



GVROC Council Meeting to consider WALGA State Council Agenda Items

Unconfirmed Minutes

Friday 23 August 2024
Zoom Videoconference, commencing at 9.00am

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GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (GVROC)

Videconference meeting of the GVROC Council to consider WALGA State Council Agenda Items was held Friday 23 August 2024 9.00am

AGENDA

1. OPENING AND ANNOUNCEMENTS

The purpose of the meeting is to provide advice to the GVROC WALGA State Council Representative, on the Agenda for the WALGA State Council Meeting to be held on 4 September 2024.

2. DECLARATION OF INTEREST

Pursuant to the Code of Conduct, Councillors and CEOs must declare to the Chairman any potential conflict of interest they may have in a matter before the Goldfields Voluntary Regional Organisation of Councils as soon as they become aware of it. Councillors, CEOs and Deputies may be directly or indirectly associated with some recommendations of the Goldfields Voluntary Regional Organisation of Councils. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil.

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

3.1 Attendance

Cr Mal Cullen (Chair)	President, Shire of Coolgardie
Cr Tracey Rathbone	Councillor, Shire of Coolgardie
Cr Glenn Wilson	Mayor, City of Kalgoorlie-Boulder
Mr Andrew Brien	CEO, City of Kalgoorlie Boulder
Cr Laurene Bonza	President, Shire of Dundas
Mr Peter Fitchat	CEO, Shire of Dundas
Cr Ron Chambers	President Shire of Esperance
Cr Wes Graham	Councillor, Shire of Esperance
Mr Shane Burge	CEO, Shire of Esperance
Ms Glenda Teede	CEO, Shire of Menzies
Mr Andrew Mann	Executive Officer, GVROC

3.2 Apologies

Mr James Trail	CEO, Shire of Coolgardie
Cr Wayne Johnson	Councillor, City of Kalgoorlie Boulder
Cr Sharon Warner	Councillor, Shire of Dundas
Cr Patrick Hill	President, Shire of Laverton
Cr Shaneane Weldon	Councillor, Shire of Laverton
Mr Phil Marshall	CEO, Shire of Laverton
Cr Peter Craig	President, Shire of Leonora
Mr Ty Matson	CEO, Shire of Leonora
Cr Paul Warner	President, Shire of Menzies
Cr Sudhir Sudhir	Councillor, Shire of Menzies
Cr Peter Grundy	President, Shire of Wiluna
Cr Ane Koroicure	Councillor, Shire of Wiluna
Mr Rob Stewart	A/CEO, Shire of Wiluna
Mr David Mosel	CEO, Shire of Ngaanyatjarraku
Cr Damian McLean	President, Shire of Ngaanyatjarraku

3.3 Guests

Department of Transport

Richard Davies Senior Policy and Project Officer, Freight, Ports, Aviation and Reform

Goldfields-Esperance Community Trust

Lisa Ellery Chair

3.4 WALGA Representatives

Coralie Claudio Senior Policy Advisor Planning

Emma Heys Governance Specialist

3.5 DLGSC Representatives

Nil – see DLGSC report (**Attachment 4**)

3.6 Observers

Anita Nathan Shire of Coolgardie

4. PRESENTATIONS

4.1 Department of Transport – New Regional Freight Strategy

Presentation from Richard Davies – Senior Policy and Project Officer, Freight, Ports, Aviation from the Department of Transport provided an overview of the drafting of a new Regional Freight strategy which will supersede the 2013 strategy.

In 2013, the Department of Transport released the *Western Australian Regional Freight Transport Network Plan*. Since then, a raft of shocks has impacted the global economy, including the COVID-19 pandemic, technological change, deteriorating climatic conditions and increased frequency and severity of extreme weather events. The Department of Transport (the Department) is developing the new Regional Freight Strategy (the Strategy) in close collaboration with the Freight and Logistics Council of WA, industry, government, and community stakeholders to ensure the ongoing relevance of regional freight planning in a changing social, environmental, and economic context.

