



GVROC Council Meeting to consider WALGA State Council Agenda Items for its meeting on 4 March 2020

Friday 28 February 2020
Teleconference, commenced at 9.05am

Unconfirmed minutes

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GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (GVROC)

**Teleconference meeting of the GVROC Council to consider WALGA State
Council Agenda Items was held Friday 28 February 2020 9.05am**

AGENDA

1. OPENING AND ANNOUNCEMENTS

The purpose of the meeting is to provide advice to the WALGA State Council Representative, Cr Mal Cullen on the Agenda for the WALGA State Council Meeting to be held on 4 March 2020.

The Chair also apologise for the technical issues with logging into the teleconference, which was to start at 8:30am.

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
Mr James Trail	CEO, Shire of Coolgardie
Cr Tracey Rathbone	Deputy Shire President, Shire of Coolgardie
Mrs Leanne Shilton	Shire of Coolgardie
Cr John Bowler	Mayor, City of Kalgoorlie-Boulder
Cr David Grills	Councillor, City of Kalgoorlie Boulder
Mr Peter Fitchat	CEO, Shire of Dundas
Cr Ian Mickel	President Shire of Esperance
Mr Matthew Scott	CEO, Shire of Esperance
Cr Shelley Payne	Councillor, Shire of Esperance
Mr Jim Epis	CEO, Shire of Leonora
Cr Timothy Carmody	Councillor, Shire of Wiluna
Mr Andrew Mann	Executive Officer, GVROC

3.2 Apologies

Mr John Walker	CEO, City of Kalgoorlie Boulder
Cr Laurene Bonza	President, Shire of Dundas
Cr Patrick Hill	President, Shire of Laverton
Mr Peter Naylor	CEO, Shire of Laverton
(submitted comments to GVROC Executive Officer for consideration in absence)	
Cr Shaneane Weldon	Councillor, Shire of Laverton
Cr Peter Craig	President, Shire of Leonora
Cr Greg Dwyer	President, Shire of Menzies

Mr Peter Money	CEO, Shire of Menzies
Cr Jill Dwyer	Councillor, Shire of Menzies
Cr Keith Dunlop	President, Shire of Ravensthorpe
Mr Gavin Pollock	CEO, Shire of Ravensthorpe
Cr Ian Goldfinch	Councillor, Shire of Ravensthorpe
Cr Jim Quadrio	President, Shire of Wiluna
Cr Damian McLean	President, Shire of Ngaanyatjaraku
Mr Kevin Hannagan	CEO, Shire of Ngaanyatjaraku
Mr Colin Bastow	CEO, Shire of Wiluna
Mr Warren Olsen	A/CEO Shire of Wiluna

3.3 Guests
Nil

3.4 WALGA Representatives (Via Teleconference)

James McGovern
Melissa Pexton
Alison Maggs

3.5 DLGSCI Representatives (Via Teleconference)

Erin Bond
Gordon MacMile was a late apology due to the teleconference connection issues delaying the meeting by 30 minutes.

4. MINUTES OF MEETINGS

4.1 Minutes of a Meeting of GVROC to consider WALGA State Council Agenda Items held 29 November 2019

Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 29 November 2019 are presented for adoption (**Attachment 1**).

RECOMMENDATION:

That the Unconfirmed Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 29 November 2019 be confirmed as a true and correct record of proceedings.

RESOLUTION: **Moved: Tracey Rathbone, Deputy Shire President, Shire of Coolgardie**
 Seconded: Mr Jim Epis, CEO, Shire of Leonora

Carried

5. Review of WALGA State Council Agenda - Matters for Decision

From Chair GVROC CEO Group

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 Agenda for the 4 March 2020 can be found at **Attachment 2**

5.1 National Redress Scheme – Future Participation of WA Local Governments (05-086-03-0004 KD)

WALGA Recommendation

That State Council:

- 1. Acknowledge the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;**
- 2. Endorse the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and**
- 3. Endorse by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.**

In Brief

- The National Redress Scheme (the Scheme) commenced on 1 July 2018.
- The Department of Local Government, Sport and Cultural Industries has led an information and consultation process with the WA Local Government sector about the Scheme since January 2019.
- In July 2019 State Council endorsed, in principle, to participation by WA Local Government in the State's National Redress Scheme declaration emphasising the need for full financial coverage by the State Government.
- A significant advocacy outcome has been achieved with the State Government considering the sector's position and reaching a final position in December 2019 to endorse State Council's position, including the commitment to cover costs relating to redress payments to survivors.
- State Government agencies will again engage with Local Governments in early 2020, to inform of the:
 - State Government's decision and the implications for the sector
 - support to Local Government (financial and administrative) to be provided by the State, and
 - considerations and actions needed to prepare for participation in the Scheme.
- State Government agencies will work with WALGA and all Local Governments over upcoming months to ensure that the necessary agreements, decisions, delegations, actions and preparations are in place to commence participation in the Scheme from 1 July 2020.
- Timeline / Critical Actions (WA Local Government Participation in the National Redress Scheme).Information Paper: 3 February 2020.

COMMENT:

An information paper was distributed to all Local Governments on 3 February 2020 in advance of WALGA Zone meetings to:

1. outline the State Government's decision
2. detail actions that that need to be undertaken by individual Local Governments to prepare for participation in the Scheme, and

3. detail considerations, requirements and obligations for individual Local Governments to comply with when participating in the Scheme.

The State Government will work with WALGA to draft a:

1. Memorandum of Understanding (MOU) - The MOU will capture the overall principles of Western Australian Local Governments participating in the Scheme as State Government institutions and being part of the State's declaration as a necessary document to capture the Local Government sector's best interests.
2. Template Service Agreement – that will be executed on an 'as needed' basis between State Government and an individual Local Government, if a redress application is received.

The Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Justice will work with WALGA / Local Government Professionals and all Local Governments to prepare for participation in the Scheme including:

1. identifying appropriate staff to process requests for information
2. ensuring Local Governments have delegated authority to an officer to execute a service agreement with State Government if needed
3. ensuring Local Government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc.), and
4. gathering the necessary information from all individual Local Governments to commence participation in the Scheme.

This is a significant outcome for the Local Government sector and together with the State Government we will work together to ensure a consistent response for WA survivors accessing the Scheme.

NOTE:

A presentation from the DLGSC was distributed with the agenda (Attached to these minutes) and for any other queries regarding this information please contact Gordon MacMile, Director Strategic Coordination and Delivery at the Department of Local Government, Sport and Cultural Industries via Email: gordon.macmile@dlgsc.wa.gov.au or Telephone: (08) 9492 9700.

GVROC support the WALGA recommendation and note the presentation material received from the DLGSC.

