



GVROC Council Meeting to consider WALGA State Council Agenda Items

Unconfirmed Minutes

Friday 18 February 2022

Held via Zoom Video Conference

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GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (GVROC)

Videoconference meeting of the GVROC Council to consider WALGA State Council Agenda Items was held Friday 18 February 2022 9.00am

AGENDA

1. OPENING AND ANNOUNCEMENTS

The purpose of the meeting is to provide advice to the WALGA State Council Representative, Cr Laurene Bonza on the Agenda for the WALGA State Council Meetings to be held on 23 February and 2 March 2022.

2. DECLARATION OF INTEREST

Pursuant to the Code of Conduct, Councillors and CEOs must declare to the Chairman any potential conflict of interest they may have in a matter before the Goldfields Voluntary Regional Organisation of Councils as soon as they become aware of it. Councillors, CEOs and Deputies may be directly or indirectly associated with some recommendations of the Goldfields Voluntary Regional Organisation of Councils. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

3.1 Attendance

Cr Mal Cullen (Chair)	President, Shire of Coolgardie
Cr Laurene Bonza	President, Shire of Dundas
Mr Peter Fitchat	CEO, Shire of Dundas
Cr Ian Mickel	President Shire of Esperance
Cr Ron Chambers	Councillor, Shire of Esperance
Mr Shane Burge	CEO, Shire of Esperance
Mr Peter Naylor	CEO, Shire of Laverton
Cr Peter Craig	President, Shire of Leonora
Mr Jim Epis	CEO, Shire of Leonora
Mr Brian Joiner	CEO, Shire of Menzies
Mr Cary Green	Director Governance & Corporate, Shire of Ngaanyatjaraku
Mr Andrew Mann	Executive Officer, GVROC

3.2 Apologies

Cr Tracey Rathbone	Councillor, Shire of Coolgardie
Mr James Trail	CEO, Shire of Coolgardie
Cr John Bowler	Mayor, City of Kalgoorlie-Boulder
Mr Alex Weise	A/CEO, City of Kalgoorlie Boulder
Cr Kim Eckert	Councillor, City of Kalgoorlie Boulder
Cr Sharon Warner	Councillor, Shire of Dundas
Cr Patrick Hill	President, Shire of Laverton
Cr Robert Wedge	Councillor, Shire of Laverton
Cr Paul Warner	Councillor, Shire of Menzies
Cr Jill Dwyer	Councillor, Shire of Menzies
Cr Peter Grundy	President, Shire of Wiluna
Cr Timothy Carmody	Councillor, Shire of Wiluna
Mr Gary Gaffney	A/CEO, Shire of Wiluna
Mr Kevin Hannagan	CEO, Shire of Ngaanyatjaraku
Cr Damian McLean	President, Shire of Ngaanyatjaraku

3.3 **Guests**

Nil

3.4 **WALGA Representatives**

Ms Lyn Fogg Governance Specialist
Ms Vanessa Jackson Senior Policy Advisor, Emergency Management

3.5 **DLGSC Representatives**

Nil

4. MINUTES OF MEETINGS

4.1 **Minutes of a Meeting of GVROC to consider WALGA State Council Agenda Items held 19 November 2021**

Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 19 November 2021 are presented for adoption (**Attachment 1**).

RECOMMENDATION:

That the Unconfirmed Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 19 November 2021 be confirmed as a true and correct record of proceedings.

RESOLUTION: Moved: *Cr Laurene Bonza, Shire of Dundas*
Seconded: *Cr Ian Mickel, Shire of Esperance*

Carried

4.2 **Action Sheet Report**

An update on the actions based on the resolutions from the meeting held on 19 November 2021 meeting are presented for noting (**Attachment 2**).

RECOMMENDATION:

That the Action Sheet Report as listed for noting be received.

RESOLUTION: Moved: *Cr Laurene Bonza, Shire of Dundas*
Seconded: *Cr Peter Craig, Shire of Leonora*

Carried

5. EMERGING ITEMS

From: Chair GVROC

Background:

WALGA State Council meets five times each year and as part of the consultation process with Member Councils circulates the State Council Agenda for input through the Zone structure. The Zone can provide comment or submit an alternate recommendation that is then presented to the State Council for consideration.

A full copy of the State Council Agendas for the Special Meeting on 23 February and normal meeting on 2 March 2022 can be found at **Attachment 3 and Attachment 4**.

Notification of emerging items must be provided to the Chair no later than 24 hours prior to the meeting.

6. Review of WALGA State Council Agenda - Matters for Decision for 23 February 2022 Special Meeting

6.1 Local Government Reform Proposal Submission

WALGA Recommendation

1. That the recommendations contained in the '*Local Government Reform Proposal Submission*' be endorsed.
2. That WALGA:
 - a. seek assurance from the Minister for Local Government that further detail on the proposed reforms will be provided to the sector for comment prior to the formulation of a draft Local Government Act Amendment Bill; and
 - b. seek a formal commitment from the Minister for Local Government that WALGA actively participates in the legislative drafting process necessary to formulate a draft Local Government Act Amendment Bill.

IN BRIEF:

- The Minister for Local Government, Hon. John Carey MLA, commenced the consultation period for the Local Government Reform Proposals on 10 November 2021.
- WALGA distributed a Discussion Paper to the sector on 24 November 2021, including commentary on the sector's current positions contained in the reform proposals together with recommendations on new positions required on matters not canvassed in the reforms.
- Feedback from Local Governments was initially requested by 5pm on Wednesday, 12 January 2022, however this was adjusted following the Minister's extension to the consultation period.
- WALGA received 65 submissions by close of response on Friday, 28 January 2022

ATTACHMENTS:

- Local Government Reform Proposal Submission (**Attachment 5**)

POLICY IMPLICATIONS:

The adoption of advocacy positions will inform WALGA policy positions and will be incorporated in WALGA's [Advocacy Positions Manual](#).

