

East Metropolitan Zone

Minutes

15 February 2024

East Metropolitan Zone

Hosted by the City of Belmont

Function Room, 215 Wright Street Cloverdale – Phone 9477 7222

Thursday, 15 February 2024

Minutes

The Deputy Chair, Cr George Sekulla opened the meeting at 6:38pm.

Cr Brooke O'Donnell provided the Acknowledgement of Country:

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

MEMBERS

2 Voting Delegates from each Member Council

Town of Bassendean	Mayor Kathryn Hamilton Cr Emily Wilding Mr Cameron Woods, Chief Executive Officer non-voting delegate
City of Bayswater	Cr Josh Eveson Mr Jeremy Edwards, Chief Executive Officer <u>voting</u> delegate
City of Belmont	Cr George Sekulla – Deputy Chair Cr Bernard Ryan Mr John Christie, Chief Executive Officer non-voting delegate
City of Kalamunda	Cr Brooke O'Donnell Cr Dylan O'Connor Mr Nathan Ritchie, Acting Chief Executive Officer non-voting delegate
Shire of Mundaring	President Paige McNeil Cr John Daw
City of Swan	Cr Haeden Miles Mr Stephen Cain, Chief Executive Officer non-voting delegate
WALGA Secretariat	President, Cr Karen Chappel AM JP Mr Ian Duncan, Executive Manager Infrastructure Ms Lyn Fogg, Governance Specialist
Guest Speakers	Shelley Sheppard, Director, Urbaqua

APOLOGIES

City of Bayswater	Mayor Filomena Piffaretti Cr Giorgia Johnson - Chair
City of Swan	Cr Eva Aringo
Shire of Mundaring	Mr Jason Whiteaker, Chief Executive Officer

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ANNOUNCEMENTS

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

Agenda Papers were emailed 7 days prior to the meeting date to your Council for distribution to Zone Delegates.

Confirmation of Attendance – An attendance sheet was circulated prior to the commencement of the meeting.

ATTACHMENTS WITHIN THE AGENDA

1. Draft Minutes of the previous meeting
2. Zone Status Report
3. Meeting Guidelines/Protocols
4. Standing Orders

ATTACHMENTS TO THE AGENDA

1. DLGSC update
2. Letter from the East Metropolitan Zone to the Minister for Transport, Hon. Rita Saffioti dated 22 November 2023
3. Letter from Mr David Hay-Hendry, A/Chief of Staff for Minister Saffioti dated 4 January 2024
4. State Councillors' Report

ATTACHMENTS DISTRIBUTED PRIOR TO THE MEETING

1. President's Report

1. DECLARATION OF INTEREST

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

Nil

2. DEPUTATIONS

2.1 Urbaqua

Shelley Sheppard, Director of Urbaqua, provided a deputation to the Zone on The Water Sensitive Transition Network.

2.2 Department of Local Government, Sport and Cultural Industries Update

The February 2024 report from the Department of Local Government, Sport and Cultural Industries (DLGSC) was provided as an attachment with the Agenda.

Noted

3. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Haeden Miles
Seconded: President Paige McNeil

That the Minutes of the Ordinary Meeting of the East Metropolitan Zone held on 16 November 2023 be confirmed as a true and accurate record of the proceedings.

CARRIED (11/0)

4. BUSINESS ARISING

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

Noted

5. STATE COUNCIL AGENDA – MATTERS FOR DECISION

(Zone delegates to consider the Matters for Decision contained in the WALGA State Council Agenda and put forward comments or alternative recommendations to State Council)

The March 2024 State Council Agenda can be found via the link [here](#).

The Zone can provide comment or submit an alternative recommendation that will then be presented to State Council for consideration.

Matters for Decision

5.1 Separation (Centre) and Edge Line Markings by Local Government on Low Volume Rural Roads

That WALGA endorse the below Advocacy Position:

1. Main Roads Western Australia allow Local Governments to install edge line and separation (centre) line markings on roads that meet all relevant criteria, but do not meet the criterion on traffic volume.
2. For this exemption, Local Governments must adhere to the following conditions:
 - a) The Local Government contact Main Roads via the Regional Network Manager with their intent to undertake line marking on specific roads that do not meet the traffic volume criterion, but meet all the other criteria.
 - b) The Local Government obtain a Council resolution, committing to fund all installation and maintenance costs.
 - c) Local Government undertake spotting/surveying.
 - d) Main Roads to undertake an inspection following the survey/spotting work, confirm the start and finish points for the longitudinal line markings, and record the sections of road with line markings to be maintained by Local Government in the relevant database.
 - e) Main Roads approve the final layout prior to line marking occurring.
 - f) Local Government undertake the works.
 - g) Local Government maintain the works in accordance with Main Roads WA standards.
 - h) Local Government remove the lines if maintenance works are not performed to the standard.