RESOLUTION: **Moved: Mr Jim Epis, CEO, Shire of Leonora**
 Seconded: Mr Peter Fitchat, CEO, Shire of Dundas

Carried

5.2 Submission on Aboriginal Empowerment Strategy (05-032-03-0011 SM)

WALGA Recommendation

That the submission to the Department of Premier and Cabinet in response to the Aboriginal Empowerment Strategy be endorsed.

In Brief

- WALGA has prepared a submission to the Department of Premier and Cabinet in response to the Discussion Paper '*A Path Forward: Developing the Western Australian Government's Aboriginal Empowerment Strategy*'.
- The Submission supports the development of an Aboriginal Empowerment Strategy to deliver a strategic foundation that enables the State Government to work more coherently as a whole, to work better with Aboriginal people, communities and organisations, Commonwealth and Local Governments, the private and philanthropic sectors and broader society, and which ensures transparency and accountability to the Western Australian community.
- The Submission advocates for:
 1. The inclusion of principles that specifically recognise the central importance of:
 - Acknowledging the impact of intergenerational trauma and shame and supporting Aboriginal peoples healing and wellbeing.
 - Fostering young Aboriginal peoples' positive aspirations for their future.
 - Education about Aboriginal culture for Aboriginal and non-Aboriginal people.
 - Truth telling.
 2. Involving Local Government in the design, development and implementation of State, regional and local action and implementation plans under the Strategy, recognising that the capacity, resources, staff levels and strategic priorities of all Local Governments are different.
 3. The clear articulation of the roles and responsibilities of all stakeholders, including Local Government, in the State, regional and local action and implementation plans.
 4. Alignment of the measurement and evaluation of the outcomes of the Strategy to a recognised outcomes measurement framework.
 5. Alignment of the Strategy with the Reconciliation Action Planning framework to support Local Governments to deliver outcomes that empower Aboriginal people.

COMMENT:

The Submission supports the development of an Aboriginal Empowerment Strategy as a tool to facilitate coordination across State Government as a whole, to assist it to work better with Aboriginal people, communities and organisations, Commonwealth and Local Governments, the private and philanthropic sectors and broader society, and which ensures transparency and accountability to the Western Australian community.

Supporting the State Government's proposal to develop an Aboriginal Empowerment Strategy aligns with the principles of the 2017 State – Local Government Partnership Agreement which recognises the commitment of the sectors to work together to improve communication, consultation and good governance, and improve outcomes for all Western Australians. The overall goal for the Strategy is '*Aboriginal people, families and communities being empowered to live good lives and choose their own futures from a secure foundation*'.

Supporting the development of an Aboriginal Empowerment Strategy by the State Government will benefit Local Government through the improvement of State Government processes; increased coordination between State Government, Local Government, Aboriginal people and community; local and regional place-based design and delivery of services and programs; enhanced local decision making; and, on a broader community level, improved health and wellbeing outcomes for Aboriginal people which benefits all Western Australians.

GVROC support the recommendation in principle, however, GVROC suggest that WALGA should broaden the definition to encompass all people of socio-economic disadvantage.

GVROC also suggest that there needs to be further investigations on the need for educational support and services and the impacts that result from it.

RESOLUTION: **Moved: Tracey Rathbone, Deputy Shire President, Shire of Coolgardie**
 Seconded: Mr Peter Fitchat, CEO, Shire of Dundas

Carried

5.3 WALGA Submission on Independent Review of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

WALGA Recommendation

That the submission on the Independent Review of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC) be endorsed.

In Brief

- The EPBC Act is Australia's central piece of national environmental law, focusing on matters of national environmental significance (MNES).
- The EPBC Act must be independently reviewed every 10 years. Professor Graeme Samuel AC, has been appointed to undertake the second review of the Act which will report in October 2020.
- A Discussion Paper seeking comment on the operation of the EPBC Act was released in November 2019, closing on 17 April 2020. It is intended that responses to the discussion paper will help inform the next steps in the review.
- The WALGA submission recognises the significant interaction that WA Local Governments have with environmental legislation at both the State and Commonwealth level and highlights and makes recommendations on matters of concern to the sector.
- The submission notes that many Local Governments find the Commonwealth assessment process both confusing and cumbersome, strongly supports the need for a bilateral agreement between the State and Commonwealth to facilitate a single environmental assessment and approval process and recommends an increased emphasis on strategic assessments and bioregional planning rather than assessments of individual actions, better engagement with Local Government and other improvements to the EPBC Act.

GVROC COMMENT:

The draft WALGA submission notes that Local Governments have significant interactions with environmental legislation at both the State and Commonwealth level in relation to their land use planning responsibilities and in their role as land owners and managers, but that many Local Governments find the Commonwealth assessment process both confusing and cumbersome.

The key areas of concern and recommendations made in the submission, are:

- ongoing environmental decline and loss of biodiversity suggest that the Key Objects of the EPBC Act related to ecologically sustainable development and conservation of biodiversity are not being met, partly due to a continued emphasis on assessment of individual actions rather than strategic assessment and bioregional planning
- options to overcome the barriers to the use of strategic assessments should be investigated, including amendments to the EPBC Act to compel strategic assessment of impacts on MNES in particular circumstances
- there should be greater use of bioregional planning, and involvement of Local Governments in the development of these plans
- greater cooperation between Local Government and the Commonwealth on environmental matters, including for strategic assessment and bioregional planning, should be included within the Objects of the EPBC Act
- continued reporting on progress towards ecologically sustainable development and the State of the Environment is supported but it is noted that there is a significant lack of data to facilitate these reports. WALGA recommends greater involvement by Local Government in any expanded data collection efforts and any necessary changes to the EPBC Act and its operation to support this
- support for the implementation of a bilateral agreement between the Commonwealth and Western Australia for both environmental assessment and approvals

- the Department should increase its regional presence, including through the placement of officers in WA or establishing dedicated service units for each State and Territory within the Department in Canberra
- that the EPBC Act be amended to provide for an independent agency/board to carry out assessments, oversee the implementation of the Act and to provide independent advice to the Minister as required, as is the case in WA
 - this would improve the transparency of assessments under the EPBC Act, and environmental protection in general, and would improve trust in the system.
- the operations of the EPBC Act could be streamlined by:
 - moving to a single national list of threatened species, and ecological communities,
 - having a single national offsetting policy and process
 - strengthening the processes by both the Department and proponents for early engagement with stakeholders, and
 - developing key performance indicators for the assessment process and the publication of performance against these indicators.
- that a trigger for large scale emissions of greenhouse gas emissions be considered for inclusion in the EPBC Act, and
- notwithstanding the challenges of regulating land clearing at a national level and the difficulties in operationalising a land clearing trigger as an MNES under the EPBC Act, the review should consider options to address this issue.

