



South West Country Zone

Minutes

28 August 2020

Bridgetown Pottery Restaurant

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South West Country Zone

Meeting held at Bridgetown Pottery Restaurant

81 Hampton Street, Bridgetown

Commencing at 9.08am, Friday 28 August 2020

Minutes

1. OPENING AND WELCOME

The Chair, President Cr Tony Dean, opened the meeting and welcomed delegates at 9:08am.

President Cr John Nicholas acknowledged the Traditional Owners, paid respects to Elders past, present and emerging, and welcomed delegates and guests to the Shire of Bridgetown-Greenbushes.

2. ATTENDANCE AND APOLOGIES

Attendance

Shire August Margaret River	President Cr Ian Earl Ms Stephanie Addison-Brown, Chief Executive Officer non-voting delegate
Shire of Boyup Brook	President Cr Richard Walker Mr Peter Dittrich, Acting Chief Executive Officer non-voting delegate
Shire of Bridgetown-Greenbushes	President Cr John Nicholas JP Mr Tim Clynych, Chief Executive Officer non-voting delegate
City of Bunbury	Cr Tresslyn Smith Mayor Gary Brennan, observer Mr Mal Osborne, Chief Executive Officer non-voting delegate
City of Busselton	Mayor Grant Henley Mr Tony Nottle, Director Finance and Corporate Services non-voting delegate
Shire of Collie	Cr Ian Miffing Mr David Blurton, Chief Executive Officer non-voting delegate
Shire of Dardanup	President Cr Michael Bennett Mr Andrew Schonfeldt, Chief Executive Officer non-voting delegate
Shire of Donnybrook-Balingup	President Cr Brian Piesse Mr Ben Rose, Chief Executive Officer non-voting delegate Mr Paul Breman, Executive Manager Corporate and Community
Shire of Harvey	President Cr Paul Gillett Mr Simon Hall, A/Chief Executive Officer non-voting delegate

Shire of Manjimup	President Cr Paul Omodei Mr Andrew Campbell, Chief Executive Officer non-voting delegate
Shire of Nannup	President Cr Tony Dean (SC) CHAIR Mr David Taylor, Chief Executive Officer non-voting delegate
WA Local Government Association Secretariat	Tim Lane, Manager, Strategy and Association Governance Chris Hossen, Senior Planner
Guests	Vikram Cheema, DFES District Emergency Management Advisor Superintendent Geoff Stewart, South West Police Superintendent Phil Brandrett, DFES LSW Superintendent Andy Wright, DFES SW

Apologies

Shire of Capel	President Cr Michael Southwell Mr Mark Chester, Acting Chief Executive Officer
Shire of Collie	President Cr Sarah Stanley
Shire of Harvey	Ms Annie Riordan, Chief Executive Officer
South West Development Commission	Ms Mellisa Teede, Chief Executive Officer
Department of Local Government, Sport and Cultural Industries	Ms Jodie Holbrook, Director Local Government Policy and Engagement

3. DECLARATIONS OF INTEREST

Nil.

4. ANNOUNCEMENTS

4.1 Attachments

The following are provided as attachments to the agenda:

1. South West Country Zone Minutes 26 June 2020.
2. Election Advocacy Priorities Workshop Outcomes Report
3. South West Group Election Priorities
4. Draft Candidate Cover Letter
5. COVID-19 Impact on Local Economies
6. State Council Agenda – via link: <https://walga.asn.au/getattachment/2ec50f86-fa98-4e62-92e7-4a68fd60c7f3/Agenda-State-Council-2-September-2020.pdf>
7. Item 5.5 – Local Government Review Panel Report
8. WALGA President's Report

5. GUEST SPEAKERS / DEPUTATIONS

5.1 Presentation by Host Local Government – Shire of Bridgetown-Greenbushes

Bruce Vernon from Talison Lithium presented to the Zone about the current Greenbushes lithium mineral concentrates mine and plans for further expansion.

Noted

5.2 Presentation – South West DEMC Executive

Representatives from DFES and WA Police presented to the Zone on South West Policing and Emergency Management. In particular, engagement with the DEMC is requested from member Local Governments.

Noted

5.3 Presentation – Proposed Ranger Service MOU

Shire of Collie and Shire of Dardanup representatives presented to the Zone. A proposal will be further developed and presented to a future Zone meeting.

Noted

6. MINUTES

6.1 Confirmation of Minutes from the South West Country Zone meeting held Friday 26 June 2020 (Attachment 1 and 2)

The Minutes of the South West Country Zone meeting held on Friday 26 June 2020 have previously been circulated to Member Councils and are provided as an attachment to this agenda. In addition, the

RESOLUTION

Moved: President Cr John Nicholas
Seconded: Mayor Grant Henley

That:

- 1. The minutes of the South West Country Zone meeting held Friday 26 June 2020 are confirmed as a true and accurate record of the proceedings; and,**
- 2. The Election Manifesto Prioritisation Workshop Outcomes Report be noted.**

CARRIED

6.1.1 Business Arising

Nil.

7. ZONE BUSINESS

7.1 South West Election Advocacy Priorities

City of Bunbury

MOTION

Moved: President Cr Brian Piesse
Seconded: President Cr Michael Bennett

That the South West Zone of WALGA endorse the South West Regional Election Priorities Advocacy Manifesto.