Executive Summary

- The Main Roads WA warrant does not currently allow edge line or separation (centre) line markings on Local Government roads that carry less than certain traffic volume thresholds.
- Local Governments would like to enhance the safety of their roads by installing line markings in instances where only the traffic volume criterion under the warrant is not met.
- A process is proposed in this item whereby Local Governments would pay for the installation and maintenance and Main Roads would perform the necessary inspections to ensure that the markings adhere to the applicable standard.
- Local Governments would not be required to undertake these works, but rather would have the option to install line markings on qualifying roads that do not meet the traffic volume criterion at their own cost.

5.2 Recovered Materials Framework Advocacy Position

That WALGA:

1. Rescind the existing WALGA *Standards for Recycled Organics Applied to Land Policy Statement 2007* and Advocacy Position 7.9:

Local Government:

1. Acknowledges the benefits of applying recycled organics to land, especially as a means of diverting organic material from landfill; and,
 2. Supports the development of standards for applying recycled organics to land, to ensure a fit for purpose product is developed.
2. Endorse a new *Recovered Materials Framework Advocacy Position* as follows:

The use of recovered materials, across a range of applications, is essential in reducing the use of basic raw materials, meeting State Waste Strategy Targets and increasing diversion of waste from landfill. To ensure end users have high confidence in the quality and safety of products derived from recovered materials, consistent, outcomes-based standards and investment certainty are required.

The State Government, in consultation with Local Government and the waste management industry, should take a leadership role in facilitating the use of recovered material by:

1. Developing a regulatory framework which:
 - a. Outlines clear, outcomes-based specifications for individual products which take into consideration the receiving environment and allow for site-specific assessment.
 - b. Minimises risk to human health and the environment from the use of recovered material.
 - c. Establishes robust systems to provide quality assurance and ongoing surveillance throughout the supply chain.
2. Providing guidance and support mechanisms for the successful implementation of the framework.
3. Supporting the development of, and access to, sustainable end markets and long-term offtake agreements through initiatives such as active engagement with potential end users and the inclusion of recovered material content targets in Government procurement and large infrastructure projects.

Executive Summary

- The [*Standards for Recycled Organics Applied to Land Policy Statement 2007*](#) was developed at a time when the main option for landfill diversion of organic material in Western Australia was through mixed waste Alternative Waste Treatment (AWT) facilities.
- The Policy Statement provides principles for the development of standards for recycled organics applied to land, however these principles are potentially broadly applicable to any recovered material applied to land.

- The approach taken is that the principles/approach in the Policy Statement have been reviewed and used inform the development of the Recovered Materials Framework Advocacy Position.
- The Department of Water and Environmental Regulation is developing a Recovered Materials Framework to cover the application of recovered materials to land.
- The Municipal Waste Advisory Council (MWAC) endorsed the new Advocacy Position in December 2023.

RESOLUTION

Moved: Cr John Daw
 Seconded: Cr Brooke O'Donnell

That the East Metropolitan Zone:

1. Supports Matters for Decision ITEMS 5.1 AND 5.2 as listed above in the March 2024 State Council Agenda; and
2. Notes all Matters for Noting, Policy Team and Committee Reports and Organisational Reports as listed in the March 2024 State Council Agenda.

CARRIED (11/0)

5.3 Review of *Cemeteries Act 1986* and *Cremation Act 1929* Discussion Paper

WALGA Recommendation

That WALGA:

1. Supports the intent of the Review of Cemeteries Act 1986 and Cremation Act 1929 Discussion Paper to reduce red tape, modernise legislation and standardise administrative practices; and
2. Advocates that Local Government cemetery managers retain the capacity to impose cemetery fees and charges under Part 6 of the Local Government Act.