BUDGETARY IMPLICATIONS:

Nil

BACKGROUND:

The proposed Local Government Reforms are based on six themes:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

Information is available on the [Department of Local Government, Sport and Cultural Industries](#) website.

COMMENT:

65 Local Governments responded by 28 January 2022, categorized by band as follows:

- Band 1 – 17%
- Band 2 – 15%
- Band 3 – 22%
- Band 4 – 46%

The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

There was strong commentary from the sector on the following proposed reforms that were not supported:

Item 6.6 Audit Committees – 89% Opposed

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. The fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, a primary role of Council under Section 2.7(1)(a) of the *Local Government Act 1995* ('the Act'). For this reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meeting fees or defined reimbursements to independent Audit Committee members be legislatively authorised (State Council resolution no. 293.7/2021).

Item 4.3 Introduction of Preferential Voting – 85% Opposed

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances among candidates has potential for factionalisation of Councils were pre-eminent in the response. 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. However, if 'first past the post' is not retained then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 66% Opposed

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors – 67% Opposed

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators – 62% Opposed

There is support for the reporting of CEO KPI's that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPI's of a confidential nature (i.e workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee to be maintained as a confidential record of the Local Government.

Local Governments were requested to provide comment on the reform proposal under Item 5.7 'Remove WALGA from the Act'.

The basis of the reform proposal is a recommendation from the Local Government Review Panel that WALGA not be constituted under the Act, with the following comment:

The Panel deliberated the merits of WALGA being constituted under the Local Government Act and determined that it was not appropriate to incorporate a member body under this legislation. This created confusion as to the extent of the Minister's powers over the organisation and WALGA's level of independence.¹

¹ Local Government Review Panel - Final Report 'Recommendations for a new Local Government Act for Western Australia' May 2020, page 46

WALGA has concerns that unforeseen negative consequences might arise should the reform proposal proceed in the absence of surety for the protection of the preferred supplier program and mutual insurance scheme provisions that are currently embedded in the Act, the merits of which are supported by the Review Panel. WALGA will continue with the due diligence review of the broader implications of the proposal and will consult further with member Local Governments.

There is significant commentary throughout the sector response that the proposed reforms lack necessary detail in terms of how they will be operationalized, and the associated implications to Local Government in terms of implementation cost and resourcing. WALGA supports the view that additional information is required and that it should be part of future consultation. It is recommended the Minister for Local Government provide assurance that the detail of each proposed reform be the subject of further consultation with the sector.

It is also recommended that once a comprehensive and detailed consultation process has concluded, that WALGA participates in the legislative drafting process to provide an operational perspective necessary to the development of a workable Local Government Act Amendment Bill.

RECOMMENDATION

GVROC support the WALGA recommendation as presented.

RESOLUTION: **Moved: *Cr Laurene Bonza, Shire of Dundas***
 Seconded: *Mr Brian Joiner, Shire of Menzies*

Carried

Motion called for additional recommendation as follows:

GVROC also request WALGA State Council to note and consider the Goldfields Zone concerns around continual requests for special electors' meetings being called (e.g. currently around Covid-19 Mandates but also in general) and consider making provision of some form of protection for LGAs in the Act/Regulations that does not allow continued requests on the same matter once Council has resolved a decision for a specified time period (e.g. normal decisions of Councils cannot be revisited at another meeting for at least three months).

RESOLUTION: **Moved: *Cr Ian Mickel, Shire of Esperance***
 Seconded: *Cr Laurene Bonza, Shire of Dundas*

Carried

7. Review of WALGA State Council Agenda - Matters for Decision for 2 March meeting

7.1 Short-Term Accommodation Regulatory Scheme (05-036-03-0016 CH)

WALGA Recommendation

That the draft Short-Term Accommodation Regulatory Reform submission be endorsed.

IN BRIEF:

- In December 2021, the Department of Planning, Lands and Heritage (DPLH) released [Draft Position Statement: Planning for Tourism and Guidelines](#) (the position statement) for public consultation.
- The Department of Local Government, Sport and Cultural Industries (DLGCS) simultaneously [sought comment](#) on the implementation of a new state-wide registration system for short-term accommodation.
- The proposal is in response to the State Government's acceptance of the recommendations of the Inquiry into Short-Stay Accommodation by the Legislative Assembly's Economics and Industry Standing Committee in 2019.
- The proposals are broadly consistent with the Inquiry's findings that Local Governments are best placed to plan for tourism within their communities and WALGA's existing Advocacy Position on short-term accommodation.

ATTACHMENTS:

- Draft Short-Term Accommodation submission

POLICY IMPLICATIONS:

WALGA's existing policy position on short-term accommodation was adopted in 2017 (Advocacy Position 6.40 Short-Stay Accommodation). This position called for a review of the planning framework for short-term accommodation, contemporary land-use definitions and a preferred approach for home-sharing in the planning framework. The proposed policy measures in the [Draft Position Statement: Planning for Tourism and Guidelines](#) are broadly consistent with the existing position. It is proposed that recommendations 1, 2 and 3 of the draft submission will supersede the existing policy position, and the existing position will be deleted.

BACKGROUND:

The short-term accommodation sector, and the tourism sector more broadly, plays an important role in local economic development, providing employment, training opportunities, and injections of tourist expenditure into local communities across the State. Changes in the short-term accommodation market have been challenging for Local Governments and their communities, particularly amenity issues such as noise, parking and waste management. Several Local Governments have sought to address these challenges through their local planning frameworks and through local registration schemes governed by local laws. These approaches have had varying degrees of success in addressing amenity concerns.

In 2017, WALGA prepared a [Short-Term Rental Accommodation Discussion Paper](#) in consultation with Local Governments. This Discussion Paper led to the adoption of a formal advocacy policy position by WALGA State Council in December 2017.

