



Great Eastern Country Zone

Minutes

Held at Kellerberrin Recreation and Leisure Centre

Commenced at 9:30am
Monday 22 November 2021

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Great Eastern Country Zone

Meeting held at Kellerberrin Recreation and Leisure Centre

Commenced at 9.30am, Monday 22 November 2021

Agenda

1. ELECTIONS

1.1 Elections of Chair and Deputy Chair of the Great Eastern Country Zone

Pursuant to the WALGA Constitution, the Secretariat shall assume the Chair for conducting the election of office bearers.

Guidelines for elections were distributed to Member Councils via email dated 20 October 2021.

The election for the Chairperson and Deputy Chairperson shall be conducted and the term set at two years expiring in November 2023, in line with the terms of State Council representatives and in sync with Local Government Elections.

Chairperson:

The following nomination was received for the positions of Chair for 2 years, November 2021 to November 2023.

- Cr Tony Sacshe, Shire of Mount Marshall

DECLARATION

That Cr Tony Sacshe, be elected as Chairperson of the of the Great Eastern Country Zone for the term of 2 years, November 2021 to November 2023.

Deputy Chairperson:

No written nominations were received for the position of Deputy Chairperson. Nominations will be called from the floor.

Each voting delegate will be entitled to cast one (1) vote in the ballot process.
The candidates with the greater number of votes will be elected.

DECLARATION

That Cr Quentin Davies, be elected as Deputy Chairperson of the Great eastern Country Zone for the term of 2 year, November 2021 to November 2023.

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

Pursuant to the WALGA Constitution, the Secretariat shall assume the Chair for conducting the election of representatives and deputy representatives to the State Council.

Guidelines for elections were distributed to Member Councils via email dated 20 October 2021.

WALGA incorporates a 24 members State Council with its members derived from Metropolitan and Country Zones. The State Council is chaired by the Association President.

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 2021 and concluding at the Ordinary Meeting of State Council two years later.

For the Great Eastern Country Zone, there is one (1) representative positions on State Council and one (1) deputy representative positions. The term is from the Ordinary Meeting of State Council in December 2021 and concluding at the Ordinary Meeting of State Council in December 2023.

State Councillor:

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

- Cr Stephen Strange, Shire of Bruce Rock

DECLARATION

That:

Cr Stephen Strange, Shire of Bruce Rock

be elected as State Council Representative of the Great Eastern Country Zone to the State Council for the term of 2 years, December 2021 to December 2023.

Deputy State Councillor:

The following written nomination was received for the position of Deputy State Councillor Representative.

- Cr Stephen Strange, Shire of Bruce Rock
- Cr Tony Sachse, Shire of Mount Marshall

DECLARATION

That:

Cr Tony Sachse, Shire of Mount Marshall

be elected as Deputy State Council Representative of the Great Eastern Country Zone to the State Council for the term of 2 years, December 2021 to December 2023.

Elected delegates to note the following details:

WALGA will host a 'State Councillor Induction Session' on 24 November at 4pm.

Further information will be e-mailed shortly.

1.3 Election of up to three (3) Zone Executive Committee Members of the Great Eastern Country Zone

Automatic Executive Committee membership will include the Zone President, Deputy Zone President and the State Councillor Representative.

The election for the Zone Executive Committee representatives shall be conducted and the term set at two years expiring in November 2023, in line with the terms of Zone Delegates and in sync with Local Government Elections.

Nominations for up to three Zone Executive Committee Representatives will be taken from the floor.

Each voting delegate will be entitled to cast one (1) vote in the ballot process.

The candidates with the greater number of votes will be elected.

- Cr Kellie Mortimore, Shire of Narembeen
- Cr Melanie Brown, Shire of Trayning
- Cr Karin Day, Shire of Westonia

DECLARATION

That Cr Kellie Mortimore, Cr Melanie Brown and Cr Karen Day, be elected as Zone Executive Committee representative for the term of 2 years, November 2021 to November 2023.

1.4 Election of Local Government Agricultural Freight Group of the Great Eastern Country Zone – 1 Delegate and 1 Deputy Delegate

The election for the Local Government Agricultural Freight Group delegates of the Great Eastern Country Zone shall be conducted.

Delegate

Nominations for the Local Government Agricultural Freight Group Delegate will be taken from the floor.

Each voting delegate will be entitled to cast one (1) vote in the ballot process. The candidates with the greater number of votes will be elected.

- Cr Tony Sachse

DECLARATION

That Cr Tony Sachse, be elected as Local Government Agricultural Freight Group Delegate of the Great Eastern Country Zone.

Deputy Delegate

Nominations for the Local Government Agricultural Freight Group Deputy Delegate will be taken from the floor.

Each voting delegate will be entitled to cast one (1) vote in the ballot process. The candidates with the greater number of votes will be elected.

- Cr Mark Crees, Shire of Westonia

DECLARATION

That Cr Mark Crees, be elected as Local Government Agricultural Freight Group Deputy Delegate of the Great Eastern Country Zone

We ask the elected delegates to note the details of the next meeting of the Agricultural Freight Group:

on	FRIDAY 26 NOVEMBER 2021
at	WATTLE ROOM, WALGA
	170 RAILWAY PARADE, WEST LEEDERVILLE
commencing	1.00 PM

1.5 Wheatbelt District Emergency Management Committee of the Great Eastern Country Zone – 1 Delegate and 1 Deputy Delegate

The election for the Wheatbelt District Emergency Management Committee delegates of the Great Eastern Country Zone shall be conducted.

The following nomination was received:

Delegate

- Cr Tony Sachse, Shire of Mount Marshall

Further nominations will be taken from the floor.