AMENDMENT

Moved: President Cr Brian Piesse
Seconded: President Cr John Nicholas

That the underlined words below be added to the last bullet point under THE SOUTH WEST REQUESTS in relation to the Bunbury Port Expansion, so it reads:

“Government to advise of their firm position on whether the integrated Freight Network will proceed for the area of Greenbushes to allow the region to future plan, including consideration of reactivation of the Greenbushes to Kemarton railway line.”

CARRIED

AMENDMENT

Moved: President Cr Ian Earl

That the reference to the timber industry be removed.

Motion **LAPSED** for want of a seconder

AMENDMENT

Moved: President Cr Ian Earl

That a footnote be added noting that the Shire of Augusta-Margaret River is opposed to native forest logging.

Motion **LAPSED** for want of a seconder

RESOLUTION

That the South West Zone of WALGA endorse the South West Regional Election Priorities Advocacy Manifesto with the following amendment:

- The underlined words below be added to the last bullet point under THE SOUTH WEST REQUESTS in relation to the Bunbury Port Expansion, so it reads:

“Government to advise of their firm position on whether the integrated Freight Network will proceed for the area of Greenbushes to allow the region to future plan, including consideration of reactivation of the Greenbushes to Kemarton railway line.”

CARRIED

RESOLUTION

That a group be formed to circulate the Election Priorities Manifesto among candidates and other stakeholders comprising the following members, or their delegates:

- 1. President Cr Tony Dean**
- 2. President Cr Brian Piesse**
- 3. Mr Mal Osborne**

CARRIED

In Brief

- To prioritise key projects, policy positions or requests to inform the development of a pre-election manifesto to guide regional advocacy with election candidates before, during and after the 2021 State Election campaign
- Election Manifesto Prioritisation Workshop Agenda was held Friday 26 June and a list prepared.
- CEO's met Friday 24 July to review and further develop the priorities

Background

The state election sees an opportunity for members to canvass candidates running with the intention of securing funding to assist with these projects as part of the 2021 State Election campaign.

In conjunction with the last Zone Meeting in Boyup Brook, the workshop was held resulting in a draft election priorities manifesto.

The draft election priorities document was kept really high level to provide a general overview of the issues and then some discussion of the ultimate aim.

It was noted that the Key Considerations discussed by members at previous zone meetings identified:

1. The election manifesto should include six to ten proposals of regional significance.
2. Proposals can include infrastructure projects, legislative changes, partnerships, but must be strategic and regionally significant.
3. The South West Region Election Manifesto will integrate with election advocacy on a tiered basis:
 - a. WALGA will develop advocacy covering state-wide local government sector issues
 - b. The South West Zone will develop a regional manifesto outlining six to ten proposals of regional significance
 - c. Each Local Government will advocate for local priorities with election candidates
4. The Election Manifesto is an advocacy document.

Comment

In preparation for upcoming the State Government Election, the twelve Local Government Authorities have jointly met to develop and agree to a list projects which may be delivered through a collective regional approach. These projects align with Government objectives which relating to jobs and skills; infrastructure and investment; liveability and sustainability; innovation and digital opportunities; governance, planning and regulation and housing. The attached information pages provide further details on what the Group believe are key to social and economic prosperity under the topics of:

- Regional Liveability
- Regional Aviation and Busselton-Margaret River Airport
- Regional Road Network
- Bunbury Port Expansion
- Advance Manufacturing Hub
- Timber Industry Development
- Regional Waste Solution
- Climate Mitigation and Adaption

These areas include not only infrastructure that will deliver significant regional benefits but also generate employment opportunities and delivery of the projects/requests will provide improved regional outcomes and assist in enhancing the economic, social and health benefits for the South West Region.

In previous discussion, the assessment of projects to be put forward were around the following two criteria:

- Value to the region – consider the regional benefits of each proposal in terms of its economic, social, societal, environmental or other impact
- Feasibility – consider the feasibility of each proposal in terms of the current context, financial cost, political appetite, and other barriers to the proposal.

At a meeting of CEO's of the SW Zone held Friday 24th July, the group further broadened the items from the Workshop and as a result, the attached draft brochure of the electoral priorities has been produced.

Attachments:

1. South West Group Election Priorities
2. Draft Candidate Cover Letter

7.2 Family and Domestic Violence Discussion Paper

By Marissa McDonald, Senior Policy Advisor, Community, WALGA

Background

WALGA received requests from the South West Country Zone in March 2019 and the East Metropolitan Zone in November 2019 to analyse and address the issue of family and domestic violence.

In March 2019 the South West Country Zone endorsed the following:
That:

1. The SWCZ request WALGA to begin to develop an advocacy position on family and domestic violence.
2. A sector working group is formed to guide the consultation process and a state wide forum be held to raise awareness of the issue within the sector
3. A formal request be made that Our Watch and other key stakeholders are invited to present to the sector.