The Department is engaging with businesses, government bodies, industry associations, and special interest groups about the state's current and future freight tasks and the supply chains required for these tasks. The Strategy will define how global trends, including climate change, energy transition, emerging technologies, and resilience will affect demand for transport infrastructure. The Strategy will provide holistic and cross-regional guidance for freight policy, planning, and investment decisions across all regions of WA over the next 10 years, excluding Perth and Peel.

Consultation with key stakeholders will help inform the development of the strategic direction of the Regional Freight Strategy and workshops are planned in each region. The Department's approach has been to distribute a specific regional discussion paper to stakeholders before the regional workshop(s). But the Goldfields-Esperance discussion paper is not ready (they are planning visiting the region in late September). So, for the purposes of this presentation please find attached the whole of WA discussion paper for information. While it doesn't detail region specific info, it asks for the same info from stakeholders. Also attached is a copy of the presentation to be provided.

**Attachments: Department of Transport Regional Freight Strategy Presentation 23 August 2024
Department of Transport Regional Freight Strategy WA Discussion Paper**

Written feedback on the Discussion Paper is due on 13th September 2024 and should be sent through to regionalfreightstrategy@transport.wa.gov.au. The Department has advised it is happy to provide an extension on this timeframe if you contact them first at the same email address and request a new date and reason for extension.

4.2 Goldfields-Esperance Community Trust

Presentation from Lisa Ellery, Chair of the Goldfields-Esperance Community Trust (<https://www.gect.net.au/>) was provided with an overview of the Trust and opportunities for working with the GVROC and LGAs.

For any LGAs interested to pursue partnership arrangements or joint funding opportunities please contact Lisa at lisa@lisaellery.com.au or on 0409 113 091.

5. MINUTES OF MEETINGS

5.1 Minutes of a Meeting of GVROC to consider WALGA State Council Agenda Items held 21 June 2024

Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 21 June 2024 are presented for adoption (**Attachment 1**).

RECOMMENDATION:

That the Unconfirmed Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 21 June 2024 be confirmed as a true and correct record of proceedings.

RESOLUTION: **Moved: Cr Tracey Rathbone, Shire of Coolgardie**
 Seconded: Cr Laurene Bonza, Shire of Dundas

Carried

5.2 Action Sheet Report

An update on the actions based on the resolutions from the meeting held on 21 June 2024 meeting are presented for noting (**Attachment 2**).

RECOMMENDATION:

That the Action Sheet Report as listed for noting be received.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

5.3 Matters for Noting

The following matters were presented for noting.

1. WALGA Honours Recipients

WALGA celebrated their 2024 Honours awards recipients at an event on Friday, 2 August at Winthrop Hall. For the first time, a WALGA awards event was held solely to acknowledge and appreciate the extraordinary efforts of Elected Members and Local Government Officers in service of their Local Government, the sector and the community.

There were 46 recipients of Honours awards in the 2024 program, including two Local Government Medal recipients. Four new WALGA Life Members were also inducted.

4 Honours recipients were from the Goldfields Esperance Country Zone:

Ms Robin Ellen Prentice	Shire of Laverton	Eminent Service Award
Mr Andrew Brien	City of Kalgoorlie-Boulder	Eminent Service Award
Mr Lui Camporeale	City of Kalgoorlie-Boulder	Merit Award
Ms Dionie Johnson	City of Kalgoorlie-Boulder	Local Government Distinguished Officer Award

Congratulations to all Honours recipients!

Nominations for the 2025 Honours Program will open early next year.

