

# Pilbara Country Zone

## Minutes

22 February 2024

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# Pilbara Country Zone

Hosted by WALGA, Wattle Meeting Room  
Level 1, 170 Railway Parade, West Leederville  
Thursday, 22 February 2024

*The Chair, Cr Wendy McWhirter-Brooks, opened the meeting at 11:30am.*

## Acknowledgement of Country

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

## Minutes

### MEMBERS

### 2 Voting Delegates from each Member Council

City of Karratha	Mayor Daniel Scott Cr Brenton Johannsen
Town of Port Hedland	Mayor Peter Carter Cr Ash Christensen Mr Carl Askew, Chief Executive Officer, non-voting delegate
Shire of East Pilbara	President Cr Anthony Middleton Cr Wendy McWhirter-Brooks - <b>Chair</b> Mr Steven Harding, Chief Executive Officer non-voting delegate
Shire of Ashburton	President Cr Audra Smith ( <i>from 12:00pm</i> ) Cr Alana Sullivan Mr Kenn Donohoe, Chief Executive Officer non-voting delegate ( <i>from 12:00pm</i> )
WALGA Secretariat	President, Cr Karen Chappel AM JP Mr Simon Beaumont, Manager Media and Communications Ms Kathy Robertson, Manager Association and Corporate Governance
Guest Speaker	Mr Andrew Vlahov, Director, Friendship Games

### APOLOGIES

City of Karratha	Ms Virginia Miltrup, Chief Executive Officer non-voting delegate
DLGSC Representative	Mr Toby Cotterell, Regional Manager
WALGA Secretariat	Ms Chantelle O'Brien, Governance Support 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 Zone Delegates.

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

## **ATTACHMENTS WITH THE AGENDA**

1. Previous Minutes
2. President's Report
3. February Update – Department of Local Government, Sports and Cultural Industries

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## **1. DECLARATION OF INTEREST**

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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.

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## **2. DEPUTATIONS**

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### **2.1 Friendship Games**

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Mr Andrew Vlahov provided some information on the Friendship Games initiative and the benefits to the Community.

A copy of the presentation is attached with the Minutes.

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## **3. CONFIRMATION OF MINUTES**

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### **RESOLUTION**

**Moved:** Mayor Peter Carter  
**Seconded:** Mayor Daniel Scott

**That the Minutes of the meeting of the Pilbara Country Zone held on 23 November 2023 be confirmed as a true and accurate record of the proceedings.**

**CARRIED**

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#### **4. BUSINESS ARISING**

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Nil

*President Cr Audra Smith and Kenn Donohoe joined the meeting at 12:00pm.*

## 4.1 Status Report

By Chantelle O'Brien, Zone Executive Officer

### BACKGROUND

Presenting the Status Report for **February 2024** which contains WALGA's responses to the resolutions of previous Zone Meetings.

Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
23 November 2023 Zone Agenda Item 7.2 <b>Disaster Recovery Funding Arrangements WA</b>	That the Pilbara Country Zone request WALGA: <ol style="list-style-type: none"> <li>to raise the matter and seek action to find solutions for the excessive delays in processing and approving of claims with the Disaster Recovery Funding Arrangements WA, with the appropriate agency; and</li> <li>the appropriate agency be requested to engage proactively with the Shire of Ashburton to address current outstanding claims for Natural disaster events dating back to 2020.</li> </ol>	<p>In response to requests from WALGA, DFES staff undertook a series of consultation meetings with Regional Road Groups and on-line webinars to hear issues being experienced by Local Governments dealing with the Disaster Recovery Funding Arrangements.</p> <p>WALGA has continued to highlight that there are more than 30 claims in process, some dating back to 2021 that need to be resolved and progressed. During February DFES officers met with officers from the Shire to progress the claims. Finding acceptable evidence of previous condition, maintenance and impact of the event is challenging.</p> <p>There is a commitment from DFES to finalise the legacy claims by the end of the current financial year.</p>	<b>February 2024</b>	<b>Ian Duncan</b> <b>Executive Manager</b> <b>Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> <b>9213 2031</b>

This is an opportunity for Member Councils to consider the response from WALGA in respect to the matters that were submitted at the previous Zone Meeting.