WALGA has developed a discussion paper with recommendations in response to these requests. Please see the link below to the discussion paper:

<https://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/People-and-Place/Family-and-Domestic-Violence/Local-Government-and-FDV-Discussion-Paper-FINAL.pdf?lang=en-AU>

RESOLUTION

Moved: President Cr Michael Bennett
Seconded: Cr Tresslyn Smith

1. That WA Local Governments recognise the prevalence, seriousness and preventable nature of family and domestic violence and the roles that Local Governments which have capacity can voluntarily play in addressing gender equity and promoting respectful relationships in their local community.
2. That WALGA advocates to the State Government:
 - a. to define and communicate the role, responsibilities and expectations of Local Governments in family and domestic violence.
 - b. for adequate funding for family and domestic violence programs and services, particularly in regional areas.
 - c. for appropriate resources and funding be allocated to Local Governments to implement any particular roles and actions addressing family and domestic violence as defined in the State Strategy.
 - d. to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government.
 - e. to continue advocacy to the Commonwealth Government for additional funding and support.
3. That WALGA organises presentations for Local Governments that address family and domestic violence, as part of relevant events or webinars.

CARRIED

7.3 COVID-19 Pandemic – Further Update

By Nicole Matthews, COVID-19 Coordinator

Please note: This report provides a COVID-19 update since 3 August 2020 (Item 6.1 in the State Council Agenda).

Executive Summary

1. At the time of writing the COVID-19 pandemic in WA remains under control, with only 5 active cases and no evidence of community transmission.
2. Based on health advice Phase 5 of the State Government Roadmap has been further delayed until at least 24 October 2020, and the Perth Royal Show has been cancelled.
3. Widespread, unknown source community transmission in Victoria has resulted in the re-imposition of Stage 3 and 4 restrictions in that State and a further downward revision in GDP and national employment forecasts.
4. Learnings from Victoria are informing the WA Government's outbreak preparedness.
5. State Recovery Plan announcements are being made progressively, with region plans released for the Kimberley, Wheatbelt, Great Southern, Mid-West, Gascoyne, Peel and Goldfields-Esperance.
6. WALGA has undertaken local economic impact analysis for each Local Government Area to assist in operational and strategic planning decision making. Each Local Government CEO and Mayor or President has been provided with a tailored analysis pack for its area. A tailored report your Regional Development Area is attached.

Background

COVID-19 in WA

The COVID-19 pandemic in Western Australia remains under control with only 5 active cases (all in quarantine) and no evidence of community transmission. Notwithstanding this, the State Government is continuing to prepare for outbreaks or a 'second wave' of COVID-19, with learnings from the situation in Victoria informing that process.

Further restrictions on entry to Western Australia have also been implemented, including a requirement for truck drivers entering Western Australia to show evidence of having received a negative COVID-19 test result in the previous five days or to take a test within 48 hours.

On 18 August the Premier announced a third delay to the commencement of Phase 5 of the roadmap to easing restrictions, based on the latest health advice. Phase 5, which was originally scheduled to commence on July 17 now has a tentative start date of Saturday 24 October. A final decision on this timeline will be made earlier in October.

The Premier also announced the cancellation of the Royal Show due to the health risk posed by the large number of visitors and indoor venues, as well as number of high frequency contact surfaces that, if somehow COVID-19 was present, would lead to a significant outbreak.

State Recovery Plan

Further initiatives have been announced as part of the State COVID-19 Recovery Plan, including for tourism, local manufacturing, infrastructure, health, police, schools and TAFE, renewable energy, sport, culture and the arts. Region plans have been released for the Kimberley, Wheatbelt, Great Southern, Mid-West, Peel, Gascoyne and Goldfields-Esperance. Information on these and other Recovery Plan announcements can be found at <https://inthistogether.wa.gov.au/>.

COVID-19 Economic Impact

The Victorian shutdown has seen further downward revisions to GDP and employment forecasts provided by the Commonwealth Treasurer in the Economic and Fiscal Update on 23 July:

- Real GDP in the September quarter will shrink by between \$7 billion and \$9 billion
 - 80% of this economic cost, \$6 - \$7 billion, is expected to be in Victoria;
 - the remainder arises from the broader impact on confidence in other states and supply chain impacts from the shutdown of certain industries in Victoria.
- The combined effect on GDP of the previous Victorian restrictions through the September quarter are expected to be in the order of \$10 - \$12 billion, detracting 2.5% from quarterly real GDP growth.
- National unemployment is expected to exceed the forecast peak of 9.25% and may instead peak closer to 10%.
- The effective rate of unemployment (which accounts for people not looking for work and those on zero hours) which had fallen to just over 11% will increase again to high 13%.

Australian Bureau of Statistics figures indicate that during the months of June and July, the WA economy recovered almost half of the 95,000 jobs lost due to the COVID-19 pandemic.

WALGA COVID-19 Local Economic Impact Analysis

WALGA has prepared tailored economic impact reports for each Local Government in WA to assist them as they develop COVID-19 recovery plans and initiatives. Each Local Government has been provided analysis on:

- How employment in different industries has been impacted in their Local Government Area since the start of the pandemic;
- The proportion of their Local Government Area's labour force that were accessing the JobSeeker subsidy in March, April, May and June;

- The proportion of organisations within their Local Government Area that were accessing the JobKeeper subsidy in April and May; and
- The overall economic impact of COVID 19 in their Local Government Area, relative to other Local Governments Areas and regions.

This information will assist Local Governments to:

- Inform their response and recovery activities and stimulus measures to ensure they are appropriately targeted;
- Anticipate and plan for the financial impact of ratepayers (residents and businesses) requiring access to hardship measures for their rates, or for potential changes in fees and services revenue; and
- Engage key stakeholders, such as regional Chambers of Commerce, businesses, community groups and not for profits and other key bodies and institutions, so that these organisations can use the information within this report as an input into their own decision making and planning.