GVROC support the recommendation but also want it noted that there needs to be more cooperation and harmonization of environmental laws and regulations between the Commonwealth and the State Government to reduce duplication and redtape.

RESOLUTION: **Moved: Cr John Bowler, Mayor, City of Kalgoorlie-Boulder**
 Seconded: Cr Ian Mickel, President Shire of Esperance

.....Carried

6. Review of WALGA State Council Agenda - Matters for Noting/Information

6.1 Draft Position Statement: Residential Aged Care – Submission (05-036-03-0053 AR)

Recommendation

That the submission to the Draft Position Statement: Residential Aged Care be noted.

In Brief

- In October 2019 the Western Australian Planning Commission released the *Draft Position Statement: Residential Aged Care* for consultation.
- The purpose of the position statement is to remove planning process barriers and encourage the provision of an appropriate supply and diversity of residential aged care options.
- Submissions were due by 19 January 2020, prior to the next WALGA State Council meeting. Consequently, the submission was processed through WALGA's interim submission process, endorsed by State Council by Flying Minute on 17 January 2020 and submitted.

COMMENT:

The purpose of the Draft Position Statement is generally supported with a number of recommendations made within the submission relating to:

- Application of the Position Statement
- Scope of the Position Statement
- Local Planning Strategy Requirements
- Local Planning Scheme Definitions and Permissibility
- Local Development Plans

In particular, the position statement has missed the opportunity to create a strong connection to structure planning requirements, the precinct planning policy, R Codes and Liveable Neighbourhoods.

Overall, the position statement provides Local Government with some additional information on planning for residential aged care facilities but would benefit from modifications which strengthen linkages and interactions with the existing planning framework.

The People and Place Policy Team reviewed the Submission and State Council endorsed it via Flying Minute on 19 January 2020 (Resolution No.188.FM/2020).

GVROC support

RESOLUTION: **Moved: Tracey Rathbone, Deputy Shire President, Shire of Coolgardie**
 Seconded: Jim Epis, CEO, Shire of Leonora

Carried

6.2 Managing Housing Health Risks in WA (05-031-01-0001 BW)

Recommendation

That the submission to the Department of Health in response to the Managing Housing Health Risks in WA discussion paper be noted.

In Brief

- The *Public Health Act 2016* is progressing through a five-stage process of implementation and is currently at Stage 4. All regulations from the previous *Health Act 1911* will be repealed and replaced with new regulations at the commencement of Stage 5, which is anticipated to commence in 2021.
- The Department of Health released the 'Managing Housing Health Risks in WA' discussion paper for public comment with three options for consideration.
- WALGA's Submission discusses the Local Governments preference for Option C to develop new, updated regulations to manage public health housing risks.
- The People and Place Policy team reviewed the submission and State Council endorsed it via Flying Minute on 19 December 2019.

COMMENT:

WALGA received two responses from the Shire of Merredin and the City of Joondalup, and a submission from the Metropolitan Environmental Health Management Group (MEHMG) which represents approximately 30 Local Governments in the Perth Metropolitan area. All three submissions supported Option C; the DoH preferred approach, because the introduction of new, updated regulations will reflect the new expectations and requirements of the Public Health Act which is a risk based framework.

The report contains technical advice in response to the 12 survey questions. Additionally, the key concerns raised from the submissions but not directly dealt with in the discussion paper, relate to:

- needing support in dealing with the complex nature of hoarding and squalor, and
- uncertainty of how State housing will be managed under new regulations and the implications this will have for Local Governments.

WALGA has requested that Local Government Officers are directly involved in the process of drafting any new regulations to ensure that they adequately address Local Government issues. WALGA also requests that the DoH consider forming a special working group with Local Government Officers with representation from the Mental Health Commission, Department of Communities and Mental Health Service Providers to explore effective partnerships to deal with complex issues around hoarding and squalor.

The People and Place Policy team reviewed the submission and State Council endorsed it via Flying Minute on 19 December 2019. (Resolution No.186.FM/2020).

GVROC support

RESOLUTION: **Moved: Tracey Rathbone, Deputy Shire President, Shire of Coolgardie**
 Seconded: Cr John Bowler, Mayor, City of Kalgoorlie-Boulder

.....Carried

6.3 Submission on Modernising the Environmental Protection Act (1986)

Recommendation

That WALGA's submission on Modernising the Environmental Protection Act (1986) (EP Act) to the Department of Water and Environmental Regulation be noted.

In Brief

- The State Government is seeking to make amendments to the EP Act, and have released an Exposure Draft Bill and Discussion Paper explaining the reasons for the proposed changes
- Officers prepared a draft submission, which was sent out to the sector for comment, with some changes made to the draft
- The Environment Policy Team met on Wednesday, 16th January and endorsed the revised draft submission subject to minor changes
- The revised draft was sent out to State Council members as a Flying Minute for endorsement, and was endorsed on Friday, 24 January (*Resolution 189.FM/2020*).
- State Council is to note the final WALGA submission as submitted to the Department as the consolidated position of the sector on the EP Act review.

COMMENT:

The proposed changes to the EP Act are intended to modernise and streamline processes for environmental impact assessments, clearing permits, works approvals and licences, improve regulatory effectiveness, update the EP Act to reflect and accommodate technological developments, facilitate the implementation of bilateral assessment and approval agreements under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and address errors and inconsistencies.

The submission provides comment on proposed amendments to the EP Act as well as additional matters that WALGA considers should also be included in the Bill, or be considered to improve the effectiveness of the EP Act.

It expresses support for proposed amendments to the EP Act to improve its regulatory efficiency and effectiveness (including updating to account for technological developments, clarification of language and process, reflecting changes to related legislation, removal of anomalies and unnecessary process/requirements and removing unreasonable barriers to effective compliance and enforcement) on the proviso that environmental outcomes are not negatively affected.

Key points of the submission are:

- strongly opposes the imposition of further cost recovery for environmental assessments on Local Governments
- supports the introduction of a referral process for clearing for which an exemption does not apply but may not have a significant effect on the environment
- advocates for the State Government to develop a strategic, comprehensive and sustainably funded approach to the protection of native vegetation in Western Australia
- supports changes to the licencing system (a move to licence activities rather than premises and for the occupier of a premise being required to hold a licence if undertaking an activity which falls under Schedule 1 of the EP Act), and
- proposes further changes to the EP Act, including:
 - a requirement for a State of the Environment Report at least every 5 years
 - the development of a needs based approach to the approval of new landfills and other waste infrastructure
 - removing the need to refer all basic scheme amendments to the EPA and a streamlined approach for 'standard' and 'complex' scheme amendments that have no likelihood of materially impacting on the environment, and
 - imposing statutory timeframes for the resolution of appeals.

