

Gascoyne Country Zone

Minutes

10:00am

Friday, 24 November 2023

**Meeting hosted by
Shire of Carnarvon**

Gascoyne Country Zone

Meeting to be hosted by Shire of Carnarvon

5 Francis Street, Carnarvon – 9941 0000

Friday, 24 November 2023

WALGA Secretariat assumed the Chair and opened the meeting at 10:00am

Acknowledgement of Country

We, the delegates of the Gascoyne 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

ATTENDEES

Shire of Carnarvon	President Cr Eddie Smith Andrea Selvey, Chief Executive Officer, non-voting delegate
Shire of Exmouth	President Cr Matthew Niikula Ben Lewis, Chief Executive Officer, non-voting delegate
Shire of Upper Gascoyne	President Cr Jimmy Caunt Deputy President Cr Hamish McTaggart, (Observer) John McCleary, Chief Executive Officer, non-voting delegate
Shire of Shark Bay	President Cr Cheryl Cowell Dale Chapman, Chief Executive Officer, non-voting delegate
WALGA	Mark Bondiotti, Policy Manager Transport and Roads Lucy Sheehy, Coast WA Local Government Facilitator

GUESTS

Regional Development Australia – Mid West Gascoyne	Mark Holdsworth, Executive Officer Emmaline James, Project Manager
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GUEST SPEAKER

Kim Houghton, Chief Economist, Regional Australia Institute
Katie Bassett, Consulting Lead, Regional Australia Institute
Ziyang Zou, Regional Australia Institute

APOLOGIES

Department of Local Government, Lauren Rampling, Regional Officer, Gascoyne Sport and Cultural Industries

Roadwise Samantha Adams, Regional Road Safety Advisor

Gascoyne Development Commission Simmone Van Buerle, Director Regional Development

Main Roads Gaff Murray, Operations Manager - Carnarvon

Attachments

The following were provided as attachments to the agenda:

1. Previous Meeting Minutes – 24 August 2023 Meeting
2. President's Report

1. ELECTIONS

1.1 Elections of Chair and Deputy Chair of the Gascoyne Country Zone

Pursuant to the WALGA Constitution, the Secretariat assumed the Chair for conducting the election of office bearers, State Council Representatives and Deputy State Council Representatives.

Guidelines for elections were distributed to Member Councils via email dated 17 October 2023.

The election for the Chair and Deputy Chair shall be conducted and the term set at two years expiring in November 2025, in line with the terms of State Council representatives and in sync with Local Government Elections.

Zone Chair

The following written nomination was received for the position of Chair.

- President Cr Eddie Smith Shire of Carnarvon

Nominations were also called from the floor. No further nominations were received.

DECLARATION

That President Cr Eddie Smith is elected as Chair of the Gascoyne Country Zone for the term of 2 years, November 2023 to November 2025.

Deputy Zone Chair

The following written nominations were received for the position of Deputy Chair.

- President Cr Matthew Niikula Shire of Exmouth
- President Cr Cheryl Cowell Shire of Shark Bay

President Cr Cheryl Cowell withdrew her nomination for Deputy Chair.

Nominations were also called from the floor. No further nominations were received.

DECLARATION

That President Cr Matthew Niikula is elected as Deputy Chair of the Gascoyne Country Zone for the term of 2 year, November 2023 to November 2025.

1.2 Elections of State Council Representatives and Deputy State Council Representatives to the Gascoyne Country Zone

In accordance with sub-clause 9(3) of the WALGA Constitution representatives and deputy representatives to the State Council shall be elected by Zones of the Metropolitan and Country constituencies for two (2) year terms, commencing from the Ordinary Meeting of State Council in December 2023 and concluding on the day before the Ordinary Meeting of State Council in December 2025.

For the Gascoyne Country Zone, there is one (1) representative position on State Council and one (1) deputy representative position.

State Councillor

The following written nomination was received for the position of State Council Representative:

- President Cr Eddie Smith Shire of Carnarvon

Nominations were also called from the floor. No further no nominations were received.

DECLARATION

That President Cr Eddie Smith is elected as State Council Representatives of the Gascoyne Country Zone to the State Council for the term of 2 years, December 2023 to December 2025.

Deputy State Councillor

The following written nominations were received for the position of Deputy State Council Representative:

- President Cr Matthew Niikula Shire of Exmouth
- President Cr Cheryl Cowell Shire of Shark Bay

President Cr Cheryl Cowell withdrew her nomination.

