



CENTRAL COUNTRY ZONE

Minutes

Friday 25 June 2021

**Quairading Town Hall
Jennaberring Road, Quairading**

Commencing at 9.36am

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Agenda

Central Country Zone of WALGA

Friday 25 June 2021, commencing at 9.36am

1.0 OPENING AND WELCOME

1.1 Announcement by the Zone President, Cr Brett McGuinness, regarding COVID-19 Rules for the Meeting

Zone President Cr McGuinness opened the meeting at 9.36am, welcoming all in attendance. He reminded delegates of needing to be mindful of the various COVID-19 requirements in place.

He also advised that Agenda Item 6 would be held over until after the morning tea break.

1.2 Vale Greg Hadlow

The Chair invited Garrick Yandle, CEO Shire of Kulin, to lead a memorial to the late Greg Hadlow.

The wording of the tribute is provided below.

On behalf of Kulin Shire Council, the Central Country Zone and the wider local government sector it is my honour to provide this tribute to Greg Hadlow – Freeman of Kulin Shire who gave 41 years of dedicated service to the Local Government Sector. He worked in numerous Local Government organisations across Western Australia, in a variety of roles. His most significant role and lasting legacy was that of Chief Executive Officer at Shire of Kulin over 17 years. He was an outstanding leader not just in Kulin, but in the region.

Greg commenced in Local Government in Quairading 1975 as a junior office assistant, gaining promotion within local government authorities in Mt Marshall, Boyup Brook and Dowerin before commencing as Shire Clerk in Westonia in 1987. His career continued solely in the industry: -

1987 – 1990 Shire Clerk Westonia

1990 – 1994 Shire Clerk Narembeen

1994 – 1995 Consultant/Deputy Shire Clerk Christmas Island

1995 – 2001 CEO Kulin

2001 – 2003 CEO Meekatharra

2003 – 2005 CEO Kondinin

2005 – 2016 CEO Kulin

Following his retirement in 2017 he was bestowed the honour of Local Government Distinguished Officers Award. The following provides a short excerpt from his nomination.

Good leaders lead by example. Greg was not only a good leader, he was a great leader. With an innate ability to inspire people around him to push boundaries, push themselves, work together and be inspired to be the best they can be. Greg was integral in leading staff and through his role as CEO showed that dedication to the improvement of the community has a direct correlation to the quality of life of residents. Greg has been an integral part of progressing a shire that is very forward thinking.

Greg was always a community champion. He promoted and encouraged Councillors, Shire staff, community members and co-workers, to make Kulin, and the region, the best it could be. His proactive and visionary leadership has greatly influenced the Kulin community to become what it is today.

During his tenure as Chief Executive Officer with Shire of Kulin, Greg had an unwavering conviction in Kulin as a proactive town that will not only sustain itself into the future, but, due to the 'can do' attitude, the community will continue to thrive. The success of the Shire of Kulin is due to the

consistent performance of Greg in his role as CEO, and as an active community member. Greg's style of management was a mix of authoritative (visionary) and democratic. He had clear directive and high standards, and encouraged everyone to be involved (where appropriate) in the direction and decision making. Being a valued team member, and community member, created lasting and positive results.

It is well known that Kulin has continually 'punched above its weight' and that is due to consistent efforts for the Shire and community to work together. Due to this mutual respect, many of the project and programs that were developed while Greg was Chief Executive Officer have received recognition both through media and awards. Shire of Kulin take great pride in competing against much larger shires and government agencies and/or private enterprise and being recognised amongst these peers for their outstanding performance.

Working as a team, thinking outside the square, and making the most of what we have in the most effective way all epitomised Greg. Greg always had an attitude that we look at our opportunities, consider them both financially and socially, and then work towards the common goal.

His excellent ability to communicate and involve a diverse range of community members in projects that would better the Kulin community was typified by his open-door policy and the regular stream of rate payers and community members who felt they were able to express their ideas or concerns. Greg listened to people and ensured they felt listened to. The gamut of people who attended a community send off for Greg in May 2016 testifies to the long and robust relationships he sustained in his role as CEO.

As evidenced by the many stories and tributes yesterday, Greg was a legend of local government and a legend in his own right. He was a fun loving, larger than life, gregarious character who has touched many people across the industry and no doubt within this room. If there was one person in local government we could all learn from or aspire to be it was Greg, however there could only ever one Greg Hadlow and "there is nowhere in Kulin like the Wheatbelt" as Greg would say. Rest In Peace – Greg.

A minute's silence was observed by the meeting.

1.3 Welcome – Cr Wayne Davies, President Shire of Quairading

Cr Wayne Davies, President Shire of Quairading, extended a welcome to delegates and guests.

1.4 Beverley Golf Day

The Shire of Beverley has contacted the Executive Officer regarding the potential for the Shire to host a Central Country Zone Golf Day later in the year.

The background to this proposal is that some of the local businesses in Beverley have expressed interest in supporting a golf day.

Should the Zone's Member Councils agree to support and participate in the golf day the Shire is happy to host and organise the event on Friday 24 September 2021.

The Shire will be making contact with Member Councils in the coming weeks.

1.5 Meeting Etiquette

Zone delegates are reminded to state their names clearly when moving or seconding a motion.

2.0 ATTENDANCE AND APOLOGIES

Attendance

Cr Brett McGuinness (Chair)
Cr Don Davis
Cr Chris Pepper
Cr David White

Councillor, Shire of Quairading
President, Shire of Beverley
Deputy President, Shire of Beverley
Councillor, Shire of Beverley

Mr Stephen Gollan	CEO, Shire of Beverley
Cr Katrina Crute	President, Shire of Brookton
Cr Neil Walker	Deputy President, Shire of Brookton
Ms Kellie Bartley	Manager Corporate and Community Services, Shire of Brookton
Cr Mike Weguelin	Deputy President, Shire of Corrigin
Ms Natalie Manton	CEO, Shire of Corrigin
Cr Mark Conley	President, Shire of Cuballing
Mr Gary Sherry	CEO, Shire of Cuballing
Cr Julie Ramm	President, Shire of Dumbleyung
Cr Marilyn Hasleby	Councillor, Shire of Dumbleyung
Cr Grant Robins	Councillor, Shire of Kulin
Mr Garrick Yandle	CEO, Shire of Kulin
Cr Len Armstrong	President, Shire of Lake Grace
Cr Ross Chappell	Councillor, Shire of Lake Grace
Mr Alan George	CEO, Shire of Lake Grace
Mr Leigh Ballard	President, Shire of Narrogin (left the meeting at 12.20pm and did not return)
Cr Tim Wiese	Deputy President, Shire of Narrogin
Mr Dale Stewart	CEO Shire of Narrogin (left the meeting at 12.20pm and did not return)
Cr Bill Mulrone	President, Shire of Pingelly (entered the meeting at 10.03am)
Cr Peter Wood	Councillor, Shire of Pingelly (entered the meeting at 10.03am)
Mr Paul Sheedy	A/CEO, Shire of Pingelly (entered the meeting at 10.03am)
Cr Wayne Davies	President, Shire of Quairading
Cr Jonathan Hippisley	Councillor, Shire of Quairading
Mr Graeme Fardon	CEO, Shire of Quairading
Cr Phillip Blight	President, Shire of Wagin
Cr Greg Ball	Deputy President, Shire of Wagin
Mr Bill Atkinson	CEO, Shire of Wagin
Cr Ian Turton	President, Shire of Wandering
Cr Graeme Parsons	Councillor, Shire of Wandering
Cr Kevin King	President, Shire of West Arthur
Mr Ian Fitzgerald	A/CEO Shire of West Arthur
Cr Julie Russell	President, Shire of Wickpin
Mr Mark Hook	CEO, Shire of Wickpin
Cr Moya Carne	Councillor, Shire of Williams
Mr Geoff McKeown	CEO, Shire of Williams

Ms Helen Westcott, Joint Executive Officer

WALGA Representatives

Mr Tony Brown, Executive Manager Governance and Organisational Services
 Ms Naoimh Donaghy, Governance and Organisational Services Officer

Main Roads WA Representatives

Mr Craig Manton, Wheatbelt Regional Manager
 Mr Brad Pearce Operations Manager - Narrogin

Guests

Hon Mia Davies MLA, Member for Central Wheatbelt (Leader of the Opposition) (entered the meeting at 10.20am)

Hon Steve Martin MLC, Member for the Agricultural Region (left the meeting at 11.54am and did not return)

Mr Richard Burnell, Director Corporate Services Department of Fire & Emergency Services (entered the meeting at 10.15am)

Apologies

Mr Ian D'Arcy, CEO Shire of Brookton
Cr Des Hickey, President Shire of Corrigin
Mr Graham Foster, A/CEO Shire of Dumbleyung
Cr Barry West, President Shire of Kulin
Ms Belinda Knight, CEO Shire of Wandering

Ms Karen Strange, Deputy Chair RDA Wheatbelt
Ms Mandy Walker, Director Regional Development RDA Wheatbelt
Wheatbelt Development Commission
Mr Peter Rundle MLA, Member for Roe

Hon Martin Aldridge MLC, Member for the Agricultural Region
Hon Sandra Carr MLC, Member for the Agricultural Region
Hon Colin De Grussa MLC, Member for the Agricultural Region
Hon Shelley Payne MLC, Member for the Agricultural Region
Hon Darren West MLC, Member for the Agricultural Region

Mr Rick Wilson MP, Member for O'Connor

3.0 DECLARATION OF INTEREST

Nil

4.0 MINUTES

4.1 Confirmation of Minutes from the Zone Meeting held Friday 23 April 2021 (Attachment)

RECOMMENDATION:

That the Minutes of the Meeting of the Central Country Zone held Friday 23 April 2021 be confirmed as a true and accurate record of the proceedings.

RESOLUTION: **Moved: Cr Mulroney** **Seconded: Cr Blight**

That the Minutes of the Meeting of the Central Country Zone held Friday 23 April 2021 be confirmed as a true and accurate record of the proceedings.

CARRIED

4.2 Business Arising from the Minutes of the Zone Meeting held Friday 23 April 2021

6.1 Budget Central Country Zone 2021/2022 Budget

RESOLUTION: **Moved: Cr Crute** **Seconded: Cr Hopper**

That on the basis that the Central Country Zone proceed with a secretarial service from WALGA at no cost to the Zone:

- 1. That the Draft Budget for the year ending 30 June 2022, as circulated, be adopted with a general subscription for each Member Council set at \$2,000 (excluding GST); and*
- 2. Retain the current commitment in the 2021/2022 budget for the Local Government Agricultural Freight Group, however request that the Local Government Agricultural Freight Group commit to holding quarterly meetings and undertake a review of its effectiveness and achievements over the 2019 and 2020 calendar years so as to enable the Zone to consider its continued involvement prior to the adoption of the Zone's 2022/2023 budget.*

CARRIED

The Executive Officer has written to the Local Government Agricultural Freight Group (LGAFG) with respect to part 2 of the above resolution. As yet the Zone has received no response from LGAFG.

8.3 Zone Discussion on the **Local Government (Model Code of Conduct) Regulations 2021**

RESOLUTION: **Moved: Cr Crute** **Seconded: Cr McFall**

- 1. That the Central Country Zone strongly supports WALGA's position on the Local Government (Model Code of Conduct) Regulations 2021 which reads:*

"WALGA:

- Does not support the inclusion of local level complaints about alleged behavioural breaches and Local Governments dealing with complaints provisions in Division 3, Clauses 10 and 11; and*
- Supports an external oversight body to manage local level complaints involving council members."*

- 2. That the Central Country Zone write to the Minister for Local Government and Leader of the Opposition advocating WALGA's position.*

CARRIED

Correspondence has been prepared.

The Minister for Local Government's office has acknowledged receipt of the correspondence but as yet a formal response has not been received.

In writing to the Leader of the Opposition, the Zone President also invited the Leader of the Opposition to the June meeting of the Zone, which the Hon Mia Davies MLA has accepted.