### RESOLUTION

**Moved:** Mayor Peter Carter  
**Secinded:** President Cr Anthony Middleton

**That the Pilbara Country Zone notes the February 2024 Status Report.**

**CARRIED**

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## 5. STATE COUNCIL AGENDA - MATTERS FOR DECISION

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

The 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 to 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.



### 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 Alana Sullivan

Seconded: President Cr Anthony Middleton

That the Pilbara Country Zone:

1. Supports all Matters for Decision 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

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## 6. BUSINESS

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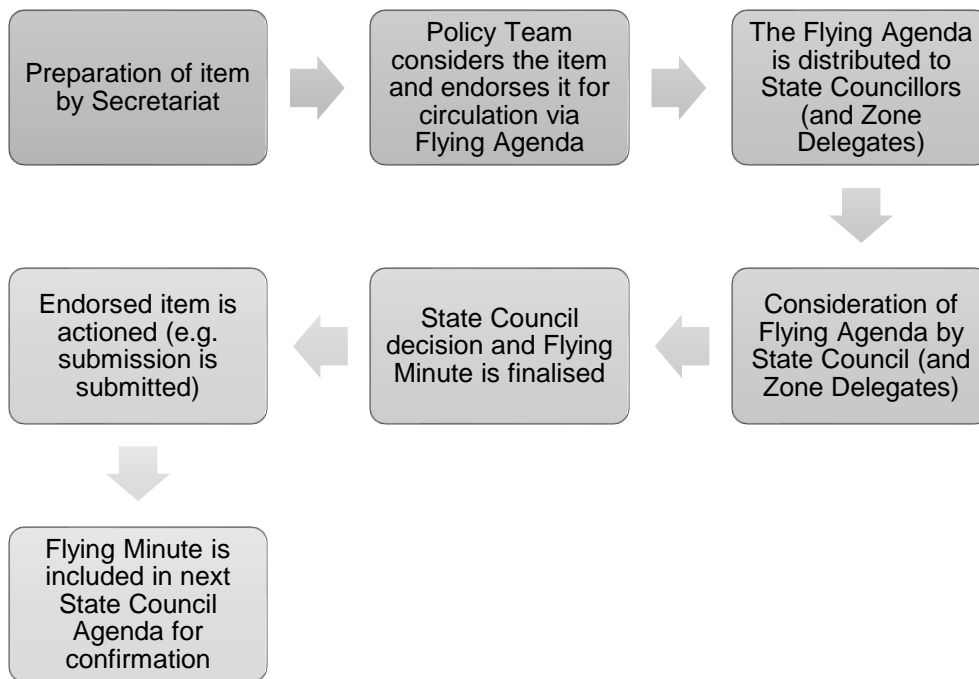
### 6.1 State Council Flying Agenda Process

*By Kathy Robertson, Manager Corporate and Association Governance*

#### BACKGROUND

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](mailto:krobertson@walga.asn.au) or (08) 9213 2036.

## Noted

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## 6.2 Remote Area Residential Fuel – Fringe Benefits Tax Exemption Request

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*By Shire of Ashburton*

### **Executive Summary**

The purpose of this report is to seek the Western Australian Local Government Associations' (WALGA) support to advocate to the Federal Government to provide 100% Fringe Benefits Tax exemption to remote area residential fuel (including electricity) when provided in conjunction with an accommodation-related fringe benefit in a remote area.

### **Background**

Currently if employers provide residential fuel (including electricity) to an employee in conjunction with an accommodation-related fringe benefit in a remote area, the taxable value of the fringe benefit is able to be reduced by 50%.

In simple terms, this allows an employee to salary package their utility accounts. For those on a marginal tax rate of 30% it provides an approximate 15% saving and 18.5% savings for those on 37%.

Conversely, remote area accommodation provided to an employee that meets eligibility conditions, is exempt from fringe benefits. This allows employees to salary package 100% of rental payments or rental contributions.

### **Comment**

One of the largest cost of living pressures in remote northern areas of Australia, is electricity. Air conditioners are used extensively through the heat of the summer, and as a result electricity charges are abnormally high.