A tailored report for the South West is attached. (Attachment 5).

WALGA will continue to update this analysis as new data is released and is seeking to partner with State Treasury to further inform and broaden this analysis by incorporating other key economic and social data.

WALGA's analysis has also been provided to the State Recovery Controller, Sharyn O'Neill and the Minister for Local Government. WALGA understands that the Minister will table a summary of this analysis for consideration at an upcoming meeting of the State Disaster Council, chaired by the Premier.

NOTED

7.4 Request to Present – Department of Planning, Lands and Heritage

By Chantelle O'Brien, Governance Support Officer

WALGA has been working with the South West Aboriginal Land and Sea Council, Department of Planning, Lands and Heritage (DPLH) and Department of Premier and Cabinet (DPC) to develop a template Noongar Heritage Agreement for use by Local Governments within the area of the South West Native Title Settlement (SWNTS).

A representative from the Department of Planning, Lands and Heritage would like the opportunity to present to the South West Country Zone and provide an overview of the template Agreement and an update on the progress of new Aboriginal heritage legislation for WA.

RESOLUTION

Moved **President Cr Michael Bennett**
Seconded **President Cr Ian Earl**

That a representative from the Department of Planning, Lands and Heritage provide an overview of the template Noongar Heritage Agreement and an update on the progress of new Aboriginal heritage legislation for WA at the November South West Country Zone meeting.

CARRIED

8. ZONE REPORTS

8.1 Zone President Report

By President Cr Tony Dean

RESOLUTION

Moved: President Cr Paul Gillet
Seconded: President Cr Brian Piesse

That the Zone President's Report be received.

CARRIED

9. WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) BUSINESS

9.1 State Councillor Report

By President Cr Tony Dean

RESOLUTION

Moved: President Cr Paul Gillet
Seconded: President Cr Brian Piesse

That the State Councillor Report be received

CARRIED

9.2 WALGA Status Report

By Tim Lane

BACKGROUND

Presenting the Status Report for August 2020 which contains WALGA's responses to the resolutions of previous Zone Meetings.

Zone	Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
Sth West C	2019 March 22 Zone Agenda Item 7.7 Funding Commitment Towards Strategic Transport Network Infrastructure In South West Western Australia	<p>1. That the South West Zone of WALGA adopts an advocacy position of seeking a commitment to funding from:</p> <ul style="list-style-type: none"> a. Western Australian State Government; and/or b. Australian Federal Government; and/or c. Private industry to better manage the ever increasing numbers of heavy vehicle haulage and light vehicle users within the south-west (particularly including South Western Highway), including the possibility of re-instating and re-opening the disused South West Railway, as well as the future expansion and improvements of our road networks for the south-west region as part of the investment of our future infrastructure and road networks. <p>2. That the South West Zone of WALGA requests the WALGA State Council to consider adopting the advocacy position outlined in Recommendation 1, above.</p>	The Infrastructure Policy Team requested that the Association investigate the need for and feasibility of developing a road project advocacy tool to support Local Governments and Zones in their advocacy for specific road developments given the large number of potential projects across the State.	Ongoing	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Sth West C	2019 June 28 Zone Agenda Item 7.5 Reactivation of South West Rail Line	THAT WALGA advocate for the State Government to make a clear decision on the reactivation of the South West rail line.	<p>Talison and Arc Infrastructure are continuing to develop a feasibility study in relation to utilizing rail to transport lithium ore from Greenbushes to Kemerton.</p> <p>The Department of Transport has drafted a south west regional freight strategy that will consider supply chains for agricultural and other products (including lithium). This will integrate information from the draft Westport Strategy and the Arc / Talison work. It is understood that this is currently with the Government for consideration.</p> <p>The Association has and will continue to advocate for a transparent decision regarding the future use of the South</p>	August 2020	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031

