

South East Metropolitan Zone

Minutes

15 February 2023

South East Metropolitan Zone

Hosted by the City of Armadale

7 Orchard Avenue, Armadale

Wednesday 15 February 2023 commenced at 6:00 pm

Acknowledgement of Country

We, the delegates of the South East Metropolitan Zone acknowledge the traditional owners of this land that we are meeting on today and pay our respects to Elders past, present and future.

Minutes

MEMBERS

2 Voting Delegates from each Member Council

City of Armadale	Mayor Ruth Butterfield (SC) Cr Melissa Northcott Ms Joanne Abbiss, Chief Executive Officer – non-voting delegate
City of Canning	Mayor Patrick Hall Cr Jesse Jacobs Mr Michael Littleton, Chief Executive Officer – non-voting delegate
City of Gosnells	Cr David Goode JP Cr Sarah Patterson Mr Ian Cowie, Chief Executive Officer - non-voting delegate
City of South Perth	Cr Jennifer Nevard Vacant Mr Mike Bradford, Chief Executive Officer
Town of Victoria Park	Cr Bronwyn Ife - Chair Cr Peter Devereux Mr Anthony Vuleta, Chief Executive Officer – non-voting delegate
WALGA Secretariat	Tony Brown, Director Member Services Vikki Barlow, Senior Policy Advisor Community
Guest Speakers	Nil

APOLOGIES

DLGSC Representative

ANNOUNCEMENTS

Confirmation of Attendance, an attendance sheet was circulated prior to the commencement of the meeting.

Zone Delegates were requested to provide sufficient written notice, wherever possible, on amendments to recommendations within the State Council or Zone agenda prior to the Zone meeting, to the Chair and Secretariat.

Agenda Papers were emailed 7 days prior to the meeting date.

ATTACHMENTS WITHIN THE AGENDA

1. Draft Minutes of the previous meeting
2. Zone Status Report
3. President's Report
4. Standing Orders

1. DECLARATION OF INTEREST

Elected Members must declare to the Chairperson any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil.

2. ELECTIONS

2.1 Election of State Council Representative

Pursuant to the WALGA Constitution, the Secretariat, Tony Brown WALGA, assumed the Chair for conducting the election of representatives to the State Council.

Following the resignation of Carl Celedin from the City of South Perth, nominations are sought from Zone delegates for the extraordinary vacancy for one representative on the WALGA State Council from the South East Metropolitan Zone. Call for nominations were distributed to Zone Delegates via email on 18 January 2023.

The term of office for this position will be from the conclusion of this agenda item and will conclude the day before the Ordinary Meeting of State Council in December 2023.

State Councillor

The following **two** written nominations were received for the position of State Council Representative:

- Cr Melissa Northcott City of Armadale
- Mayor Patrick Hall City of Canning

Further nominations were able to be accepted prior to the commencement of the election. No further nominations were received.

In accordance with the guidelines endorsed by State Council, candidates were afforded the opportunity to make a two minute election bid prior to the secret ballot being taken.

As more than one nomination was received, ballot papers were distributed and a secret ballot conducted.

DECLARATION

That Mayor Patrick Hall City of Canning be elected as State Council Representatives of the South East Metropolitan Zone to the State Council for the remaining term until December 2023.

3. DEPUTATIONS

3.1 Department of Local Government, Sport and Cultural Industries Representative Update Report.

Department of Local Government, Sport and Cultural Industries are an apology for this meeting.

Below is the response provided from Ms Kirsty Martin, formerly employed by DLGSC, in relation to a query on the breakdown of fees from the Office of the Auditor General, from a previous Zone meeting

In relation to fees we (the OAG) continue not to issue itemised accounts. Any queries in respect to the audit fee are best directed by the LG entity through to the OAG via their respective EL. We can then respond back specifically in relation to their query and audit fee.

