

01-005-03-0003



# South East Metropolitan Zone

## Minutes

18 August 2021

# South East Metropolitan Zone

Hosted by the City of South Perth

Cnr Sandgate Street & Sth Terrace, South Perth – 9474 0777

Wednesday 18 August 2021, commenced at 6:00 pm

## Minutes

### MEMBERS

### 2 Voting Delegates from each Member Council

City of Armadale	Cr Emma Flynn Mayor Ruth Butterfield (SC) Ms Joanne Abbiss, Chief Executive Officer – non-voting delegate
City of Canning	Cr Tim Porter Cr Mark Bain
City of Gosnells	Cr Julie Brown (SC) Mayor David Goode JP Mr Ian Cowie, Chief Executive Officer - non-voting delegate
City of South Perth	Cr Samantha Bradder Cr Carl Celedin Mr Mike Bradford, Chief Executive Officer – non-voting delegate
Town of Victoria Park	Cr Bronwyn Ife - <b>Chair</b> Mr Anthony Vuleta, Chief Executive Officer – non-voting delegate
WALGA Secretariat	Kelly McManus, Principal, Policy and Advocacy Felicity Morris, Governance Specialist
DLGSC Representative	Nil
Guest Speakers	Nil

### APOLOGIES

City of Canning	Mr Stephen Cain, Interim Chief Executive Officer – non-voting delegate
Town of Victoria Park	Mayor Karen Vernon

## **ANNOUNCEMENTS**

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

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.

Acknowledgement of Country All attendees acknowledged the traditional owners of the land that the meeting is held on and paying respects to Elders past, present and future.

## **ATTACHMENTS WITHIN THE AGENDA**

1. Draft Minutes of the previous meeting
2. Zone Status Report
3. President's Report
4. Standing Orders

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### **1. DECLARATION OF INTEREST**

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Elected Members must declare to the Chairperson 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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Nil

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### **3. CONFIRMATION OF MINUTES**

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## **RESOLUTION**

**Moved:** Cr Julie Brown  
**Seconded:** Cr Mark Bain

**That the Minutes of the meeting of the South East Metropolitan Zone held on 23 June 2021 be confirmed as a true and accurate record of the proceedings.**

**CARRIED**

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

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

**Noted**

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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)*

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The full State Council Agenda can be found via link: [State Council Agenda 3 September 2021](#)

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**

##### **5.1 External Oversight of Local Level Complaints**

That WALGA advocate for an external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.

#### **RESOLUTION**

**Moved: Mayor Ruth Butterfield**  
**Seconded: Cr Julie Brown**

**That WALGA advocate for an external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.**

**CARRIED**

##### **5.2 Tender Exemption Provisions – General Practitioner Services**

That WALGA:

1. Adopt a new Advocacy Position Statement under 'Local Government Legislation - Tender Exemption General Practitioner Services':

WALGA advocates for the inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, to support Local Governments to secure and retain necessary primary health care services for their communities; and

2. Undertake additional research in support of the Advocacy Position with the following aims:
  - a. Identify State and Federal Government policy settings and other factors contributing to gaps in primary health care services in regional communities; and

- b. Quantify the number of regional Local Governments that have current contracts, or are proposing to enter into contracts, for General Practitioner services and the associated costs to Local Government incurred.

## **RESOLUTION**

**Moved:** Cr Emma Flynn  
**Seconded:** Mayor David Goode

**That WALGA:**

1. **Adopt a new Advocacy Position Statement under ‘Local Government Legislation - Tender Exemption General Practitioner Services’:**

**WALGA advocates for the inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, to support Local Governments to secure and retain necessary primary health care services for their communities; and**

2. **Undertake additional research in support of the Advocacy Position with the following aims:**
  - a. **Identify State and Federal Government policy settings and other factors contributing to gaps in primary health care services in regional communities; and**
  - b. **Quantify the number of regional Local Governments that have current contracts, or are proposing to enter into contracts, for General Practitioner services and the associated costs to Local Government incurred.**

**CARRIED**

### **5.3 Phase 2 Planning Reform Submission**

That the submission to the Department of Planning, Lands and Heritage on Phase 2 Planning Reform be endorsed.