Nominations were also called from the floor. No further no nominations were received.

DECLARATION

That President Cr Matthew Niikula is elected as Deputy State Council Representatives of the Gascoyne Country Zone to the State Council for the term of 2 years, December 2023 to December 2025.

2. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Councillors 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.

3. ANNOUNCEMENTS

Nil.

4. DEPUTATIONS

4.1 Regional Australia Institute (RAI)

Kim Houghton, Chief Economist from Regional Australia Institute provided an update on Gascoyne regional population movements and the broader trend in Australian regional communities.

5. CONFIRMATION OF MINUTES

5.1 Minutes of the 20 August 2021 Meeting of the Gascoyne Country Zone

It was noted that John McCleary should have been listed as an apology at the 20 August 2021 Meeting of the Gascoyne Country Zone.

RESOLUTION

Moved: Cr Cheryl Cowell
Seconded: Cr Matthew Niikula

That the Minutes of the meeting of the Gascoyne Country Zone held on 24 August 2023 be amended with John McCleary's apology and are confirmed as a true and accurate record of the proceedings.

CARRIED

5.2 Business Arising

Nil.

6. ZONE BUSINESS

6.1 Request to Present

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

Construction Training Fund

The Construction Training Fund (CTF) collects a levy on all WA construction projects over the value of \$20,000 at 0.2% of the project value. These funds are then used to support the construction industry to train new apprentices and trainees and to cover the cost of additional skills training for building and construction workers in residential, civil, commercial or resource sector projects. CTF's other purpose is to promote construction as a career of choice and provide entry level pathways to the community such as Try-a-Trade, scholarships and para-professional certificates.

CTF are keen to ensure that training our local communities is reinforced as a culture in the industry and that supporting diversity and inclusion is fundamental to a future workforce. Their vision is that the construction industry is a career of choice and is safe, skilled and sustainable.

Tiffany Allen, CEO of Construction Training Fund would like to provide more information to the Zone on the Construction Training Fund at a future meeting in 2024.

Friendship Games

Andrew Vlahov from Friendship Games would like the opportunity to provide a deputation before an event that is being coordinated for next year.

The purpose of the initiative is as follows:

Global

Create a globally recognised youth event in Western Australia. To enhance strategic relationships by providing pathways and platforms for inclusion and to build enduring relationships for Western Australia, our First Nations Communities and global partners.

Local

To bring together our youth in communities including Remote and Regional participants with a sport, culture and education platform for the broader community of Western Australia (WA) including Government, Industry and Corporate WA for social and economic benefit.

Sports Diplomacy 2030

To create a globally recognised sports event aligned to the Sports Diplomacy 2030 strategic priorities. Increase awareness of the Australian cultural exchange opportunities, leveraging the positive international connections during the Games, enhancing Australia's reputation as an inclusive and respectful country.

The Friendship Games is a multisport "carnival style" program. A condensed program format is proposed in 2024 with 11 targeted sports and approximately 4500 participants from International, WA Regional and Metropolitan youth aged between 13-16 years of age and inclusive of all abilities.

Andrew would like to provide further information prior to the event, either February or April.

RESOLUTION

Moved: President Cr Jimmy Caunt
Seconded: President Cr Cheryl Cowell

That the Gascoyne Country Zone requests further information be provided for consideration prior to a potential deputation at a future Zone meeting from the Construction Training Fund and Friendship Games.

CARRIED

6.2 Proposed Changes to the Regulations on Performing Road Works During a Total Fire Ban

By Max Bushell, WALGA

BACKGROUND

Recent changes to the Australian Fire Danger Rating System and Department of Fire and Emergency Services (DFES) internal policies have resulted in an increase in the declaration of Total Fire Bans (TFB) across Western Australia.

This increase has resulted in frequent and substantive impacts to road works on Local Government roads with a consequent loss of productivity and increased risk for road users, as road repair issues are not able to be addressed in a timely fashion. DFES have identified some changes to the current regulations and have held information sessions outlining the proposed changes, as indicated in the presentation.

These changes acknowledge that a uniform approach to regulating road work during a TFB is not effective or applicable across the diverse spectrum of Local Government activities and landscapes in WA and greatly simplify the requirements placed on Local Governments with regard to performing road works during a TFB. Notwithstanding this change, the onus will remain on Local Governments to ensure that fire safety provisions, based on type of work, prevailing conditions, and work area, etc. are sufficient and that a risk assessment has been undertaken.