Each voting delegate will be entitled to cast one (1) vote in the ballot process. The candidates with the greater number of votes will be elected.

DECLARATION

That Cr Tony Sachse, be elected as Wheatbelt District Emergency Management Committee Delegate of the Great Eastern Country Zone

Deputy Delegate

Nominations for the Wheatbelt District Emergency Management Committee Deputy Delegate will be called from the floor.

- Cr Glenice Batchelor, Shire of Tammin

Each voting delegate will be entitled to cast one (1) vote in the ballot process. The candidates with the greater number of votes will be elected.

DECLARATION

That Cr Glenice Batchelor, be elected as Wheatbelt District Emergency Management Committee Deputy Delegate of the Great Eastern Country Zone

1.6 Election of the Regional Health Advocacy Representative of the Great Eastern Country Zone – 1 Delegate and 1 Deputy Delegate

The election for the Regional Health Advocacy Representative of the Great Eastern Country Zone shall be conducted.

Delegate

Nominations for the Regional Health Advocacy Representative will be taken from the floor.

Each voting delegate will be entitled to cast one (1) vote in the ballot process. The candidate with the greater number of votes will be elected.

- Cr Alison Harris, Shire of Cunderdin

DECLARATION

That Cr Alison Harris, be elected as the Regional Health Advocacy Representative Delegate of the Great Eastern Country Zone.

Deputy Delegate

Nominations for the Regional Health Advocacy Representative Deputy Delegate will be taken from the floor.

Each voting delegate will be entitled to cast one (1) vote in the ballot process. The candidate with the greater number of votes will be elected.

- Cr Glenice Batchelor, Shire of Tammin

DECLARATION

That Cr Glenice Batchelor, be elected as the Regional Health Advocacy Representative Deputy Delegate of the Great Eastern Country Zone.

2. OPENING AND WELCOME

3. ATTENDANCE AND APOLOGIES

Attendance

Great Eastern Country Zone Delegates and CEO's

Shire of Bruce Rock	President Cr Stephen Strange Deputy President Cr Anthony Cook Mr Darren Mollenoyux, Chief Executive Officer, Shire of Bruce Rock
Shire of Cunderdin	President Cr Alison Harris Mr Stuart Hoblely, Chief Executive Officer, non-voting delegate
Shire of Dowerin	President Cr Robert Trepp Cr Darrel Hudson Ms Rebecca McCall, Chief Executive Officer, non-voting delegate
Shire of Kellerberrin	Deputy President Cr Emily Ryan Mr Raymond Griffiths, Chief Executive Officer Ms Codi Brindley-Mullen, Officer
Shire of Kondinin	Deputy President Cr Beverley Gangell Mr David Burton, Chief Executive Officer, non-voting delegate
Shire of Koorda	President Cr Jannah Stratford Mr Darren Simmons, Chief Executive Officer, non-voting delegate
Shire of Merredin	President Cr Mark McKenzie Cr Donna Crook Ms Lisa Clack, Chief Executive Officer, non-voting delegate
Shire of Mount Marshall	President Cr Tony Sachse
Shire of Narembeen	President Cr Kellie Mortimore Mr David Blurton, Chief Executive Officer, non-voting delegate
Shire of Nungarin	President Cr Pippa de Lacy Deputy President Cr Gary Coumbe
Shire of Tammin	President Cr Glenice Batchelor Ms Joanne Soderlund, Chief Executive Officer, non-voting delegate
Shire of Trayning	President Cr Melanie Brown Ms Leanne Parola, Chief Executive Officer, non-voting delegate
Shire of Westonia	President Cr Karin Day Deputy President Cr Mark Crees Mr Jamie Criddle, Chief Executive Officer, non-voting delegate
Shire of Wyalkatchem	Mr Peter Klein, Chief Executive Officer, non-voting delegate
Shire of Yilgarn	Mr Nic Warren, Chief Executive Officer, non-voting delegate

WALGA Representatives

Tony Brown, Executive Manager Governance & Organisational Services
Naoimh Donaghy, Governance and Organisational Services Officer
Cliff Simpson, Road Safety Advisor, WALGA

Guests

Richard Burnell, Executive Director Corporate Services, Department of Fire and Emergency Services
Warren Pearce, Chief Executive Officer, Association of Mining and Exploration Companies
Mandy Walker, Director Regional Development, RDA Wheatbelt Inc
Ammar Mohammed, A/Regional Manager Wheatbelt, Main Roads
Jennifer Collins, Department of Local Government, Sport & Cultural Industries – Regional Manger Wheatbelt
Kathleen Brown, Electorate Officer, Office of Hon Mia Davies MLA
Renee Manning, Wheatbelt Development Commission - Principal Regional Development Officer

Apologies

Martin Aldridge MLC, Member for the Agricultural Region
Mia Davies MLC, Member for the Agricultural Region
Hon Colin de Grussa MLC

President Cr Alison Harris, Shire of Cunderdin
Deputy President Cr Buster Cooper, Shire of Koorda
President Cr Kent Mouritz, Shire of Kondinin
Deputy President Cr Nick Gillett, Shire of Mount Marshall
Mr John Nuttall, Chief Executive Officer, Shire of Mount Marshall
President Cr Gary Shadbolt, Shire of Mukinbudin
Deputy President Cr Romina Nicoletti, Shire of Mukinbudin
Mr Dirk Sellenger, CEO Shire of Mukinbudin
Deputy President Cr Scott Stirrat, Shire of Narembeen
Mr Leonard Long, CEO, Shire of Nungarin
Deputy President Cr Tanya Nicholls, Shire of Tammin
Deputy President Cr Geoff Waters, Shire of Trayning
President Cr Quentin Davies, Shire of Wyalkatchem
Deputy President Cr Owen Garner, Shire of Wyalkatchem