The submission acknowledges that a number of the proposed changes to the EP Act have the potential to improve environmental regulation in WA, but that the narrow scope of the proposed amendments misses the opportunity to look holistically at the EP Act (and related legislation) to ensure they are fit-for-purpose in protecting Western Australia's unique environment into the future. A thorough independent review of the EP Act is therefore also recommended.

GVROC support

RESOLUTION: **Moved: Tracey Rathbone, Deputy Shire President, Shire of Coolgardie**
 Seconded: Jim Epis, CEO, Shire of Leonora

.....Carried

6.4 Submission to the Productivity Commission on the National Transport Regulatory Reform (05-006-03-0013 ID)

Recommendation

That the submission to the Productivity Commission be noted.

In Brief

- WALGA has prepared a submission to the Productivity Commission on the National Transport Regulatory Reform.
- The Infrastructure Policy Team endorsed WALGA's submission, which contains the following recommendations:
 1. the Rail Safety National Law be amended to remove the requirement for Interface Agreements for rail crossings on disused rail lines, to allow limited resources to be focussed on those crossings where there is a material risk.
 2. transport regulation requirements be considered within the framework of the Safe System principles set out in the National and various State Road Safety Strategies.
 3. the authority responsible for management of the roads (specifically Local Governments) being considered for heavy vehicle access must remain central to the decision-making process.
 4. performance criteria be established and monitored in relation to the accuracy of access decisions.
 5. to encourage the use of pre-approved networks, mechanisms should be in place to ensure road managers are notified of significant changes to the volume of heavy movements on relevant parts of the network, particularly access roads which would be expected to carry relatively low volumes of heavy vehicle traffic.
 6. mechanisms to rapidly review access provision and / or respond with a suitable funding arrangements are required to be put in place to address damage caused by extraordinary freight loads.
 7. regulations ensure certainty around the powers of Local Governments, as road managers, to provide clarity in negotiations with freight generators.
 8. the Australian Government support the road development and maintenance costs associated with the movement of heavy vehicles on Local Government roads.
 9. an independent data hub be established to collate data on heavy vehicle movements for use by road managers, and a requirement for telematics and reporting be progressively implemented.
 10. the presence of modal competition be introduced as a criterion that can be used by Local Government road managers to make heavy vehicle access decisions.
- Submissions were due to close on 13 January 2020, but the Productivity Commission granted a two-week extension for WALGA's submission. The submission was submitted on 28 January 2020.
- The WALGA State Council endorsed the submission by Flying Minute as per resolution number 190.FM/2020.

COMMENT:

WALGA's recommendations address several of the recommendations in the Productivity Commission report which were considered to be of relevance to Local Government in Western Australia.

GVROC support and note that the City of Kalgoorlie Boulder have also made a submission.

RESOLUTION:

Moved: *Jim Epis, CEO, Shire of Leonora*

Seconded: *Cr John Bowler, Mayor, City of Kalgoorlie-Boulder*

Carried

6.5 Submission to Joint Select Committee on Road Safety (05-009-03-0050 MS)

Recommendation

That the submission to the Joint Select Committee on Road Safety be noted.

In Brief

- In August 2019, Federal Parliament appointed a Joint Select Committee on Road Safety *to inquire and report on steps that can be taken to reduce Australia's road accident rates, trauma and deaths on our roads.*
- Submissions close on 31 January 2020.
- The Infrastructure Policy Team endorsed WALGA's submission, which contains the following recommendations:
 1. Develop authentic partnership arrangements built on a common vision and goals, with appropriate resources (knowledge, funding, skills, data, etc.) that enables Local Governments to participate fully and effectively in their role to reduce road trauma.
 2. Consider introducing Government policies to encourage and support the accelerated renewal of the vehicle fleet in Australia.
 3. Provide national leadership and political support to plan and design an inherently safe road transport system suited to the progressive introduction of increasing levels of autonomous vehicles in Australia.
 4. Identify and quantify the differences and gaps in road standards to understand the extent of the task required to bring the network up to safe system standard.
 5. Develop a program that supports innovation through funding of demonstration projects and encourages others by show casing effective projects (e.g. national safe infrastructure awards).
 6. Develop and fund a program to assess and apply a star rating to the local road network
 7. Support and encourage targeted speed limit reductions planned in consultation with Local Governments and where possible involve community road safety partnerships.
 8. Review current standards including maintenance standards of road lining and signing to ensure these methods adequately inform road users of appropriate behaviours and travel speed.
 9. Develop a means of monitoring the level and extent of implementation (process evaluation) to understand what effort achieves certain results and to identify the gaps in implementation.
 10. Provide Local Governments with access to consistent accurate and timely road trauma and crash incident data to guide decision-making.
 11. Explore opportunities to develop and apply a systems-based methodology to road crash investigations, similar to aviation industry investigations.
 12. With the States and Territories, develop a method of collating data so that "serious injury" information is reportable for Australia.
 13. Align the next National Road Safety Strategy with the United Nations Sustainable Development Goals to link with global objectives.
 14. Consider a road safety framework allowing for the mix of personal, social, economic and environmental factors that contribute to road trauma.
 15. Define/identify who can/should contribute to road safety then measure and monitor the capacity of the identified parties.
 16. Introduce a formal structure, instrument and processes to enable regular and meaningful consultation and engagement with the Local Government sector.
 17. Initiate research to identify and develop a more sophisticated safe-system aligned approach as an evolutionary step for the Australian Government Black Spot program.
 18. Increase the percentage of funding allocated on the basis of road safety audits to proactively drive safe system transformation of the road network.

The WALGA State Council endorsed the submission by Flying Minute as per resolution number 191.FM/2020.

COMMENT:

WALGA's recommendations are in accord with previous submissions:

- Inquiry into progress under the National Road Safety Strategy 2011-2020 (Department of Infrastructure, Regional Development and Cities).
- Imagine Zero – Consultation for a road safety strategy beyond 2020 for Western Australia (Road Safety Council).