## **RESOLUTION**

**Moved:** Mayor Ruth Butterfield  
**Seconded:** Cr Julie Brown

**That the submission to the Department of Planning, Lands and Heritage on Phase 2 Planning Reform be endorsed.**

**CARRIED**

## **RESOLUTION**

**Moved:** Mayor David Goode  
**Seconded:** Cr Julie Brown

**That the South East Metropolitan Zone notes all Matters for Noting and Organisational Reports as listed in the September 2021 State Council Agenda.**

**CARRIED**

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## 6. BUSINESS

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### 6.1 Regional Telecommunications Review

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*By Jo Burges, Senior Advisor Intergovernmental Relations and Risk, WALGA*

#### BACKGROUND

A Regional Telecommunications Independent Review Committee (the Committee) is established every three years under Part 9B of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* to conduct a review into telecommunications services in regional, rural and remote parts of Australia.

The Committee for the 2021 Regional Telecommunications Review (the Review) was appointed on 1 June 2021.

The 2021 Committee is comprised of the Hon Luke Hartsuyker (Chair); Ms Kristy Sparrow; Professor Hugh Bradlow; Mr Michael Cosgrave; and Ms Sue Middleton.

The Committee is also conducting consultation sessions and as the dates for these are announced via their website Local Governments within the area being consulted are being advised via email of the upcoming process and encouraged to participate.

As part of the Review, the Committee will consider:

- the impact of Government policies and programs to improve regional connectivity and digital inclusion;
- insights from COVID-19 on the changing digital needs of regional, rural and remote areas;
- service reliability issues which impact regional communities and options for mitigating them;
- the role of emerging technologies in delivering telecommunications services in regional Australia;
- ways of encouraging further investment in regional telecommunications;
- the role of telecommunications in supporting broader regional development goals;
- ways to improve co-ordination between government and industry in telecommunications investment; and
- consumer awareness and education regarding telecommunications options in regional areas.

The full Terms of Reference for the Review are at Appendix B of the Issues Paper.

The Consultation Period runs from 6 July, 2021 09:00 to September 30, 2021 with WALGA receiving submissions until COB Thursday 16 September 2021.

#### WALGA Engagement Process

Local Governments were advised in mid-July, via Councillor Direct, of the appointment of the Committee and the release of the Issues Paper, and that WALGA would be developing a sector wide submission.

WALGA, in developing a submission to this important review is seeking the views of members to address the wide range of telecommunications issues outlined by the Committee in the Regional Telecommunications Review 2021 – Issues Paper (the Issues Paper).

<https://www.communications.gov.au>

Local Governments have been requested to provide their submissions or information to inform the sector wide submission to the Association to ensure all matters are addressed.

This agenda item provides a Zone level opportunity to provide feedback to the WALGA submission to assist in ensuring all Local Governments have had a chance for input.

## COMMENT

Zones are requested, however not limited to, consider the items outlined at the dot points and /or the individual questions outlined at the end of each section or at Appendix A of the Issues Paper or provide input on any related matter for inclusion in the submission.

By way of example the WALGA Submission will include, in part, commentary on Question 12 that asks:

*'How can different levels of Government, the telecommunications industry and regional communities better co-ordinate their efforts to improve telecommunications in regional Australia?'*

The Association response will include an example of the Regional Telecommunications Resilience Working Group established in May comprising key planning/technical staff from Telstra, Optus, Western Power, Horizon Power, WALGA, DFES and DPIRD. This working group will share data more openly to allow robust and coordinated planning which results in better overall service delivery and value for money for all concerned. The working group began its work in June 2021 and have scheduled monthly meetings that increase as Funding programs or issues emerge.

WALGA advocates on specific issues identified by its members at the Working Group, in particular to explore opportunities for sustainable solutions e.g. Stand Alone Power provision, utilising a combination of solar, batteries and generators.

The Association is keen to provide a comprehensive submission on this important matter and welcomes Zone input.