Mike Roberts, Regional Manager, Water Corporation
Dayna O’Leary, Policy Officer, Association of Mining and Exploration Companies
Vicki Barlow, Senior Policy Advisor Community - Strategy, Policy and Planning

Attachments

The following were provided as attachments to the agenda:

- 1 6.3, Aboriginal Engagement Presentation
- 2 7.1, Minutes, 23 August 2021, Zone Meeting
- 3 8.1, Audit Report
- 4 8.5, Local Government Reform Initiatives
- 5 WALGA Roadwise Report
- 6 WALGA President’s Report
- 7 11.4, Wheatbelt RDA

In addition, please find attached addition documents which were circulated prior to the meeting:

- 8 6.1, Warren Pearce - presentation
- 9 6.2, Richard Burnell - presentation
- 10 12.2, Wheatbelt Development Commission Report
- 11 9.3, Wheatbelt District Emergency Management Report

State Council Agenda – via link: [State Council Agenda December 2021](#)

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4. DECLARATIONS OF INTEREST

NIL

5. ANNOUNCEMENTS

- 5.1 Vickki Barlow, Senior Policy Advisor Community - Strategy, Policy and Planning was an apology for the meeting.
- 5.2 Zone Chair Cr Tony Sachse sought feedback from Members on editing the format of the meeting. The Chair suggested moving *Members of Parliament* and *Agency Speakers* to follow *Guest Speakers*, and then break for 10 minutes before commencing the business of the meeting. This suggestion was received by the Zone and initiated at today's meeting.

For the purpose of these Minutes, original Item numbers will remain the same however will not run concurrently due to the change of format on the day.

Noted

6. GUEST SPEAKERS / DEPUTATIONS

6.1 Warren Pearce, CEO, Association of Mining and Exploration Companies

Warren Pearce, Chief Executive Officer, Association of Mining and Exploration Companies, was invited to speak at the August meeting of the Zone. His presentation ensured that Local Governments (as well as other key stakeholders – MPs, WDC, WAFF etc) were aware of the increased activity – the companies involved, and how they are approaching their exploration programs and surrounding communities.

Information was provided on:

- Why there is increased mineral exploration now taking place across the Wheatbelt – and what that means for the region.
- The basics around mineral exploration, land access, and how it interacts with other land users / landholders.
- The companies that are taking up tenure and where and what they are exploring for.

Warren, presented to the Zone, the presentation is attached (Attachment 8)

Noted

6.2 Richard Burnell, Executive Director Corporate Services, Department of Fire and Emergency Services

Richard Burnell, Executive Director Corporate Services, Department of Fire and Emergency Services

Richard has previously presented to the Great Eastern Country Zone and returned to provide an update on:

- ESL and related funding matters
- STAND project update
- Update on Workplace Health & Safety legislation transition support to assist LGs and farming industry groups

Richard, presented to the Zone.

Comment:

Richard received a question on notice from the Shire of Nungarin in regard to who is determining what the requirements are for new buildings. Conflicting opinions were heard on if it is the direction of the Department of Fire and Emergency, or requests from the Local Government itself. Richard will reply directly to the Shire of Nungarin and to the Zone.

Richard's presentation is attached (Attachment 9)

Noted

6.3 Natalie Contos, Principal Policy Officer, Aboriginal Engagement

Natalie was invited to present on Native Title. In her absence, she has provided the attached slides (Attachment 1) from a presentation earlier this year.

Noted

6.4 Jody Nunn, CEO, Reconciliation WA

Jody was invited to present on Reconciliation Plans and how each Local Government can better engage with their aboriginal communities. Jody is unavailable to attend this meeting however has asked for 2022 dates in the hope of attending a future meeting.

Noted

11. MEMBERS OF PARLIAMENT

Kathleen Brown, Electorate Officer, Office of Hon Mia Davies MLA

Ms Brown attended on behalf of Mia Davies MLC, Member for the Agricultural Region and highlighted the following information:

- The Aboriginal Cultural Heritage Bill was introduced last week to the Lower House. The Bill was forced through with little consultation time which will have flow on consequences. Mia encourages all Local Governments to put their views forward.
- From the Opposition point of view, they have raised the health system question if Covid does get in, can the hospital system handle it? They also want to ensure there is a teacher in front of all classes and that the vaccine roll out is available to everyone.
- The Regional Banking Taskforce is open for submissions, Local Governments are encouraged to participate.

NOTED

12. AGENCY REPORTS

12.1 Department of Local Government, Sport and Cultural Industries

Jennifer Collins, Department of Local Government, Sport & Cultural Industries – Regional Manger Wheatbelt, presented to the Zone.

Jennifer let the Zone know that the Department are hosting three "Work Health and Safety Act 2020" webinars for the sport and recreation industry:

- 26 November
- 29 November

- 30 November

Further information can be found on the [DLGSC home page](#).

Kid sport is 10 years old. There has been about 245,000 vouchers delivered to kids across the region. Jennifer thanked all those who have been involved.

Noted

12.2 Wheatbelt Development Commission

Renee Manning, Wheatbelt Development Commission - Principal Regional Development Officer, provided an update to the Zone.

Renee tabled a report prior to the meeting, now attached (Attachment 10)

Noted

12.3 Main Roads Western Australia

Ammar Mohammed, A/Regional Manager Wheatbelt, Main Roads, provided an update to the Zone.

During his presentation, Ammar let Members know that Main Roads Manager of Heavy Vehicles is happy to attend a future meeting to present. This will be brought to the Executive Committee for consideration.