WALGA made a [submission](#) to the Legislative Assembly Economics and Industry Standing Committee [Inquiry into Short-Stay Accommodation](#) in 2019 and appeared before the Committee with a number of other Local Governments. The [Inquiry Report](#), tabled in September 2019, was generally welcomed by the Local Government sector. All 45 of the Inquiry's findings and 9 of the 10 recommendations were accepted by the State Government. The sector was pleased that the Government accepted Recommendations 2 (updated land use definitions), 3 (updated planning guidance), 7 (working group to be established), 9 (data sharing) and 10 (Local Government responsibilities as part of registration

scheme) and these recommendations form the basis of the matters included in the current consultation being administered by the DPLH and DLGSC.

The [Draft Position Statement: Planning for Tourism and associated Guidelines](#) are part of the Government's response to the Inquiry's recommendations. Consultation on the Statement and Guidelines is open from 6 December 2021 until 7 March 2022.

No formal consultation with Local Government or WALGA occurred prior to the release of the position statement and that the consultation does not include any details to justify certain aspects of the position statement or policy guidance. The items outlined in Recommendation 7 of the Inquiry provided a robust set of considerations that would have adequately guided the working group. The recommendation and the Government's response also outlined the importance of engaging with the Local Government sector to support the working group's activities. However, there has not been a formal approach by the working group to Local Government or WALGA to support their work.

WALGA hosted a sector webinar with officers of DPLH and DLGSC on 16 December 2021 which was attended by officers and Councillors from over 50 Local Governments. Attendees were surveyed on key elements of the position statement and proposed regulatory scheme, with this feedback used to inform the draft Submission.

WALGA sought comment on the draft Submission from Local Governments over a three-week period in January 2022. Officer comments were received from the Shires of Augusta-Margaret River, Dowerin, and Serpentine Jarrahdale, the Towns of East Fremantle and Victoria Park, and the City of Vincent. Formal Council support was received from the Shire of Merredin.

COMMENT:

The Position Statement is a positive step forward in the provision of clear and consistent direction to Local Governments on the definition and treatment of short-term rental accommodation in the Western Australia planning framework. In particular:

- Planning Bulletin 99 - Holiday Home Guidelines, has been superseded and replaced with a contemporary range of 'Land Use' definitions and a preferred model for the management of home-sharing in the planning framework. These approaches are consistent with WALGA's current policy advocacy positions.
- The Position Statement identifies that *'Local Governments are best placed to plan for tourism within their communities, with local knowledge of tourism activities, opportunities, constraints, including potential impacts and what requirements, if any, should be places on tourism proposals'*. The general and specific policy measures generally align with this intent and the position statement's intent and objectives are supported.
- The Association supports the establishment of a state-wide registration scheme for short-term accommodation. Local Governments have indicated strong support for such a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities. However, given the limited detail provided, the Association's support for the scheme is conditional upon a range of conditions being satisfied.

The sector has raised significant concerns regarding the proposal to exempt 'unhosted accommodation' from the need to obtain development approval where this use is not proposed to be let for more than 60 days per calendar year. This policy response was not proposed in either the Parliamentary Inquiry or the Government's response. There is broad sector support for the exemption of 'hosted accommodation', and incorporation of the existing bed and breakfast land-use definition into this definition.

RECOMMENDATION

GVROC support the endorsement of the WALGA draft Short-Term Accommodation Regulatory Reform submission as presented.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas
Seconded: Cr Peter Craig, Shire of Leonora

Carried

8. Review of WALGA State Council Agenda - Matters for Noting/Information for 2 March 2022 meeting

8.1 COVID-19 – Update

WALGA Recommendation

That the COVID-19 Update report be noted.

IN BRIEF:

- At the time of writing the Omicron variant of COVID-19 is circulating Western Australia with community cases reported in many regions of the State.
- The reopening of Western Australia's borders that was scheduled for February 5 has been delayed, with further reviews of border controls to be considered over the next 2-3 weeks.
- State of Emergency Directions, particularly in relation to mandatory vaccination, proof of vaccination and mask wearing have had significant implications for Local Governments.
- WALGA has continued to provide dedicated COVID-19 support and advocacy for Members, including regular updates, webinars, guidance and analysis.

BACKGROUND:

The Omicron COVID-19 variant, which appears to be milder but more contagious, is now the dominant strain of the virus in Australia and around the world. Case numbers, hospitalisations and deaths have increased dramatically since late December. At the time of writing, it appears some eastern states may have reached a peak in daily cases.

COVID-19 in WA

The latest information on COVID-19 in WA can be found at [COVID-19 coronavirus \(www.wa.gov.au\)](https://www.wa.gov.au/government/department-of-health/covid-19) and on the [WA Department of Health website](https://www.health.wa.gov.au/).

Omicron is circulating in Western Australia, with cases reported in many regions of the State. The Chief Health Officer has indicated that it will not be possible to eliminate Omicron in WA.

Vaccinations

91 per cent of the WA 12+ population are double dose vaccinated and 36 per cent of 18+ Western Australians have received a third dose. Vaccination rates in country regions are lower at approximately 84 percent double dose, with particular areas of concern in the Pilbara (57 per cent), Kimberley (71 per cent) and Goldfields (79 per cent).

Current information on vaccination rates by Local Government Area can be found [here](#). It should be noted that for some Local Government areas the information is not available, may be inaccurate and is based on the 15+ population (WA vaccination rates are based on 12+ population).

Restrictions and Directions

[WA State of Emergency and State of Health Emergency Declarations](#) remain in force.

On Thursday, 20 January 2022 the Premier announced that the WA border would not be opening as planned on 5 February 2022 based on [advice from the Chief Health Officer](#).

A revised [Transition Plan for Western Australia](#) has been released.

The State Government has also [released the settings](#) that will apply when WA moves into a high COVID-19 caseload environment:

- a new close contact definition will apply, and casual contacts will cease
- new testing and isolation protocols will take effect, including the use of Rapid Antigen Testing (RAT)
- critical workers will be those that cannot work from home and are vital to maintain critical services and avoid catastrophic losses. For Local Governments this includes waste management services and social assistance services workers.