GVROC support the WALGA recommendations in principle noting the WALGA submission has already gone to the Joint Select Committee on Road Safety. However, GVROC will make a separate recommendation to the WALGA Infrastructure Policy Team noting:

- In regard to point 2 – GVROC do not support any move to reduce the speed limit on open roads with regional areas and would strongly argue against this change.
- Reopening rail lines to remove congested truck traffic off the roads, clearing of vegetation on road verges to a reasonable site distance, compulsory illumination of headlights are a number of ways in which traffic incidents could be reduced and need to be considered for future submissions/inquiries.
- Consideration needed on age and/or driving experience, with consideration on restrictions to purchase high powered vehicles that can travel at least twice the maximum speed limit and have the torque to reach the high speed at a very quick rate.
- Better driver education is needed, starting in schools and taking a proactive education stance to driver training.
- Also need to acknowledge the requirement for education of our Emergency Service operators, especially when dealing with motorists in accident situations and the risks involved.

RESOLUTION:

Moved: *Cr Ian Mickel, President Shire of Esperance*

Seconded: *Cr Timothy Carmody, Councillor, Shire of Wiluna*

Carried

6.6 WALGA Submission on Native Vegetation in Western Australia Issues Paper

Recommendation

That the WALGA submission on the Native Vegetation in Western Australia Issues Paper be noted.

In Brief

- The Native Vegetation in Western Australia Issues Paper was released for public comment in November 2019 for a three-month period, closing on 10 February 2020
- Officers prepared a draft submission, which was sent out to the sector for comment, with some changes made to the draft
- The Environment Policy Team met on 22 January and endorsed the revised draft submission subject to minor changes
- The revised draft was sent out to State Council members as a Flying Minute for endorsement and was endorsed on 31 January (RESOLUTION 192.FM/2020)
- The submission highlights key areas of concern and makes a number of recommendations for improvement, including that implementation be supported by a collaborative governance framework and that WALGA and Local Governments have the opportunity to participate in this process, and
- The WALGA submission was sent to the Department of Water and Environmental Regulation (DWER) on 6 February 2020.

COMMENT:

The WALGA submission notes that Local Government has local planning responsibilities and is both a manager of native vegetation and also requires clearing permits from time to time to facilitate infrastructure works, for example road widening and maintenance activities.

The four initiatives are generally supported but some key areas of concern and recommendations are made in the submission reflecting the priorities of the Local Government sector, including:

- changes to the decision-making processes that provide clear guidance on regulatory requirements, more consistent advice from DWER and improved timeliness of decisions, especially where time limited grants are tied to works requiring clearing are supported
- that a dedicated resource is established within DWER to deal with Local Government permit applications to provide both a timely service and a consistent application of policy
- that the Issues Paper and the initiatives, especially the proposed policy, are only about improved process and not about achieving better outcomes for native vegetation
- that without clear, outcomes-based objectives, including addressing the issues of ecological thresholds for the amount of clearing, these initiatives cannot deal with the challenges and threats facing native vegetation
- in this context it is recommended that an overall objective of net gain in vegetation cover and net improvement in vegetation condition be set
- that a wide ranging, strategic and comprehensive review of, and inquiry into, the clearing permit process and the planning and management of native vegetation in the State is required
- that the current list of clearing exemptions and their application in and outside of environmentally sensitive areas are both confusing and inconsistent
- that more and better information is needed to support good decision making, and making this data publicly available as an on-line resource should be prioritised
- a bioregional approach is supported but some key details need to be clarified including the setting of objectives, and that Local Governments need to be consulted as the approach is developed

- concerns regarding the current application of environmental offsets, specifically, that they can be a significant financial burden for smaller Local Governments in the agricultural region, and the submission proposes a more strategic approach which could aid smaller Local Governments in agricultural regions and help address the decline in native vegetation
- that the development and implementation of these initiatives be supported by a collaborative governance framework and be adequately resourced by the State Government, and
- that WALGA and Local Governments would be willing participants in this process.

GVROC support the recommendation in principle but advise WALGA to note that local governments need to have greater flexibility in terms of roadside vegetation clearing for road safety.

RESOLUTION: **Moved: Tracey Rathbone, Deputy Shire President, Shire of Coolgardie**
Seconded: Mr Peter Fitchat, CEO, Shire of Dundas

Carried

6.7 Proposed Amendments to the Planning and Development (Local Planning Schemes) Regulations 2015 for Container Deposit Scheme Infrastructure (05-036-03-0064 VJ)

Recommendation

That the submission on the proposed amendments to the Planning and Development (Local Planning Scheme) Regulations 2015, to exempt certain types of Container Deposit Infrastructure, be noted.

In Brief

- Minister for Planning sought public comment on proposed amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* that would help to facilitate the implementation of the Container Deposit Scheme.
- The proposed amendments are not supported as justification for the adoption of additional legislative provisions has not been provided, Local Government will be required to undertake compliance action if any CDS applicant incorrectly applies the proposed exemption clauses, and inappropriate site selection could undermine the intent and objectives of a particular zone within the Local Planning Scheme.
- The submission was due by 7 February 2020, prior to the next WALGA State Council meeting. Consequently, the submission was processed through WALGA's interim submission process, endorsed by State Council by Flying Minute on 5 February 2020 and submitted.

COMMENT:

WALGA is concerned that the State has now drafted exemption regulations under the Planning Regulations for all of the CDS infrastructure, despite the fact that much of the CDS infrastructure is already exempt from planning approval, or the type of applications that are being expected are in the 'minor application' type, which will be dealt with efficiently and effectively by local governments. There seems to be a perception that the Local Government sector will be unable to deal with these applications, and that the experience of QLD and NSW will be repeated in WA. A direct comparison cannot be made as the States have different legislation, WA has clear statutory timeframes for approvals, and the timeframe for the roll out of the CDS infrastructure is different.

The Industry's push to prepare these planning exemptions:-

- is counter intuitive to the State's objective for streamlining the planning system, red tape reduction projects or 'light touch' regulatory controls
- is creating an overly complicated set of drafting instructions
- could have unintended consequences within the planning system (including creating an unwarranted precedent), due to the rush to create this exemption
- has the potential to affect the good working relationship between the State and Local Government should the regulations be released for the required 8 week advertising period
- is neither efficient or effective in the resourcing required at DWER, DLPH, WALGA and Local Government levels

These concerns have also been raised at the State and Local Government Partnership Agreement meeting in October 2019, in front of the Premier and the Minister for Local Government, Minister for Planning and Minister for Environment.

The submission therefore has the main recommendation that:

- 1) The Local Government sector does not support the enactment of the proposed amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* for Container Deposit Scheme Infrastructure, for the following reasons: -
 - (i) justification for the adoption of additional legislative provisions has not been provided, in accordance with COAG's Principles of Best Practice Regulation;
 - (ii) Local Government will be required to undertake compliance action if any CDS applicant incorrectly applies the proposed exemption clauses; and
 - (iii) inappropriate site selection could undermine the intent and objectives of a particular zone within the Local Planning Scheme.