Noted

12.4 Wheatbelt RDA

Mandy Walker, Director Regional Development RDA Wheatbelt presented to the Zone, a report is attached (Attachment 7)

Noted

12.5 Water Corporation

Mike Roberts, Regional Manager, Goldfields and Agricultural Regions was an apology for this meeting.

Noted

7. MINUTES

7.1 Confirmation of Minutes from the Great Eastern Country Zone meeting held Monday 23 August 2021 (Attachment 2)

The Minutes of the Great Eastern Country Zone meeting held on Monday 23 June 2021 have previously been circulated to Member Councils.

RECOMMENDATION

Moved: Cr Karin Day

Seconded: Cr Glenice Batchelor

That the Minutes of the Great Eastern Country Zone meeting held Monday 23 August 2021 are confirmed as a true and accurate record of the proceedings.

CARRIED

7.2 Business Arising from the Minutes of the Great Eastern Country Zone Meeting Monday 23 August 2021

NIL

7.2.1 Item 7.4, State Planning Policy

Background:

At the August Zone meeting, it was suggested we seek a speaker to present on the extraction and carting of Morrel Lime in the Eastern Wheatbelt. The Executive Officer is still seeking confirmation of a speaker to attend a 2022 meeting of the Zone to address this topic.

Zone Comment:

To be discussed again by Executive Committee at the next Executive meeting in February.

Noted

8. ZONE BUSINESS

8.1 Audit Report

The 2021 Audited Financial Statements are attached (Attachment 3).

RECOMMENDATION:

Moved: Cr Mortimore

Seconded: Cr Glenice Batchelor

That Audited Financial Statements for the Great Eastern Country Zone be received.

CARRIED

8.2 Proposed Meeting Dates for 2021

Meeting dates for the Great Eastern Country Zone's Executive Committee and Zone meetings were presented for the Zone's review and acceptance.

The Executive Committee dates are 1.5 weeks prior to the Zone meeting. Zone meetings are scheduled to align with State Council meetings.

**NOTICE OF MEETINGS
GREAT EASTERN COUNTRYZONE EXECUTIVE COMMITTEE 2022**

Exec Comm Meeting Dates Thursday	Time	HOST COUNCIL
10 February	Thursday 7.30 am	Teleconference
14 April	Thursday 7.30 am	Teleconference
16 June	Thursday 7.30 am	Teleconference
11 August	Thursday 7.30 am	Teleconference
17 November	Thursday 7.30 am	Teleconference

Please note WALGA’s annual convention is being held 2-5 October 2022. Therefore all suggested meetings above will be held via teleconference.

**NOTICE OF MEETINGS
GREAT EASTERN COUNTRY ZONE 2022**

Zone Meeting Dates Monday	Time	Host Council	State Council meeting Dates 2022
21 February	Monday 9.30 am	Merredin	Wednesday 2 March
26 April	Tuesday 9.30 am	Kellerberrin	Wednesday 4 May
27 June	Monday 9.30 am	Merredin	Wednesday 6 July
22 August	Monday 9.30 am	Kellerberrin	Regional Meeting 1-2 September
28 November	Monday 9.30 am	Merredin	Wednesday 7 December

Zone Comment:

The Zone raised the possibility of changing the day of the Great Eastern Country Zone meetings. This suggestion will be discussed at the next meeting of the Executive committee.

ZONE RECOMMENDATION

Moved: Cr Glenice Batchelor

Seconded: Cr Karin Day

That the Great Eastern Country Zone endorse the proposed dates, with the Executive Committee reviewing the dates at the next Executive meeting.

CARRIED

8.3 Agricultural Freight Group feedback request

Zone Executive Officers were asked to provide feedback from the Agricultural Freight Group’s member Zones as to the continuation of the Group. Feedback is requested on the role it should play particularly with regards to advocacy to the State Government and the frequency of meetings. The Group's current objectives are:

1. To achieve an integrated road/rail network to support the agricultural freight task.
2. To facilitate the development of local government policy and capacity for a coordinated efficient approach to the use of roads by heavy vehicles in the agricultural freight task.
3. To provide input to the Western Australian Local Government Association on the agricultural freight task.
4. To provide a forum to promote and advocate an understanding of the issues associated with local roads supporting the agricultural freight task.
5. To advocate a community and industry understanding of the issues associated with the agricultural freight task.

Zone Comment:

The Zone discussed the structure of the Group isn't working. Cr Strange highlighted the work that has been achieved through the Group.

As the new representative, Cr Tony Sachse will attend the next meeting of the Agricultural Freight Group and participate in a discussion on how the Group can move forward, or if it should be dissolved.

Noted

8.4 Zone meeting start time

The Executive Officer was asked to receive feedback on a suggestion from one of the Zone's member Councils to change the start time of the Zone meetings from 9.30am to 10am moving forward.

If this change is recommended by the Zone, morning tea will be available from 9.30am with a meeting start time of 10am.

Zone Comment:

The Zone decided to keep the Zone meeting start time at 9.30am.

Noted

8.5 Local Government Legislative Reform

Tony Brown, Executive Manager, Governance and Organisational Services, WALGA

Background

The Minister for Local Government, the Hon John Carey, MLA announced Local Government legislative reform initiatives on Wednesday 10 November 2021.

The reform proposals are based on the following six major themes:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

The reform proposals are based on consultation undertaken over the last five years, and have been developed considering:

- The Local Government Review Panel Final Report (mid 2020)
- The City of Perth Inquiry Report (mid 2020)
- Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The Victorian Local Government Act 2020 and other State Acts
- The Parliament's Select Committee Report into Local Government (late 2020)
- Western Australian Local Government Association (WALGA) Submissions
- Direct engagement with local governments
- Correspondence and complaints
- Miscellaneous past reports.