Noted

6.5 Zone Status Report – November 2023

Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
2022, 24 June Zone Agenda Item 9.2 Management Orders on State owned Land Management Orders on State owned land	That the Gascoyne Country Zone recommend that WALGA in consultation with Zone delegates, advocate to the State Government for a review of the Management Orders pertaining to State Land that is managed by Local Government especially in relation to Local Government leasing such land to other parties.	Please refer to State Council agenda item for decision on this matter.	August 2023	Tony Brown, Executive Director Member Services tbrown@walga.asn.au 9213 2051
2021 19 February Zone Agenda Item 5.4 Issues with the DRFAWA Claims and Approvals Process	That the Gascoyne Country Zone recommend WALGA request DFES to form a working group of participants from affected Shires to review the current process and report back on outcomes and solutions.	<p>A series of webinars and in person meetings have been conducted to enable senior officers from DFES and NEMA to hear directly from Local Governments the shortcomings of the current claims and approvals processes. These meetings will continue through November.</p> <p>The WALGA biennial Emergency Management survey was distributed in November and includes specific questions in relation to DRFAWA claims and approvals.</p>	Ongoing	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031

Noted

7. STATE COUNCIL AGENDA – MATTERS FOR DECISION

(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 full State Council Agenda can be found via link: [State Council Agenda 6 December 2023](#)

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

Matters for Decision

7.1 2023 Annual General Meeting Resolutions

That:

1. the following resolutions from the 2023 WALGA Annual General Meeting be referred to the People and Place Policy Team for further work to be undertaken:

- 5.1 Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district

That WALGA lobby the State Government for legislative reform to enable Local Governments the automatic right to be a represented party at all State Administrative Tribunal hearings related to planning matters within its district.

- 5.2 Land Use Policy

That WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.

- 5.4 Regional and Remote Housing

That WALGA advocates to the WA State and Commonwealth Governments to address the dire shortage of affordable key worker family housing options in regional and remote towns to encourage families to live and work in regional and remote towns. Social housing is addressed at both the State and Federal levels.

2. State Council notes that the following resolution is being considered in Agenda item 7.2 of this meeting Agenda:

- 5.3 Transparency – Management Order Determinations

That WALGA:

1. *Advocates for Department of Planning, Lands and Heritage to consult and collaborate with Local Governments in reviewing and publishing its policies, decision making criteria, guidelines and procedures associated with the administration of management orders;*
2. *Ensure the review recognises the cost burden on local governments in managing reserves and options for supporting local governments in meeting that responsibility; and*
3. *Calls for proactive consultation and advice to Local Government management bodies.*

7.2 Advocacy Position – Crown Land and Management Order Administration – Land Administration Act 1997

That WALGA endorse the below Advocacy Position:

Crown Land and Management Order Administration - Land Administration Act 1997

WALGA advocates to the Department of Planning, Lands and Heritage (DPLH) to:

1. Apply the following principles when dealing with matters affecting Local Government's role in managing Crown land:
 - a. Local Government is an equal partner with State Government in managing, developing and administration of Crown land for community benefit.
 - b. Local Government should be provided timely advice and consulted where State Government proposals impact management of or investment in Crown land.
 - c. Ensure timely communication with Local Government where DPLH intends to challenge an intention to levy leasing or land use revenues under a power to lease arrangement.
 - d. Decision-making criteria, policy and procedure transparency contributes to whole of government efficiency, effectiveness and accountability.
2. Publish the policies and procedures that underpin decision making regarding:
 - a. Establishing, varying or revoking management orders.
 - b. Leasing Crown land or facilities, subject to a management order.
 - c. Decision review where a management body or proponent lessee is dissatisfied with a decision or process.

7.3 Review of Public Open Space Advocacy Positions

That WALGA endorse:

1. the deletion of Advocacy Position 4.3 *Water Management*;
2. the deletion of Advocacy Position 4.4 *Public Open Space*; and
3. new Advocacy Position 6.11 *Public Open Space* as follows:

6.11 Public Open Space

New subdivisions and developments should provide appropriate Public Open Space (POS) or POS contributions to provide environmental benefits and meet the needs of the community.