4.3 Minutes of the Executive Committee Meeting held Wednesday 9 June 2021 (Attachment)

Presenting the Minutes of the Executive Committee Meeting held Wednesday 9 June 2021.

Executive Officer Comment:

Any recommendations from the meeting are included as separate agenda items.

RECOMMENDATION:

That the Minutes of the Central Country Zone Executive Committee Meeting held Wednesday 9 June 2021 be received.

RESOLUTION: **Moved: Cr Armstrong** **Seconded: Cr Crute**

That the Minutes of the Central Country Zone Executive Committee Meeting held Wednesday 9 June 2021 be received.

CARRIED

The Shire of Pingelly entered the meeting at 10.03am

5.0 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) BUSINESS

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

5.1 State Councillor Report

Cr Phillip Blight

CENTRAL COUNTRY ZONE STATE COUNCILLOR REPORT WALGA STATE COUNCIL MEETING May 2021

The positions as adopted by the Central Country Zone were in line with WALGA recommendations and passed without amendment.

Of note was this motion passed by the GREAT EASTERN COUNTRY ZONE
Local Government (Model Code of Conduct) Regulations 2021 (Zone item)
That the Great Eastern Country Zone write to the Minister for Local Government and advise that the Zone; Does not support the inclusion of local level complaints about alleged behavioural breaches and Local Governments dealing with complaints provisions in Division 3, Clauses 10 and 11; and 2. Supports an external oversight body to manage local level complaints involving council members.

Which is very similar to the position taken by us.

Cr Blight also advised the meeting that WALGA was preparing a template document for State Councillors to use in the reporting back to their respective Zones.

5.2 WALGA Status Report (Attachment)

Presenting the Status Report for June 2021

The Status Report provides an update on matters the Zone has previously raised with WALGA.

RECOMMENDATION:

That the Central Country Zone notes the:

- State Councillor Report; and
- WALGA Status Report.

RESOLUTION: **Moved: President Ballard** **Seconded: Cr Conley**

That the Central Country Zone notes the:

- **State Councillor Report; and**
- **WALGA Status Report.**

CARRIED

5.3 Review of WALGA State Council Agenda - Matters for Decision

From Executive Officer

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

5.1 Reviews of the *Cat Act 2011* and *Dog Act 1976* (05-034-01-0001 JM)

WALGA Recommendation:

That WALGA seek a commitment from the State Government:

1. for the conduct of comprehensive reviews of the *Cat Act 2011* and *Dog Act 1976*; and
2. that the reviews incorporate Local Government-specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

The Department of Local Government, Sport and Cultural Industries released the *Statutory Review of the Cat Act 2011 and Dog Amendment Act 2013 Report* in December 2019. A statutory review of legislation is required when a provision is included in the statute, which appears in Section 86 of the Cat Act and Section 60 of the Dog Amendment Act.

The review commenced in May 2019 for a 12-week period with the release of the 'Pause for Paws' Paper. The Department received approximately 7,000 written and online submissions in total, substantially from members of the public and dog and cat representative associations and bodies.

The Report summarises the consultation process that led to the summary of findings. The feedback and information gathered as part of the Review were intended to inform any future review or amendments of the Acts.

Consultation with the Local Government sector was planned in discussion with WALGA, Local Government Professionals WA and WA Rangers Association, resulting in the following key themes arising:

1. *A centralised registration database – to include microchip details and if a dog has been declared dangerous.*
2. *The need for rangers to have the power to enter premises, seize animals and obtain owners details in some situations. It was noted that this would be particularly useful in circumstances of repeated non-compliance of pet owners.*
3. *Sterilisation*
 - a. *Mandatory sterilisation should be introduced for dogs (unless an approval to breed or other exemption is approved)*
 - b. *Sterilisation age for cats should be reduced as they reach sexual maturity before six months (the current sterilisation age)*
4. *Penalties should be incurred when cats wander/trespass on property without consent. A cat curfew should be introduced, or cats should be confined to their property.*

The *Statutory Review of the Cat Act 2011 and Dog Amendment Act 2013 Report* can be found [here](#)

The Summary of Findings in Appendix 1 of the Report contains the range of proposals arising from the entire consultation process.

In communicating the outcome of the Statutory Review, the Department informed WALGA that *'the Government is considering the feedback from the review and...if specific changes to the Cat Act or Dog Act are to be considered/proposed (as a result of the review), further detailed consultation would be undertaken'*. There is yet to be an announcement by the State Government of an intention to conduct a full review of the *Cat Act* and/or *Dog Act*.

Commentary from Local Governments and Zones since the Review is that Item 4 of the above key themes is of particular importance to the sector, with Local Governments currently frustrated with the lack of enforcement capability for cats wandering, causing a nuisance or impacting on sensitive environments.

The local law-making head of power under Section 79 of the *Cat Act 2011* does not permit Local Governments to require that cats be contained within their owner's property, as is the case with the *Dog Act* requiring dogs to be 'effectively confined' within the owner's property, and creates an offence for a 'person liable for the control of a dog' if it is not kept under effective control in a public place (except a dog exercise area).

The Annual Report 2014 of the Joint Standing Committee on Delegated Legislation identifies a number of occasions when attempts to make local laws that require containment of cats to properties were frustrated by the lack of the relevant head of power under the *Cat Act*.

ZONE COMMENT:

Zone supports the WALGA recommendation

5.2 Amendments to WALGA's Constitution (01-001-01-0001 TL)

WALGA Recommendation:

That the WALGA Constitution be amended as follows:

1. INSERT Definition – "*Present*" means attendance in person or by electronic means deemed suitable by the Chief Executive Officer.
2. Clause 5 (10) – DELETE "and Associate Members".
3. Clause 5 (11) – DELETE "Ordinary Member or", REPLACE "State Council" with "Chief Executive Officer" in the first sentence, INSERT "or its delegate" after State Council in the second sentence.
4. Clause 6 (3) – REPLACE "31 May" with "30 June".
5. Clause 7 (2) – REPLACE "30 June" with "31 July".
6. Clause 11 (1) – after Chief Executive Officer, INSERT "in accordance with the Corporate Governance Charter".
7. Clause 11 (2) – after Chief Executive Officer INSERT "by providing notice to State Councillors of the date, time, place and purpose of the meeting"
8. DELETE Clause 11 (3)
9. Clause 12 (1) – DELETE "as, being entitled to do so, vote in person"
10. DELETE Clause 12 (2)
11. Clause 12 (3) – DELETE "as, being entitled to do so, vote in person"
12. Clause 12 (4) – DELETE "as, being entitled to do so, vote in person"
13. Clause 16 (1) & (2) – After Any election INSERT "other than to elect the President or Deputy President", REPLACE "generally in accordance with the provisions of the *Local Government Act 1995* as amended (2) For the purposes of the election referred to in sub-section (1)" with "as follows".
14. Clause 16 (2) (f) – REPLACE two instances of "2" with "1".
15. INSERT Clause 16A – Election Procedure – President and Deputy President
 - (1) An election to elect the President or Deputy President shall be conducted as follows:
 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of "first-past-the-post";
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;

- (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1 (d);
 - (h) if two or more candidates receive the same number of votes so that sub-section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
16. Clause 21 (4) – REPLACE “Chairman” with “Chair”.
 17. Clause 22 (1) – REPLACE “in August or September of” with “prior to 31 October”.
 18. Clause 22 (3) – DELETE “in person”
 19. DELETE Clause 22 (4) (b).
 20. Clause 23 (3) – DELETE “in person”
 21. Clause 24 (2) – DELETE “and of which vote is to be exercised in person”
 22. Clause 24 (4) – DELETE “as, being entitled to do so, vote in person”
 23. Clause 28 (1) – DELETE “The common seal shall be held in the custody of the Chief Executive Officer at all times.”
 24. Clause 29 (1) – DELETE “as, being entitled to do so, vote in person”
 25. Clause 29 (2) – DELETE “as, being entitled to do so, vote in person”
 26. Clause 31 (4) (c) – DELETE “and Regional Development”.

Voting Requirement: SPECIAL MAJORITY

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

Amendments to the Constitution are required to allow delegates to attend and vote virtually through a videoconference, webinar or other platform at Annual or Special General Meetings of the Association if required.

In addition, WALGA has this year changed its financial year end from 31 May to 30 June. The 30 June year end means that WALGA's financial year now aligns with Local Governments' year end. Amendments to clauses relating to the budget, termination of membership and the timeframe for holding the AGM are required as a result of this change.

The requirement to amend the Constitution has provided an opportunity to amend the election procedure for WALGA President and Deputy President. The proposed change would enable a second ballot to be held if two or more candidates are tied for the position. This aligns with the procedure in the *Local Government Act 1995* for the election by Council of Mayors, Presidents, Deputy Mayors and Deputy Presidents.

In brief, the amendments proposed are as follows:

- To remove requirements for delegates to attend annual and special general meetings in person;
- As a result of WALGA's change of financial year end to 30 June, from the previous 31 May year end;
- Allow a second vote to be conducted if two candidates tie in an election for President or Deputy President;
- Clarify the application process for Ordinary and Associate Members;
- Simplify the process for providing notice of State Council meetings;
- Allow motions at Special State Council meetings to be passed with a simple, as opposed to absolute, majority, except as required elsewhere in the Constitution, such as the absolute majority requirement to adopt the budget; and,
- Tidy up outdated wording.

Amendments to the Constitution will require endorsement by a special (75 percent) majority at State Council, as well as a 75 percent majority at an Annual General Meeting or Special General Meeting.

If the proposed amendments are endorsed by State Council, they will be put to the 2021 WALGA Annual General Meeting

A copy of the current WALGA Constitution marked up to show the proposed Amendments forms an attachment to the meeting agenda.

Member Councils may wish to ask WALGA's representatives about the proposed amendments.

ZONE COMMENT:

Zone supports the WALGA recommendation

RECOMMENDATION:

That the Central Country Zone endorses all recommendations being matters contained in the WALGA State Council Agenda other than those recommendations separately considered.

RESOLUTION: **Moved: Cr Crute** **Seconded: Cr Mulroney**

That the Central Country Zone endorses all recommendations being matters contained in the WALGA State Council Agenda other than those recommendations separately considered.

CARRIED

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

6.1 Submission to Ministerial Expert Committee on Electoral Reform (01-006-02-0010 TL)

WALGA Recommendation

That the Submission to the Ministerial Expert Committee on Electoral Reform be noted.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

Hon John Quigley MLA, Attorney General; Minister for Electoral Affairs, announced on Friday 30 April 2021 the establishment of a Ministerial Expert Committee to advise the Government on electoral reform.

The Committee's Terms of Reference are as follows:

The Government now asks the Committee to review the electoral system for the Legislative Council and provide:

- 1. Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council, and*
- 2. Recommendations for the distribution of preferences in the Legislative Council's proportional representation system.*

The Ministerial Expert Committee's website is available by following the link shown below:

<https://www.wa.gov.au/government/wa-electoral-reform>.

To facilitate the development of a WALGA submission to the Ministerial Expert Committee, the WALGA President established a Policy Forum of State Councillors that met twice during May 2021. In preparing the sector's submission the Policy Forum:

1. Considered a [background paper](#) and the Expert Committee's [discussion paper](#),
2. Discussed key issues with ABC Election Analyst, Antony Green,
3. Considered a range of models, ultimately recommending a preferred model, and
4. Shaped the arguments put forward in the submission.

A draft submission was put forward for State Council consideration at the 2 June 2021 special meeting of State Council. Following a number of amendments, the final submission was endorsed via Flying Minute on Friday 4 June. The flying email can be viewed by following the link shown below:

[Flying Minute – Draft Submission to the Ministerial Expert Committee on Electoral Reform](#)

The final submission contains the following sections:

- **Background** – including establishment of the panel and the State Council Policy Forum.