The information on the reform initiatives can be found [here](#) and is attached (Attachment 4).

The State Government have advised of a 3 month consultation period ending on 4 February 2022.

Comment

Many of the initiatives outlined as a part of this package have been informed by engagement between our Members and the Minister for Local Government. The Local Government sector will welcome the tiered approach to many requirements according to the differing size and scale of Local Governments.

The Local Government sector has been advocating for the following reform initiatives including:

- introduction of a contemporary intervention framework
- greater clarity of roles and responsibilities of Elected Members and Chief Executive Officers
- tiered compliance approach to financial reporting requirements according to size and scale of Local Governments
- model financial statements and fit for purpose financial ratios
- improved processes relating to regional subsidiaries to facilitate collaborative service delivery
- reducing unnecessary red-tape and a more flexible approach to enable resource sharing
- retention of current election cycle for Elected Members, and
- simplification of strategic planning processes and community engagement models.

WALGA will prepare information to the sector analysing the proposals against current sector positions and recommending positions on proposals that currently do not have a formal position. Sector feedback will be requested with a view to providing a sector response to all of the proposals.

Zone Comment:

The Zone raised consultation timeframes being an issue. Most Local Governments don't meet until February, however country Shires want to have an input. It was discussed whether an online meeting at the end of January would be of benefit, or if Members should review the document released by WALGA on 23 November and either provide feedback through the State Councillor, or go ahead with an online meeting.

It was decided to review the WALGA document initially and provide feedback through the Great Eastern Country Zone's State Councillor. If WALGA does not address concerns, then a meeting can be considered.

Noted

8.6 Work Health and Safety (WHS) Legislation Update

Susie Moir, Policy Manager, Resilient Communities

Executive Summary

- The Work Health and Safety Act 2020 (WHS legislation) was passed by the West Australian Parliament in November 2020, and is expected to come into effect in January 2022 with the Regulations and transition period still to be finalised.
- The new WHS legislation introduces a number of new legal terms and concepts, including the term Person Conducting a Business or Undertaking (PBCU). Further, volunteers are now included in the definition of Workers.
- The Local Government sector has expressed concern with the new WHS legislation, particularly around the implications for the management of volunteer bushfire brigades (BFBs).
- A Duty of Care may be shared with others, and if more than one person has a duty in relation to the same matter, they must consult, cooperate and coordinate their activities, which adds additional complexity in the case of BFBs.
- WALGA and LGIS are working to provide support and resources to the sector to assist with the transition to the new WHS legislation.

Background

The Work Health and Safety Act 2020 was passed by the West Australian Parliament in November 2020, and is expected to come into effect in January 2022 with the Regulations and transition period still to be finalised.

The main changes in the new legislation are:

- The primary duty holder is the 'person conducting a business or undertaking' (PCBU) which is intended to capture a broader range of contemporary workplace relationships;
- A broader definition of 'worker' which specifically includes volunteers, including BFB volunteers;
- Broader and overlapping duties of care attach to those who have the capacity to exercise influence and control over health and safety matters and a duty to consult with other duty holders;
- A positive duty of due diligence for officers of a PCBU; and
- Increased penalties for offences under the WHS legislation and the introduction of industrial manslaughter provisions;

On 31 August WALGA and LGIS delivered a webinar on the new WHS legislation which was attended by more than 140 people from 80 Local Governments. A panel of presenters from LGIS, Department of Fire and Emergency Services (DFES), McLeods Barristers and Solicitors, and the City of Mandurah shared their knowledge and experience in relation to the new legislation, WHS obligations, and BFB volunteer training and management. The webinar is available on the WALGA website and a FAQ document is being developed jointly by LGIS and DFES. LGIS has also prepared a Volunteer Handbook and CEO Briefing Note on the WHS legislation available on their website.

Comment

WALGA and LGIS are continuing to liaise with DFES and DMIRS on these issues, recognising the need for further information and clarification regarding the implications and requirements of the WHS legislation for the sector's management of bushfire brigade volunteers. Other activities that WALGA is undertaking include:

- Meetings with the Workplace Commissioner Darren Kavanagh and other groups responsible for Volunteer organisations and DFES to discuss the concerns being raised by volunteers and relevant organisations.
 - This was a positive meeting with all wanting to put in place reasonable and practical measures to assist Local Governments and Volunteers. The Workplace Commissioners' department DMIRS has released a Guide to Work health and safety for volunteer organisations which WALGA provided feedback on.
 - On 12 November DMIRS delivered a webinar for volunteers and volunteer organisations;
- LGIS is obtaining legal advice about which Local Government officers are considered 'officers' for the purposes of the WHS legislation which will be provided to the sector;
- WALGA is developing a scope of works for a WHS consultant to develop additional tools and resources to support the sector; and
- WALGA will advocate to the Minister for the commencement of the WHS legislation for Local Governments to be delayed until June 2022 to allow additional time to ensure that safe work practices are implemented for volunteers.

To inform its advocacy on this and sector emergency management issues more generally, WALGA is also undertaking an Emergency Management Survey of Local Governments to ascertain the sentiment of the sector to their emergency management obligations, and to understand how they are undertaking their management of BFBs. The survey includes questions about the types of additional support that Local Governments require in order to comply with the WHS legislation. Preliminary survey feedback indicates:

- Local Governments need more information on Work Health and Safety and Guidelines and templates to support compliance with the legislation;

- Further work is needed to ensure that Local Governments are well prepared to meet WHS requirements in relation to:
 - Providing up to date Standard Operating Procedures and directives for incident response;
 - Training for use of vehicles and equipment use;
 - Ensuring Bush Fire brigade stations do not present a risk to health and safety; and
 - Providing for volunteer fatigue management and access to welfare services; and
- Local Governments generally feel well prepared in relation to WHS regarding provision of personal protective equipment for volunteers.

