still on order.



The Cue Aerodrome underwent sealing works and line marking to the runway in June 2023. The sealing works were funded through assistance from the Local Roads and Community Infrastructure Program, Westgold Resources, and the Shire of Cue.

Community Events

Around forty people attended the Musical Bingo night hosted by Mad Danny on 13 May 2023. There were loads of great prizes, some Karaoke and plenty of dancing to shake off the cold weather.

Over fifty people attended Snowy and the Seven Cool Dudes who performed at the Shire Hall on Tuesday 23 May 2023. The Shire provided beef and gravy rolls and the audience enjoyed a slap stick comedy based on the fairy tale with plenty of audience interaction with the kids and sharing some life lessons.

Over sixty-five people attended Abra Da Cameron who performed at the Shire Hall on Monday 19 June 2023. The audience enjoyed an interactive magic show with card tricks and Houdini style escape artistry with plenty of humor thrown in.

Members of STORMCO (Service To Others Really Matters Company) were in Cue from 3 to 8 July to present their school holiday programs. They hosted a Kid's Club at the Shire Hall from 9.30am to 12.30pm each weekday with activities and snacks provided. They hosted an afternoon with activities and a barbecue to engage with locals. Members also assisted at the Youth Centre every afternoon. The effort put in by this group over many years is outstanding and I thank Rainer and the team for visiting again this year and what must be the last 20 years.



Naidoc Week was celebrated in Cue on Friday 7 July 2023 at the Youth & Community Centre and Town Oval. The highlight of the day was the Colour Chalk run which involved adults and children covering each other in a rainbow of coloured chalk. Other activities included boomerang painting, face painting and a community barbecue which featured some traditional foods being shared. The day was made possible with assistance from National Indigenous Australians Agency, Horizon Power, Westgold Resources Limited.

On Wednesday 06 September 2023 Gina Williams and Guy Ghouse performed at the Cue Shire Hall. Gina's stunning vocals accompanied by Guy's brilliant guitar skills transported us to a magical place through sharing stories and songs in Noongar language. Around 40 people attended the evening and the Shire provided beef and gravy rolls.

On Wednesday 25 October 2023, the Shire Youth Program held a "Taste of Mexico" at the Railway Station precinct. This event was to introduce different foods and culture. We had a slippery slide consisting of tomatoes to emulate "La Tomatina" and I was subjected to tomatoes being dumped over me. All the children and staff had a great time.

The Murdoch University Vet Program was held on Friday 27 October at the Shire Hall. Students from the university provided free pet checks and sterilisation under the guidance of a senior vet. Around twenty-five animals were seen on the day and the program was again a great success.

Richard Towell
Chief Executive Officer

Ms Karin Grima, MWDC Senior Regional Development Officer, spoke to the meeting and congratulated the new Councillors and those appointed to positions in the Zone.

She also spoke about available grant funding programs and stated that the MWDC are happy to assist with applications including those that have been unsuccessful in the past that may be resubmitted.

Rob Houwen that Chair of the MWDC is also happy to meet with Shire Presidents when they are in town.

Hon Neil Thompson MLC, Member for Mining and Pastoral spoke to the meeting about the importance of getting residents to enrol to vote with only 64% of residents in the region being enrolled, which has resulted in the loss of a seat.

He also spoke about the repealing of the Aboriginal Cultural Heritage Bill, Sitting fees, proposed firearms reform, planning reform and visas for workers.

10. Presentations

10.1 Department Fire and Emergency Services

10.2 Water Corporation

10.3 Telstra

10.4 Regional Development Australia

10.5 Midwest Development Commission

11. Emerging Issues as Notified/Permitted by the President

Nil

12. Meeting Dates

The Executive Officer has received many requests to advise of the all the meeting dates for 2024 by various parties including politicians to enable them to plan their attendance well in advance. This may facilitate increased attendance. So this motion will include a resolution for both meetings in 2024.

10.1 April 2024 Meeting Date

With the May 2024 State Council meeting being scheduled on 1 May 2024, WALGA has nominated a suggested date range for the meeting being Thursday 11 April to Monday 22 April 2024. It should be noted that the proposed April dates fall outside of Easter (31 March) and Anzac Day (25 April).

Recommendation

That the next meeting of the Murchison Country Zone be held in Cue on

Friday 12 April 2024

or

Friday 19 April 2024

RESOLUTION

Moved: Cr Venezuela

Seconded: Cr Price

That the next meeting of the Murchison Country Zone be held in Cue on Friday 19 April 2024

Carried

November 2024 Meeting Date

With the December 2024 State Council meeting being scheduled on 4 December 2024, WALGA has nominated a suggested date range for the meeting being Thursday 14 November to Monday 25 December 2024.

Recommendation

That the next meeting of the Murchison Country Zone be held in Cue on

Friday 15 November 2024

or

Friday 22 November 2024

RESOLUTION

Moved: Cr Walton

Seconded: Cr Price

That the November 2024 meeting of the Murchison Country Zone be held in Cue on Friday 22 November 2024.

Carried

13. Meeting Closure

The President closed the meeting at 1.46pm.

I certify these minutes to be a true record of the meeting held 17 November 2023

President Ross Foulkes-Tylor
Friday 19 April 2024