There is scope within the FBT Act to offer a remote area fuel concession however with only a 50% reduction the administration burden is barely offset to make it worth promoting to staff. Salary packaging companies are also not interested in offering administration of this benefit as they simply wouldn't be able to recoup their costs.

If the Remote Area Fuel benefit was added to the existing Remote area accommodation benefit, both rent, and electricity would be able to be paid simply from pre-tax income. The administration of both benefits would be straightforward with no need to calculate any fringe benefits liability.

This would be a major benefit to remotely located residents and assist with attraction and retention of people to these areas.

### **Financial Implications**

Small loss taxation revenue to the Federal Government.

Positive salary packaging option for employees located in remote areas.

## **RESOLUTION**

**Moved: President Cr Audra Smith**

**Seconded: Mayor Peter Carter**

**That the Pilbara Country Zone request WALGA advocate to the Federal Government to provide a 100% Fringe Benefits tax exemption to remote area residential fuel when provided in conjunction with an accommodation-related Fringe Benefit in a remote area.**

**CARRIED**

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### **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](mailto:honours@walga.asn.au).

**Noted**

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## **7. OTHER BUSINESS**

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### **7.1 Local Government Bank of Australia**

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*Mr Kenn Donohoe, Shire of Ashburton*

The Shire of Ashburton have been working with WALGA staff, ALGA staff and have commenced discussions with subject matter experts including the University of Melbourne to research and develop the concept of a Local Government Bank of Australia, with the primary purpose of providing essential community services and facilitating investment in regional Australia. The bank would be driven by a social licence benefit, rather than pure profit or return on investment; investing into local businesses and the regions.

The Shire plans to provide evidence to the Senate inquiry in Tom Price on the 13th March 2024 and present the item to the ALGA National General Assembly this year.

**Noted**

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## **8. EXECUTIVE REPORTS**

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### **8.1 President's Report to the Zone**

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The WALGA President, Cr Karen Chappel AM JP, presented her Report.

**Noted**

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### **8.2 State Councillor's report to the Zone**

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*Pilbara Country Zone State Councillor, Cr Wendy McWhirter-Brooks*

1. Presentation on CoastWA – The Coastal Hazards and Risks Management and Adaptation Plans – Lucy Sheehy [lsheehy@walga.asn.au](mailto:lsheehy@walga.asn.au)
  - a. Funding for planning and education of officers required
  - b. 40 regional/55 erosion hotspots
  - c. Submission for \$28M to 2026 for CHRMAPs and support
2. I commend to you the Minutes of the December 2023 State Council meeting that can be found on WALGA website. Matters for note:
  - a. Council endorsed WALGAs' submission to the Federal Independent Review of Commonwealth Disaster Funding.
    - i. The recommendations incorporate betterment (of assets) funding, a sustainable funding model and streamlined funding arrangements
  - b. Endorsed the objection to the 2023 WA Electoral Distribution Commission Boundaries
  - c. Confirmed the flying minute of the WALGA submission to DPLH regarding the repeal of and amendments to the Aboriginal Cultural Heritage Act and its Regs etc.
  - d. Confirmed the flying minute of WALGAs submission to the 2024-25 State Budget. A forum will be held on March 7 following the March State Council meeting on the 2024-25 State Budget.

3. The DLGSR is conducting a Review of the Cemeteries Act (1986) and the Cremation Act (1929). A topical submission guideline is readily available on searching for the review. Of note:
  - a. All metropolitan cemeteries are owned and operated by the WA State Government.
  - b. Regional cemeteries are owned and operated by LGAs.
  - c. There are 8 State owned crematoria in WA with none north of Geraldton.
  - d. North West WA cremation requirements are furnished by Pinneroo Valley or Darwin Crematoria.
  - e. Submissions to the review close on March 15, 2024.

**Noted**

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**8.3 Department of Local Government, Sport and Cultural Industries Representative Update Report**

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The Department of Local Government, Sport and Cultural Industries representative Toby Cotterell, is an apology for this meeting.

**Noted**

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**9. DATE, TIME AND PLACE OF NEXT MEETING**

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The next ordinary meeting of the Pilbara Country Zone will be held on 18 April 2024, via MS Teams, commencing at 11:30am.

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**10. CLOSURE**

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There being no further business the Chair declared the meeting closed at **1:14pm**.