Recommendation

That the update on the Work Health and Safety (WHS) legislation be noted.

Noted

8.7 Bridges Renewal Program

The Liberal and Nationals Government is investing \$250 million in initiatives that will improve heavy vehicle safety, keep freight moving and create new economic opportunities and jobs.

Applications are now open for the Bridges Renewal Program (BRP) and the Heavy Vehicle Safety and Productivity Program (HVSPP).

The Media release can be found [Here](#) , and Further information and links to apply can be found [Here](#)

Noted

8.8 Social Housing Information Item

The Hon John Carey MLA, Minister for Housing; Local Government; released this press release, [Regional WA to benefit from record investment in social housing](#), in early September. The release outlines a record social housing investment to deliver up to 275 new regional homes by mid-2023. Please see link for further information.

Noted

9. ZONE REPORTS

9.1 Zone President Report

New Zone President Cr Tony Sachse, acknowledged the outgoing President, Rhona Cole, previous Councillor at Naremben for all she has done during her time as a Councillor and as the Zone President.

Noted

9.2 Local Government Agricultural Freight Group

The Chair thanked Rod Forsyth for his time on the Committee.

Noted

9.3 Wheatbelt District Emergency Management Committee

By Cr Tony Sachse (Delegate)

Cr Tony Sachse tabled a report prior to the meeting (Attachment 11) and provided his report to the Zone.

Comment:

Cr Sachse highlighted action relating to information on any decisions that have been made regarding MOUs or understandings developed between Local Governments for resource sharing, particularly regarding specific expertise such as Environmental Health Officers. This is following on from the Wooroloo Fire Recovery this year. Cr Sachse would appreciate feedback to bring forward to the next meeting of the Wheatbelt District Emergency Management Committee.

RECOMMENDATION

Moved: Cr Wayne Della Bosca
Seconded: Cr Pippa de Lacy

That the Wheatbelt District Emergency Management Committee Report and attachments be received.

CARRIED

9.4 Regional Health Advocacy Group

By Cr Glenice Batchelor

Cr Batchelor reported on the Regional Health Advocacy Group at the meeting.

Comment:

- Cr Bachelor congratulated Cr Alison Harris on being the new representative of the group and asked all initial feedback be given through Cr Harris, with Cr Batchelor as proxy.
- There are four existing priorities for the Group, should Members feel the priority areas are incorrect, please provide feedback;
 1. GP and health workforce attraction and retention
 2. Guaranteed availability of services and transportation
 3. Aged care services, packages, and policy
 4. Volunteer workforce management and support e.g., St John's Ambulance

The next meeting of the Regional Health Group will be on Friday 10 December.

RECOMMENDATION

Moved: Cr Melanie Brown
Seconded: Cr Emily Ryan

That the Regional Health Advocacy Group Report be received.

CARRIED

9.5 WALGA Roadwise

Cliff Simpson, Road Safety Advisor (Wheatbelt North), Infrastructure, provided an update to the Zone (Attachment 5)

RECOMMENDATION

Moved: Cr Glenice Batchelor
Seconded: Cr Pippa de Lacy

That the WALGA Roadwise Report be received.

CARRIED

**10. WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA)
BUSINESS**

10.1 State Councillor Report

Cr Stephen Strange

During his address, Cr Strange highlighted the resignation of Tracy Roberts, WALGA President, at the next meeting of State Council on Wednesday 1 December.

RECOMMENDATION

Moved: Cr Stephen Strange

Seconded: Cr Karin Day

That the State Councillor Report be received.

CARRIED

10.2 WALGA Status Report

By Tony Brown, Executive Officer



BACKGROUND

Presenting the Status Report for November 2021 which contains WALGA's responses to the resolutions of previous Zone Meetings.

COMPLETE ZONE STATUS REPORT NOVEMBER 2021

Zone	Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
Great Eastern C	2018 November 29 Zone Agenda Item 7.3 Container Deposit Scheme Locations	<p>That the Great Eastern Country Zone requests that:</p> <ol style="list-style-type: none">1. All Local Governments be guaranteed, as a minimum, one flexible refund point in their area.2. A flexible access point should be defined as a refund point which, as a minimum, is open 16 hours each two week period, including at least 8 hours at weekends <p>The State Government provide appropriate funding for the refund points.</p>	<p>The Container Deposit Scheme was launched in October 2020. To date the Scheme has delivered over 200 refund points across WA. This will increase to the required 229 by 1 October 2021.</p> <p>WALGA will continue to advocate for, as a minimum, one flexible refund point per Local Government area. WALGA has also raised with Government the definitions of flexible refund points and how this is applied. The former Environment Minister indicated the definitions would be reviewed in May 2021 and WALGA and other stakeholders would be consulted as part of the process.</p> <p>MWAC provided a Submission to the Department of Water and Environmental Regulation regarding this matter and continued to advocate for these matters.</p>	Ongoing	Nicole Matthews A/Executive Manager, Strategy, Policy and Planning nmatthews@walga.asn.au 9213 2039
Great Eastern C	2020 February 26 Zone Agenda Item 7.1 Federal Government Drought Communities	<p>That the Great Eastern Country Zone requests WALGA, in consultation with ALGA, to liaise with the WA State Government Ministers for Water, Agriculture and Environment to provide a coordinated holistic response in respect to the ongoing drying climate issues and access to the Drought Communities Funding Program.</p>	<p>State Council Resolution</p> <p>That State Council endorse the recommendation from the Great Eastern Country Zone relating to the Federal Government Drought Communities Program.</p> <ul style="list-style-type: none">• That the Great Eastern Country Zone requests WALGA, in consultation with ALGA, to liaise with the WA State Government Ministers for Water, Agriculture and Environment to provide a coordinated holistic response in respect to the ongoing drying climate issues and access to the Drought Communities Funding Program.	Ongoing	Nicole Matthews A/Executive Manager, Strategy, Policy and Planning nmatthews@walga.asn.au 9213 2039