- **Group Ticket Voting** – recommending that group ticket voting be removed from the electoral system.
- **Whole State Electorate** – rejecting the option of electing the Legislative Council from an electorate comprising the whole state of WA.
- **Regional, Rural and Remote Representation** – arguing the importance of political representation for rural, remote and Aboriginal communities, highlighting the increased role for Local Government if Parliamentary representation is reduced, pointing out the economic contribution of regional Western Australia, and noting lower levels of government services relative to more populous regions. Also noting that Aboriginal communities remain significantly disadvantaged in Regional Western Australia and removing or limiting access to Members of Parliament will have significant repercussions and does not achieve electoral equality.
- **Conclusion** – emphasising the importance of rural and remote political representation, and restating the recommendations put forward in the submission.

The public consultation period closed on Tuesday 8 June 2021.

This matter also forms a separate agenda item (refer to Agenda Item 6.2).

ZONE COMMENT:

Zone supports the WALGA recommendation

6.2 Legal Response to the Coastal Hazard Planning Issues Paper (05-036-03-0065 AR)

WALGA Recommendation

That the update on the *Legal Response to the Local Government Coastal Hazard Planning Issues Paper (2021)* be noted.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

The *Legal Response to the Coastal Hazard Planning Issues Paper (2021)* is a certified legal response to questions outlined in the *Coastal Hazard Planning Issues Paper (2019)*.

The legal response will be useful for Local Governments preparing and revising Coastal Hazard Risk Management and Adaptation Plans (CHRMAs), which Local Governments are required to prepare under *State Planning Policy 2.6: State Coastal Planning Policy*.

ZONE COMMENT:

Zone supports the WALGA recommendation

6.3 WALGA Submission: Child Safety Officer (05-065-03-006 BW)

WALGA Recommendation

That the submission to the Department of Local Government, Sport and Cultural Industries and the Department of Communities in response to the *Discussion Paper On The Implementation Of Child Safety Officers In Local Governments* be noted.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

In December 2020, the Department of Local Government, Sport and Cultural Industries (DLGSC) and Department of Communities released the *Discussion paper on the implementation of child safety officers in local governments* to guide the consultation on recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse.

In order to provide feedback on the discussion paper, WALGA hosted a series of online discussions for Local Governments with LG Professionals, DLGSC and Department of Communities in attendance. 111 people from 56 Local Governments participated in these with participants ranging from CEOs to staff in Community Development, Governance, Human Resources, Recreation Services, and Libraries. Diverse Local Governments in terms of size, capacity and perspective participated. The majority of Local Government participants in the consultation process acknowledge that Local Governments have a role to play in child safety.

WALGA's submission makes the following recommendations:

1. It is recommended that the State Government, in consultation with Local Government, develop a clear framework for the implementation of Recommendation 6.12 and in that framework approach child safety as a function (similar to disability access and inclusion) within a Local Government, rather than an officer. This approach will provide a clear delineation between State and Local Government roles and responsibilities; limit risk to individual staff members; and enable Local Government to consider ways to strengthen child safety across all areas of the organisation, rather than focusing on one team or area of the organisation.
2. It is recommended that the scope of the Child Safety Officer function be clearly articulated, including minimum requirements and reporting requirements, and ensure that it does not cross over into child protection work. Prioritising the development of a clear framework within which the child safety function sits will address this issue.
3. The State Government should provide capacity building support to Local Governments, through the provision of resources including the following:
 - a. supporting materials such as template policies, procedures and guidelines;
 - b. consistent key messaging and resources to promote and share in venues and facilities and online;
 - c. examples of best practice, including case studies;
 - d. self-assessment tools to assist Local Government; and
 - e. ongoing training and skills development for Local Government staff to ensure that they can adequately fulfil the child safety function, including online training options.
4. It is recommended that the State's independent oversight body is resourced to provide expert officers within each region to provide support and guidance to Local Government on child safety. This is similar to the approach in NSW where a Local Government child safety advisor is provided by the NSW Children's Guardian.
5. It will be necessary for the State or Commonwealth to provide funding for the delivery of the child safety function within smaller, less well resourced (Tier 3 and Tier 4) Local Governments, as they do not have the current capacity to fulfil the child safety function. Consideration should be given to an alternative model for delivery of the child safety function in regional and remote areas, utilising existing State Government agencies such as DLGSC/Department of Communities outreach officers attached to the independent oversight body.
6. It is recommended that State Government and Local Government form a Working Group to guide further consultation and policy development on child safety.

The submission was endorsed by State Council via flying minute on 31 March 2021 and was provided to the Department of Local Government, Sport and Cultural Industries on 1 April 2021. The flying minute can be accessed by following the link shown below:

[Flying Minute – WALGA Submission: Child Safety Officer](#)

It is anticipated the State will release a findings paper in June and following this, invite WALGA to participate in a focus group to assist in the policy development.

Meeting Comment:

Cr Crute raised her ongoing concern about Local Government being required to have child safety officers, asking the question as to why the sector is being pushed "into this space", given that the industry as a whole does not have the skillsets required to undertake the work required.

Comment from WALGA was sought by the meeting.

Tony Brown noted that he did not believe the sector supported the requirement for Councils to have a child safety officer.

Natalie Manton, CEO Shire of Corrigin, advised that the Narrogin office of the Department of Communities was also concerned because they were also of the view that Councils did not have the necessary skills.

Tony Brown advised that training would be made available to Councils as part of the implementation process.

Hon Steve Martin MLC advised the meeting that he would follow up the issue with the Department of Communities.

Cr Crute commented that Local Government needed clarity about the role and what will be required of Local Government.

Dale Stewart, CEO Shire of Narrogin, suggested that the Zone should reaffirm to WALGA its position that it is not the function of local government to undertake the role and functions of child safety officer. This view was put to WALGA at the Zone Meeting held Friday 26 February 2021, at which time the Zone voted as shown below:

RESOLUTION: *Moved: Cr Crute* *Seconded: Cr Hopper*

That the WALGA Recommendation be amended to read:

That:

- 1. The submission to the Ombudsman, Western Australia in respect to the Draft Reportable Conduct Scheme for Western Australia be noted;*
- 2. Given the significance of the proposed legislation and its likely impact on small and medium sized Councils, WALGA express concern to the Ombudsman that the time constraint imposed for a submission meant it was unable to consult with the Local Government sector and request the opportunity for the submission period to be reopened to enable adequate consultation; and*
- 3. The Central Country Zone acknowledges the importance of the Royal Commission Recommendations but it is of the view that it is not the function of local government to undertake the role and functions of Child Safety Officer.*

CARRIED

RESOLUTION: **Moved: Cr Crute** **Seconded: President Ballard**

That the Central Country Zone reaffirms its view that it is not the function of local government to undertake the role and functions of Child Safety Officer.

CARRIED

ZONE COMMENT:

Zone supports the WALGA recommendation

Richard Burnell entered the meeting at 10.15am

Hon Mia Davies MLA entered the meeting at 10.20am

6.4 State Planning Policy 3.1 Residential Design Codes Volume 1 – Medium Density Code (05-015-02-002 CH)

WALGA Recommendation

That the endorsed submission on the interim review of State Planning Policy 3.1 Residential Design Codes Volume 1 Medium Density Code be noted.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

On 27 November 2020, the WA Planning Commission (WAPC) released the draft State Planning Policy 3.1 Volume 1: Medium Density Code (Medium Density Code) for public comment. The comment period closed on 16 April 2021.

The submission was presented to the People and Place Policy Team on 1 April 2021 and subsequently endorsed by State Council via Flying Minute. The flying minute can be accessed by following the link below:

[Flying Minute – State Planning Policy 3.1 Residential Design Codes Volume 1 – Medium Density Code](#)

The endorsed submission was provided to Department of Planning, Lands and Heritage before the submission deadline.

ZONE COMMENT:

Zone supports the WALGA recommendation

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

WALGA Recommendation

That State Council note the resolutions of the Municipal Waste Advisory Council at its 28 April 2021 meeting.

Executive Officer Comment:

The Municipal Waste Advisory Council (MWAC) met on 28 April 2021. The key issues considered at the meeting included:

- Submission on the National TV and Computer Product Stewardship Scheme Rules;
- Submission on the Inquiry into the Hazardous Waste (Regulation of Exports and Imports) Amendment Bills 2021;
- Submission on the Waste Plastic Export Ban Rules; and
- Submission on the Review of the NEPM for Used Packaging.

Copies of MWAC Agendas and Minutes are available on request from WALGA staff.

6.6 Local Government Performance Monitoring Project (05-047-01-0011 CH)

WALGA Recommendation

That the results of the *Local Government Performance Monitoring Report* (2019/2020) be noted.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

In September 2016 the Property Council released the report *Benchmarking Greater Perth Local Governments*, which purported to measure the planning performance of 29 Local Governments in the Greater Perth area. The media stated at the time that the report had “*shone a light on the poor performance of local planning by most Local Governments in Greater Perth*” and highlighted “*a worrying lack of strategic and statutory planning amongst councils.*”

The release of the Property Council's report, which contained a number of inaccuracies and selective use of data, was not well received by Local Governments.

To accurately report on the sector's performance around planning matters WALGA initiated in 2018 the Local Government Performance Monitoring Project and through this project prepared the *Local Government Performance Monitoring Report* (2018). WALGA has continued and expanded the Project producing subsequent reports in 2019 and 2020.

The latest report, *Local Government Performance Monitoring Report (2021)*, demonstrates the planning and building performance of 29 Local Governments from across Western Australia during the 2019/20 financial year. The report indicates that Local Governments continue to provide efficient and effective management of their planning and building regulatory functions. The report can be accessed by following the link shown below:

[Local Government Performance Monitoring Report \(2021\)](#)

WALGA has, and will continue to, encourage relevant State Government agencies to consider and use this performance information in any legislation, policy or regulations prepared by the State which affects Local Government.

WALGA has been discussing this project with other Local Government members, with a view to continue to increase member participation in the 2020/2021 financial year reporting period.

ZONE COMMENT:

Zone supports the WALGA recommendation

6.7 Review of Fire Weather Districts (05-024-03-0004 SM)

WALGA Recommendation

That State Council note information regarding the consultation on the review of the Western Australian Fire Weather Districts (FWD) being conducted by the Department of Fire and Emergency Services (DFES) and the Bureau of Meteorology (BoM).

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

Fire danger ratings (FDR) are issued for Fire Weather Districts on a scale of low to catastrophic. The FDR for each Fire Weather District is calculated as the highest FDR value that covers at least 10% of the Fire Weather District. Therefore, if only 15% of a Fire Weather District is forecast to have a severe FDR, the severe rating is applied across the remaining 85% of the Fire Weather Districts. This results in an FDR that may not be representative of the whole Fire Weather District.

This can create over warning and result in confusion for the public, significantly impact industries and agencies subject to regulations that are linked to FDR thresholds, such as Total Fire Bans and the automatic cancelling of Permits to Burn. For example, when a catastrophic FDR has been forecast for a Fire Weather District the usual Total Fire Ban exemptions do not apply.

Furthermore, the current Fire Weather Districts do not necessarily take into account boundaries of fuel types, terrain or weather influence which can significantly impact fire behaviour. In addition, the Fire Weather District boundaries do not necessarily align with Local Government boundaries, which can result in confusion for the community, agricultural sector and industry.

DFES and BOM through the Interagency Bushfire Operations Committee Australian Fire Danger Rating System Subcommittee have determined that the new Australian Fire Danger Rating System presents an appropriate opportunity to review and update the current Fire Weather Districts and has undertaken consultation with key stakeholders including Local Government.

The consultation period closed on 4 June 2021.

The following principles guided the review:

- Where possible, to avoid confusion align Fire Weather Districts and Public Forecast Boundaries
- Combine areas of similar climate
- Combine areas of similar land use and vegetation;
- Reduce area of the largest Fire Weather Districts
- Use Local Government boundaries where possible
- Use climate, vegetation, land use and infrastructure (such as major roads) as boundaries where possible
- Consider activity restrictions impacting industry and agriculture

- Limit the number of Fire Weather Districts (ie BOM have suggested a maximum of 40, due to practicality of issuing daily forecasts).