## RESOLUTION

**Moved:** Cr Samantha Bradder  
**Seconded:** Mayor David Goode

**That the South East Metropolitan Zone notes the Regional Telecommunication Review 2021.**

**CARRIED**

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## 6.2 Administration Fee for the Emergency Services Levy

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*By City of Gosnells*

### BACKGROUND

This year, the Emergency Services Levy (ESL) was increased by five percent while the administration fee paid to Local Government for collecting this levy was not changed.

A WALGA report on the ESL in 2017 noted that the amount collected by the State Government through the ESL had grown four-fold from \$73.7 million in 2003/04 to \$297.8 million in 2015/16. That report also noted that the total administration fee had remained unchanged at \$2.25 million since the levy was first introduced.

The report also noted that Local Government spending on ESL administration was approximately \$3.9 million in 2015/16. This suggested a funding gap in the order of \$1.7 million six years ago which is being borne by the Local Government sector. However, administration costs have continued to rise since 2015/16 which means this funding gap is likely to have increased significantly.

## COMMENT

It is noted that WALGA has advocated for a full review of the ESL for a number of years. This would ideally include a revised approach to the levy which would no longer place Local Government as tax

collectors for the State. However, until such a revision occurs, it is considered completely inappropriate and inequitable to maintain the administration fee at the 2003 year level while continuing to increase the levy itself.

## SECRETARIAT COMMENT

The ESL is a State Government charge which is levied against land owners and collected by Local Government as part of the rating process. With the exception of vacant land owned by a Local Government and a limited number of additional categories which are exempt from ESL, the ESL applies to all property (including property owned by 'not for profit' organisations that may be exempt from Local Government rates). The annual ESL administration fee paid to Local Governments is determined by the Minister in accordance with agreed arrangements (DFES ESL Manual of Operating Procedures).

WALGA's Policy Position on the ESL states:

### 8.3 Emergency Services Levy

*The Association advocates for a full review of the Emergency Services Levy, its administration, fee structure and distribution mechanism to facilitate funding back to Local Government to support their emergency management responsibilities as legislated in the Emergency Management Act 2005 (SC July 2014 – 59.3/2014).*

WALGA prepared a Report on the ESL in 2017 which concluded that Local Government spending on ESL administration was approximately \$3.9 million in 2015/16.

Table: Local Government ESL collection costs (\$ real 2015-16)

Year	2012-13	2013-14	2014-15	2015-16
ESL collection costs	\$3,406,329	\$3,563,828	\$3,894,670	\$3,965,372

This suggests a funding gap of approximately \$1.7 million six years ago. Administration costs have continued to rise since 2015/16 which means this funding gap is likely to have increased while the amount received by the sector remains \$2.25 million each year.

The raw ESL data (not indexed to inflation) shows that in 2006/07 financial year, the percentage of ESL collected that was paid to LGs as the administration fee was 1.67%. This has dropped to 0.65% in 2020/21.

This is due to the increase in the ESL collected, not a decrease in the administration fee paid

The Economic Regulation Authority (ERA) conducted a full review of the ESL in 2017. The Report states that the amount of fees paid to Local Governments for collecting the ESL is determined by the Minister and paid annually. When setting fees, the Minister must consider the actual costs incurred by Local Governments, and consult with parties that represent the interests of Local Governments.

The ERA's Report recommended that the Office of Emergency Management, in its independent oversight and advisory role, should determine the costs to Local Government of collecting ESL revenue (including the costs of recovering unpaid debts and any ESL revenue that cannot be recovered) and compensate Local Governments accordingly. The Office of Emergency Management was integrated into the Department of Fire and Emergency Services.



## RESOLUTION

Moved: Cr Julie Brown  
Seconded: Mayor David Goode

That the South East Metropolitan Zone asks WALGA to advocate for an increase in the administration fee for the Emergency Services Levy as an interim measure in advance of a full review.

CARRIED

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### 6.3 Planning Fees

*By City of Gosnells*

#### BACKGROUND

On 30 June, Local Governments were informed that DAP application fees will increase in line with CPI by 1.75 percent, effective from 1 July (one day after the advice was given). However, Local Government planning fees have been left on hold again.