Executive Summary

- The Department of Local Government, Sport and Cultural Industries released the Review of *Cemeteries Act 1986* and *Cremation Act 1929* Discussion Paper in November 2023 for public submission.
- WALGA was granted an extension to the submission closing period of 16 February 2024 to permit sector involvement in providing feedback from the Zone process and State Council consideration.

RESOLUTION

Moved: Cr Brooke O'Donnell
 Seconded: Cr Haeden Miles

That the East Metropolitan Zone supports ITEM 5.3 with amendment as follows:

That WALGA:

1. Supports the intent of the Review of Cemeteries Act 1986 and Cremation Act 1929 Discussion Paper to reduce red tape, modernise legislation and standardise administrative practices;
2. Supports the intent of providing accessibility for alternative types of burials and disposal of human remains; and
3. Advocates that Local Government cemetery managers retain the capacity to impose cemetery fees and charges under Part 6 of the Local Government Act.

CARRIED (11/0)

6. BUSINESS

6.1 Traffic Management Changes

At the November 2023 Zone meeting, the City of Kalamunda raised an item in relation to changes to the Traffic Management Registration Scheme.

The Zone resolved as follows:

That the East Metropolitan Zone request the Chair to:

1. submit a letter to the Minister of Transport on behalf of the Zone to:
 - a) Raise concern regarding the lack of consultation with Local Government on the changes to Traffic Management Registration Scheme
 - b) Request Main Roads defer its implementation date of 1 December 2023 to allow Local Governments time to mitigate the impacts of this decision in relation to safety, financial and operational outcomes.
 - c) Request Further consultation and understanding of the impacts on the sector between local governments and Main Roads.
2. Advise the WALGA State Council of the Zones full support to lobby the Minister and State Government to amend the proposed Traffic Management Registration Scheme to mitigate the impacts of this decision in relation to safety, financial and operational outcomes.

Subsequently, a letter was sent on behalf of the Zone to the Minister for Transport, Hon. Rita Saffioti MLA on 22 November 2023 (copy attached). The letter outlined the impacts of changes to the Main Roads Traffic Management Company Registration Scheme and requested that the implementation date of 1 December 2023 be deferred.

A response was received from the Minister's A/Chief of Staff, Mr David Hay-Hendry, via letter dated 4 January 2024 (copy attached). Mr Hay-Hendry acknowledges that the recent improvements in pay rates for the traffic management industry may cause some initial disruption, but maintains that the changes ensure appropriate pay and working conditions for workers.

The Scheme was implemented, as planned, on 1 December 2023. Main Roads have published an FAQ document that provides further information about the changes, that can be found [here](#).