Noted

4. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Sarah Patterson
Seconded: Cr Melissa Northcott

That the Minutes of the meeting of the South East Metropolitan Zone held on 23 November 2023 be confirmed as a true and accurate record of the proceedings.

CARRIED

5. BUSINESS ARISING

A Status Report outlining the actions taken on the Zone's resolutions is enclosed as an attachment.

Noted

6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

(Zone delegates to consider the Matters for Decision contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)

The full State Council Agenda can be found via link: [1 March 2023 State Council Agenda](#)

The Zone is able to provide comment or submit an alternative recommendation that is then presented to the State Council for consideration.

Matters for Decision

6.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

MOTION

Moved: Cr Peter Devereux
Seconded: Cr Sarah Patterson

That the following Advocacy Position be endorsed:

WALGA supports constitutional recognition of Aboriginal and Torres Strait Islander People through the enshrining of a Voice to Parliament.

AMENDMENT

Moved: Mayor Patrick Hall
Seconded: Cr Sarah Patterson

WALGA supports constitutional recognition of Aboriginal and Torres Strait Island People.

CARRIED

MOTION AS AMENDED

WALGA supports constitutional recognition of Aboriginal and Torres Strait Island People.

The motion as amended was put and CARRIED UNANIMOUSLY

6.2 Community Disaster Resilience Strategy Submission

That the submission on the draft Western Australian Community Disaster Resilience Strategy be endorsed.

RESOLUTION

Moved: Cr Sarah Patterson
Seconded: Cr Melissa Northcott

That the South East Metropolitan supports Item 6.2 of the State Council Agenda.

CARRIED

6.3 Child Safeguarding Advocacy Position

That the Child Safeguarding Advocacy Position as follows be endorsed:

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 Human 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*
 - 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.*

RESOLUTION

Moved: Cr David Goode
Seconded: Mayor Ruth Butterfield

That the South East Metropolitan Zone supports item 6.3 of the State Council Agenda.

CARRIED

6.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities

That the submission on the Draft Guideline: Minimising noise impact from outdoor community basketball facilities be endorsed.

MOTION

Moved: Mayor Ruth Butterfield
Seconded: Cr Jennifer Nevard

That the South East Metropolitan Zone supports item 6.4 of the State Council Agenda.

AMENDMENT

Moved: Cr Sarah Patterson
Seconded: Cr David Goode

That the submission on the Draft Guideline be amended to specifically seek changes to the Environment Protection (Noise) Regulations to enable basketball to be played in public open spaces subject to a separation distance of 40 metres between a backboard and a residence.

CARRIED

RESOLUTION

That the submission on the Draft Guideline be amended to specifically seek changes to the Environment Protection (Noise) Regulations to enable basketball to be played in public open spaces subject to a separation distance of 40 metres between a backboard and a residence

The motion as amended was put and CARRIED

6.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines

That the submission to Main Roads on its Draft Roadside Advertising Policy and Application Guidelines be endorsed.

MOTION

Moved: Mayor Ruth Butterfield
Seconded: Cr Bronwyn Ife

That the South East Metropolitan Zone supports item 6.5 of the State Council Agenda.

AMENDMENT

Moved: Cr Sarah Patterson
Seconded: Cr David Goode

That the submission on the Roadside Advertising Policy and Guidelines be amended to make it clear that the Policy and Guidelines are not supported because of the lack of empirical evidence to justify the change and the red tape approval process it will create. However, the submission should also note that, if the Policy and Guidelines are to be implemented, then the improvements suggested in the current draft submission should be adopted.

CARRIED

RESOLUTION

Moved: Cr Sarah Patterson
Seconded: Cr David Goode

That the submission on the Roadside Advertising Policy and Guidelines be amended to make it clear that the Policy and Guidelines are not supported because of the lack of empirical evidence to justify the change and the red tape approval process it will create. However, the submission should also note that, if the Policy and Guidelines are to be implemented, then the improvements suggested in the current draft submission should be adopted.