The last time local government planning fees were increased was in May 2013, eight years ago. In contrast, DAP fees were increased by 23 percent in 2018 and have now been increased again.

#### COMMENT

It is considered completely inappropriate that DAP application fees should be increased when Local Government planning application fees are left on hold. The State should be asked to explain why it continues to discriminate against Local Government in terms of planning fees.

## RESOLUTION

Moved: Cr Julie Brown  
Seconded: Mayor David Goode

That the South East Metropolitan Zone asks WALGA to object, in the strongest possible terms, to the State Government's decision to increase DAP application fees by 1.75% this year, while leaving Local Government development application fees on hold again.

CARRIED

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### 6.4 Transparency in State Government Fees and Charges – South East Metropolitan Zone

*By City of Gosnells*

#### BACKGROUND

Several State Government agencies, including the Office of the Auditor General, the Valuer General and the Western Australian Electoral Commission, have a monopoly on the delivery of services to local governments and local governments are simply required to pay fees levied by those agencies. When issuing invoices, those agencies rarely provide any information in relation to how fees have been calculated. Invariably, when asked for details on how costs have been calculated, those agencies are reluctant to provide that information.

## COMMENT

There is much rhetoric around the need for openness, transparency and accountability in Local Government from the State, yet that same standard is not applied to State Government agency invoices. State Government agencies should be providing detailed information on how fees are determined for monopoly services in order to ensure there is some accountability in the delivery of those services.

## RESOLUTION

**Moved:** Mayor David Goode  
**Seconded:** Cr Julie Brown

**That the South East Metropolitan Zone asks WALGA to advocate for greater transparency in fees charged by State Government agencies that have a monopoly on the delivery of services to Local Governments, including the Office of the Auditor General, the Valuer General and the Western Australian Electoral Commission, with invoices issued to Local Governments detailing how fees are determined.**

**CARRIED**

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### **6.5 Social Housing Economic Recovery Package Grant Funding**

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*By Kelly McManus, Principal Policy and Advocacy WALGA*

## BACKGROUND

The \$319 million [Social Housing Economic Recovery Package \(SHERP\)](#) is part of the State Government's COVID-19 Recovery Plan announced in June 2021.

The Program aims to provide safe and secure housing outcomes for vulnerable Western Australians by supporting the construction of new community housing properties and the refurbishment of existing properties to extend their useful life or increase their capacity. Grants are also available to fund maintenance works within remote Aboriginal communities.

Local Governments are eligible to apply for SHERP grants and partner with existing social housing providers and community groups within their communities.

The next round of SHERP funding opens on Monday 1 September 2021.

## COMMENT

Further information on the eligibility requirements and application process for the SHERP grants will be provided by the Department of Communities at a webinar to be hosted by WALGA on **Monday 1 September** from 1.30pm – 2.30pm.

Local Government officers wishing to attend the register for the Webinar [here](#) or through the [WALGA events page](#).

The Livestream presentation from the 11<sup>th</sup> August is available to view on the Department of Communities website and provides valuable information about the grant process.

In preparation for the session, we encourage local governments to: Visit the Department of Communities website on the 1<sup>st</sup> September to familiarise yourself with the grant guidelines, application process and frequently asked questions.

Submit any questions you have in advance through the registration form. There will also be the opportunity to ask additional questions on the day.

Further information on the SHERP program is available on the [Department of Communities website](#) or by contacting Kelly McManus, Principal Policy and Advocacy, WALGA on 0429 483 273 or [kmcmanus@walga.asn.au](mailto:kmcmanus@walga.asn.au).

## RESOLUTION

**Moved:** Cr Bronwyn Ife  
**Seconded:** Mayor Ruth Butterfield

**That the Zone notes:**

- **Local Governments are eligible for grants to support the construction, refurbishment and maintenance of community housing properties as part of the State Government's Social Housing Economic Recovery Package (SHERP) Program.**
- **The next round of SHERP grants open on Monday 1 September 2021.**
- **The Department of Communities will provide further information on the SHERP grants at a WALGA webinar to be held at 1:30pm on Monday 1 September.**

**CARRIED**

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## 6.6 2021 Local Government Elections – Zone Office Bearer Elections

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*By Chantelle O'Brien, Zone Executive Officer*

### BACKGROUND

With the bi annual Local Government elections being held Saturday, 16 October 2021, Zones will also be required to hold an election process for State Council representatives.