			West rail line and encourage members to contribute directly to freight strategy consultation.		
Sth West C	2020 February 28 Zone Agenda Item 7.5 Request to Main Roads WA to permanently rectify the recurrence of flushing/bleeding on the South Western Highway and the Donnybrook-Boyup Brook Road.	THAT the South West Zone of WALGA: Seeks WALGA's support in taking an advocacy position to support the Shire of Donnybrook Balingup request to Main Roads WA to permanently rectify the recurrence of flushing/bleeding on the South Western Highway and the Donnybrook-Boyup Brook Road.	This matter was followed up through the State Road Funds to Local Government Advisory Committee during August. Written advice has been provided to the Shire and the matter listed for further consideration at the South West Regional Road Group meeting, where representatives from Main Roads WA will be present.	August 2020	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Sth West C	2020 26 June Zone Agenda Item 9.2 WALGA Status Report	2. In relation to ESL eligible expenditure, slip line water tanks be considered by DFES as eligible for funding as part of the Local Government Grant Scheme.	The issue will be raised at the next meeting of the Local Government Grants Scheme Working Group.	August 2020	Mark Batty Executive Manager, Strategy, Policy and Planning mbatty@walga.asn.au 9213 2078
Sth West C	2019 March 22 Zone Agenda Item 7.3 Domestic Violence Communities	That The SWZ request WALGA to begin to develop an advocacy position on family and domestic violence. A sector working group is formed to guide the consultation process and a state wide forum be held to raise awareness of the issue within the sector A formal request be made that Our Watch and other key stakeholders are invited to present to the sector.	A Mental Health and Local Government Forum was held in Perth on 11 November 2019 which explored the policies and initiatives Local Governments are implementing to address mental health in local communities. The CEO of Our Watch intended to present, however was unable to do so and returned to deal with an urgent organisational matter. WALGA has written to the South West Country Zone regarding this matter and will reschedule an opportunity with Our Watch in 2020. A survey of Local Governments was undertaken between September and December 2019 to explore the role of Local Governments in addressing family and domestic violence. A discussion paper is now being prepared using the results from the Local Government survey. In January 2020 WALGA contacted the Municipal Association of Victoria, as well as other Local Government Associations, to obtain information on the role they are undertaking to address family and domestic violence and this will also be included in the discussion paper. State Government has released its FDV Strategy in July 2020. WALGA has finalized its FDV Discussion Paper that has been provided to the zones for review and to provide direction back to WALGA on how it wishes to proceed.	Ongoing	Mark Batty Executive Manager, Strategy, Policy and Planning mbatty@walga.asn.au 9213 2078
Sth West C	2018 August 24 Zone Agenda Item 7.1 Restrictions on taking gravel from DBCA Reserves	THAT: The South West Zone of WALGA: 1. Request WALGA to seek reconsideration of present DBCA (Parks and Wildlife Service)	Access needs to be negotiated, in the first instance, with the DBCA Regional Manager.	Ongoing	Mark Batty Executive Manager, Strategy, Policy and Planning mbatty@walga.asn.au 9213 2078

		<p>policy/position of refusing approval and/or prohibiting access by local governments to extract gravel on DBCA reserves and forest areas.</p> <p>2. Propose a policy to DBCA that protects forests from the spread of dieback while allowing access to gravel for road building by local government authorities</p>	<p>More information on this issue is being sourced.</p>		
Sth West C	<p>2017 November 24 Zone Agenda Item 9.2 Shire of Capel Submission Local Government Grant Scheme (ESL) Eligible Expenditure</p>	<p>That WALGA be requested to lobby the State Government for:</p> <p>1. A comprehensive review of items of eligible expenditure under the Local Government Grant Scheme to enable the full costs of operating Volunteer Bush Fire Brigades to be met; and</p> <p>2. The establishment of the general principle of equality of eligible expenditure across all emergency services for operating costs associated with their activities.</p>	<p>The State Government has advised that the recommendations from the Economic Regulation Authority review of the Emergency Services Levy is being considered as part of the Machinery of Government process currently reviewing the structure of DFES. This process includes a review of the ESL governance and operational arrangements.</p> <p>WALGA will continue to lobby for a review of the items of eligible expenditure under the Local Government Grant Scheme to enable the full costs of operating Volunteer Bush Fire Brigades to be met; and the general principle of equality of eligible expenditure across all emergency services for operating costs associated with their activities.</p> <p>WALGA are in discussions with DFES regarding a comprehensive review of the eligible and ineligible item lists contained within the Local Government Grant Scheme Manual.</p> <p>It is an ongoing discussion in the Local Government Grants Scheme Working Group</p>	Ongoing	<p>Mark Batty Executive Manager, Strategy, Policy and Planning mbatty@walga.asn.au 9213 2078</p>
Sth West C	<p>2020 April 24 Zone Agenda Item 7.1 Payments to Volunteers Impacted by Emergency Events</p>	<p>That the South West Country Zone request WALGA to advocate for the State and Commonwealth Governments to introduce a payment system for emergency services volunteers to partially offset their income lost when volunteering in emergency events.</p>	<p>WALGA has written to the Commonwealth Minister for Agriculture, Drought, and Emergency Management on the matter.</p>	August 2020	<p>Mark Batty Executive Manager, Strategy, policy and Planning mbatty@walga.asn.au 9213 2078</p>
Sth West C	<p>2019 August 30 Zone Agenda Item 7.6 Amendments to CALM Act</p>	<p>That the SW Zone request WALGA lobby;</p> <p>A. For policy change of the Conservation and Land Management Act 1984 to ensure impacted landholders are adequately supported and recompensed in the instance where State Government activities and/or incidents resulting in damage to property; and</p>	<p>WALGA has followed up with the Department of Biodiversity Conservation and Attractions, and is still awaiting a response.</p>	August 2020	<p>Mark Batty Executive Manager, Strategy, Policy and Planning mbatty@walga.asn.au 9213 2078</p>