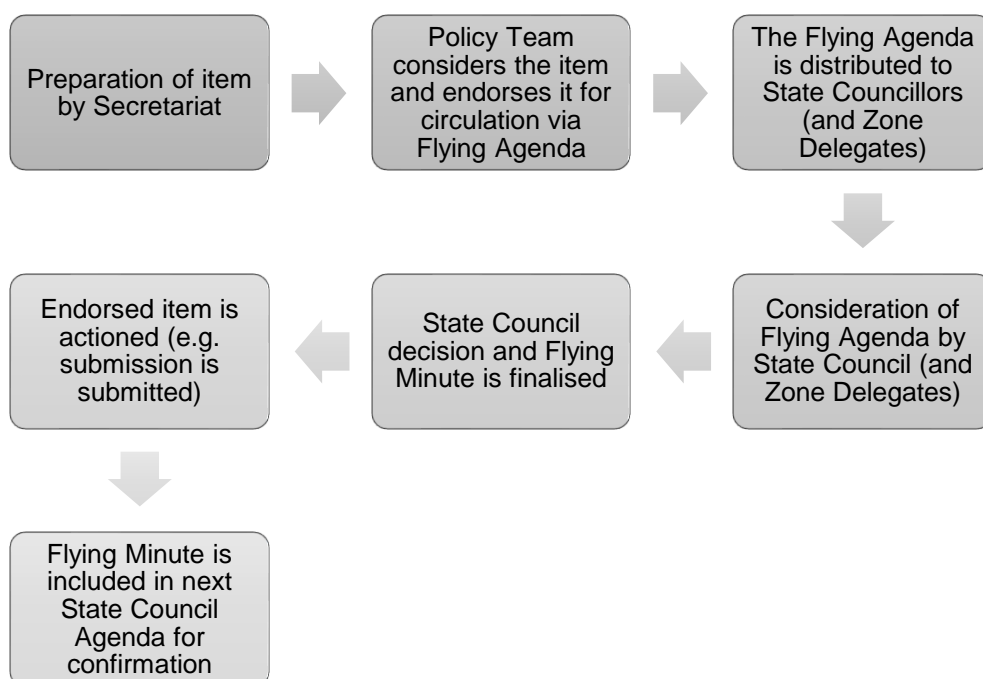
Noted

6.2 State Council Flying Agenda Process

By Kathy Robertson, Manager Corporate and Association Governance

State Council has five ordinary meetings per year. As a result, there are occasions when decisions need to be made or submissions need to be endorsed to meet external deadlines which do not fit within the existing State Council meeting schedule.

The first preference is always to seek an extension of time to enable the item to be considered by Zones and State Council through the usual Agenda process. However, if an extension of time is not granted, the item will need to be endorsed by State Council by way of a Flying Agenda. The process for a Flying Agenda is summarised below:



Flying Agendas are generally open to responses for 7 days.

At the request of State Council, the Flying Agenda process has recently been amended to better include Zone Delegates in the decision-making process. The Zone Executive Officer will alert Delegates via email when a Flying Agenda is out for consideration by State Council and request that any comments or feedback be directed to the Zone's State Council representative(s). State Councillors are then able to consider the feedback of Zone Delegates when making their final decision.

Please note that any comments or feedback sent directly to WALGA, rather than the Zone's State Council representative(s), will not go towards the Flying Agenda. There is no requirement to respond to an email circulating a Flying Agenda, however if you would like to contribute this should be directed to your State Council representative(s).

All completed Flying Minutes are available to view on the WALGA website [here](#), and are included in the subsequent State Council Agenda as both previous Minutes (for confirmation) and as an Item for Noting.

For any questions about the State Council Flying Agenda process, please contact Kathy Robertson, Manager Association and Corporate Governance on krobertson@walga.asn.au or (08) 9213 2036.

Noted

6.3 2024 Local Government Honours Program

By Meghan Dwyer, Executive Officer Governance

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

There are six awards in the 2024 Program:

1. Local Government Medal
2. Life Membership
3. Eminent Service Award
4. Merit Award

5. Local Government Distinguished Officer Award
6. Young Achievers Award

Nominations will open on **Friday, 8 March 2024** and close at **5:00pm on Friday, 31 May 2024**.

Details on the 2024 Honours Program and Nomination Forms will be available from Friday, 8 March 2024 on the [WALGA website](#).

For more information contact Meghan Dwyer, Executive Officer Governance, on 9213 2050 or via email at honours@walga.asn.au.

RESOLUTION

Moved: Cr Haeden Miles
Seconded: Cr John Daws

That the East Metropolitan Zone requests WALGA State Council review the Eminent Service Award criteria, to remove the limitation on nominations where a Council Member has had a minor breach (Standards Panel) finding and the Member has provided long service in the Council Member role.

CARRIED (11/0)

7. OTHER BUSINESS

In speaking to the below three (3) notices of motion, Mayor Kathryn Hamilton expressed appreciation for the information provided by the WALGA Secretariat.

7.1 Tree Retention

By Mayor Kathryn Hamilton, Town of Bassendean

Notice of Motion:

1. Further to the Issues Paper: Local Government Approaches to Tree Retention (March 2023), and the subsequent legal response provided to WALGA (August 2023) this East Metropolitan Zone requests an update and provision of Model Scheme Text for Tree Protections on private property; and
2. Requests that Model Scheme Text for Tree protections on private property be circulated to local governments for feedback and suggested amendments.

Background:

The retention and growth of a healthy and resilient urban canopy is a shared responsibility across State and Local Governments, landholders, industry and the community. In most urban areas across Western Australia there has been a decline in canopy cover, particularly on private land. This loss of cover is a significant issue for Local Governments and impacts biodiversity, visual amenity, urban heat and public health.

Measures by the state government may enable some future canopy growth on private land, however it should be noted that the R-Codes do not adequately address or incentivise the retention of established canopy trees. Development approval is not currently required for the removal of canopy trees, and therefore land can be cleared prior to lodging a development application.

There has been some discussion at a state level, around the desirability for “uniform” tree protections in relation to private property, and as such, the provision of model text by WALGA for the consideration of the sector would be advantageous.