The State Government should take a leadership role in the strategic planning of POS, in consultation with Local Government, including:

1. *Reviewing the requirement for a minimum 10 per cent of all new residential land to be provided as POS to determine if this metric is still appropriate.*
2. *Developing a 10+ year regional level sporting facilities plan to identify and prioritise gaps in regional sporting facilities and acquire and fund regional open spaces, specifically sporting facilities, in a timely manner to align with population growth.*
3. *Developing contemporary legislative and policy mechanisms to ensure that:*
 - a. *POS design and delivery:*
 - i. *appropriately allocates different POS uses and purposes, balancing environmental, recreational, sporting and community needs.*
 - ii. *does not have its use impeded by drainage and utilities facilities.*
 - iii. *is accessible and appropriately distributed.*

- iv. *is cost effective to enable sustainable maintenance and replacement by Local Government.*
 - v. *is responsive to urban ecology, regional climatic conditions, and climate change.*
 - vi. *considers water requirements and availability as a priority, includes water sensitive urban design principles, and prioritises water allocations for the irrigation and maintenance of functional active recreational and sport facilities.*
 - b. *POS cash in lieu contributions are equitable, transparent, and simplified by:*
 - i. *streamlining the process to collect and expend cash in lieu contributions by delegating functions to Local Government.*
 - ii. *broadening how cash in lieu funds can be spent to include works beyond the current scope.*
 - iii. *allowing for the collection of cash in lieu contributions at development application stage and for all forms of subdivision, including two lot subdivisions or developments.*
 - iv. *investigating the option of a standard fixed rate contribution fee per lot or dwelling when contributions are intended for public open space upgrades.*
4. *Providing guidance documents and support to assist Local Governments with their strategic POS planning.*

7.4 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members

That WALGA endorse the submission to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members.

7.5 Household Hazardous Waste Policy Statement and Advocacy Position

That WALGA:

1. Rescind the 2003 WALGA *Household Hazardous Waste Policy Statement* and Advocacy Position 7.10 Household Hazardous Waste; and
2. Endorse a new Household Hazardous Waste Policy Statement and Advocacy Position as follows:

7.10 Household Hazardous Waste

1. *Household Hazardous Waste (HHW) is a small but significant component of the waste stream which requires specialised management strategies to protect human health, property and the environment.*
2. *This requires:*
 - a. *Effective Product Stewardship for all HHW; and*
 - b. *The maintenance and expansion of the HHW Program, funded by the State Government and Product Stewardship Schemes, to provide for the management of HHW collected from the community by Local Government.*

7.6 Waste Education Policy Statement and Advocacy Position

That WALGA:

1. Rescind the existing WALGA *Waste Management Education Policy Statement 2008* and Advocacy Position 7.8 Waste Management Education; and
2. Endorse a revised WALGA *Waste Education Policy Statement 2023* and Advocacy Position as follows:

1. *Waste education is essential part of waste management that empowers the community to engage in waste avoidance, reuse and recovery, and to use services correctly.*
2. *Effective waste education requires:*
 - a. *Consistent communications by all stakeholders to ensure messages are clear and the community has confidence in the information provided.*
 - b. *A strategic and long-term investment from the State Government, with funding mechanisms in place to support and enable collaboration between Local Governments and Regional Councils.*
 - c. *Recognition of waste education in the definition of 'waste service' in the Waste Avoidance and Resource Recovery Act 2007, in order to allow a charge for waste education as part of the waste service charge.*
 - d. *Identification of priority problematic materials within the waste stream and ongoing advocacy for evidence based alternative approaches.*

7.7 Submission E-Waste Landfill Ban Regulations

That WALGA endorse the Submission on the *Waste Avoidance and Resource Recovery (e-waste) Regulations 2023*.

7.8 Submission on Philanthropic Engagement Framework for Emergency Management

That WALGA endorse the submission to the State Emergency Management Committee on the Draft Philanthropic Engagement Framework for Emergency Management.

7.9 Submission to the WA Action Plan for Young People Consultation Paper

That WALGA endorse the submission to the *WA Action Plan for Young People Consultation Paper*.