The motion as amended was put and CARRIED

RESOLUTION

Moved: Cr Bronwyn Ife
Seconded: Cr Melissa Northcott

That the South East Metropolitan Zone Notes all Policy Team Reports, Matters for Noting and Organisational Reports as listed in the March 2023 State Council Agenda.

CARRIED

7. BUSINESS

7.1 Advocacy on Environmental Issues

By City of Canning

BACKGROUND

The City is currently proposing to undertake a trial translocation of Western Grey Kangaroos (Kangaroos) that are located on and around its Canning Vale Waste Transfer Site. The City has been working with a number of relevant stakeholders; however, it has been identified that one of the significant issues for this translocation project (and other potential translocations in the metropolitan area), is the difficulty identifying sites to rehome the Kangaroos.

The Department of Biodiversity, Conservation and Attractions has indicated that most of the potential Crown reserves are already at capacity and unable to take on Kangaroos in large numbers. Further, the

sites with capacity cannot take the populations of the scale that exist at the Canning Vale site (estimated 250+), or similar sites across Perth that are subject to a form of disturbance through development.

Kangaroos are a matriarchal society, and it is important that mobs are not separated. It is therefore preferable to identify rehoming sites that have capacity for significant numbers of Kangaroos. Mobs are usually made up of 12-20 Kangaroos including one male, several females and their young either in pouch or at foot.

The Department has identified government land holdings for the trial, but have suggested identifying private landholdings that have capacity for the remaining kangaroos; however, it is currently up to the individual entities like the City of Canning to find those potential landholdings.

Given the stakeholders involved and corporate knowledge within WALGA, additionally within member Local Governments in and around Perth, we are hopeful that through their networks, WALGA will be able to help seek out potential landowners who would be happy to help rehome displaced Kangaroos. This is likely an issue for many metropolitan local governments.

Dealing with environmental issues where there are multiple Government landowners

There is currently a responsibility gap with respect to the consideration of environmental impacts in areas where there are multiple government landowners. When developments occur, especially in greenfield sites in the metropolitan area, there needs to be a strategic assessment of the environmental impact where migratory fauna cross multiple sites owned by different entities.

Whilst a development may be confined to a single site, its environmental impact may spread across multiple sites and it's therefore important to be able to assess and manage those impacts appropriately.

An example can be found in Canning Vale, where successive projects by different entities have affected local fauna including Western Grey Kangaroo populations, which travel across different sites.

As part of its planning for the proposed Jandakot Eastern Link Road and Canning Vale Regional Sporting Complex, the City of Canning has been investigating some of the relevant environmental impacts, including to both the flora and fauna that may be affected. The impacts to the fauna were brought to a head by the construction of the Metronet Thornlie-Cockburn Link, which impacted local Western Grey Kangaroo populations.

In response, the City of Canning commissioned a Kangaroo Management Plan, which was based solely on managing Kangaroos on its own land. This is despite the fact that the Kangaroos belong to a larger site and migrate between several parcels of land in the area including the City's Land, the City of Melville's Ken Hurst Park, City of Cockburn land and land owned by Jandakot Airport Holdings. There is also crown land in the area owned by the WA Planning Commission, as well as land being developed by Metronet.

The reality is the fauna footprint crosses jurisdictions and whilst each stakeholder is focused on its own respective area, these projects/developments may have an impact on fauna across a larger area.

When it commissioned its Kangaroo Management Plan, the City sought support from adjacent landowners, which was apparently declined, leading the City to conduct its plan in isolation. In effect, the Kangaroo Management Plan considered the entire kangaroo population, but only one portion of the land available (that is, the City of Canning's), and inevitably concluded that there is not enough land for the current population despite not considering the adjacent landholdings that the Kangaroos frequent. This process may not result in good environmental outcomes because not all the information was considered.