Mask Wearing

The wearing of face masks has been made mandatory in Perth, Peel, and the South West, Wheatbelt and Great Southern areas in all public indoor settings, vehicles (unless the person is travelling alone or with members of the same household), indoor and outdoor residential aged or disability care facilities and hospitals.

Mandatory Vaccination

The Government implemented mandatory vaccination requirements in late 2021. The Directions relating to these requirements are available [here](#). Local Governments employ 22,000 people in over more than 170 occupations groups which are impacted by at least 10 of the Directions.

It has been difficult for Local Governments to navigate, interpret and communicate the Mandatory Vaccination Directions which only provided for a very short implementation time. Local Governments are now in the process of managing those employees who do not wish to be vaccinated.

Vaccination Proof of Entry

Proof of vaccination requirements for ages 16+ were extended to venues and events state-wide on 31 January 2022. Local Government venues (and staff working in these venues) covered by the requirements include:

- Cafés and hospitality venues, which may be part of a larger facility for example in a recreation centre, sporting venue or hall
- Live music venues
- Indoor play centre
- Cinemas – including drive in and outdoor cinemas
- Gyms, indoor sporting centres, health clubs and dance studios
- A place where an event with more than more than 500 patrons, whether in public or private, and whether undertaken or engaged in on a for profit or not for profit basis (other than an excluded gathering).

Community sport, even if being undertaken in one of the venues covered by the Directions, are exempt from proof of vaccination requirements.

The Directions are available [here](#).

COMMENT:

WALGA Sector Support and Advocacy

WALGA has continued to provide dedicated COVID-19 support and advocacy for the sector, including through:

- Direct engagement with the Chief Health Officer, Department of Health and Department of Premier and Cabinet regarding mandatory vaccination and proof of vaccination requirements under the Directions.
 - Based on feedback from the sector, WALGA strongly advocated for all Local Government owned and operated facilities and premises, and workers required to enter those facilities and premises, to be covered by the mandatory vaccination Directions to remove confusion. This outcome would have provided Local Governments with a mandate to ensure employees are vaccinated and to enable the continued provision of critical and essential Local Government services when there is widespread community transmission of COVID-19 in WA. The Government did not progress this approach which has caused considerable confusion across the sector and significant employee relations challenges.
 - Proof of vaccination entry requirements are also causing considerable confusion and implementation issues for the sector. WALGA has received a large volume of queries from Local Governments, particularly in relation to mixed use facilities, such as recreation centres, and is seeking urgent clarification.
- Responding to a large volume of COVID-19 related queries from the sector – more than 300 to WALGA Employee Relations and over 100 to WALGA COVID-19 Response from October 2021 to January 2022.
- Representing the sector at Ministerial Roundtables, meetings of the State Emergency Management Committee COVID-19 Coordination Group, State Welfare Emergency Committee, State Recovery Advisory Group and the State Health Incident Coordination Centre.
- Waste services continuity and planning – WALGA has updated the Mutual Assistance MoU for Local Government and preferred suppliers of waste collection, processing and disposal services. This

provides a mechanism for assistance to be sought from other organisations if a workforce is impacted by COVID-19.

- Undertaking a bulk purchase of competitively priced Rapid Antigen Test kits for the sector, with over 70,000 ordered in the first tranche.
- Regular [WALGA COVID-19 Local Government Updates](#) – 136 updates have been issued since March 2020. There are over 1500 subscribers to these updates.
- COVID-19 Local Government Survey – WALGA is surveying the sector monthly to inform its COVID-19 support and advocacy. 77 Local Governments responded to the first survey with 40 per cent reporting a shortage of workers or skilled workers, 70 per cent reporting shortages of building material supplies and 60 per cent reporting shortages of machinery, all of which are leading to longer lead times on contracts and resulting in higher costs.
 - Webinars and seminars:
 - 29 October 2021: HR Responses to COVID-19 Breakfast Seminar, attended by 86 representatives from Local Government
 - 21 January 2022: Preparing for Omicron, attended by 300 representatives from Local Government (webinar recording available [here](#))
 - 3 February 2022: COVID-19 Preparedness in the Regions

WALGA Employee Relations subscriber resources – 83 per cent of the sector subscribes to the WALGA ER Service. The Service has developed in-depth FAQs, template letters and checklists and COVID-19 specific ER alerts to assist Local Governments in implementing the COVID-19 mandatory vaccination requirements.

RECOMMENDATION:

GVROC note the WALGA COVID-19 Update report.

RESOLUTION:

Moved: *Cr Ian Mickel, Shire of Esperance*

Seconded: *Cr Laurene Bonza, Shire of Dundas*

Carried

8.2 2022-23 Federal Budget Submission (05-088-03-0004 DM)

WALGA Recommendation

That the 2022 WALGA Federal Budget Submission be noted.

IN BRIEF:

- The WALGA President has written to the Federal Treasurer and Assistant Treasurer to support the initiatives identified in ALGA's 2022-23 Federal Budget Submission.
- WALGA's submission also seeks a commitment to address additional issues of particular importance for WA Local Governments:
 1. funding to build the capacity, reliability and resilience of telecommunications infrastructure across remote, regional and peri-urban areas;
 2. additional funding for road programs, including Local Government road priorities across the agricultural region; and
 3. the creation of a funding model for managing coastal erosion hot spots and additional funding from the Commonwealth to support the implementation of coastal hazard risk planning;
- The submission was provided to Commonwealth Treasury, the Treasurer and Assistant Treasurer in January 2022, and will be sent to all WA Members of Federal Parliament in coming weeks.

ATTACHMENT:

- [WALGA 2022 Federal Budget Submission Letter](#)
- [ALGA 2022 Federal Budget Submission](#)

BACKGROUND:

The Federal Assistant Treasurer recently called for submissions for the 2022-23 Budget.