Feedback received from the sector:

- City of Subiaco officers have verbally provided support of the submission, particularly as they are in the process of endorsing their Local Planning Policy for CDS infrastructure.
- Shire of York officers have provided specific feedback on the impact of the infrastructure, which has been incorporated as an example at the end of the submission.

The submission was processed through WALGA's interim submission process and submitted on Friday 7 February 2020 (**RESOLUTION 193.FM/2020**).

NOTES:

GVROC should note that the Hon Stephen Dawson MLC recently announced \$200,000 in grants to help new container refund points (see attached link)

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2020/02/200000-dollars-in-grants-to-help-new-container-refund-points.aspx>

As part of this grants process information workshops will be held in the Goldfields Esperance Region as follows:

- Kalgoorlie Containers for Change Information Session, 31 March 4:00pm at the Goldfields Art Centre.
- Esperance Containers for Change Information Session, 1 April 4:00pm at the Esperance Civic Centre

GVROC support recommendation in principle, but WALGA to note that the changes need to work locally and there is a need for more local content.

RESOLUTION:

Moved: *Mr Jim Epis, CEO, Shire of Leonora*

Seconded: *Cr Ian Mickel, President Shire of Esperance*

Carried

6.8 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

Recommendation

That State Council note the resolutions of the Municipal Waste Advisory Council at its 11 December 2019 meeting.

In Brief

- This item relates to the MWAC meeting held on 11 December 2019, key outcomes of this meeting included:
 1. Agreement to send correspondence to the Environment Minister seeking clarification regarding the trajectory of the Waste Levy for 2020/21.
 2. Formalisation of the Consistent Communications Collective, a group which brings together Local and State Government and the waste industry to agree consistent approaches to waste management messages.
 3. Consideration of key issues relating to the introduction of Food Organic Garden Organic collection systems, including funding programs and representation on a State Government Reference Group.
 4. Agreement to send correspondence to the Premier regarding opportunities to encourage battery recycling in WA.
 5. Endorsement of Submissions on two Senate Inquiries and the proposed Export Bans for glass, plastic, paper/cardboard and tyres.

COMMENT:

The key issues considered at the meetings held on **11 December 2019** included:

Levy Trajectory – Letter to Environment Minister

The Waste Avoidance and Resource Recovery (WARR) Levy Regulations do not include any further increases in the Levy. The Department of Water and Environmental Regulation were aiming to release a consultation document on the Levy in late 2019. Local Governments will need clarification early 2020 regarding any expected increase in the Levy to ensure that budget processes can include this information. The proposed correspondence requested clarification on any proposed increase for the 2020/21 financial year.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the correspondence to the Environment Minister on the Waste Avoidance and Resource Recovery Levy.

Moved: Cr Hall Seconded: Cr Stroud

Formalise Consistent Communications Collective

The Consistent Communication Collective commenced as an informal group, led by WALGA, of Local Governments, Regional Councils, State Government and Material Recovery Facility operators in the following the China Sword announcement. The group has continued to meet and provides a forum for discussion of key communication issues. While the group is functioning well currently, it is important to ensure a formal underpinning, therefore the proposal is the group be constituted as a working group under MWAC.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the:

1. Consistent Communications Collective as a Working Group of MWAC
2. Terms of Reference for the Consistent Communications Collective.

Moved: Mayor Howlett Seconded: Cr Abetz

FOGO – funding, implementation and consultation

The DWER, on behalf of the Waste Authority, has developed the next phase of the Better Bins Program, Better Bins Plus: Go FOGO and provided MWAC with an opportunity to comment. WALGA has received responses from 29 of the 32 Perth/ Peel Local Governments regarding FOGO implementation.

The Waste Authority has formed a FOGO Reference Group and invited MWAC and WALGA to nominate members.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council:

1. Endorse the Submission on the Better Bins Mk II Program.
2. Note the responses from Local Governments regarding FOGO.
3. Endorse Local Government Members to the Waste Authority FOGO Reference Group
 - a. Scott Cairns – City of Wanneroo
 - b. Andrew Murphy – City of Vincent
 - c. Brice Campbell – Town of Bassendean
 - d. Paul Molony – City of Melville
 - e. Nuno Dionisio – City of Rockingham

Moved: Cr Hall Seconded: Cr Johnson

Battery Recycling – Letter to Premier

The State Government announced an online register to help future battery industry proponents to access State or Commonwealth funding. WALGA is writing to the Premier to clarify if battery recycling has been considered for funding, or inclusion in this register, as it is unclear whether it has been included.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the correspondence to the Premier on Battery Recycling.

Moved: Cr Hall Seconded: Cr Stroud

Senate Inquiry Product Stewardship Amendment (Packaging and Plastics) Bill 2019

A Senate Inquiry has been launched into a private members Bill put forward by Senator Whish-Wilson focusing on Product Stewardship, specifically packaging and plastics. The Bill strongly aligns with many of MWAC's Submissions and Policy Statements. If adopted, the Bill would assist in reducing costs to Local Government of recycling and litter clean up by ensuring greater producer responsibility.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission to the Senate Inquiry on Product Stewardship Amendment (Packaging and Plastics) Bill 2019.

Moved: Mayor Howlett Seconded: Cr Abetz

Senate Inquiry into Australia's waste management and recycling industries

The Senate Committee on Industry, Innovation, Science and Resources announced an inquiry into innovative solutions in Australia's waste management and recycling industries. The very broad terms of reference for the inquiry provide the opportunity to raise a number of issues relating to waste avoidance and the necessary conditions for innovation.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the draft Submission to the Senate Inquiry into Australia's waste management and recycling industries.

Moved: Mayor Howlett Seconded: Cr Abetz

Discussion Paper on Export Bans

The Meeting of Environment Ministers (MEM) agreed a timeline to ban exports of glass, mixed plastics, tyres and mixed paper and cardboard. Currently, except for glass, WA exports the majority of these materials. WALGA raised issues relating to the ban with the Environment Minister prior to the MEM meeting and anticipates there will be a need for ongoing advocacy on this issue.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission on the Discussion Paper on Export Bans.

Moved: Cr Hall Seconded: Cr Stroud

GVROC note Information and advise WALGA that it will at its next meeting on 20 March consider this matter further and write to WALGA and the Municipal Waste Advisory Council advising of its position.

RESOLUTION: Moved: *Tracey Rathbone, Deputy Shire President, Shire of Coolgardie*
Seconded: *Cr Ian Mickel, President Shire of Esperance*

.....Carried

6.9 2019 Annual General Meeting Status Update (01-003-02-0003 TL)

Recommendation

That the update relating to actions taken on 2019 Annual General Meeting resolutions be noted.