		<p>B. Seek clarification on the status of the Department of Conservation and Attractions Good Neighbor Policy and when (or if) it applies; and</p> <p>C. That the State Government widely communicate the amendments made in 2016 to Section 132 of the Conservation and Land Management Act 1984 and the implications of these amendments on landholders; and</p> <p>D. That the State Government recompense impacted landholders from the Lewana and Blackwood Complex bushfires.</p>			
Sth West C	2020 25 June Zone Agenda Item 7.1 Regulation of Park Homes / Manufactured Homes / Lifestyle Villages	That the South West Zone seek WALGA's support to request that the State Government urgently amend the Caravan Parks Legislation to allow the continued lawful placement of new manufactured homes on caravan park sites, until approximately 2030, providing regulatory certainty in the short term to the industry, its customers and local governments, and providing time in which more comprehensive regulatory reform can be undertaken.	An item has been prepared for the September State Council meeting to endorse the South West Country Zones resolution.	August 2020	Mark Batty Executive Manager, Strategy, Policy and Planning mbatty@walga.asn.au 9213 2078
Sth West C	2020 26 June Zone Resolution Agenda Item 10.1 Universal Elected Member Training	That due to the COVID-19 pandemic, WALGA request the Minister for Local Government to extend by six months the requirement for newly Elected Members to undertake training within 12 months.	<p>WALGA State Councillor Tony Dean raised this issue as an urgent item of business at the State Council meeting on 1 July 2020.</p> <p>State Council resolved as follows;</p> <p>“That due to the COVID-19 pandemic, WALGA request the Minister for Local Government to extend by six months the requirement for newly Elected Members to undertake training within 12 months”.</p> <p>Correspondence has been sent to the Minister and once a response is received advice will be provided to the sector.</p>	August 2020	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au
Sth West C	2020 26 June Zone Agenda Item 12.1 State Government Procurement Debarment Regime Proposal	<p>1. Continues to monitor the proposed Procurement Debarment Regime and the impacts on the Local Government sector to provide advice, guidance and advocacy; and</p> <p>2. Considers the impacts of the Procurement Debarment Regime on its own preferred supplier arrangements.</p>	1. This item is being research by WALGA's Governance/Procurement staff with a view to advocating on this issue and to update our Procurement policy and procedure templates and advice.	August 2020	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au

			<p>2. WALGA already has within the legal capacity of the Preferred Supplier program contracts to suspend or terminate on the basis of inappropriate conduct. In specific response to the action by State Government to include a debarment position, WALGA is currently has a legal firm redrafting the new regime to align the WALGA model to the Debarment provisions. In particular to insert the right to terminate our contracts if the entity has been debarred from State Government.</p>	<p>August 2020</p>	<p><u>Zac Donovan</u> <u>Executive Manager</u> <u>Commercial and</u> <u>Communications</u> <u>9213 2038</u> zdonovan@walga.asn.au</p>
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ZONE COMMENT

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: President Cr Michael Bennett

Seconded: President Cr John Nicholas

That the South West Country Zone WALGA August 2020 Status Report be noted.

CARRIED

9.3 Review of WALGA State Council Agenda – Matters for Decision

BACKGROUND

WALGA State Council meets five times each year and as part of the consultation process with Member Councils circulates the State Council Agenda for input through the Zone structure.

The full State Council Agenda can be found via link: <https://walga.asn.au/getattachment/2ec50f86-fa98-4e62-92e7-4a68fd60c7f3/Agenda-State-Council-2-September-2020.pdf>

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

5.1 Park Home Approvals and the Caravan Parks and Camping Grounds Act 1995

That WALGA requests the State Government to:

1. Urgently amend the *Caravan Parks and Camping Grounds Act 1995* to allow the continued lawful placement of new manufactured homes on caravan park sites until 2030; and
2. Undertake a full review of the *Caravan Parks and Camping Grounds Act 1995* and associated legislation and regulations.

5.2 Submission on Decision Paper – Swimming Pool and Safety Barrier Control

That the submission on the Decision Paper on Swimming Pool and Safety Barrier Control, be endorsed.

5.3 Development Assessment Panels

That the findings and recommendations of the Development Assessment Panels, 2011-20 Review be endorsed and that WALGA advocate for:

1. The abolishment of the current 'mandatory' mechanism which requires a Development Assessment Panel to act as the decision maker where a proposal has a value of \$10 million or greater, and replace this with an 'opt in' mechanism for all proposals;
2. Raising the Development Assessment Panel threshold from the current \$2 million back to \$3 million; and
3. The Department of Planning, Lands and Heritage to make public comprehensive data related to the performance of the Development Assessment Panel system to improve the transparency of the system.

5.4 Air Handling Discussion Paper Part Two

That the submission to the Department of Health in response to the Air Handling discussion paper Part Two be endorsed.

RESOLUTION

Moved: Mayor Grant Henley
Seconded: President Cr Richard Walker

That the South West Country Zone supports Matters for Decision 5.1-5.4 inclusive as listed above in the September 2020 State Council Agenda.

CARRIED

9.3 State Council Item 5.5 – Local Government Review Panel Report
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Refer to attachment under separate cover.

PROCEDURAL MOTION

Moved: President Cr John Nicholas
Seconded: President Cr Ian Earl

That standing orders be suspended.

CARRIED

The Zone discussed Item 5.5 including the process for responding to the Panel Report and a number of the Panel's recommendations.

PROCEDURAL MOTION

Moved: President Cr Brian Piesse
Seconded: President Cr John Nicholas

That standing orders be resumed.

CARRIED

MOTION

Moved: President Cr Richard Walker
Seconded: Mayor Grant Henley

That the WALGA recommendation relating to Item 5.5 be supported.

AMENDMENT

Moved: President Cr Paul Omodei

That Panel recommendation 8 be opposed.

Motion **LAPSED** for want of a seconder

AMENDMENT

Moved: President Cr John Nicholas
Seconded: President Cr Richard Walker

That Panel recommendation 11 be subject to further consultation (i.e. moved from Part 1 of the recommendation to Part 4).