Each year, ALGA prepares a submission on behalf of the Local Government sector nationally. The 2022-23 ALGA submission requests funding for a range of initiatives across the following key themes:

- Economic recovery;
- Transport and Community Infrastructure;
- Building Resilience (including disaster mitigation; climate change; Closing the Gap initiatives; health; and arts and culture); and
- Circular economy.

These initiatives have been assessed by independent economists, and if funded and implemented would contribute at least \$6.58 billion to Australia's Gross Domestic Product and create 44,436 new jobs per annum.

A copy of ALGA's 2022-23 Budget Submission is attached.

The WALGA Acting President wrote to the Treasurer and Assistant Treasurer in January 2022 in support of the ALGA submission. WALGA's submission (attached) also seeks a commitment to address additional issues of particular importance for WA Local Governments:

- Telecommunications and digital connectivity – Additional funding to build the capacity, reliability and resilience of critical telecommunications infrastructure across remote, regional and peri-urban Western Australia through programs such as the Mobile Network Hardening Program (MNHP); Strengthening Communications Against Natural Disasters (STAND); and Peri-urban Mobile Program (PUMP);
- Road Transport – In addition to funding for key programs such as Roads to Recovery and the Local Roads and Community Infrastructure Program, additional funding of \$50 million is being sought for the Local Government roads prioritised across the agricultural region; and
- Managing coastal erosion hot spots – Creation of a sustainable, equitable and efficient funding model to enable the implementation of coastal hazard risk planning. A funding contribution from

the Commonwealth is being sought to assist Local Governments with the costs associated with the implementation of coastal hazard risk planning.

These priorities have previously been endorsed by State Council in September 2017, March 2018 and December 2021.

WALGA's submission has also been provided to all WA Members of Federal Parliament to highlight these priority initiatives.

COMMENT:

The 2022-23 Federal Budget is an ideal opportunity to advocate for priority initiatives for the WA Local Government sector in advance of the upcoming Federal Election.

WALGA will be seeking opportunities to engage with WA Members of Federal Parliament on these and other key issues for the sector in advance of the 2022 Federal Election.

RECOMMENDATION:

GVROC note the 2022 WALGA Federal Budget Submission.

RESOLUTION: **Moved: *Cr Laurene Bonza, Shire of Dundas***
 Seconded: *Mr Jim Epis, Shire of Leonora*

Carried

8.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government (05-046-03-0017 RZ)

WALGA Recommendation

That State Council note:

- 1. The emerging biosecurity threat following the detection of the polyphagous shot-hole borer (PSHB) in the metropolitan area.**
- 2. That PSHB has the potential to significantly impact on Local Governments' street trees and public open space.**
- 3. The response activities being coordinated by the Department of Primary Industries and Regional Development, including the imposition of a Quarantine Area Notice covering 17 Local Government areas and expanded surveillance program.**

IN BRIEF:

- Polyphagous shot-hole borer (PSHB), an exotic wood-boring beetle not previously found in Australia, was detected in Perth in September 2021.
- Establishment of this pest would have significant impact on amenity trees, native vegetation and the fruit and nut industries.
- There is currently no known effective eradication treatment for PSHB. Early detection, removal and advanced treatment of infested trees/branches and tree stumps are the best control methods.
- A PSHB Quarantine Area (QA) has been imposed across 17 metropolitan Local Government areas that restricts the movement of wood and plant material from properties within the QA and requires machinery used to process green waste to be cleaned before leaving the QA.
- The Department of Primary Industries and Regional Development (DPIRD) has expanded PSHB surveillance to selected regional towns by distributing pest specific traps (which will remain in place for up to six months).
- DPIRD is continuing to work with Local Governments, other government agencies and residents to control PSHB populations while the incursion is fully considered as part of the nationally coordinated response to pest incursions.
- WALGA has facilitated DPIRD briefing sessions for the sector, is providing updates to the sector and has established a dedicated webpage for downloadable resources for Local Government to support communications to residents.
- WALGA will continue to work with DPIRD to ensure the implications of the incursion for Local Governments are considered in the ongoing response to PSHB.

BACKGROUND:

Polyphagous shot-hole borer (PSHB) is a 2mm long wood boring beetle native to South-East Asia. It has a symbiotic relationship with a *Fusarium* fungus, cultivating it inside a tree for food. In susceptible trees, this fungus causes dieback and tree death, killing some trees within two years.

PSHB had not been detected in Australia until September 2021 when it was found in a tree in East Fremantle. It is believed to have arrived via infested wood products from its country of origin or other areas of known infestations.

Due to its small size and its lifecycle, PSHB detection and potential control treatments are challenging. Research is underway in South Africa and California on chemical treatment options but results to date are limited and chemicals tested are not registered for use in Australia.

An initial PSHB Quarantine Area (QA) imposed in September 2021 to control the spread of PSHB was further expanded in November to cover 17 Local Government areas: Cambridge, Canning, Claremont, Cockburn, Cottesloe, East Fremantle, Fremantle, Melville, Mosman Park, Nedlands, Peppermint Grove, Perth, South Perth, Stirling, Subiaco, Victoria Park and Vincent. The expanded QA conditions are less onerous on impacted Local Governments as green waste movement within the QA is unrestricted. Exemptions have also been arranged for selected green waste processing facilities outside the QA to allow the continuation of green waste collections within the 17 Local Government areas.

DPIRD is working directly with impacted Local Governments to provide them with information on the borer, QA Notice restrictions and communications material to help support affected residents. Local Governments in the Perth metropolitan region have assisted DPIRD investigations by providing

information on the locations of one of the key host trees, the box elder (*Acer negundo*) as well as information on green waste processing facilities.

DPIRD's has also undertaken extensive inspections of potential host trees (555 inspections completed during 13-16 December 2021), responded to public reports of suspected infestations and placed PSHB traps at strategic locations (358 traps deployed during 13-16 December 2021).