DFES and BOM's primary method for consulting with Local Government on the Fire Weather District review was intended to be through presentations at bushfire District Operational Advisory (DOAC) and Regional Operational Advisory (ROAC) meetings, however due to a delay in the preparation of the consultation materials this was not achieved in all instances.

WALGA assisted to ensure that Local Government were adequately consulted by disseminating the consultation materials to Local Government via Infopage and through the Local Government Emergency Management Network and WALGA Emergency Management newsletter; facilitating a webinar for Local Government on 21 May attended by representatives from 15 Local Governments; and scheduling for DFES to present on the review to the Local Government Emergency Management Advisory Group meeting on 28 May 2021.

The Interagency Bushfire Operations Committee Australian Fire Danger Rating System Subcommittee plans to finalise the changes to the Fire Weather Districts prior to September to allow for BOM Australian Fire Danger Rating System testing.

Member Councils may wish to provide comment on this issue.

ZONE COMMENT:

Zone supports the WALGA recommendation

6.8 2021-22 State Budget Submission Approach (05-001-03-0006 DM)

WALGA Recommendation

That the approach for the 2021-22 State Budget Submission, which was endorsed via flying minute be noted.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

Each year, WALGA prepares a submission to the State Government outlining the sector's priorities for the upcoming budget. Given the recent State Election and delays to the 2020-21 Budget, this year's budget will now be handed down in September.

The stronger than expected recovery in the WA economy and the record iron ore price has meant that there will be a substantial budget surplus (expected to be in the order of \$4 billion) in 2020-21, with further surpluses expected across the forward estimates. However, net debt is also at record levels. WALGA has received feedback that focus of the Budget will be to deliver on existing election commitments.

There is significant competition for funding from the State Budget. WALGA's submission will be one of many put forward by industry associations, advocacy groups, Government agencies and individuals.

WALGA has identified 10 initiatives that it is proposed will form the basis of the 2021-22 State Budget Submission. These include:

- Funding to fill existing gaps in FOGO processing infrastructure needed to turn the collected FOGO into high quality compost;
- Evolution of the State Underground Power Program, with State Government funding prioritized to project areas where the benefits to the households are less (lower property values) and the financial capacity to contribute is less;
- Investment in climate change adaptation, including funding for managing urgent coastal erosion hotspots, and enhancing the urban tree canopy;

- Funding to repurpose, upgrade and build new cultural and social infrastructure at a local level and as part of joint initiatives between the State and Local Governments and community organisations;
- Additional investment in telecommunications infrastructure, to unlock further opportunities to work in partnership with the Commonwealth and other key players to reduce communications gaps in regional areas;
- Extending the election commitment for funding for homelessness outreach services for an additional financial year;
- Extending funding for the Small Business Friendly Approvals Program to allow a greater number of Local Governments to participate;
- Support for the Local Government sector to transition to the State Industrial Relations System; and
- Funding to WALGA for a service level agreement with the Department of Local Government, Sport and Cultural Industries to provide capacity building support to assist Local Governments with good governance, financial management and process.

The Association's approach to the State Budget Submission was endorsed by State Council on 21 May 2021 via Flying Minute. A copy of the flying minute can be accessed by following the link shown below:

[Flying Minute – 2021-22 State Budget Submission Approach](#)

The final submission is being developed in the coming month and will be provided to State Council for endorsement in mid to late June.

Once the State Budget Submission has been provided to the State Government, WALGA will engage with Government officials and Members of Parliament to discuss the issues set out in the Submission.

Member Councils may wish to ask WALGA's representatives about the proposed budget initiatives.

ZONE COMMENT:

Zone supports the WALGA recommendation

6.9 Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA (05-031-01-0001 MM)

WALGA Recommendation

That the submission to the Department of Health in response to the Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA consultation be noted.

Executive Officer Comment:

The notes below are paraphrased from the WALGA State Council agenda item.

The Department of Health released the "Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in Western Australia" discussion paper for public comment in February 2021. The purpose of the consultation is to determine the best way to manage the public health risks from wastewater conveyance, treatment and disposal. The consultation forms part of the implementation of the *Public Health Act 2016* which requires the review the *Health (Miscellaneous Provisions) Act 1911* and associated regulations. The regulations being reviewed are the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 (Wastewater Regulations)*. There are also a number of Local Governments that own and manage wastewater systems, with 19 Local Governments having Class Exemptions from licensing under the *Water Services Act 2012* as they service less than 1,000 customers (19 Local Government wastewater managers). These 19 regional Local Governments are the Shires of Brookton, Coolgardie, Dalwallinu, Denmark, Dowerin, East Pilbara, Goomalling, Jerramungup, Kent, Koorda, Moora, Morawa, Northam, Ravensthorpe, Victoria Plains, Wickiepin, West Arthur, Yilgarn and the City of Karratha (Karratha Airport).

The discussion paper presents three options for the future regulation of wastewater conveyance, treatment and disposal:

- Option 1 - Retain the status quo by replicating the existing regulations as far as practicable.
- Option 2 - Deregulate the wastewater industry and repeal the current legislation associated with wastewater management. That is, to repeal without replacement the relevant provisions of the Health (MP) Act and its subsidiary legislation and adopted codes associated with wastewater management without replacement.
- Option 3 - Develop new public health regulations for wastewater management under the Public Health Act, which align with its principles and establish the necessary compliance requirements and processes. Option 3 is the Department of Health's preferred option.

The discussion paper is complex with 150 primarily technical questions. Feedback from some Local Governments was that the discussion paper did not make a compelling case for the recommended proposals or include potential implications for Local Governments of the proposed options.

In developing its submission WALGA consulted with Local Governments through various methods including co-hosting a webinar with the Department of Health on Thursday, 15 April, emails and phone conversations with EHO's. In the submission, WALGA has not provided a response to all 150 questions, but rather commented on issues of most significance to Local Government.

With respect to the *regulating of wastewater conveyance, treatment and disposal*, the majority of Local Government feedback supports Option 3 - to develop new regulations, which are largely based on the existing regulations and with the inclusion of minor amendments including training requirements and accreditation of Site and Soil Evaluators.

Feedback received by WALGA indicated that Local Government does not generally support the full adoption of the Australian Standards AS/NZS1547 in the new regulations. Limited evidence has been provided in the discussion paper to support the adoption of this standard. Adoption of this standard will likely increase the size requirement for wastewater systems, resulting in increased expenses for home builders.

WALGA recommends that the Department of Health engage further with Local Government when developing any new regulations.

As recommended by the *Select Committee into Local Government Final Report*, the regulatory impact statement for the development of any new regulations should outline the estimated costs and the resources that the State Government will provide to Local Government to meet the costs of any regulatory change.

The submission was endorsed by State Council via Flying Minute on 2 June 2021. The flying minute can be accessed by following the link shown below:

[Flying Minute - Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA: WALGA Submission](#)

As "wastewater managers", the Shires of Brookton, West Arthur and Wickepin might wish to provide comment on this item.

ZONE COMMENT:

Zone supports the WALGA recommendation

5.5 Review of WALGA State Council Agenda - Organisational Reports

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Commercial and Communications (01-006-03-0017 ZD)

Among the various issues covered in this report was one on the "Meet the Minister Breakfast" held on 20 May 2021. This was the first breakfast event by Local Government Minister, the Hon John Carey MLA, and attended by 135 Elected Members and officers from across the State. As a consequence,

there is interest from the Minister's office for WALGA to coordinate similar breakfast events in the regions if there is sufficient sector support.

The Minister's interest in attending breakfast events outside the Perth Metropolitan Region is a positive for communities such as those within the Zone.

As evidenced in the recommendation below, the Executive Officer believes that the Zone should discuss with WALGA the potential to coordinate a "Meet the Minister Breakfast" in the region.

RECOMMENDATION:

That the Central Country Zone request that WALGA look to coordinate a "Meet the Minister Breakfast" at a suitable location within the region.

RESOLUTION: **Moved: Cr Mulroney** **Seconded: Cr Blight**

That the Central Country Zone request that WALGA look to coordinate a "Meet the Minister Breakfast" at a suitable location within the region.

CARRIED

7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)

The report on Governance and Organisational Services highlighted a number of activities/projects undertaken since the last State Council Meeting, including the issues highlighted below:

The *Local Government Regulation Amendment 2021* became effective on 3 February 2021 introducing; Council Member Model Code of Conduct Regulations; CEO Standards for Recruitment, Performance Review and Termination; and Employee Code of Conduct requirements. As a consequence, WALGA's Governance and Procurement Team developed a range of new resources to assist Local Governments implement the requirements. The new resources prepared and made freely available to all Member Local Governments on the WALGA website include:

- Local Government Regulation Amendments Guidance Note, together with:
 - ✓ Template Code of Conduct for Council Members, Committee Members and Candidates
 - ✓ Template Standards for CEO Recruitment, Employment and Termination
- Policy Development Framework – Code of Conduct Behaviour Complaints Management Policy, together with:
 - ✓ Template Code of Conduct Behaviour Complaint Form
 - ✓ Template Behaviour Complaints Committee Terms of Reference
 - ✓ Template Behaviour Complaints Committee Delegation
 - ✓ Template Behaviour Complaint Statutory Declaration

In addition, a new Template Employee Code of Conduct was made freely available on 4 June 2021 and a WALGA Webinar on the Council Member Code of Conduct is scheduled for Thursday 8 July.

Other recently developed resources arising from the *Local Government Legislation Amendment Act 2019* include the following templates that relate to compulsory policy obligations:

- Template Policy – Temporary Employment or Appointment of CEO [s.5.39C]
- Template Policy – Council Member Continuing Professional Development [s.5.128]

The Governance and Procurement Team also presented a WALGA Webinar on 15 April 2021 on the topic of 'Local Government Elections – Owner and Occupier Legibility Claims' to explain how best to use the associated resource available in the online Governance resources.

The WALGA ER unit surveyed the sector to seek the view of Local Governments on the cost of the implementation of the proposed transition from the Federal to State IR system. 60 Local Governments responded to the survey and this will provide important guidance for WALGA in formulating its State Budget Submission regarding funding for the proposed transition.

Following the State Council Resolution carried on 5 May 2021 regarding the review of the State IR System, President Tracey Roberts wrote to the Hon. Stephen Dawson MLC, Minister for Mental

Health, Aboriginal Affairs; Industrial Relations advising of the State Council Resolution regarding the potential *Industrial Relations Legislation Amendment Bill 2020*, that is likely to be re-introduced into WA Parliament this year. WALGA will be seeking a meeting with the Minister to discuss the potential re-introduction of the Bill, and the support required by the sector to enable a smooth transition, if the transition proceeds.

7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)

The following items within the Infrastructure Report are issues considered at recent Zone meetings:

- **Road Asset Preservation Model**
Feedback from WALGA Zones regarding strategic options for review of the Road Asset Preservation Model was considered by State Council in May. In accordance with the State Council resolution, the WALGA President has written to the Chair of the Local Government Grants Commission, requesting that Commission officers be made available to brief Zones or Regional Road Groups, as requested. Discussions with Commission officers regarding model access and labelling are on-going.
- **ROADS 2040: Development Strategies for Regionally Significant Local Roads**
Guidelines setting out the criteria for the selection of Significant Local Roads have been developed after consultation with Local Governments. Outside the metropolitan area, only these roads are eligible for Road Project Grant funding through the State Road Funds to Local Government Agreement. There was concern that the Guidelines did not adequately reflect the significant differences in scenarios across the State. The final document addresses these concerns and provides autonomy to the RRGs to make appropriate decisions. The proposed Guideline has been submitted to the State Road Funds to Local Government Advisory Committee (SAC) for approval.
- **Regional Road Safety Program**
A proposed \$35 million program of work to provide sealed shoulders and audible edge lines on about 1000km of Local Government roads in 2021/22 has been developed in conjunction with Local Governments and Main Roads WA. Main Roads has informed all Local Governments with proposed projects of those that have been submitted. The proposed program of work is being considered for funding by the Commonwealth Government.