WALGA Secretariat Comment

- WALGA’s Planning and Building Team are currently preparing a model Tree Retention Local Planning Policy (LPP) in consultation with a subcommittee of the Urban Forest Working Group.
- The LPP stipulates the circumstances in which development approval is required to remove a tree and guides the assessment of these applications and other planning proposals.
- The LPP has been informed from the findings of the Legal Response to the Local Government Approaches to Tree Retention (2023) prepared by McLeods Lawyers and the draft LPP has been reviewed by McLeods.
- Once finalised the model LPP will be distributed to Local Governments and each Local Government can choose if they wish to adopt the LPP.

Mayor Kathryn Hamilton withdrew the Notice of Motion.

7.2 Metropolitan Zones Briefing – CSIRO Urban Monitor

By Mayor Kathryn Hamilton, Town of Bassendean

Notice of Motion

That the WALGA East Metropolitan Zone requests a briefing to all metropolitan WALGA Zones at the earliest opportunity on the CSIRO Urban Monitor, given the delay in the 2022 flyover that was required to be undertaken on a biennial basis to provide updated data outlining the status of Metropolitan tree canopy and vegetation in our urban environment.

Background

At the East Metropolitan Zone meeting held on November 16th, 2023, the following inquiry was made; “When is the CSIRO Urban Monitor update for Perth due to be released?”

The following email response was provided on 29th November, 2023:

“WALGA’s understanding of current Urban Monitor activity is that the 2022-year data collection has been skipped and the next approved and funded fly over will be 2024. It is also understood that there is some work being undertaken by government to align the data with the current cadastre, as the current data utilises a cadastre from 2016, which impacts on accuracy of reporting. WALGA is happy to request a briefing for the Zone on the Urban Monitor from Government.”

It should be noted that the Urban Monitor (UM) provides mapped data of the urban tree canopy for the Perth and Peel Regions in Western Australia under the Better Urban Forest program. Using four-band aerial imagery, vegetation is surveyed and calculated providing reports for heights 0–3 metres, 3–8 metres, 8–15 metres and 15+ metres. Core products include digital ortho-photo, vegetation cover, vegetation vigour, vegetation height, ground elevation, surface elevation and a combination of the above to provide biennial updates and analysis on the layers of grass, trees and shrubs.

The Urban Monitor products were developed by the Data 61 team at the CSIRO for the Department of Planning, Lands and Heritage (DPLH) on behalf of the Western Australian Planning Commission (WAPC), with the Urban Growth Monitor a component of the DPLH's Urban Development Program for the WAPC to fulfil its requirements for tracking and modelling land supply as outlined in the [Planning and Development Act 2005](#).

WALGA Secretariat Comment

- Landgate has procured Urban Monitor data from CSIRO for 2024, which was collected in January and is expected to be available mid-2024.
- For the first time, data collection for the Urban Heat Index was added to the Urban Monitor contract for 2024.
- Urban Monitor could be extended to regional towns in the future – data is already collected but not processed due to the cost.
- DWER is also leading the WAVE (WA Vegetation Extent) project, which will identify canopy cover outside of the metropolitan area, however it is at lower resolution than Urban Monitor.
- The cadastre data needs to be updated to allow accurate comparison of data between years, however reporting across larger scales (suburbs, LGA boundaries) is currently possible.
- WALGA has requested that tree canopy parcel data (lot level) and UHI is added to PlanWA for LGs to access on the interactive map viewer (note the 2020 canopy parcel and rasta data is already available to LGs to download and use via DataWA, and 2019 UHI data is available via the CSIRO data portal).
- WALGA has requested DPLH to develop a short Instruction Sheet to promote LG awareness and utilisation of this data (some LGs are collecting their own data, which is an unnecessary cost and a lack of consistency in data categorisation).
- DWER will also be undertaking some modelling on UHI impact as part of a 3-year project, using the 2024 data.

RESOLUTION

Moved: Mayor Kathryn Hamilton
Seconded: Cr Emily Wilding

That the WALGA East Metropolitan Zone requests a briefing to all Metropolitan WALGA Zones at the earliest opportunity on the CSIRO Urban Monitor, given the delay in the 2022 flyover that was required to be undertaken on a biennial basis to provide updated data outlining the status of Metropolitan tree canopy and vegetation in our urban environment.