On 22 December 2021, DPIRD delivered a stakeholder update which noted that 39 properties were identified with infested trees, all within the QA. Analysis of tissue samples showed that the species of *Fusarium* fungi found in the Perth infestations is different to the species used elsewhere in the world. Consequently, a list of host tree species may also be different to the known list of hosts. [Twenty one species of trees](#) have been identified as host trees within the QA, including two new species; mango and sea hibiscus/cottonwood that were not previously listed elsewhere.

To determine how far PSHB may have spread, DPIRD is placing specifically designed traps in 18 regional Local Government areas, including Albany, Bunbury, Busselton, Greater Geraldton, Bridgetown-Greenbushes, Chittering, Dandaragan, Donnybrook-Ballingup, Esperance, Katanning, Lake Grace, Manjimup, Moora, Plantagenet, Wickpin, Wongan-Ballidu, Narrogin and Northam. Up to five traps are being placed in priority towns and will remain in place for up to six months.

The detection of PSHB has also triggered a national level response via the Consultative Committee on Emergency Plant Pests (CCEPP) and the National Management Group which consider the technical feasibility of eradication and response plans to new pest incursions in Australia. DPIRD's ongoing investigations inform the PSHB response decisions.

COMMENT:

Since the establishment of the PSHB QA, WALGA has facilitated DPIRD briefing sessions, provided regular updates to the sector and established a dedicated [webpage](#) for downloadable resources for Local Government to support communications to residents.

PSHB has potentially significant implications for affected Local Governments' management of green waste, street trees and public open space. Initial WALGA analysis of street tree lists and street tree mapping data from four metropolitan Local Governments indicates that more than half of the tree species used by these Local Governments are potential hosts for the PSHB.

While DPIRD continues undertaking investigations to determine the most appropriate response to PSHB, Local Governments are encouraged to monitor their trees for any [signs of PSHB](#) and consider the implications of the establishment of the PSHB in their area, especially the impact on the tree canopy.

WALGA will continue to work with DPIRD to ensure the implications of the incursion for Local Governments are considered in the ongoing response to PSHB.

RECOMMENDATION:

GVROC note WALGA's recommendation as presented.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas
Seconded: Mr Brian Joiner, Shire of Menzies

Carried

8.4 State Planning Policy 2.9: Planning for Water - Submission (05-036-03-0070 AR)

WALGA Recommendation

That the endorsed Draft State Planning Policy 2.9: Planning for Water submission be noted.

IN BRIEF:

- In August 2021, the Department of Planning, Lands and Heritage (DPLH) released *Draft State Planning Policy 2.9: Planning for Water* (the policy) and policy guidelines for public consultation.
- The draft policy is an amalgamation of six different state planning policies related to water, and the Government Sewerage Policy.
- WALGA provided extensive input on the draft policy's formulation as a member of the stakeholder reference group.
- Many of WALGA's recommendations were included in the draft policy and guidelines. Consequently, WALGA's submission proposed mostly minor amendments to strengthen existing provisions and support the policy's implementation.
- State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was provided to the DPLH on 8 November 2021.

ATTACHMENT:

- [Flying Minute: State Planning Policy 2.9: Planning for Water](#)

BACKGROUND:

In August 2021, the Department of Planning, Lands and Heritage (DPLH) released [Draft State Planning Policy 2.9: Planning for Water](#) and policy guidelines for public consultation.

The intent of the new policy is “to ensure that planning and development considers water resource management and includes appropriate water management measures to achieve optimal water resource outcomes”. The policy's objectives are broad and encompass environmental, social, cultural and economic water related values; protection of drinking water sources; riverine flooding; water supply and reuse; resiliency to climate change; and wastewater management.

The draft policy is an amalgamation of the *Government Sewerage Policy* (2019) and six different state planning policies related to water: *SPP 2.1 - Peel-Harvey coastal plain catchment* (1992); *SPP 2.2 - Gngangara Groundwater Protection* (2005); *SPP 2.3 - Jandakot Groundwater Protection* (2017); *SPP 2.7 - Public drinking water source* (2003); *SPP 2.9 - Water resources* (2006); and *SPP 2.10 - Swan-Canning river system* (2006).

Preparation of the new policy commenced in 2018. As part of the process, the DPLH established a stakeholder reference group that included representatives from the Department of Water and Environmental Regulation; the Department of Biodiversity, Conservation and Attractions; Main Roads Western Australia; Water Corporation; the Peel Harvey Catchment Council; and the Urban Development Institute of Australia (WA). WALGA was represented on this group by its Planning and Building Team and Environment Team.

WALGA's advocacy in relation to the preparation of SPP 2.9 and this submission included:

- Representation on the stakeholder reference group since 2018;
- A Local Government workshop in 2019 attended by approximately 30 participants including Local Government planners and engineers, representatives from DPLH, the Western Australian Planning Commission (WAPC) and private consultant Urbauqua, to seek Local Government input early in the policy formulation process;
- Targeted consultation with Local Governments most likely to be affected by the policy, particularly those in Perth's growth areas in 2020;
- The release of WALGA's draft submission for sector feedback; and

- A webinar in October 2021 attended by approximately 70 Local Government planners, engineers and other officers with water related responsibilities, and representatives from the DPLH, to discuss the policy and draft submission.

COMMENT:

Many of the recommendations proposed by WALGA during the policy review process were included in the draft policy and guidelines, demonstrating the productive working relationship between WALGA and the DPLH and the Department's comprehensive approach to stakeholder engagement in preparing the policy.

The following key areas of WALGA advocacy and support were addressed in the draft policy:

- Clarity on the role of planning instruments that can be used to apply the policy, such as special control areas and local planning policies;
- The importance of preserving ecological linkages to mitigate ecological system fragmentation;
- Local Government discretion to exempt dams from the requirement to seek planning approval;
- Strengthening the need for proposals to manage nutrient exports within acceptable levels, particularly for intensive agricultural land uses and in accordance with State Government requirements;
- A four-stage process for assessing the cumulative impact of large development proposals;
- A clear presumption against the intensification of development within defined floodways;
- Requirement for site and soil evaluators to be accredited and registered; and
- Key implementation recommendations such as fact sheets, consistent planning scheme and policy provisions, and support for Local Governments to identify approaches that ensure appropriate development can continue on subdivided, unsewered lands within the bounds of the policy and guideline requirements.