7.1.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0014 NC)

The following items within the Strategy, Policy and Planning Report are issues considered at recent Zone meetings:

- **Local Government Economic Development**
With the WA economy moving into the recovery phase following COVID-19, WALGA is reviewing and updating its agenda to support Local Governments in their economic development activities.

WALGA has met with a number of Local Governments to understand their economic development priorities and challenges, and will be using this information to inform its work in this area going forward.
- **Regional Climate Change Alliance Program**
More than 40 Regional Local Governments have shown interest in the Regional Climate Change Alliances Program, which will fund the establishment of 'alliances' of regional local governments to work collaboratively to drive action on climate change and emissions reduction. Two alliances will have access to \$210,000 each financial year between 2021-23 to employ Regional Climate Alliance Coordinators and deliver climate change adaptation and mitigation projects. The Program is being administered by WALGA on behalf of the Department of Water and Environmental Regulation and is an initiative under the State Government's Western Australian Climate Policy. Expressions of interest for the Alliance Program close on 21 June 2021.

- **Planning Reform Phase 2**

The Minister for Planning and Minister for Local Government recently announced a 3-month engagement process to inform Phase 2 of Planning Reform and are seeking suggestions and feedback from industry, community and stakeholders.

The Association has begun an engagement process with members to guide the development of a submission to this process. WALGA's Planning Improvement Portal has produced a range of best practice guides, manuals and template policies, and it has a strong focus on accountability and transparency through performance monitoring of Local Government planning and building functions and data collection and reporting on DAP decisions.

5.6 WALGA President's Report (Attachment)
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Presenting the WALGA President's Report for July 2021.

RECOMMENDATION:

That the Central Country Zone notes the following reports contained in the WALGA State Council Agenda:

- Matters for Noting/Information;
- Organisational reports; and
- WALGA President's Report.

RESOLUTION: **Moved: Cr Crute** **Seconded: Cr Hasleby**

That the Central Country Zone notes the following reports contained in the WALGA State Council Agenda:

- **Matters for Noting/Information;**
- **Organisational reports; and**
- **WALGA President's Report.**

CARRIED

6.0 GUEST SPEAKERS

6.1 Mr Richard Burnell, Director Corporate Services Department of Fire and Emergency Services (Attachment)

Mr Richard Burnell, Director Corporate Services Department of Fire and Emergency Services

Richard Burnell, Director Corporate Services Department of Fire and Emergency Services has been invited to the Zone meeting to present on telecommunications resilience improvement.

A copy of Richard Burnell's presentation forms an attachment to the minutes from the meeting.

6.2 Discussion on Electoral Reform (Attachment)

As detailed in Agenda Item 5.4 (6.1) the State Government has established an expert committee to advise it on electoral reform. Its Committee's Terms of Reference are as follows:

The Government now asks the Committee to review the electoral system for the Legislative Council and provide:

- 1. Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council, and*
- 2. Recommendations for the distribution of preferences in the Legislative Council's proportional representation system.*

In addition to providing a general update on work within their electorate the Zone's parliamentary representatives will also participate in a panel discussion on electoral reform review now underway.

Member Councils were invited to send through questions to be used in the panel discussion. These questions have been collated into a single document and with a copy of the WALGA submission sent to each Member of Parliament attending the Zone Meeting.

Meeting Comment:

The Chair provided the background to today's meeting with the region's parliamentary representatives on electoral reform. All the region's parliamentary representatives had been invited to the Zone Meeting. Whilst Hon Darren West MLC and Hon Shelley Payne MLC had committed to attending the meeting the late sitting of the Legislative Council last night meant they were unable to travel to Quairading for the meeting today.

The Chair explained that a series of questions had been emailed to those Members of Parliament who had accepted invitations to attend the Zone Meeting (these questions were also been emailed to Member Councils ahead of the Zone Meeting).

Whilst no longer able to attend the Zone Meeting, Hon Darren West's Office provided responses to each question on behalf of both Hon Darren West MLC and Hon Shelley Payne MLC. These are detailed below (Each was also read out to the meeting by the Executive Officer).

Q1 Did you make a submission to the Expert Committee and if so what did you write?
Answer No.

Q2 Have you lobbied the Premier and Minister for Electoral Affairs to retain representation?

Answer See Q3

Q3 How will you vote on any proposed reduction in rural representation?
Answer The Panel has not yet reported back to Government.

Q4 Did you sign any petitions on this issue?
Answer No.

Q5 Have you received any correspondence from constituents on this matter and what is the feeling of them?

Answer Yes, mainly support for the reform after a Daylight Saving Party MP was elected with just 98 votes and some concern about a possible reduction in regional representation.

The email response provided also gave some general comments regarding the review. To quote from the email sent to the Executive Officer on 25 June 2021:

“Electoral Reform of the WA Legislative Council appears not to be an issue of great public interest, we have received limited correspondence to our office and there was only 138 public submissions to the Inquiry. I thank those who made a submission.

I appreciate the CCZ interest in this matter and will keep Helen updated.”

Both Hon Mia Davies MLA Hon Steve Martin MLC advised the meeting that neither had made personal submissions to the review panel. Nor had they signed any petitions but were assisting those who had started one.

Hon Mia Davies MLA advised that Nationals WA had lodged a submission to the review panel.

A copy of the Nationals WA submission forms an attachment to the minutes of the meeting.

Both indicated they had received correspondence from people within their electorate who were opposed to the reform of the Legislative Council and that they would continue to work to ensure that the regions continued to have a strong voice.

Hon Steve Martin MLC suggested that Member Councils should ask both Hon Darren West MLC and Hon Shelley Payne MLC how they will be voting. Will they be voting themselves out of office?

Hon Mia Davies MLA agreed with the suggestion that Members should be given a conscience vote when the matter comes to Parliament. She also noted that the Opposition needed help from the community to bring greater attention to the issue, to ensure that the “one vote one value” policy was not legislated in the Legislative Council.

The Chair sought direction from the meeting as to what the Zone should do with respect to putting forward its view on the Government’s review of the electoral system in the Legislative Council.

RESOLUTION: Moved: Cr Davies Seconded: Cr Mulroney

That the Central Country Zone Executive meet with Government Members for the Agricultural Region in the Legislative Council to discuss the Government’s review of the electoral system in the Legislative Council.

CARRIED

The meeting also considered how best to get all the WALGA Zones involved in ensuring the general public understood more fully the importance of regional, rural and remote political representation.

RESOLUTION: Moved: Cr Crute Seconded: Cr Walker

That the Central Country Zone request WALGA undertake a social media campaign to emphasise the importance of regional, rural and remote political representation as detailed in its submission to the Ministerial Expert Committee on Electoral Reform.

CARRIED

Hon Steve Martin MLC left the meeting at 11.54am

The meeting adjourned for lunch at 12.20pm

The meeting resumed at 1.02pm

The Shires of Narrogin and Wickepin did not return to the meeting.

7.0 FINANCE

7.1 Bank Account Changes

Reporting Officer: Helen Westcott, Executive Officer

Disclosure of Interest: Nil

Date: 10 June 2021

Attachments: Nil

Background:

Currently Cr Brett McGuinness as the Zone President “countersigns” all cheques and electronic fund transfers with the other signatory being one of the Joint Executive Officers. Nearly all payments are made electronically and are required to be approved by two of the signatories.

With the pending retirement of Helen Westcott and Bruce Wittber and engagement of WALGA to perform executive support duties for the Zone it is necessary to amend the current arrangements. In the first instance Bruce Wittber and Helen Westcott will need to be removed as signatories to the Central Country Zone bank accounts and then the WALGA nominated staff be added as signatories. WALGA has advised that the following people should be added as signatories:

- Mr Richard (Rick) Murray, Chief Financial Officer;
- Mr Anthony (Tony) Brown, Executive Manager Governance and Organisational Services;
- Mr Timothy (Tim) Lane, Manager Strategy and Association Governance; and
- Ms Tina Mossdrop, Accounting Manager.

The matter was considered by the Zone’s Executive Committee when it met on Wednesday 9 June 2021, with the Executive Committee resolving as shown below:

RESOLUTION: *Moved: Cr Crute* *Seconded: Cr Armstrong*

That the Central Country Zone recommends to the Central Country Zone that:

1. *Helen Westcott and Bruce Wittber be removed as signatories to the Central Country Zone bank accounts; and*
2. *The following WALGA staff be added as signatories to the Central Country Zone bank accounts:*
 - *Richard (Rick) Murray;*
 - *Anthony (Tony) Brown;*
 - *Timothy (Tim) Lane; and*
 - *Tina Mossdrop.*

CARRIED

Executive Officer Comment:

No further comment

RECOMMENDATION:

That:

1. Helen Westcott and Bruce Wittber be removed as signatories to the Central Country Zone bank accounts; and
2. The following WALGA staff be added as signatories to the Central Country Zone bank accounts:
 - Richard (Rick) Murray;
 - Anthony (Tony) Brown;
 - Timothy (Tim) Lane; and
 - Tina Mossdrop.

RESOLUTION: **Moved: Cr Blight** **Seconded: Cr Mulroney**

That:

1. Helen Westcott and Bruce Wittber be removed as signatories to the Central Country Zone bank accounts; and
2. The following WALGA staff be added as signatories to the Central Country Zone bank accounts:
 - Richard (Rick) Murray;
 - Anthony (Tony) Brown;
 - Timothy (Tim) Lane; and
 - Tina Mosscrop.

CARRIED

8.0 ZONE REPORTS

8.1 Zone President's Report

Cr Brett McGuinness

No report

8.2 Local Government Agricultural Freight Group (LGAFG)

Cr Katrina Crute

The Local Government Agricultural Freight Group Meeting (LGAFG) has not met since the April meeting of the Central Country Zone. The next meeting is scheduled to be held Friday 9 July 2021.

No report

8.3 Great Southern District Emergency Management Committee (DEMC)

President Leigh Ballard

No report

9.0 ZONE BUSINESS - MEMBER COUNCIL MATTERS

9.1 Matters for Noting (Attachments)

- **Central Country Zone Emergency Management Memorandum of Understanding (MoU)**

Just ahead of the first COVID-19 lockdown in early 2021 the Zone agreed to participate in an MoU that set out a basic framework for cooperation between the Local Governments named, to promote cooperation in a disaster event which affects one or more of the partnering LGs.

After lockdowns 1, 2 and 3 and a number of other unforeseen problems, the MoU has been signed by all Councils within the Zone and copies distributed. A copy of the signed MoU forms an attachment.

Whilst it does not expire until 31 December 2022, work on whether to extend or terminate the MoU will need to be reviewed ahead of this date.