The Kangaroos are just one species impacted – There are 65 known fauna species that frequent the City of Canning land and 56 fauna species that have been identified on the City of Melville's land, as well as 188 flora species. These figures include some endangered species including Bandicoots, Carnaby's Black Cockatoos and Forest Red Tailed Black Cockatoos.

In recognising that the fauna impacts are not confined to one landowner or one local government jurisdiction, there needs to be a planning instrument developed by the State Government that ensures environmental issues are considered holistically across jurisdictional lines where appropriate.

There also needs to be a responsibility placed on all parties to be engaged in the process, and not leave responsibility to one entity.

The indefinitely suspended Green Growth Plan had at its core the right principal with respect to having a strategic holistic plan for future development whilst assessing areas of environmental significance. This has been indefinitely on hold since 2017.

In this context, it has long been identified that a rail line connection would be built in the Canning Vale precinct, the Jandakot Eastern Link Road has been proposed for a number of years, the Jandakot Airport Holdings development footprint has had many expansion stages, a regional sports precinct has been on the radar for many years – yet the environmental consequences haven't been properly considered or planned for.

Regrettably these types of developments often have time pressures as the appropriate environmental assessment occurs around the same time that funding is being sought/secured and the development is imminent.

The State Government needs to take a lead role by implementing a planning instrument to ensure the environmental consequences and any required management are strategically assessed, and all relevant stakeholders/landowners are required to be involved to help mitigate the risk of negative outcomes for the flora and fauna, including some who are endangered, that call the area home.

This issue is not confined to the Canning Vale/Jandakot example, and is an issue across the metropolitan area. We have been led to believe that the issues are quite prevalent where Metronet lines are being built, with a number of local governments dealing with these similar issues.

The State Government needs to take the lead, and we believe WALGA is well placed to advocate for a solution.

SECRETARIAT COMMENT

Translocation of kangaroos is complex and has limited conservation rationale. Translocation is possible, but is technically demanding, labour-intensive and expensive. For these reasons is generally only applied to threatened species programmes.

Analysis of recent kangaroo translocation efforts across Australia indicate a low survival rate, with poor animal welfare outcomes for translocated animals. Translocations lead to high rates of both injury and death during capture and transport. High rates of death are also found in the months following translocation, and kangaroos are highly susceptible to capture myopathy.

Consideration of these factors is essential to appropriately weight the benefits of translocation over other management options for isolated kangaroo populations.

The role for communicating these challenges and working with landowners on appropriate options is the responsibility of the Department of Biodiversity, Conservation and Attractions (DBCA). Further, any regulatory change to manage the issue of animal herding from one piece of land to another during development would be a matter for DBCA.

Considering the complex issues and risks associated with macropod translocation and the clear role for the State Government in communicating and regulating this issue, it is not seen as appropriate for WALGA to lead a consultation piece as proposed in the zone recommendation.

In December 2022, the State Government announced the discontinuation of the Strategic Assessment of the Perth and Peel Regions (SAPPR) and will in its place prioritise regional planning for Perth and Peel

under WA's Native Vegetation Policy, which will address cumulative environmental impacts in Perth and Peel. No further detail on this new approach has been provided.

Kangaroos, not being listed threatened species, were not specifically considered as part of the SAPPR.

However, the strategic approach would have provided greater certainty by determining the areas to be protected from development and areas where development can occur, the type of development that will be allowed and the conditions under which development may proceed. It would also have assisted in the identification of suitable off-set land outside the Perth and Peel regions.

WALGA will continue to engage with DBCA on the issue of kangaroo management and the Department of Water and Environmental Regulation (DWER) on the implementation of WA's Native Vegetation Policy and bring the suggestions and concerns of the City of Canning to the Departments' attention as part of these discussions.

RESOLUTION

Moved: Mayor Patrick Hall
Seconded: Mayor Ruth Butterfield

The identification of private land holdings for macropod translocations

- 1) That WALGA develops a strategy to identify private land holdings within a two-four hour proximity to the metropolitan area, that may be appropriate locations to rehome displaced macropod populations.