In Brief

- Nine motions were adopted at the 2019 WALGA Annual General Meeting held on 7 August 2019.
- The motions were forwarded to the relevant Policy Teams of State Council for action.
- State Council resolved that a report be prepared for the March 2020 State Council agenda detailing action taken on each of the motions.

COMMENT:

The status updates below are structured as follows: first, the motion endorsed by the meeting is presented, and then an update on action taken since August 2019 is articulated.

3.1 Coastal Erosion

Motion:

That WALGA advocate to the Federal and State Governments with respect to the importance of responding to the increasing challenges faced by Coastal Councils, and develop policy initiatives to include:

- 1. Introduction of a national funding formula to provide the resources necessary to manage and maintain the coast effectively on behalf of all Australians, including the funds needed to increase the adaptive capacity of Councils to address climate impacts.*
- 2. Allocation of State Funding Grants to properly investigate the causes of coastal erosion and to provide options to address the negative impacts and assist in funding the required works to stabilise the coastal areas and communities against coastal hazards where appropriate*
- 3. Development of an intergovernmental agreement on the Coastal Zone that will provide a coordinated national approach to coastal governance through and in cooperation with Australian state, territory and local governments and clearly define the roles and responsibilities of each tier of government in relation to coastal zone management.*
- 4. Creation of a National Coastal Policy, the basis of which is formed by the intergovernmental agreement on the Coastal Zone, that outlines the principles, objectives and actions to be taken to address the challenges of integrated coastal zone management for Australia.*
- 5. An increase in funding for Australian climate science research programs conducted by CSIRO and other research bodies, including the restoration of funding for the National Climate Change Adaption Research Facility or establishment of a similar body, and continuing support for CoastAdapt. This is essential to ensure that appropriate guidance in responding to coastal hazards is accessible by Australia's coastal Councils so that coastal communities and assets are adequately prepared to address the adverse effects of climate change impacts.*

Update:

In July 2019, the WALGA President publically raised the issue of coastal erosion and its impacts on Local Governments and their communities on the ABC TV news.

In August 2019, the State Government released the Coastal Erosion Hotspots in Western Australia report, commissioned to gain a better understanding of where coastal erosion is expected to have a significant impact on public and private property or infrastructure over the next 25 years. It identifies 55 locations across Western Australia – 15 metropolitan and 40 regional – that have varying levels of risk that will need collaborative solutions. An additional 31 locations have been placed on a watch-list for future monitoring. The estimated cost for managing the 55 locations could be up to \$110 million over the next five years, with additional funding required in the long term.

In October 2019, the President raised the issue of coastal erosion and inundation with the Premier, Treasurer and Ministers for the Environment and Local Government at the State Local Government

Partnership Agreement Leaders Meeting, and also placed it firmly on the ALGA agenda. The issue was subsequently addressed at the national level through the Meeting of Environment Ministers in Adelaide on 8 November 2019, where coastal erosion and inundation was acknowledged as a risk that requires a collaborative approach from all levels of government. With ALGA in attendance, Ministers agreed to establish an intergovernmental working group to collate existing information on coastal erosion and inundation hazard risk management, and propose a collaborative approach to coastal erosion for consideration through a future meeting of Environment Ministers.

Western Australia is the lead jurisdiction on the intergovernmental working group, which is currently being developed. ALGA has representation on this through WALGA (Dr Garry Middle). Concurrently, WALGA continues to advocate to the State Government through its State Pre-Budget Submission, seeking \$55m over four years to support the sector in managing the impacts of coastal erosion, and via the WALGA submission to the State Climate Change Issues Paper, with a strong focus on related legal liability, land use planning and risk management issues.

3.2 Department of Housing Leasing Residential Property to Charitable Organisations

Motion:

That WALGA advocate to the Minister for Housing to include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.

Update:

The WALGA President, Cr Lynne Craigie OAM, wrote to the Minister for Housing, Hon Peter Tinley AM MLA in September 2019 in relation to the issue addressed by the motion. The Minister's reply noted the Local Government sector's concerns but did not provide any undertaking to reform the system to require community housing providers to pay Local Government rates.

WALGA has also actively advocated on this issue (and broader related issues of rate exemptions) during the current review of the *Local Government Act 1995*. Advocacy will continue through the review of the *Local Government Act 1995* and other avenues.

3.3 Motorist Taxation Revenue and Spending in WA

Motion:

To support the independent position of the RAC, that WALGA call on the State and Federal Government to:

- 1. Provide a fairer distribution of funding from revenue collected from Western Australian motorists (consistently a minimum of 50%) to remediate Western Australia's road maintenance backlog and tackle the increasing costs of congestion and road trauma, to deliver productivity and liveability outcomes; and*
- 2. Hold an inquiry into road user pricing as part of a broader reform of motorist taxation that would remove revenue raising fees and charges, and / or hypothecate money collected for the provision of transport infrastructure and services.*

Update:

In September 2019 WALGA State Council resolved to forward these motions to the Infrastructure Policy Team for action. The Policy Team has held two video conferences to address specific matters, but has not met in person since September 2019.

In preparation for the Policy Team consideration of these motions, background research concerning fuel excise collections from WA has been undertaken and is on-going.

3.4 Biosecurity Groups (RBGs)

Motion:

That WALGA revokes its current policy position of not supporting the establishment and operations of Recognised Biosecurity Groups (RBGs) and that the decision on whether to support RBGs is to rest with individual Local Governments.

Update:

On 22 August, at the WALGA Forum on Pest Animal Biosecurity Management, the Minister for Agriculture committed to a review of the *Biosecurity and Agriculture Management Act 2007* in this term of government. The Terms of Reference for the review have yet to be released. In the interim, WALGA has been invited to participate on the Biosecurity Senior Officers Group, and seeks to ensure that the terms of reference for the review of the Act enable full consultation. The item is being considered at the March meeting of the Environment Policy Team.

3.5 WALGA Members Support for Waste to Energy

Motion:

That WALGA seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy.

In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill.

Update:

WALGA supports the intent of the Motion and will continue to advocate for action from the State Government regarding the implementation of the Waste Avoidance and Resource Recovery Strategy 2030. WALGA commends the motion and its identification of key issues such as the need to control the development of new landfills, to support the Strategy Targets, and to develop local solutions to divert material from landfill for material and energy recovery.

MWAC will continue to advocate for funding from the State Government regarding the implementation of the Waste Avoidance and Resource Recovery Strategy 2030. WALGA included in the Submission on the Environmental Protection Act review a specific recommendation in relation to reducing the proliferation of landfills, and will continue to advocate for this outcome.