CARRIED

AMENDMENT

Moved: President Cr Brian Piesse
Seconded: President Cr Paul Omodei

That Panel recommendation 55 (h) be opposed.

CARRIED

AMENDMENT

Moved: President Cr John Nicholas

That Panel recommendation 55(c) be supported.

Motion LAPSED for want of a seconder

AMENDMENT

Moved: Cr Ian Miffing
Seconded: President Cr Michael Bennett

That, in relation to Panel recommendation 26 (a), the number of Elected Members applicable to Local Governments with populations between 5,000 and 75,000 be amended to read:

- **“Populations between 5,000 and 75,000 – 5 to 11 Councillors (incl. Mayor/President)”**

CARRIED

AMENDMENT

Moved: President Cr Michael Bennett
Seconded: Cr Ian Miffing

That Panel recommendation 22 be opposed.

CARRIED

RESOLUTION

That the WALGA recommendation relating to Item 5.5 be supported with the following amendments:

1. Panel recommendation 11 be subject to further consultation (i.e. moved from Part 1 of the recommendation to Part 4).
2. Panel recommendation 55 (h) be opposed.
3. In relation to Panel recommendation 26 (a), the number of Elected Members applicable to Local Governments with populations between 5,000 and 75,000 be amended to read:
 - “Populations between 5,000 and 75,000 – 5 to 11 Councillors (incl. Mayor/President)”
4. That Panel recommendation 22 be opposed.

CARRIED

9.4 Review of WALGA State Council Agenda – Matters for Noting / Information

- 6.1 COVID-19 Pandemic – Update
- 6.2 Planning and Development Amendment Act 2020
- 6.3 Australian Fire Danger Rating System (AFDRS) Program
- 6.4 Report Municipal Waste Advisory Council (MWAC)

9.5 Review of WALGA State Council Agenda – Organisational Reports

7.1 Key Activity Reports

- 7.1.1 Report on Key Activities, Commercial and Communications
- 7.1.2 Report on Key Activities, Governance and Organisational Services
- 7.1.3 Report on Key Activities, Infrastructure
- 7.1.4 Report on Key Activities, Strategy, Policy and Planning

7.2 Policy Forum Reports

9.6 WALGA President’s Report

The WALGA President’s Report is attached to the agenda.

RESOLUTION

Moved: Mayor Grant Henley
Seconded: President Cr Michael Bennett

That the South West Country Zone notes the following reports contained in the WALGA September 2020 State Council Agenda.

- Matters for Noting/Information
- Organisational Reports
- Policy Forum Reports; and
- WALGA President's Report

CARRIED

10. AGENCY REPORTS

10.1 Department of Local Government, Sport and Cultural Industries

Department of Local Government, Sport and Cultural Industries put forward apologies for the meeting.

DLGSC UPDATE

August edition of Local Government Matters

Provides the update from DLGSC for this round of zone meetings.

<https://mailchi.mp/dlgsc/local-matters-august-2020-1096582>

Community Resilience Scorecard (also featured in the Local matters Newsletter)

DLGSC was launched the Community Resilience Scorecard with Minister Templeman and research partners Catalyse and Local Government Professionals.

Webinar link: https://www.youtube.com/watch?v=qwcq_SL5Cfq

Full report <https://dlgsc.wa.gov.au/departement/publications/publication/markyt-community-resilience-scorecard-results>

As part of the brief, the final report was dis-aggregated into 10 reports based on the Regional Development Commissions. These are attached for your reference and for Zone minutes.

These plans provide an important social lens and legitimacy to the WA Recovery Plan at a regional level. The reports highlight what the community would like local government to prioritise;

- economic recovery
- local employment opportunities
- community health and well being
- local infrastructure

Importantly, the development commission reports reflects alignment with WA State Recovery Plan and regional recovery sub plans.

We would be happy to arrange a presentation tailored for your Zone to discuss the outcomes of the report, research methodology or analysis with our research partner Catalyse.

Review State Local Government Partnership Agreement Review

The signatures of the agreement will commence the review of the partnership agreement to conclude in December 2020. Further advice is found in the WALGA State Council agenda in the organisation update Governance report page 45. DLGSC will seek feedback across government agencies and LG Professional WA and WALGA will discuss their respective members.

If you have any queries please get in touch – my mobile 0419192100 or email Jodie.holbrook@DLGSC.wa.gov.au

Noted.

10.2 South West Development Commission

Chief Executive Officer, Mellisa Teede, was an apology to the meeting.

Noted

11. FINANCIAL REPORTS – South West Country Zone

Transfer of the Zone's finances is underway. Bank account signatories will need to be changed.