- **2021/2021 Federal Budget**

On 11 May 2021 the ALGA released a Budget Special. The Budget summary detailed the measures of varying relevance to local governments, depending on their jurisdiction or location, including (with Budget paper references):

- ✓ Home Ownership – First Home Super Saver Scheme (BP2 P17) and First Home Super Saver Scheme (BP2 P17) Home Builder Extension (BP2 P187);
- ✓ Managing burden of feral animals, pests and weeds – \$29.1m over four years (BP2P52);
- ✓ EPBC Review Response – \$29.3m over four years (BP2 P57) includes independent environmental assurance commissioner, extra resources, and protection of indigenous cultural heritage;
- ✓ Murray Darling Basin, managing water resources – \$1.5b over four years (BP2 P58);
- ✓ Oceans Leadership Package – \$100.1m over five years (BP2 P59);
- ✓ Roadmap for respect – sexual harassment \$9.3m over four years (BP2 P61);
- ✓ COVID-19 Response Package – aviation and tourism support \$1.8b over four years (BP2 P69);
- ✓ Women's Economic Security Package – \$1.8b over five years (BP2 P81);
- ✓ Women's Safety – \$998.1m over four years to reduce and support victims of domestic violence (BP2 P83);

- ✓ Newcastle Airport Improvements – \$66.1m over two years (BP2 P86);
- ✓ Addressing workforce shortages on key areas – Job Trainer Fund extension – \$506.3m over two years (BP2 P88);
- ✓ Boosting Apprenticeships Commencements wage subsidy – \$2.7b over four years (BP2 P88);
- ✓ Child Care – \$1.6b over four years (BP2 P91);
- ✓ Aged Care – Royal Commission Response – \$698.3m over five years (BP 2 P99);
- ✓ Aged care – home care – \$7.5b over five years (BP2 P100);
- ✓ Guaranteeing Medicare – rural workforce strengthening – \$80.9m over five years (BP2 P111);
- ✓ Mental Health – \$2b over four years (BP2 P117);
- ✓ Emissions Reduction and New Investments – \$1.6b over ten years (BP2 P138);
- ✓ Community Development Grants Program – \$55.5m over three years – specific projects identified (BP2 P147);
- ✓ Infrastructure Investment – by State/Territory (BP2 P 151 – 160);
- ✓ National Water Grid – \$160m over two years includes specified projects (BP2 P164);
- ✓ Registration of Remotely Piloted Aircraft Systems and Fee Reform – \$28.3m (BP2 P165);
- ✓ Rebuilding Regional Communities – \$6.1m over 2 years (BP2 P169);
- ✓ Scoping public service hubs in Regional Australia – \$0.6m in 2021-22 (BP2 P169) and regulatory barriers for business relocation in regional Australia;
- ✓ Indigenous Skills and Job Advancement – \$243.6m over five years (BP2 P173);
- ✓ National Strategy to prevent and respond to child abuse – \$146m over four years (BP2 P174);
- ✓ Northern Australia – next five-year plan \$189.6m over five years (BP2 P142);
- ✓ Cyclone and related Flooding Insurance Pool for Northern Australia – \$2.4m in 2021-22 to establish a task force (BP2 P186); and
- ✓ National Housing and Urban Research Program \$5.8m over three years and Housing Data Dashboard (AIHW) – \$1.2m over four years (BP2 P188).

In a further Budget update, ALGA also provided information on other direct or indirect regional economic, community, health, and social welfare initiatives announced in the Budget including:

- ✓ a further \$250 million for a sixth round of the Building Better Regions Fund;
- ✓ an \$84.8 million extension of the Regional Connectivity Program over two years;
- ✓ \$1.3 billion for projects to modernise Murray-Darling irrigation infrastructure networks;
- ✓ \$172.5 million through the Future Drought Fund to continue a range of programs and activities that will support the long-term drought resilience;
- ✓ \$6.1 million to establish the Rebuilding Regional Communities program to assist community organisations and small enterprises in their Covid-19 recovery efforts;
- ✓ \$600,000 to undertake a scoping study into establishing Australian Public Service Hubs in regional Australia;
- ✓ \$80.9 million to support the delivery of primary care and the health workforce in rural and remote Australia;
- ✓ \$2 billion for the National Mental Health and Suicide Prevention Plan;
- ✓ \$630.2 million to improve access to quality aged care services for consumers in regional, rural, and remote areas including those with Indigenous backgrounds and special needs groups;
- ✓ \$13.4 million to establish regional offices as the first phase of a nation-wide rollout to improve advice to government on issues impacting the delivery of aged care in regional and rural areas; and
- ✓ \$65 million to boost bulk-billing rebates in regional Australia.

▪ **New Irrigation Training Program to Help Local Councils be Waterwise**

On 14 May 2021 Hon Dave Kelly BA MLA, Minister for Water; Forestry, announced the launch of a new waterwise irrigation training program for Waterwise councils.

The media statement announcing the program can be found by following link shown below:

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2021/05/New-irrigation-training-program-to-help-local-councils-be-waterwise.aspx>

The cost of the program will be fully subsidised for participating local government parks and irrigation staff, and will initially run each year for the next three years.

▪ **Phase Two of Planning Reform to Continue Transformation of System**

On 28 May 2021 Hon Rita Saffioti BBus MLA, Hon John Carey BA MLA announced the commencement of Phase 2 of planning reforms.

The media statement announcing the program can be found by following link shown below:

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2021/05/Phase-two-of-planning-reform-to-continue-transformation-of-system.aspx>

Consultation into proposed planning will continue until late October. This consultation will be led by the Department of Planning, Lands and Heritage Planning Reform team, in consultation with the Department of Local Government, Sport and Cultural Industries.

To quote from the media statement:

A local government red tape working group will be established to identify and test potential reforms in regards to local laws and reform.

Opportunities to mirror reforms across the local government sector to further cut red tape, improve transparency and support better decision making across all levels of government will also be explored in consultation with local governments, the Western Australian Local Government Association and key stakeholders.

Participation in the consultation can be achieved via accessing an online consultation hub which can be accessed following the link shown below:

<https://www.dplh.wa.gov.au/planning-reform>

▪ **Emergency Management Forum – Narrogin 1 June 2021**

An Emergency Management (EM) Forum was held in Narrogin on 1 June 2021. Presentations and outcomes from the workshop form attachments to the meeting agenda.

Dates for EM Forums and DEMC meetings for the remainder of 2021 and all of 2021 can be found on the last slide of the PowerPoint presentation.

The PowerPoint presentation also shows that there are a number of local governments across the Great Southern Region whose Local Emergency Management Arrangements are due for review and re-noting by SEMC this year.

RECOMMENDATION:

That the matters listed for noting be received.

RESOLUTION: **Moved: President Ballard** **Seconded: Cr Mulroney**

That the matters listed for noting be received.

CARRIED

9.2 Engagement of Executive Officer Services for the Central Country Zone

Reporting Officer: Helen Westcott, Executive Officer

Disclosure of Interest: Nil

Date: 10 June 2021

Attachments: Nil

Background:

The appointment of the Zone's new Executive Officer was finalised at the Central Country Zone Meeting held Friday 23 April 2021, with the Zone resolving as shown below:

RESOLUTION: *Moved: Cr Hopper* *Seconded: Cr Blight*

That:

1. *The Central Country Zone accept WALGA's proposal to provide it with Executive Support, for a period of 12 months from 1st July 2021 to the 30th June 2022, at no cost to the Zone or its members, acknowledging that the service will include:*
 - *A dedicated Zone Executive Officer as the principal point of contact for all Zone business;*
 - *Liaison with the President and Executive Committee as required;*
 - *Preparation of agendas and minutes of all meetings;*
 - *Organisation of meeting logistics, in relation to meeting room bookings and set-up;*
 - *Preparation of correspondence and action items;*
 - *Arrangement of guest speakers for Zone meetings; and,*
 - *Organisation of any other meetings or deputations.*
2. *Should the Central Country Zone require work outside any of the services provided by WALGA and detailed above, WALGA agrees it will facilitate the appointment of consultants for specialist work as required. The costs associated with this work would be borne by the Zone.*
3. *The Central Country Zone retain the existing financial management arrangements until the review on executive support services beyond the 2021/2022 financial year has been concluded.*

CARRIED

Executive Officer Comment:

The Executive Officer has written to the WALGA CEO advising him of the Zone's decision.

WALGA has advised of its acceptance of the offer to provide executive services for the Central Country Zone. Tony Brown will be WALGA's representative as the Zone's Executive Officer. He will be supported by Naomh Donaghy, Governance and Organisational Services Officer.

The Executive Officer has advised the Zone's accountant that WALGA will be assuming the role of Executive Officer to the Zone from 1 July 2021 and that the existing financial management arrangements will remain in place until a review of executive support services beyond the 2021/2022 financial year has been concluded.

The Zone's auditor has also been advised that WALGA will be assuming the role of Executive Officer to the Zone from 1 July 2021.

The Executive Officer has commenced work on the "handover" of responsibilities from BHW Consulting to WALGA. In the coming weeks the process of transferring all the Zone's records will be finalised.

The Zone's Executive Committee considered the best approach undertaking a review of executive support services as outlined in part 3 of the Zone's resolution when it met on 9 June 2021.

It was agreed that the review should determine whether or not the Zone had benefitted from having an independent Executive Officer and if so determine how best to recruit a new Executive Officer once

the 12-month contract with WALGA ends. The review would also need to determine what the duties and skillsets any future person would need to have to perform the role of Executive Officer.

Any review would need to be completed before the end of 2021 so that any recommendations can be incorporated into the selection process for a new Executive Officer should the Zone decide to engage someone other than WALGA to fulfil the role of Executive Officer from 1 July 2022.

Following discussion, the Executive Committee resolved as shown below:

RESOLUTION: *Moved: Cr West* *Seconded: Cr Crute*

That the Central Country Zone Executive Committee recommends to the Central Country Zone that the Central Country Zone Executive Committee be given delegated authority to establishing a committee to undertake a review of executive support services beyond 30 June 2022, with the review to:

- 1. Determine whether the Zone has benefitted from having an independent Executive Officer and if so determine how best to recruit a new Executive Officer once the 12-month contract with WALGA ends;*
- 2. Determine what the duties and skillsets any future person would need to have to perform the role of Executive Officer; and*
- 3. Be completed and its findings presented to the Central Country Zone at the meeting scheduled for Friday 19 November 2021.*

CARRIED

RECOMMENDATION:

That the Central Country Zone Executive Committee be given delegated authority to establishing a committee to undertake a review of executive support services beyond 30 June 2022, with the review to:

1. Determine whether the Zone has benefitted from having an independent Executive Officer and if so determine how best to recruit a new Executive Officer once the 12-month contract with WALGA ends;
2. Determine what the duties and skillsets any future person would need to have to perform the role of Executive Officer; and
3. Be completed and its findings presented to the Central Country Zone at the meeting scheduled for Friday 19 November 2021.

RESOLUTION: **Moved: Cr Walker** **Seconded: Cr Ball**

That the Central Country Zone Executive Committee be given delegated authority to establishing a committee to undertake a review of executive support services beyond 30 June 2022, with the review to:

- 1. Determine whether the Zone has benefitted from having an independent Executive Officer and if so determine how best to recruit a new Executive Officer once the 12-month contract with WALGA ends;**
- 2. Determine what the duties and skillsets any future person would need to have to perform the role of Executive Officer; and**
- 3. Be completed and its findings presented to the Central Country Zone at the meeting scheduled for Friday 19 November 2021.**

CARRIED

The meeting adjourned for morning tea at 10.27am

The meeting resumed at 11.00am

At this point the meeting returned to Agenda Item 6. For ease of reading the matter is listed in chronological order.

9.3 Template Noongar Heritage Agreement for Local Government and the Aboriginal Cultural Heritage Bill (Draft) 2020

Reporting Officer: Helen Westcott, Executive Officer

Disclosure of Interest: Nil

Date: 18 June 2021

Attachments: Nil

Background:

The Template Noongar Heritage Agreement for Local Government and the Aboriginal Cultural Heritage Bill (Draft) 2020 were considered by the Zone when it met in Narrogin on Friday 23 April 2021. Discussions around both topics followed a presentation by Mr Marcus Holmes of Land Equity Legal.

The recommendation put the meeting is provided below:

That the Central Country Zone:

1. Notes the suggestion from guest speaker Marcus Holmes, Principal of lawyers Land Equity Legal, that local governments defer consideration of entry into a Local Government version Noongar Heritage Agreement until Noongar Regional Corporations have been established, the Federal joint committee on the Juukan Gorge inquiry has released its final report, and the State's proposed Aboriginal Cultural Heritage Bill has been enacted;
2. Recommends to its members that they ensure interim compliance with the Aboriginal Heritage Act 1972 and any applicable Aboriginal heritage risk management policies and procedures through the Department of Planning, Lands and Heritage and Department of Premier and Cabinet;
3. Seeks ongoing consultation with the State Government, WALGA and SWALSC about the management of, resourcing and implications for local government of the Noongar Native Title Settlement; and
4. Endorses the offer of legal advice and assistance to the Zone and/or its members from Land Equity Legal regarding local government management of Aboriginal heritage and the Noongar Native Title Settlement, and instructs the Executive Officer to confer with Mr Marcus Holmes regarding terms of any engagement of Land Equity Legal's services by the Zone and/or members and to then update the Zone by email as to such terms so that the Zone and/or its members (singly or collectively) can decide if they wish to take up a retainer.