WALGA's submission therefore contains mostly minor amendments to strengthen existing provisions within the policy and guidelines to ensure:

- Public open spaces have adequate fit-for-purpose water resources so new communities have access to irrigated public open spaces; and
- Proponents seek the support of the relevant Local Government when that Local Government is not the relevant planning authority, where it is intended that Local Government will be the infrastructure asset manager or where the proposed location of water infrastructure assets impact Local Government assets or facilities.

The submission also makes recommendations to support the policy's implementation. The DPLH has advised that budget has been allocated to support on-ground policy implementation following the policy's formal adoption.

The People and Place Policy Team endorsed the submission on 25 October 2021. State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was submitted to the DPLH on 8 November 2021.

RECOMMENDATION:

GVROC note the WALGA endorsed Draft State Planning Policy 2.9: Planning for Water submission.

RESOLUTION:

**Moved: *Cr Ian Mickel, Shire of Esperance*
Seconded: *Mr Brian Joiner, Shire of Menzies***

Carried

8.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry (05-034-01-0102 TL)

WALGA Recommendation

That the endorsed Submission to the Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected member be noted.

IN BRIEF:

- The Salaries and Allowance Tribunal (SAT) are undertaking their annual Inquiry into Local Government Chief Executive Officer and Elected Member Remuneration, with submissions sought by Friday, 28 January 2022.
- Due to the timeframes involved, the submission was endorsed by State Council by Flying Minute following consideration by the State Council Governance and Organisational Services Policy Team.
- The submission makes three recommendations relating to Elected Member remuneration and the Regional/Isolation Allowance that may be payable to Chief Executive Officers as follows:
 - That Elected Member Fees and Allowances (including maximum reimbursable expenses) are increased by up to four percent.
 - That the maximum payable Regional/Isolation Allowance be increased for Local Governments that are particularly isolated, long distances from population centres with low amenity.
 - That the Salaries and Allowances Tribunal publish the methodology, criteria, and weightings for the Regional/Isolation Allowance.

ATTACHMENT:

- [Flying Minute – Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry](#)
- [Submission to Salaries and Allowances Tribunal – Remuneration Inquiry: Local Government Chief Executive Officers and Elected Members](#)

BACKGROUND:

The Salaries and Allowances Tribunal wrote to WALGA on 2 December 2021 advising of their annual Inquiry into Local Government Chief Executive Officers' and Elected Members' Remuneration with submissions invited from Local Governments and other stakeholders by Friday, 28 January 2022.

Given the late January deadline, which does not align with State Council's meeting schedule, the draft submission was considered by State Council via Flying Minute, following consideration by State Council's Governance and Organisational Services Policy Team.

COMMENT:

The submission discusses two issues:

1. The need for a broad increase in remuneration for Elected Members given very limited increases over the past five years coupled with increasing responsibilities and time commitments of the role, and
2. A need for an increase in the maximum payable Regional/Isolation Allowance for particularly remote and isolated Local Governments, coupled with a request for more detail of the Regional/Isolation Allowance's methodology to be published.

In relation to [Elected Member remuneration](#), the submission:

- Highlights that Elected Member remuneration has increased by one percent during the past five years while, in the four years to June 2021, the consumer price index for Perth has increased by 7.14 percent and the public sector wage price index has risen by 4.68 percent.
- Argues that the responsibilities and workload of Elected Members is increasing and references mandatory training requirements, data from the 2021 Local Government elections in terms of uncontested and unfilled vacancies, and the Minister for Local Government's proposal to reduce the number of Elected Members in many Local Governments.

- Argues that the remuneration framework should not be a barrier to enhanced diversity in Elected Member representation to reflect community demography.
- Recommends that Elected Member Fees and Allowances, including limits for reimbursable expenses, are increased by up to four percent.

In relation to the Regional/Isolation Allowance which may be payable to Chief Executive Officers, the submission:

- Notes the inadequacy of the Regional/Isolation Allowance is a concern to many of WALGA's members, particularly remote and isolated Local Governments, and therefore recommends that the maximum payable Allowance be increased for remote and isolated Local Governments to facilitate Chief Executive Officer attraction and retention.
- Highlights the confusion and uncertainty in the Local Government sector regarding the methodology for calculating the Regional/Isolation Allowance and, on that basis, recommends that further information regarding the methodology, criteria and weightings be published.

The [final submission](#), which was first considered and endorsed by State Council's Governance and Organisational Services Policy Team, was endorsed by State Council by Flying Minute on 25 January 2022 and has been put forward to the Salaries and Allowances Tribunal for their consideration.

The Local Government Remuneration Determination is expected to be published in early April 2022.

RECOMMENDATION:

GVROC note the WALGA endorsed Submission to the Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected members.

RESOLUTION:

Moved: *Mr Cary Green, Shire of Ngaanyatjaraku*
Seconded: *Cr Laurene Bonza, Shire of Dundas*

Carried

9. Review of WALGA State Council Agenda - Organisational Key Activity Reports

- 9.1 Report on Key Activities, Commercial and Communications (01-006-03-0017 CH)
- 9.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)
- 9.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- 9.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0017 NM)

GVROC COMMENT:

GVROC note the Organisation Key Activity Reports as provided.

RESOLUTION: Moved: *Cr Laurene Bonza, Shire of Dundas*
Seconded: *Cr Peter Craig, Shire of Leonora*

Carried

10. Review of WALGA State Council Agenda - Policy Forum and Policy Team Reports

The following provides an outline of the key activities of the Association's Policy Forums that have met since the last State Council meeting.

Recommendation

That the reports on the key activities of the WALGA Policy Forums and Policy Teams to the March 2022 State Council meeting be noted.