CARRIED (11/0)

7.3 Public Health Planning for Climate Change (Heat) Risks

By Mayor Kathryn Hamilton, Town of Bassendean

Notice of Motion

That:

1. The East Metropolitan Zone notes the legislated requirement under Part 5 of the WA Public Health Act 2016 for each local authority to produce a Public Health Plan (PHP) within two years of the implementation of Part 5; and
2. The East Metropolitan Zone requests WALGA to develop Model Text Provisions for the sector to address increasing risks to community public health generated by escalating heat wave conditions and Urban Heat Island effects coupled with accelerated loss of tree canopy; and
3. WALGA, as a matter of urgency, advocates to the state government to establish additional funding to enable local governments to implement intensive, widespread measures to mitigate the major public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy, particularly in urban areas.

Background

All Local Governments are required to produce a Public Health Plan in coming years, and undoubtedly our urban areas are confronted with multiple challenges in respect to Urban Heat Island Effect.

Multiple agencies have provided detailed studies outlining the ever-increasing dangers to public health from climate change. Doctors for the Environment Australia are a respected agency providing independent data on the negative health aspects associated with declining tree canopy / vegetation in urban environments. There is significant evidence connecting trees and green corridors to human health and well-being, including how trees cool our communities, minimise the effects of climate change, help protect us from infectious diseases and even boost our mental health.

To ignore this endangers the local communities we represent, and as such it is incumbent upon us to highlight the increasing dangers to public health that go hand in hand with a decreasing urban tree canopy.

WALGA Secretariat Comment

- WALGA sits on the State Government Public Health Planning Reference Group which guides the ongoing administration of Part 5 of the Public Health Act 2016 related to public health planning across Western Australia. This includes the requirements for the State public health plan and local government public health plans.
- The Reference Group is involved in the development of the next State Public Health Plan which will be required from 2025.
- As the State Public Health Plan sets the strategic direction for Local Level Public Health Plans, WALGA is actively advocating for members in this process, including conversations around the inclusion of heatwave vulnerability measures.
- WALGA is also engaged with a Heat Vulnerability Mapping Project managed by the West Australian Council of Social Services (WACOSS).
- The project will map regions impacted by high heat against vulnerable populations and develop targeted strategies, actions and resources to better prepare for high heat-related consequences to their health and well-being.
- Three pilot Local Governments (Rockingham, Port Hedland and Bridgetown-Greenbushes) have signed up to pilot introducing heat adaptation actions for community members. The project outcomes will provide an evidence base for future discussion on the issue.

RESOLUTION

Moved: Mayor Kathryn Hamilton
Seconded: Cr Emily Wilding

That:

1. **The East Metropolitan Zone notes the legislated requirement under Part 5 of the WA Public Health Act 2016 for each local authority to produce a Public Health Plan (PHP) within two years of the implementation of Part 5; and**
2. **The East Metropolitan Zone requests WALGA to develop draft model actions to guide Public Health Plans to address increasing risks to community public health generated by escalating heat wave conditions and Urban Heat Island effects coupled with accelerated loss of tree canopy; and**
3. **WALGA, as a matter of urgency, advocates to the state government to establish additional funding to enable local governments to implement intensive, widespread measures to mitigate the major public health implications of increasing temperatures, frequent heatwaves coupled with accelerated depletion of tree canopy, particularly in urban areas.**

CARRIED (11/0)

8. EXECUTIVE REPORTS

8.1 WALGA President's Report

WALGA President, Cr Karen Chappel, presented the President's Report.

Noted

8.2 State Councillors' report to the Zone

The WALGA State Councillors, President Paige McNeil and Cr Emily Wilding, presented on the previous State Council meeting and outcomes of February meetings of the State Council's Governance Policy Team and People and Place Policy Team.

Noted

9. NOTICE OF MOTIONS FOR THE FOLLOWING MEETING

Nil

10. DATE, TIME AND PLACE OF NEXT MEETING

The next ordinary meeting of the East Metropolitan Zone will be held on Thursday, 18 April 2024 at the City of Belmont commencing at 6:30pm.

The East Metropolitan Zone AGREED that for future Zone meetings dinner will be provided at 5:45pm, with the meeting to continue to commence at 6:30pm.

Zone members acknowledged and appreciated the continuing support of the City of Belmont in providing hospitality for East Metropolitan Zone meetings.

11. CLOSURE

There being no further business the Chair declared the meeting closed at 7:59pm.