The meeting, however, resolved as shown below:

RESOLUTION: *Moved: Cr Mulroney* *Seconded: Cr Russell*

That the Zone defer any decision on the recommendations relating to the Template Noongar Heritage Agreement for Local Government Aboriginal and the Cultural Heritage Bill (Draft) 2020 until the Zone meeting scheduled to be held Friday 25 June 2021 at which time the Executive Officer will have prepared a report for the Zone's consideration.

CARRIED

Executive Officer Comment:

The Executive Officer emailed all Member Councils with a request for the matter to be considered at their May round of meetings. Responses were received from the following Councils:

- Beverley;
- Brookton;
- Corrigin;
- Dumbleyung;
- Narrogin;
- Pingelly;
- Quairading;

- Wandering;
- West Arthur; and
- Wickepin.

The Shires of Brookton, Pingelly, Wandering and Wickepin have endorsed the recommendation as presented.

The Shire of Quairading endorsed parts 1 and 3 of the recommendation only. The reasons for rejecting part 4 of the recommendation are given by Graeme Fardon, the Shire's CEO, in an email to the Executive Officer, with the relevant parts of the email shown below:

Council felt it was premature for CCZ (and its Member Councils) to be negotiating a Retainer for Solicitor's Services while WALGA, SWALSC and various Government Departments work through the South West Land Settlement.

Noting CCZ Budget has been adopted but there may be room during the year for a Fee for Legal Service if deemed necessary by the Zone.

This position may change for the Zone over the next year as Noongar Corporations may be legally established by the end of the Calendar (latest email I have received), contrary to Marcus' presentation that said Corporations were some 18 months away from being operational.

Each Member Council can still engage legal services if the individual need / circumstance arises.

The Shire of Beverley did not make a decision with respect to the recommendation as it was an apology for the April Zone meeting. As a consequence, the Shire did not feel it understood the issue sufficiently to make a decision.

The Shire of Dumbleyung felt similarly. In an effort to gain a greater understanding of the issue the Shire had Marcus Holmes attend their June meeting. Cr Ramm may wish to comment on the outcome of these discussions.

The Shire of Corrigin whilst making no decision on the Zone recommendation did discuss the matter at its May meeting, with Natalie Manton the Shire's CEO providing the following comments in an email to the Executive Officer:

The official comment from council would be that Council considered the South West Native Title Settlement- Template Noongar Heritage Agreement and noted that it is a complicated document and may not be suited to small local governments.

The Council agreed that there is no need to consider entering into any agreements until the Noongar Regional Corporations have been established and the proposed Aboriginal Cultural Heritage Bill has been enacted.

The Shire of West Arthur whilst making no comment on the recommendation provided the Executive Officer with information regarding its experiences with respect to Aboriginal Heritage Agreements. To quote from an email from the Shire's Project Officer:

The Shire of West Arthur has had limited experiences with Aboriginal Heritage and associated surveys/agreements. We have had one major project where SWALSC requested a survey prior to the Project proceeding. The Project involved excising an area of a reserve, cleaning out some existing drains and reinstating a railway dam. No new areas of disturbance were proposed. The project was located in a Reserve and unfortunately SWALSC requested the Shire survey the "entire" reserve rather than just the area that was to be disturbed. As a result, the cost of undertaking the survey was prohibitively high and the project did not proceed. We are currently seeking external funding to undertake this survey and complete this important water supply project.

Some of the issues that the Shire of West Arthur have identified in relation to the implementation of NSHAs are:

- *timeliness of the responses from SWALSC in relation to the requirement for a survey*
- *the cost of Aboriginal Heritage surveys can make a project no longer viable*
- *Staff training in relation to Due Diligence assessments and the procedures required to obtain approvals for projects to proceed.*

- *the large administrative time that would be required to implement NSHAs for individual projects (particularly small projects) and the complexity associated with these agreements.*
- *the costs associated with implementing a Shire wide NSHA.*

The Zone needs now to determine whether or not it wishes to adopt the recommendation presented at its April meeting. In making its decision it may also wish to hear from those delegates who attended the webinar hosted by WALGA on the South West Native Title Settlement on Thursday 17 June.

The Executive Officer attended the webinar and on the basis of the information presented during the webinar believes that the recommendation remains relevant.

It should also be noted that part 4 of the recommendation before the Zone does not place it under any obligation. It only endorses the offer extended by Land Equity Legal regarding terms of engagement should the Zone wish to take up a retainer.

RECOMMENDATION:

That the Central Country Zone:

1. Notes the suggestion from guest speaker Marcus Holmes, Principal of lawyers Land Equity Legal, that local governments defer consideration of entry into a Local Government version Noongar Heritage Agreement until Noongar Regional Corporations have been established, the Federal joint committee on the Juukan Gorge inquiry has released its final report, and the State's proposed Aboriginal Cultural Heritage Bill has been enacted;
2. Recommends to its members that they ensure interim compliance with the Aboriginal Heritage Act 1972 and any applicable Aboriginal heritage risk management policies and procedures through the Department of Planning, Lands and Heritage and Department of Premier and Cabinet;
3. Seeks ongoing consultation with the State Government, WALGA and SWALSC about the management of, resourcing and implications for local government of the Noongar Native Title Settlement; and
4. Endorses the offer of legal advice and assistance to the Zone and/or its members from Land Equity Legal regarding local government management of Aboriginal heritage and the Noongar Native Title Settlement, and instructs the Executive Officer to confer with Mr Marcus Holmes regarding terms of any engagement of Land Equity Legal's services by the Zone and/or members and to then update the Zone by email as to such terms so that the Zone and/or its members (singly or collectively) can decide if they wish to take up a retainer.

RESOLUTION: **Moved: Cr Davies** **Seconded: Cr Mulroney**

That the Central Country Zone:

1. **Notes the suggestion from guest speaker Marcus Holmes, Principal of lawyers Land Equity Legal, that local governments defer consideration of entry into a Local Government version Noongar Heritage Agreement until Noongar Regional Corporations have been established, the Federal joint committee on the Juukan Gorge inquiry has released its final report, and the State's proposed Aboriginal Cultural Heritage Bill has been enacted; and**
2. **Seeks ongoing consultation with the State Government, WALGA and SWALSC about the management of, resourcing and implications for local government of the Noongar Native Title Settlement.**

CARRIED

9.4 Request from the Great Eastern Country Zone to hold a Future Wheatbelt Conference

Reporting Officer: Helen Westcott, Executive Officer

Disclosure of Interest: Nil

Date: 8 June 2021

Attachments: Nil

Background:

With the last Wheatbelt Conference held in Jurien Bay in April 2018, consideration was been given by the Avon Midland, Central and Great Eastern Country Zones to the potential for holding another conference in 2020 (ahead of the global COVID10 pandemic).

The Central Country Zone made a decision not to participate in future Wheatbelt Conferences at the Zone Meeting held Friday 21 February 2020, with the resolution taken as shown below:

*RESOLUTION: Moved: Cr Crute Seconded: President Ballard
That the Central Country Zone does not support the conduct of a Wheatbelt Conference.*

CARRIED

The factors considered in coming to this decision at this time included:

- Cost and sufficient accommodation for delegates. Both have always been major issues confronting the Executive Officers of the three Zones as they put programs and budgets together for consideration by their respective Zones.
- The ability to attract ongoing and significant grant funding/sponsorship. Without external funding support it is unlikely that the Wheatbelt Conference can be financially sustainable.
- Change in Government policy allowing public servants to attend conference such as the Wheatbelt Conference has reduced the potential non-sector attendees by 25-30%.
- The opportunity to hold conferences in a wider range of locations due to travel time for attendees and insufficient accommodation, especially when other events are happening in the same location.
- The capacity for the Zone's Executive Officers to undertake work required to plan and deliver a successful conference.

On 12 May 2021 the Executive Officer received an email from WALGA as Executive Officer for the Great Eastern Country Zone to invite both the Avon Midlands and Central Country Zone Executive Committees to a meeting during the upcoming Local Government Convention to determine whether there is an appetite to hold another Wheatbelt Conference. The email from Naoimh Donaghy at WALGA is detailed below.

Good Morning Helen, Bruce and Robert,

Hope you are keeping well.

At the last meeting of the Great Eastern Country Zone Executive Committee in April 2021, it was resolved that the Committee request to meet with the Central Country Zone and Avon Midland Country Zone to discuss if there is an appetite to host a future Wheatbelt Conference.

WALGA's annual convention is being held on 19-21 September. It would be fantastic to get everyone in a room to discuss this opportunity further.

Please let me know by reply e-mail if this is something your Zone is interested in progressing with, WALGA will happily coordinate the meeting at the convention in September.

This item will be included in our next meeting Agenda, a reply prior to 7 June would be much appreciated.

The Executive Officer advised that a response before 4 June was not possible as the Zone was not due to meet until 25 June.

Executive Officer Comment:

In the 18 months since the Central Country Zone made its decision not to participate in the organisation of future Wheatbelt Conferences the certainty around arranging functions months into the future has been rendered extremely difficult due to the uncertainty that COVID-19 has brought into every facet of our lives. For example, last year's Local Government Convention could not be held in its usual format and this year's Roads and Transport Forum had to be rescheduled from late April until early July due to the Perth metropolitan area being placed in lockdown as a result of local transmission of the COVID-19 virus.

Combined with the factors outlined above, the Executive Officer believes the Zone's original decision remains the correct one.

RECOMMENDATION:

That the Central Country Zone advise the Great Eastern Country Zone that it reaffirms its decision from 21 February 2020 that it does not support the conduct of a Wheatbelt Conference.

RESOLUTION:

Moved: Cr Crute

Seconded: Cr Mulroney

That the Central Country Zone advise the Great Eastern Country Zone that it reaffirms its decision from 21 February 2020 that it does not support the conducting of a Wheatbelt Conference.

CARRIED

9.5 Regulation and Support of the Local Government Sector

Reporting Officer:	Helen Westcott, Executive Officer
Disclosure of Interest:	Nil
Date:	8 June 2021
Attachments:	Western Australian Auditor General's Report 21:2020-21 April 2021, Regulation and Support for the Local Government Sector

Background:

On 30 April 2021 the Office of the Auditor General (OAG) released a report into its assessment of whether the Department of Local Government, Sport and Cultural Industries (DLGSC) effectively regulates and supports the local government sector.

A copy of the report forms an attachment to the meeting agenda.

The report focused on how DLGSC fulfils its regulatory functions under the *Local Government Act 1995* (Act) and the support activities it provides to Western Australian local governments and regional councils.

The OAG whilst recognising the Government's significant reform agenda for the sector in recent years concluded that DLGSC is not providing efficient and effective regulation and support to Local Government, lacking fundamental aspects of a good regulatory framework.

The report recommends that DLGSC:

- review how it gathers, records and reports information to maintain an up-to-date LG sector risk assessment;
- target its regulation and support activities to areas of highest risk, with regard to the potential benefits to improved outcomes across the LG sector; and
- clearly define its LG regulation and support objectives, deliverables, and targets. This should include robust performance monitoring measures and reporting that are communicated to staff, LG entities and other key stakeholders.

The DLGSC has accepted the OAG's recommendations and is working towards their implementation.

Executive Officer Comment:

In many ways the OAG's report validates what many Councils throughout the State have thought for some time – that DLGSC have insufficient resources to undertake the work required.

WALGA's representatives at the meeting might wish to provide comment on its advocacy to the Minister for Local Government on this issue.

RECOMMENDATION:

That the report be noted.