A chronological overview of the process is detailed below:

- Local Government elections occur on Saturday, 16 October 2021.
- Member Councils to elect/appoint their Zone Delegates and to advise the Zone Executive Officer, as soon as possible but preferably by 5 November 2021.
- For the purpose of electing their representatives and deputy representatives to the WALGA State Council, the zones are required to hold these elections at their November 2021 meeting.
- Zones to advise WALGA, in writing, of their elected State Council representative and deputy representative immediately following the 2021 November Zone meeting.
- State Councillor Induction Session – morning of **1 December 2021**.
- New State Council will take office at the Ordinary Meeting of State Council on **1 December 2021**.
- The position of President and Deputy President of WALGA, will be elected at the March 2022 State Council Meeting.

In relation to the nominations and election process to be followed by each Zone in electing a representative and deputy representative to the WALGA State Council, the below process has been instituted by State Council:

1. *Zone Executive Officer to write to all Member Councils no later than 1 month prior to the Zone meeting at which the election is to be held calling for nominations from delegates to the Zone for the positions of representative and deputy representative to State Council. The correspondence is to state that all nominations are to be made in writing to the Zone Executive Officer, and only Elected Members who are a nominated Zone delegates are eligible to nominate. The time period*

for the receipt of nominations is to be **one week prior** to the Zone meeting at which the election will be held.

2. Zone Executive Officer to receive written nominations from Zone delegates for the positions of representative and deputy representative to State Council and then provide written confirmation to Member Councils of the nominations received.
3. Elections are to be held at the next Zone meeting as the first item of business. Where there is more than one nomination for each vacant position, an election will be conducted using a secret ballot, with the Zone Executive Officer to represent WALGA as the returning officer for the election. Prior to the ballot, nominees for each position are to be extended the opportunity to provide a 2 minute election bid to delegates.
4. All voting delegates to the Zone are entitled to cast one (1) vote in the ballot process. The candidate with the greater or greatest number of votes is elected to the office.
5. **Tied vote** – in the event of a tied vote, election will be determined by drawing names from a box. The Secretariat will put the names of the candidates concerned in a box and the first name drawn is the Elected Member.
6. Zone Executive Officer to advise WALGA in writing immediately following the Zone meeting of the outcome of their elections.

If you have any questions or require further information in relation to the above mentioned process, please contact Tony Brown, Executive Manager Governance and Organisational Services on 9213 2051 or email [tbrown@walga.asn.au](mailto:tbrown@walga.asn.au).

## RESOLUTION

Moved: Cr Bronwyn Ife  
Seconded: Mayor David Goode

**That the South East Metropolitan Zone notes the process for election of Zone Representative and Deputy Representative to the WALGA State Council.**

**CARRIED**

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## 6.7 Office of the Auditor General

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The Office of the Auditor General has offered to present at a future Zone meeting, as follows:

*The Office of the Auditor General is now responsible for all WA Local Government and regional council financial audits. If your zone has any questions about our financial audit process or performance audit program/reports, we would be happy to provide a presentation at one of your future meetings.*

## RESOLUTION

Moved: Cr Bronwyn Ife  
Seconded: Mayor Julie Brown

**That the South East Metropolitan Zone INVITES a representative from the Office of the Auditor General to present at a future meeting.**

**CARRIED**

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## 7. OTHER BUSINESS

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Nil.

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**8. EXECUTIVE REPORTS**

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**8.1 WALGA President's Report**

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The WALGA representative presented the President's Report.

**Noted**

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

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WALGA State Councillors presented on the previous State Council meeting.

**Noted**

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

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A representative from the Department of Local Government, Sport and Cultural Industries 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 South East Metropolitan Zone be held on Wednesday 17 November 2021 at the Town of Victoria Park commencing at 6:00 pm.**

**Noted**

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**10. CLOSURE**

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There being no further business the Chair declared the meeting closed at 6:36pm.