Dealing with environmental issues where there are multiple Government landowners

- 2) That WALGA advocate for a planning instrument to be developed by the State Government that ensures a holistic strategic approach to environmental issues where development is proposed in precincts that have multiple government landowners.

CARRIED UNANIMOUSLY

7.2 2023 Local Government Honours Program

The annual Local Government Honours Program affords significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and Local Government officers to their respective Councils, the WA Local Government sector and the wider community.

Nominations for the 2023 Honours Program are open now.

There are six awards in the 2023 Program:

1. Local Government Medal
2. Life Membership
3. Eminent Service Award
4. Merit Award
5. Local Government Distinguished Officer Award
6. Young Achievers Award

Nominations will close at **5:00pm on Friday, 9 June** and the awards will be presented as part of the WALGA Annual General Meeting held on Monday, 18 September.

For more information or to submit a nomination, visit the WALGA website or contact Kathy Robertson, Executive Officer Governance, on 9213 2036 or via email at honours@walga.asn.au.

Noted

8. OTHER BUSINESS

9. EXECUTIVE REPORTS

9.1 WALGA President's Report

Tony Brown presented the WALGA President's Report and highlighted the proposed Local Government legislative reform process.

RESOLUTION

Moved: Cr Sarah Patterson
Seconded: Cr Bronwyn Ife

The South East Metropolitan Zone request WALGA to advocate for Elected Member Superannuation to be included in the first tranche of Local Government Act reforms.

CARRIED UNANIMOUSLY

9.2 State Councillor's report to the Zone

WALGA State Councillor, Mayor Ruth Butterfield, presented on the previous State Council meeting.

The final State Council meeting for 2022 was held on Wednesday, 7 December at the WALGA offices in West Leederville.

Strategic Forum

At the December Strategic Forum, State Council received several engaging and informative presentations from:

- Ms Tiffany Allen, CEO of the Construction Training Fund, about the work of the Fund and how it can benefit Local Governments.
- Mr Garry Hunt from the Garry Hunt Consulting Group facilitated a discussion with State Councillors about the results of the recent State Council Performance Assessment Survey.
- Tony Brown, Executive Director Member Services and Samantha Lyon, Employee Relations Project Consultant, provided an overview of the State Industrial Relations transition process and the opportunity for WALGA to advocate to become an Employer Organisation.

State Council Meeting

Voice to Parliament

State Council resolved to consider three Zone items from the November 2022 round of Zone meetings relating to the Aboriginal and Torres Strait Islander Voice to Parliament at the December meeting.

In addition, State Council endorsed requesting the Commonwealth Government to ensure that Local Governments and local communities across WA are meaningfully engaged with on the issue.

Finally, State Council resolved that an advocacy position in support of constitutional recognition would be developed. The proposed advocacy position is included in the State Council agenda for Zone and State Council consideration.

Elected Member Superannuation

State Council resolved for WALGA to advocate for superannuation to be required to be paid to Elected Members of Local Governments in SAT Bands 1 and 2, and for payment to be optional for Local Governments in SAT Bands 3 and 4.

Updated Advocacy Positions

Several Advocacy Positions were updated by State Council in relation to Biosecurity, Aboriginal Cultural Heritage, and Coastal Planning.

2022 Annual General Meeting Resolutions

All resolutions passed at the 2022 AGM were put to State Council for consideration and were either endorsed for action or referred to the relevant Policy Team for further work to be undertaken.

Other decisions as per the Full Minutes.

Noted

10. DATE, TIME AND PLACE OF NEXT MEETING

That the next ordinary meeting of the South East Metropolitan Zone be held on Wednesday 19 April 2023 at the City of Canning commencing at 6:00 pm.

11. CLOSURE

There being no further business the Chair declared the meeting closed at **7.49pm**.