RESOLUTION: **Moved: Cr Blight** **Seconded: Cr West**

That the report be noted.

CARRIED

9.6 Triennial Regional Telecommunications Review

Reporting Officer: Helen Westcott, Executive Officer

Disclosure of Interest: Nil

Date: 18 June 2021

Attachments: Nil

Background:

The Federal Government recently announced the commencement of the triennial regional telecommunications review. Mr Luke Hartsuyker will chair the independent review into the state of telecommunications services in regional, rural and remote Australia.

Luke Hartsuyker is a former Member for the Federal seat of Cowper in NSW, and will be joined on the review committee by Kristy Sparrow, Sue Middleton, Hugh Bradlow, and Michael Cosgrave. All have extensive experience in telecommunications, agriculture, regional business, competition and consumer regulation, and community affairs.

The Regional Telecommunications Reviews are conducted every three years under Part 9B of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

The Committee will engage with stakeholder groups and regional communities before reporting to the Government with its findings and recommendations by 31 December 2021.

The Committee's Terms of Reference are as follows:

1. The Regional Telecommunications Independent Review Committee must conduct a review of the adequacy of telecommunications services in regional, rural, and remote parts of Australia.
2. In determining the adequacy of those services, the Committee must have regard to whether people in regional, rural and remote parts of Australia have equitable access to telecommunications services that are significant to people in those parts of Australia, and currently available in one or more parts of urban Australia.
3. In conducting the review, the Committee must make provision for public consultation and consultation with people in regional, rural and remote parts of Australia.
4. In conducting the review, the Committee is to have regard to:
 - a. the impact of the Government's policies and programs for improving connectivity, competition and digital literacy in regional, rural and remote areas, including rollout of the National Broadband Network, the Mobile Black Spot Program, the Regional Connectivity Program and the Regional Tech Hub;
 - b. insights from COVID-19 on consumer access to and usage of broadband and mobile technology in regional, rural and remote areas;
 - c. emerging technologies that could lead to significant changes in how telecommunications services are delivered in regional, rural and remote parts of Australia in the next 5-10 years;
 - d. service reliability and impacts on customers and communities in regional and remote areas.
5. Taking into account Term of Reference 4, the Committee is to consider:
 - a. whether changes are warranted to existing Government policies and programs to ensure they continue to be effective, fit for purpose and are maximising the social and economic potential from existing and emerging technological advances;
 - b. policy settings that might be needed to support more rapid rollout of and investment in new telecommunications technologies in regional areas;
 - c. ways in which improvements in digital connectivity could support the Government's broader regional development policies and priorities, such as decentralisation and the development of Northern Australia;
 - d. ways in which State, Territory, and Federal programs to support regional connectivity could be further coordinated.
6. The report may set out recommendations to the Australian Government.
7. In formulating a recommendation that the Australian Government should take a particular action, the Committee must assess the costs and benefits of that action.

8. The Committee must prepare a report of the review by 31 December 2021 or earlier and give it to the Minister for Regional Communications

Public consultation is an important part of the Regional Telecommunications Review. The Committee is required to consult publicly. Past Committees have sought views through written submissions in response to an issues paper and through meetings with communities and stakeholders around Australia.

Executive Officer Comment:

At the time of preparing the agenda item, details on the Committee's consultation process had not been published. Nor had the issues paper been released.

Given the critical importance of reliable communications to rural and remote communities the Zone may wish to consider inviting the Committee to hold public hearings at a location somewhere within the Zone, thereby affording an opportunity for both Member Councils and the region's residents and businesses to meet with the Committee.

RECOMMENDATION:

That the Central Country Zone write to the Regional Telecommunications Independent Review Committee requesting that it conduct a public hearing at a location within the Zone's boundaries.

RESOLUTION: **Moved: Cr Crute** **Seconded: Cr Armstrong**

That the Central Country Zone write to the Regional Telecommunications Independent Review Committee requesting that it conduct a public hearing at a location within the Zone's boundaries.

CARRIED

9.7 Western Australian Auditor General's Report 30:2020-21 June 2021, Audit Results Report – Annual 2019-20 Financial Audits of Local Government Entities

Reporting Officer: Helen Westcott, Executive Officer

Disclosure of Interest: Nil

Date: 23 June 2021

Attachments: Western Australian Auditor General's Report 30:2020-21 16 June 2021, Audit Results Report – Annual 2019-20 Financial Audits of Local Government Entities

Background:

On 16 June 2021 the Office of the Auditor General (OAG) released its report into the annual financial audits of the local government sector for the 2019/2020 financial year.

The report covers the third year of a 4-year transition for the OAG to conduct the annual financial audits of the sector, following the proclamation of the *Local Government Amendment (Auditing) Act 2017*.

A copy of the report forms an attachment to the meeting agenda.

Executive Officer Comment:

Whilst the report's principal objective is to report on the findings of the OAG's financial audits of the sector for the 2019/2020 financial year, 5 of the report's 8 recommendations relate directly the Department of Local Government, Sport and Cultural Industries (DLGSC) – Recommendations 1, 3, 5, 6 and 7 – and how it is failing the sector.

To quote from page 9 of the OAG's report:

"Timely LG regulation changes and financial reporting advice to the sector is a core responsibility of the DLGSC and we trust such delays will not recur in the future."

The OAG's report also highlights the future problems the sector will face as a consequence of the rates freeze requested by the State Government. To quote from page 6 of the OAG's report:

"The budget implications of the Minister for Local Government's Circular No 3-2020 that LG entities freeze their rates for 2020-2021 will extend well beyond 1 year, as entities' current year budget restraint deals with only short term ramifications. There will be significant challenges for entities preparing their long term financial plans and budgets for some years."

The report is presented for discussion by the meeting.

RECOMMENDATION:

That the report be noted.

RESOLUTION: **Moved: Cr Mulroney** **Seconded: Cr Davies**

That the report be noted.

CARRIED

9.8 Clarification on Eligibility to be the WALGA President

Reporting Officer: Shire of Pingelly

Disclosure of Interest: Nil

Date: 24 June 2021

Attachments: Nil

Background:

The Shire of Pingelly's Shire President, Cr Bill Mulroney emailed the Zone's President on 24 June 2021 to request the inclusion of an item that sought clarification on whether the WALGA President was seeking preselection as the Labour Party candidate for the seat of Pearce in the upcoming Federal elections.

The contents of Cr Mulroney's email are provided below.

*Mr Brett McGuinness
President
Central Country Zone
Local Government Association'*

Dear Brett

I would appreciate if you could introduce new business by the decision of the meeting at the June meeting of the CCZ.

The business I would like to raise is set out here-under for consideration by the meeting. As late of Thursday 24th June 201 I only received the reliable information that has prompted me to put this business foreword.

Sincerely

*W.V.Mulroney ESM
President
Shire of Pingelly
CCZ Delegate
24-06-2021*

NEW BUSINESS OR URGENT BUSSINESS INTRODUCED BY THE DECISION OF THE MEETING.

New BUSINESS

**THE PRESIDENT OF WALGA NOMINATING FOR SELECTION AS A CANDIDATE FOR THE
UPCOMING FEDERAL ELECTION FOR THE LABOUR PARTY IN THE SEAT OF PEARCE, WA.**

I have received Information that the President of WALGA Mayor Tracey Roberts is considering nomination for selection as a candidate for the Labour Party in the seat of Pearce WA. If this is correct has the prospective candidate have a conflict of interest whilst serving in the position of President of the Western Australian Local Government Association? Could this statement be clarified?

Regards

*Cr W. (Bill) V. Mulroney ESM
President
Shire of Pingelly
Delegate on the CCZ
24-06-2021*

Executive Officer Comment:

No further comment.

Meeting Comment:

The meeting sought comment from WALGA on the Shire of Pingelly's enquiry regarding Mayor Robert's eligibility to be the President of WALGA.

Tony Brown advised the meeting that Mayor Roberts currently was not the endorsed Labor candidate for the Federal seat of Pearce in the upcoming Federal elections. The WALGA Constitution covers the ways in which a person will cease or be disqualified from being the WALGA President, including if that person:

- ceases to be a Councillor;
- is a member of State or Federal Parliament; or
- is absent from more than 3 consecutive State Council meetings.

The matter is presented for consideration and decision by the meeting.

Noted

10.0 ZONE BUSINESS - OTHER BUSINESS/URGENT BUSINESS

Nil

11.0 ZONE BUSINESS - EMERGING ISSUES

(The intent of the item is to enable Member Councils to bring to the attention of the delegates a matter that is developing. It is proposed that the matter will be tabled for discussion but not decision and then enable Member Councils to take the information away and consider an outcome for possible consideration at the next Zone meeting.)

11.1 Tier 3 Rail Network - Wheatbelt Rail Retention Alliance Update (Attachments)

The Shire of Quairading's CEO, Graeme Fardon provided the meeting with an update on the issue of the tier 3 rail network. He reported that there had been significant movement on the issue over the past 12 months.

In providing the update Graeme Fardon referred to a number of documents, including:

- A recent email to members of the Wheatbelt Rail Retention Alliance (WRRRA) Committee providing an update on the WRRRA Committee's work;
- Minutes of the WRRRA Committee Meeting held in Quairading on 10 June 2021; and
- A letter to a number of Councils in the lead up to the State Election detailing the then latest developments.

12.0 MEMBERS OF PARLIAMENT

Hon Mia Davies MLA, Member for Central Wheatbelt (Leader of the Opposition)

Hon Steve Martin MLC, Member for the Agricultural Region

13.0 OTHER AGENCY REPORTS

13.1 Department of Local Government, Sport and Cultural Industries (DLGSC)

A copy of the Department's June edition of Local Matters was circulated to all Member Councils ahead of the meeting.

Noted

Additional Meeting Comment:

Cr Crute expressed concern that the sector was allowing the Department of Local Government, Sport and Cultural Industries (DLGSC) "off the hook" by not raising the issues highlighted in the recent reports prepared by the Office of the Auditor General (OAG) into both the operations of DLGSC and its report into the audit results report for the 2019/2020 financial year. Cr Crute expressed the view that the Zone should write to the Minister for Local Government to express its concerns regarding DLGSC and seek feedback on how he would address the issues raised by the OAG in its recent reports.

RESOLUTION: **Moved: Cr Crute** **Seconded: Cr Turton**

That the Central Country Zone write to the Minister for Local Government to express its concerns over findings around the operations of the Department of Local Government, Sport and Cultural Industries made in recent reports prepared by the Office of the Auditor General and seek his views on how the recommendations made in these reports are to be implemented.
CARRIED

13.2 Main Roads WA (Attachment)

Mr Craig Manton, Wheatbelt Regional Manager
Mr Brad Pearce Operations Manager – Narrogin

A copy of Craig Manton's report for the meeting was circulated just prior to the Zone meeting.

A copy of the report also forms an attachment to the minutes of the meeting.

Noted

13.3 Wheatbelt Development Commission (WDC)

No report

13.4 Regional Development Australia (RDA) Wheatbelt (Attachment)

A copy of the RDA Wheatbelt Report for the June round of Zone meetings forms an attachment to the meeting agenda.

Noted

14.0 DATE, TIME AND PLACE OF NEXT MEETING

Central Country Zone Executive Committee – Wednesday 11 August 2021 via teleconference

Central Country Zone Meeting – Friday 20 August 2021 (Shire of Wagin)

15.0 CLOSURE

Ahead of closing the meeting the Chair announced this would be BHW Consulting's (BHW) final meeting as the Zone's Executive Officer, with handover by BHW to WALGA as the incoming Executive Officer to take place in the coming weeks.

On behalf of the Zone, the Chair thanked BHW for their efforts in the 14 years they provided support to the Zone.

There being no further business the Chair declared the meeting closed at 2.10pm.

DECLARATION

These minutes were confirmed by the Central Country Zone at the meeting held on Friday 20 August 2021

Signed _____
Person presiding at the meeting at which these minutes were confirmed