Financial Report for the Year ended 30 June 2020

DETAILS	2018/19 ACTUAL \$	2019/20 ANNUAL BUDGET \$	2019/20 ACTUAL TO DATE \$
Opening Funds at 1 July	<u>12,323</u>	<u>12,521</u>	<u>12,521</u>
<u>Revenue</u>			
Interest on Investment	0	100	72
Member Council Contributions	7,200	7,200	6,600
Total	7,200	7,300	6,672
Revenue			
<u>Expenditure</u>			
Secretarial Service	(7,000)	(7,000)	(4,200)
Miscellaneous Expenses	(165)	(150)	(328)
Total	(7,165)	(7,150)	(4,528)
Expenditure			
Surplus (Deficit) for Period	35	150	2,144
Closing Funds at 30 June 2020	12,358	12,671	14,665

Closing Funds at 30 June 2020 Represented By:

Cash at Bank

Cheque Account	\$2,500
Term Deposit - Holding	\$12,165

Investment (1)

Less Creditor – Secretarial Fee	<u>\$14,665</u>
Net Assets Available at 30 June 2020	<u>(\$0)</u>
	<u>\$14,665</u>

Note:

- (1) The last available CBA statement for the term deposit was dated 22 January 2020. The term deposit may have earned further interest up until 30 June 2020, which is not reflected in revenue or closing funds.

Bank Account Signatories

It is recommended that the following WALGA officers be authorised as signatories for the S.W. Zone bank account (noting that two signatures will be required for any transaction):

- Tim Lane, Manager Strategy and Association Government
- Tony Brown, Executive Manager Governance and Organisational Services
- Rick Murray, Chief Financial Officer
- Tina Mosscrop, Accounting Manager

This is the same as the arrangement for the Great Eastern Country Zone, for whom WALGA also provides secretarial services.

Zone Subscriptions

It is understood Zone members will pay a subscription of \$600 consistent with previous years.

RESOLUTION

Moved: President Cr Paul Omodei
Seconded: President Cr John Nicholas

1. That signatories for the South West Country Zone bank account be the following WALGA officers:
 - Tim Lane, Manager Strategy and Association Government
 - Tony Brown, Executive Manager Governance and Organisational Services
 - Rick Murray, Chief Financial Officer
 - Tina Mosscrop, Accounting Manager

2. That the South West Zone invoice member Local Governments \$600 each for 2020/21 Zone subscriptions

CARRIED

12. EMERGING ISSUES / GENERAL BUSINESS

12.1 Waste Management Levy Charges

Shire of Donnybrook-Balingup

Executive Summary

Conflicting advice between the Department of Local Government, Sport and Cultural Industries (the Department) and the Western Australian Local Government Association (WALGA) in relation to the

application of a minimum levy under the *Waste Avoidance and Resource Recovery Act 2007* (the Act) is a local government sector-wide issue that requires resolution. This report recommends that, via the South West Zone, WALGA adopt an advocacy position with the Department to provide clarity and consistency in interpretation and application of s66 of the Act to the sector.

Background

Similar to numerous other local governments in the South West Zone, the Shire of Donnybrook Balingup raises an annual Waste Management Levy (via the annual Rates Notice) under provision of the Act. The Shire has raised this specific levy under the Act for the past 14 years, rather than including the payment/revenue via the GRV/UV Rating system.

Recent advice from the Department highlights that raising a minimum payment is not permitted by the Act if it results in an amount that would be higher than that allowed by the maximum set in s66 of the Act. However, legal advice attained from WALGA identifies that raising a minimum payment does accord with the provisions of the Act.

Regardless of the conflicting interpretations of this provision of the Act, the Shire has been forced to amend the methodology of the application of the Waste Management Levy in its draft 2020-21 Budget, in line with the Department's advice.

Comment

Without complex and time consuming financial modelling to determine and allocate thousands of individual levy concessions across all Shire rate assessments, the existing regime of waste management levy application instructed by the Department (under the Act) will result in a radically disproportionate distribution of waste management costs. The preceding approach of the Shire (for the past 14 years), whereby a minimum levy is applied 'across the board' is a much simpler, more robust and rational approach; none-the-less, this approach is not supported by the Department under interpretation of the existing provisions of the Act.

To enable a clear, rational and consistent approach to this matter, it is recommended that WALGA, as the sector representative, advocates with the Department to achieve a workable solution.

RESOLUTION

Moved: President Cr Brian Piesse
Seconded: President Cr John Nicholas

That the South West Zone of WALGA seek the support of the State Council of WALGA to advocate with the Department of Local Government, Sport and Cultural Industries to resolve discrepancies in interpretation of the provision of the *Waste Avoidance and Resource Recovery Act 2007* relating to the application of minimum payment levels for waste management rates.

CARRIED

13. DATE, TIME AND PLACE OF NEXT MEETINGS

13.1 Next Meeting

MEETING DATE	PROPOSED VENUE
Friday, 27 November 2020	Busselton

It is proposed that the Shire of Augusta Margaret River, whose hosting role was missed due to COVID-19, will be scheduled to host the first meeting in 2021.

Noted.

13.2 2021 Zone Meetings

Meetings for 2021 are proposed as follows:

MEETING DATE	HOST LOCAL GOVERNMENT
Friday 26 February 2021	Augusta Margaret River
Friday 30 April 2021	Bunbury
Friday 25 June 2021	Capel
Friday 27 August 2021	Collie
Friday 26 November 2021	Dardanup

Noted.

14. CLOSURE

14.1 Acknowledgement of Mr David Blurton, Shire of Collie

President Cr Tony Dean, Mr Tim Clynch and President Cr Brian Piesse paid tribute to Mr David Blurton, who is retiring from his role of Chief Executive Officer of the Shire of Collie, for his contribution to the region and to Local Government over many years.

14.2 Closure

There being no further business the Chair declared the meeting closed at 12:00 noon.

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