			<p>RESOLUTION 37.1/2020</p> <p>WALGA has continued its advocacy on drought assistance for Western Australia with representations to the Hon David Littleproud MP, Minister for Agriculture, and Northern Australia; the Hon Alannah MacTiernan MLC, Minister for Regional Development and Food; Hydrogen Industry; and WA Federal Government members, including meetings between the WALGA Deputy President and Senators Dean Smith and Slade Brockman. WALGA also met with Minister MacTiernan's Chief of Staff on this issue.</p> <p>Correspondence from Minister Littleproud received in October 2020 indicated that details of the Commonwealth's Regional Drought Resilience Planning Program were still being worked through with the WA Government, which was yet to commit to co-funding the program. WALGA subsequently sought an assurance that Minister MacTiernan remained committed to 'working with the Minister for Water to ensure WA local government optimally benefit from the Future Drought Fund'.</p> <p>On 4 July 2021 it was announced that the WA Government had been allocated \$1.3m of the \$9.85m available under the Regional Drought Resilience Planning Program for 2021-22 to undertake planning for the Northern Midwest, Southern Wheatbelt and Great Southern Inland regions. This work will be led by Regional Development Commissions working with Local Governments and is due for completion by 30 June 2022. The WA Government not provided a matching cash contribution for this program.</p> <p>The WA Government's application to the National Water Grid Fund seeking \$3.65 million in Federal funding to support the State's \$3.65 million investment to refurbish 70 agricultural area dams in dryland communities was unsuccessful. The Minister for Water has indicated that he is working closely with the Minister MacTiernan, to secure Federal funding for priority WA water projects in WA.</p>		
Grt Eastern C	2021 23 August Zone Agenda Item 7.1 Regional Telecommunications Review	That the Great Eastern Country Zone provides the following input to the WALGA submission: 1. The Zone would like to establish a better policy with the providers on the use of backup generators for better service reliability and delivery.	The WALGA submission to the Regional Telecommunications Review 2021 included narrative specific to the use of backup generators identified by the Great Eastern Country Zone, and included the following Recommended Solution:	November 2021	Ian Duncan, Executive Manager Infrastructure • Infrastructure, 9213 2031 iduncan@walga.asn.au

		2. More engagement with Local Governments for input, particularly in regards to local blackspots and optimum tower locations.	4. When developing funding programs ensure that power supply (including improved back up and Stand-Alone Power Systems) is a key consideration to any solution sought, and that a collaborative approach between power and telecommunication providers is essential to any funding application.		
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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.

RECOMMENDATION

Moved: Cr Wayne Della Bosca

Seconded: Cr Melanie Brown

That the Great Eastern Country Zone WALGA August 2021 Status Report be noted.

CARRIED

10.3 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 [State Council Agenda December 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 Paid Family and Domestic Violence Leave Entitlements

That WALGA:

Endorse the submission to the Fair Work Commission (FWC) regarding paid family and domestic violence leave (FDVL) which:

1. highlights that FDVL for employees is an important issue for the sector;
2. supports the introduction of a new entitlement in modern awards for employees to receive five days' paid FDVL per year;
3. advocates for employees to be able to access their paid personal/carer's leave in circumstances of family and domestic violence; and
4. opposes the introduction of a new entitlement in modern awards for employees to receive 10 days' paid FDVL per year as sought by the Australian Council of Trade Unions (ACTU).

5.2 Payment to Independent Committee Members

That WALGA request the Minister for Local Government to amend the *Local Government Act 1995* to allow the payment of meeting attendance fees to, and/or defined reimbursements for time committed by, 'other persons' appointed as Committee members under s.5.8 of the *Local Government Act 1995*.

5.3 2021 Annual General Meeting

That:

1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:

Cost of Regional Development

That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.

CSRFF Funding Pool and Contribution Ratios

That WALGA lobby the State Government to:

1. Increase the CSRFF funding pool to \$25 million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered.
2. Increase the \$1 million per annum quarantined for female representation to \$2 million per annum.

Regional Telecommunications Project

That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service.

2. The following resolution passed at the 2021 WALGA Annual General Meeting be referred to the Mining Communities Policy Forum and the People and Place Policy Team for advocacy work to be undertaken:

Review of the Environmental Regulations for Mining

Regarding a review of the Mining Act 1978:

1. To call on Minister Bill Johnston, Minister for Mines and Petroleum; Energy; Corrective Services to instigate a review of the 43-year-old Mining Act to require mining companies to abide by environmental regulations, and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.
2. That abandoned mines in regional Western Australia receive a priority action plan with programmes developed to work with rural and remote communities to assist in the rehabilitation of these mines as a job creation programme, with funding allocated for diversification projects for support beyond mine life across Western Australia.