Policy Forums

The following Policy Forums have been established

- Mayors/Presidents Policy Forum (refer to Presidents Report for March 2022 at **Attachment 6**)
- Mining Communities Policy Forum

Policy Teams

- Environment and Waste Policy Team Report
- Governance and Organisational Services Policy Team Report
- Infrastructure Policy Team Report
- People and Place Policy Team Report

RECOMMENDATION:

GVROC notes the Policy Forum and Policy Teams Report update

RESOLUTION: Moved: *Cr Laurene Bonza, Shire of Dundas*
Seconded: *Cr Ian Mickel, Shire of Esperance*

Carried

11. Review of WALGA State Council Agenda – State Council Status Report

11.1 Complete Status Report on State Council Resolutions - To the March 2022 State Council Meeting

GVROC COMMENT:

Additional to the Complete Status Report on State Council Resolutions, **Attachment 7** provides the relevant Goldfields Esperance Country Zone Status Report.

RECOMMENDATION:

GVROC notes the Complete State Council Status Report to the March 2022 State Council meeting and the Goldfields Esperance Country Zone Status Report.

RESOLUTION:

Moved: *Cr Ron Chambers, Shire of Esperance*
Seconded: *Cr Peter Craig, Shire of Leonora*

Carried

12. LATE ITEMS as notified, introduced by decision of the Meeting

12.1 Request for WALGA to advocate on behalf of LGAs to the WA State Government to join the National Heavy Vehicle Regulator

REPORTING OFFICER: Peter Fitchat CEO, Shire of Dundas

BACKGROUND:

The National Heavy Vehicle Regulator ([LNHVR](#)) is Australia's regulator for heavy vehicles.

Headquartered in Brisbane and employ more than 470 people across the ACT, Queensland, New South Wales, South Australia, Tasmania and Victoria.

NHVR were established in 2013 as a statutory authority to administer one set of laws – the [Heavy Vehicle National Law \(HVNL\)](#) – which applies in all Australia's states and territories except the Northern Territory and Western Australia.

In the six states and territories where the HVNL applies, there are more than:

- 91,700 registered prime movers
- 814,000 registered heavy vehicles
- 230,500 registered operators
- 475 road managers.

NHVR's vision is to have a safe, efficient and productive heavy vehicle industry serving the needs of Australia.

NVHR aim to achieve this by working collaboratively with industry, governments and partner agencies to:

- provide leadership and drive sustainable improvement to safety, productivity and efficiency outcomes across the heavy vehicle transport sector and the Australian economy
- minimise the compliance burden, while ensuring the objects of the HVNL are achieved and duty holders meet their obligations
- reduce duplication of, and inconsistencies in, heavy vehicle regulation across state and territory borders.

Some state road transport authorities and other government agencies deliver various frontline services on our behalf. See [National Services Transition](#) for more information.

A Registered Industry Code of Practice (RICP) is one that has been assessed by the National Heavy Vehicle Regulator (NHVR) as complying with NHVR's [Guidelines for Preparing and Registering Industry Codes of Practice \(PDF, 497KB\)](#) and which therefore qualifies for registration under section 706 of the Heavy Vehicle National Law (HVNL). To achieve this status, it must promote a risk-based safety and compliance framework and provide guidance to all relevant parties in the chain of responsibility about how to identify and mitigate the risks associated with their transport activities and how to meet their obligations under the HVNL.

A distinguishing feature of an RICP is that it may be used in court proceedings as evidence of what is known about hazards, risk assessments or risk controls associated with transport activities and may be relied on to determine what is reasonably practicable in the circumstances. (See s 632A, HVNL)

NHVR has already registered one code of practice – known as the Industry Master Code - which has been developed to provide guidance across a broad range of industry sectors. NHVR must ensure that all codes that it registers are consistent with each other. Therefore, any subsequent RICP must align with the Master Code and should reference it where there is overlap. Supplementary industry specific RICPs are to be read in conjunction with the Industry Master Code.

COMMENT:

The Shire of Dundas as advised that the online system that the NHVR provides, would provide valuable information and data for LGAs if the Western Australian State Government joined up to it, especially in the case of tracking and dealing with emergency situations involving Heavy Vehicles.

This matter has been raised previously in the Regional Road Group Zone meetings but has not been progressed by Main Roads WA.

On that basis the GVROC would like the WALGA State Council to request the Infrastructure Policy Team to investigate the matter further and advocate for Western Australia's inclusion on the NHVR.

RECOMMENDATION:

GVROC request that the WALGA State Council request the WALGA Infrastructure Policy Team to investigate the matter further and advocate for Western Australia's inclusion on the NHVR.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Cr Peter Craig, Shire of Leonora

Carried

13. FUTURE MEETINGS

With the continuing and evolving situation of the COVID-19 "Corona Virus" scheduling of future meetings as in person is a watching brief. This will be reviewed at each meeting by GVROC and decisions made on whether the meetings are held as in person meetings or conducted through Zoom video conferencing.

In noting the above, the following suggested dates in 2022 have been set for the remaining GVROC meetings.

- 1 April 2022 (Norseman hosted by Shire of Dundas)
- 27 May 2022 (Kalgoorlie hosted by City Kalgoorlie Boulder)
- 29 July 2022 (TBC)
- October 2022 (TBC Perth to coincide with LGA Week and WALGA AGM)
- 18 November 2022 (TBC)

The following are the WALGA State Council meeting dates in 2022 with suggested GVROC Zoom video conference meeting dates prior to these to inform the GVROC's representatives attending the meetings with relevant input for State Council Agenda Items:

- 4 May 2022 WALGA State Council Meeting - GVROC meeting on **22 April 2022**
- 6 July 2022 WALGA State Council Meeting - GVROC meeting on **24 June 2022**
- 8-9 September 2022 WALGA State Council Meeting - GVROC meeting on **26 August 2022**
- 7 December 2022 WALGA State Council Meeting - GVROC meeting on **25 November 2022**

14. CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 10:00am.