Policy Team and Committee Reports

- 8.1 Environment and Waste Policy Team Report
- 8.2 Governance and Organisational Services Policy Team Report
- 8.3 Infrastructure Policy Team Report
- 8.4 People and Place Policy Team Report
- 8.5 Municipal Waste Advisory Council (MWAC) Report

Matters for Noting

- 9.1 Planning and Development Amendment Bill 2023 and Associated Regulations and Guidelines
- 9.2 WALGA Emergency Management Survey 2023
- 9.3 WALGA Submission on Aboriginal Cultural Heritage Legislation dated 26 September 2023 and Update
- 9.4 Legal Response to the Local Government Approaches to Tree Retention Issues Paper
- 9.5 Flying Minute: Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines
- 9.6 Flying Minute – Draft Operational Policy 2.3: Planning for Public Open Space
- 9.7 Flying Minute – Submission on Independent Review of Commonwealth Disaster Funding Arrangements

- 9.8 Flying Minute – Objection to the 2023 WA Electoral Distribution Commission Proposed Boundaries
- 9.9 Flying Minute: Submission on the Exposure Draft of the Recycling and Waste Reduction (Export – Paper and Cardboard) Rules
- 9.10 Flying Minute: Submission on National Asbestos Strategic Plan
- 9.11 Flying Minute: Draft Code of Practice for On-Site Wastewater Disposal
- 9.12 Flying Minute – 2024-25 WALGA State Budget Submission

RESOLUTION

Moved: President Cr Matthew Niikula

Seconded: President Cr Cheryl Cowell

That the Gascoyne Country Zone:

1. Supports all Matters for Decision and Policy Team and Committee Reports as listed above in the December 2023 State Council Agenda; and
2. Notes all Matters for Noting and Organisational Reports as listed in the December 2023 State Council Agenda.

CARRIED

8. EXECUTIVE REPORTS

8.1 State Councillor’s Report to the Zone

The State Councillor provided an update on the previous State Council meeting.

Noted

8.2 President’s Report to the Zone

The WALGA representative, Mark Bondietti presented the President’s Report.

Noted

8.3 Gascoyne Development Commission

Chief Executive Officer, Tim Bray, provided an update to the Zone.

Noted

8.4 Department of Local Government, Sport and Cultural Industries

The DLGSC Update was distributed with the Agenda.

Noted

8.5 Roadwise Report

Roadwise were an apology for this meeting and no update was provided to the Zone.

Noted

8.6 Regional Development Australia – Mid West Gascoyne

Mark Holdsworth, Executive Officer, provided an update to the Zone.

Noted

9. OTHER BUSINESS

9.1 Virtual Attendance at Annual General Meeting

RESOLUTION

Moved: Cr Jimmy Caunt
Seconded: Cr Cheryl Cowell

That the Gascoyne Country Zone recommends WALGA investigates opportunities to allow remote and virtual attendance and/or voting at Annual General Meetings.

CARRIED

9.2 Challenges with Aboriginal Heritage Matters

RESOLUTION

Moved: Cr Eddie Smith
Seconded: Cr Jimmy Caunt

That the Gascoyne Country Zone requests that WALGA schedules a Teams meeting between the Gascoyne Zone delegates and the relevant Policy Team to discuss the issues the Zone faces in complying with Aboriginal Heritage Legislation and establishing indigenous Land Use Agreements.

CARRIED

9.3 Zone Meeting Dates – 2024

The following table lists suggested Zone meeting dates for 2024, taking into account the State Council meeting dates:

Zone Meeting	Type	Location
10:00am, Friday 23 February	In-Person	Carnarvon
10:00am, Friday 19 April	<i>Teleconference</i>	
10:00am, Friday 21 June	In-Person	Upper Gascoyne
10:00am, Friday 23 August	<i>Teleconference</i>	
10:00am, Friday 22 November	In-Person	Carnarvon

Following the same format as previous years, two teleconference meetings and three in-person meetings have been included. Two in-person meetings per year are hosted by Carnarvon with the third rotating between Exmouth, Shark Bay and Upper Gascoyne.

The meetings have been rotated as follows:

- 2011 – Shark Bay
- 2012 – Exmouth
- 2013 – Upper Gascoyne
- 2014 – Shark Bay
- 2015 – Exmouth
- 2016 – Upper Gascoyne (Gascoyne Junction)
- 2017 – Shark Bay
- 2018 – Exmouth
- 2019 – Upper Gascoyne (Mt Augustus)
- 2019 – Regional State Council Meeting – Shark Bay
- 2020 – Exmouth
- 2021 – Upper Gascoyne (Gascoyne Junction)
- 2022 – Shark Bay
- 2023 – Exmouth

10. DATE, TIME AND PLACE OF NEXT MEETING

Next meeting: 10:00am, Friday 23 February 2024, hosted by the Shire of Carnarvon.

11. CLOSURE

There being no further business the Chair declared the meeting closed at **11.30 am**.