5.4 Review of advocacy positions relating to the Building Act 2011 and Building Regulations 2012

That State Council endorses the replacement of Section 6.7: Building Act and Fees of WALGA's advocacy positions document relating to the *Building Act 2011* and Building Regulations 2012 with the following:

1. Support the retention of Local Government as the primary permit authority in Western Australia for decisions made under the *Building Act 2011*.
2. Supports mandatory inspections for all classes of buildings, however, Local Government should not be solely responsible for all mandatory inspections.
3. Advocate for the State Government to urgently prioritise legislative reform that addresses systemic failures in the current building control model and to provide clarification on the role of Local Government in building control to ensure building legislation supports the following objectives:
 - a. Quality buildings that are cost efficient.
 - b. Functional, safe and environmentally friendly buildings.
 - c. Good decision making in all aspects of building.

- d. Efficiency and effectiveness in building management, administration and regulation.
 - e. Openness and accountability with respect to all building matters.
 - f. Recognition of the rights and responsibilities of all parties in building matters in an equitable manner.
4. Existing and proposed building control related fees and charges to be cost recovery for Local Government.
 5. WALGA will work with members, state agencies and industry groups to develop training opportunities and to promote the Local Government building surveying profession to ensure sustainability of Local Government building control services.
 6. WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.

5.5 Draft WA Building Surveyors Code of Conduct

That WALGA:

1. Recommend to the Department of Mines, Industry Regulation and Safety (DMIRS) that the Draft WA Building Surveyors Code of Conduct be reviewed to ensure it addresses the following matters:
 - a) The impact of the obligations recommended in the draft Code be considered in relation to the current Western Australian building control model to ensure Local Government are able to maintain their statutory functions in line with community expectations.
 - b) That other building reform that will greatly impact the role of Local Government in the current Western Australian building control model, such as mandatory inspections and minimum documentation, be formalised prior to the Code of Conduct being introduced to ensure Local Government in Western Australia are able to maintain their statutory functions in line with community expectations.
 - c) Ensure that communities in remote and regional areas are considered when developing policy to restrict building surveyors being involved in design consultation work.
2. Endorse the attached consultation response summary on the draft Code.

Matters for Noting

- 6.1 Local Government Support for Single Use Plastic Bans**
- 6.2 Report Municipal Waste Advisory Council**
- 6.3 WALGA submission on the National Climate Resilience and Adaptation Strategy**
- 6.4 Closing the Gap Update**
- 6.5 Submission to the Senate Inquiry into Provision of General Practitioner and related primary health services to outer metropolitan, rural, and regional Australians**
- 6.6 Wooroloo Independent Review Letter of Support**
- 6.7 State Budget Outcomes**
- 6.8 Foundations for a Stronger Tomorrow – Submission to the Draft State Infrastructure Strategy**
- 6.9 Regional Telecommunications Review 2021**
- 6.10 WALGA submission on Guideline: Native Vegetation Referral, Part V Environmental Protection Act 1986**
- 6.11 WALGA submission on Draft Native Vegetation Policy for Western Australia**
- 6.12 Submission on Cost Recovery Part IV of the Environmental Protection Act 1986 – assessments by the Environmental Protection Authority**

6.13 Student Transport Assistance Policy Framework Inquiry – WALGA Submission

Key Activity Reports

7.1.1 Report on Key Activities, Commercial and Communications Unit

7.1.2 Report on Key Activities, Governance and Organisational Services Unit

7.1.3 Report on Key Activities, Infrastructure

7.1.4 Report on Key Activities, Strategy, Policy and Planning Unit

7.2 Policy Forum Report

RECOMMENDATION

Moved: Cr Kellie Mortimore

Seconded: Cr Glenice Bachelor

That the Great Eastern Country Zone:

1. Supports Items 5.1 to 5.5, as listed above in the 1 December 2021 State Council Agenda.
2. Notes the matters for noting contained in the 1 December 2021 State Council Agenda.

CARRIED

10.4 WALGA President's Report

The WALGA President's Report was circulated prior to the meeting (Attachment 6)

RECOMMENDATION

Moved: Cr Glenice Bachelor

Seconded: Cr Stephen Strange

That the Great Eastern Country Zone notes the WALGA President's Report

CARRIED

13. EMERGING ISSUES

13.1 Meeting format

Zone Chair, Cr Tony Sachse, sought feedback on the new format carried out today, of having all Guest Speakers and Agency reports at the beginning of the meeting. Members were in agreement of continuing with the new format.

13.2 LG Pro Conference – CEO recognition

Cr Strange highlighted Darren Mollenoyux, Chief Executive Officer, Shire of Bruce Rock, on his award at the recent LG Pro conference. Mr Mollenoyux was noted for his efforts when the town lost their supermarket during extreme weather/natural disaster earlier this year.

RECOMMENDATION

Moved: Cr Karin Day

Seconded: Cr Pippa de Lacy

That the Great Eastern Country Zone acknowledge Mr Mollenoyux receiving this award.

CARRIED

13.3 Acknowledgement of Service – Jamie Criddle, CEO Shire of Westonia

Cr Karin Day thanked Jamie Criddle on behalf of the Zone for his contribution over the last 9.5 years. He was noted as being a CEO with passion, and was wished well in his new Chief Executive Officer position at the Shire of Chapman Valley.

13.4 Zone Welcomes

The Zone welcomed the addition of some new Chief Executive Officers and Council Members to the Great Eastern Country Zone region, namely;

- Nic Warren, Chief Executive Officer, Shire of Yilgarn.
- Joanne Sutherland, Chief Executive Officer, Shire of Tammin.
- Lisa Clack, Chief Executive Officer, Shire of Merredin.
- President Cr Mark McKenzie, Shire of Merredin.

14. URGENT BUSINESS

NIL

15. DATE, TIME AND PLACE OF NEXT MEETINGS

The next meeting of the Great Eastern Country Zone will be held in Merredin on Monday 21 February 2022, commencing at 9.30am.

16. CLOSURE

There being no further business the Chair declared the meeting closed at 12.40pm