3.6 Membership of Development Assessment Panels

Motion:

That WALGA advocate increasing Local Government membership in Development Assessment Panels.

Update:

A report on the change to membership of Development Assessment Panels was presented to the December 2019 State Council Meeting, where it was resolved:

That WALGA advocate to the Minister for Planning, that the composition of Development Assessment Panels (DAPs) be modified to provide equal representation of Specialist Members and Local Government Members, in accordance with the original objectives of the DAP system to enhance the decision making process by improving the balance of experts.

Correspondence has been sent to the Minister for Planning in accordance with the resolution above the following response has been received:

“As you are aware the recently released Action Plan for Planning Reform proposes several reforms and improvements to DAP systems and processes. These will provide a consistent robust DAP process reducing potential conflicts of interest and promote consistency of decision making, thereby addressing many of the perceived issues with the current system.

As you have noted, the composition of Local Government representation is not being considered as part of the current planning reform process, however, a number of other significant reforms are proposed. The most notable being a reduced number of DAPs to no more than three and the engagement of specialist members on a full time basis. This will be supported by the establishment of a pool of non-voting subject matter experts to provide DAPs with independent, expert advice as required.

It is my intention that these reforms will enhance the decision making process by providing greater consistency and transparency. The reduced number of DAPs and the engagement of full time specialist members will also allow specialist members to gain a greater level of local expertise therefore further enhancing the process.

Thank you for raising this with me and I encourage WALGA and the local government industry to remain an active participant in the planning reform process.”

These proposed changes to the DAPs composition, will require amendment to the DAP Regulations, therefore, the matter of Local Government equal representation will be raised again as part of the public comment period.

3.7 Review of the Mining Act 1978

Motion:

That:

- 1. WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the Mining Act 1978 with a view to maximising the benefits to local communities and its impact on local communities; and*
- 2. The Mining application process includes a mandatory MOU with the Local Government which would be overseen by the Auditor General to ensure fairness to the Community by having the mining company contribute to local infrastructures as a Legacy project.*

Update:

This item was referred to the Mining Communities Policy Forum for action in December 2019. Following the Forum's deliberations, an item for State Council's consideration will be included in the May 2020 State Council agenda.

3.8 Financial Assistance Grants

Motion:

That WALGA requests the Hon. Minister of Local Government and Communities David Templeman to assist all Local Governments to Lobby the Federal Government to retain the Financial Assistance Grant at one percent of the of Commonwealth Taxation Revenue.

Update:

This item will be considered by the Governance and Organisational Services Policy Team at their 4 March 2020 meeting, where the most appropriate policy position for FAGs funding moving forward will be discussed.

3.9 Third Party Appeal Rights

Motion:

- 1. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.*

2. *That there be an amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.*

Update:

A letter relating to this issue was sent to every Local Government Chief Executive Officer in WA on 9 November. The letter requested CEOs to advise whether their Council supports or does not support the motion to amend the Preferred Model. As several WALGA members have requested an extension to the original January deadline, the new closing date for feedback is 28 February 2020. An item will be presented to the May 2020 State Council meeting for State Council's consideration.

GVROC note Information

RESOLUTION: **Moved: Tracey Rathbone, Deputy Shire President, Shire of Coolgardie**
Seconded: Jim Epis, CEO, Shire of Leonora

.....Carried

7. Review of WALGA State Council Agenda - Organisational Reports

- 7.1 Report on Key Activities, Environment Policy Unit (01-006-03-0017 MJB)**
- 7.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)**
- 7.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)**
- 7.4 Report on Key Activities, People and Place (01-006-03-0014 JB)**

GVROC COMMENT:

GVROC note the Organisation Reports

RESOLUTION: **Moved: *Tracey Rathbone, Deputy Shire President, Shire of Coolgardie***
 Seconded: *Mr Peter Fitchat, CEO, Shire of Dundas*

.....Carried

8. Review of WALGA State Council Agenda - Policy Forum Reports

8.1 Mayors/Presidents Policy Forum

8.1.1 WALGA President Report for March 2020 (Attachment 3)

8.2 Mining Community Policy Forum

8.3 Container Deposit Legislation Policy Forum

8.4 Economic Development Policy Forum

GVROC COMMENT:

In relation to the review of the Government Financial Ratios.

- GVROC note that the Government Financial Ratios are still be worked on by WALGA.
- Regional WA representation is needed on the WALGA Sector Reference Group looking at the Government Financial Ratios to advise of the differences to metropolitan large councils with big rate bases compared to small local regional governments.
- GVROC Chair will write to WALGA requesting that a representative from GVROC be on the Sector Reference Group looking at Financial Ratios.
- Issues of Ratios have been flagged previously by GVROC with the DLGSC.

GVROC notes the Policy Forum Reports and WALGA President Report for March 2020

RESOLUTION:

Moved: *Jim Epis, CEO, Shire of Leonora*

Seconded: *Cr Ian Mickel, President Shire of Esperance*

.....Carried

<p>9. Review of WALGA State Council Agenda – State Council Status Report</p>

9.1 Goldfields Esperance Country Zone Status Report on State Council Resolutions - To the March 2020 State Council Meeting

GVROC COMMENT:

Refer to Attachment 4.

GVROC Chair advised that a good meeting was held on Emergency Management and Melissa Paxton is putting out a report. Further submissions can be added from the meeting

GVROC notes the State Council Status Report for the Goldfields Esperance Country Zone

RESOLUTION: **Moved:** *Jim Epis, CEO, Shire of Leonora*
 Seconded: *Tracey Rathbone, Deputy Shire President, Shire of Coolgardie*

.....Carried

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

Nil.

11. FUTURE MEETINGS

- 19 March 2020 (Kalgoorlie) GVROC Strategic Working Group
- 20 March 2020 (Norseman) includes a workshop on Infrastructure Priorities
- 15 May 2020 (Kalgoorlie)
- 10 July 2020 (Laverton)
- August 2020 – WALGA Local Government Convention in Perth (date TBC)
- 16 October 2020 (Coolgardie)

The following are the WALGA State Council meeting dates in 2020 with suggested GVROC teleconference meeting dates prior to these to inform the GVROCs representatives attend the meetings with relevant input for State Council Agenda Items:

- 6 May 2020 – (GVROC Teleconference 1 May 2020)
- 3 June 2020 Budget meeting - (GVROC Teleconference 29 May 2020)
- 1 July 2020 - (GVROC Teleconference 26 June 2020)
- 3-4 September 2020 Regional meeting Broome - (GVROC Teleconference 28 August 2020)
- 2 December 2020 - (GVROC Teleconference 27 November 2020)

12. CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 10:06am.