- 1 August 2024 - NBN - [Local Update - Issue 14](#)
3. Department of Local Government, Sport and Cultural Industries LG Alert 2 August 2024 – [Contract awarded to build new PetsWA centralised registration system for dogs and cats \(dlgsc.wa.gov.au\)](#)
4. Department of Local Government, Sport and Cultural Industries LG Alert 7 August 2024 – [Pilot program to help local governments improve cyber security \(dlgsc.wa.gov.au\)](#)

5. Department of Local Government, Sport and Cultural Industries LG Alert 15 August 2024 - [Local Government Amendment Bill 2024 introduced \(dlgsc.wa.gov.au\)](https://www.dlgsc.wa.gov.au)
6. Department of Local Government, Sport and Cultural Industries LG Alert 22 August 2024 - [Simpler temporary accommodation \(caravan and camping\) approvals \(dlgsc.wa.gov.au\)](https://www.dlgsc.wa.gov.au)

RECOMMENDATION:

That the matters for noting as listed be received.

RESOLUTION: **Moved: Mayor Glenn Wilson, City of Kalgoorlie Boulder**
Seconded: Cr Laurene Bonza, Shire of Dundas

Carried

5.4 Correspondence for Noting

The following correspondence was received in relation to WALGA Zone matters:

1. Email received on 25 July 2024 from WALGA regarding the Department of Education's draft Regional Education Strategy.

From: Chantelle O'Brien <cobrien@walga.asn.au>

Sent: Thursday, July 25, 2024 1:13 PM

Cc: Naoimh Donaghy <NDonaghy@walga.asn.au>; Meghan Dwyer <MDwyer@walga.asn.au>; Robert Dew <tambin@westnet.com.au>; Dianne Daniels <eo@northerncountryzone.com.au>; samantha.appleton1212@gmail.com; Andrew Mann <amann007@hotmail.com>; NAJA Administration <info@naja.com.au>

Subject: Regional Education - Information for Country Zone members

Dear Zone Delegates,

On 22 July, the Department of Education released a [draft Regional Education Strategy](#). The Strategy aims to provide a framework to guide more effective delivery of regional education, focusing on improved educational and wellbeing opportunities across four pillars:

- Pillar 1: Build the capability of our regional workforce
- Pillar 2: Expand curriculum delivery
- Pillar 3: Strengthen support for student wellbeing
- Pillar 4: Develop partnerships to create opportunity

Country zones and Local Governments are strongly encouraged to provide feedback on the strategy, particularly given the relevance of the Strategy to matters raised by the Great Southern Zone with support from other country zones.

The consultation period closes on Friday 20 September 2024. [More information is available here.](#)

In addition, WALGA is currently working with the Department of Education to facilitate direct engagement with regional sector and will advise on the details shortly.

Kind Regards

Chantelle O'Brien | Governance Support Officer

2. Email received on 9 August 2024 from Chantelle O'Brien as the Zone Executive Officer of the Pilbara Country Zone. The Pilbara Zone resolved to reach out to the other Country Zone Chair's at the June Zone meeting in regard to the issue around Live Sheep Export by Sea. On behalf of the Pilbara Zone members, please see attached correspondence from Chair, Cr Wendy McWhirt-Brooks (**Attachment 3**).

RECOMMENDATION:

That the correspondence for noting as listed above be received.

RESOLUTION: **Moved: *Cr Laurene Bonza, Shire of Dundas***
 Seconded: *Cr Tracey Rathbone, Shire of Coolgardie*

Carried

6. DLGSC REPORT

From: Department Local Government, Sport and Cultural Industries (DLGSC)

Attachment: DLGSC report – August 2024 – WALGA Zone meetings (**Attachment 4**)

Background:

DLGSC have provided its August 2024 report for consideration at all WALGA Zone meetings as per the **Attachment 4**.

Comment:

DLGSC have requested that if WALGA zones have any questions on the report, WALGA will note these at the meetings and send them to the DLGSC for a response. The DLGSC will then provide answers to these questions and circulate them back to WALGA for advice back to the WALGA zones. For individual queries from zone members, a list of DLGSC contacts is contained in the report.

RECOMMENDATION

The GVROC notes the DLGSC report August 2024 as presented.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

7. EMERGING ITEMS

From: Chair GVROC

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 Zone can provide comment or submit an alternate recommendation that is then presented to the State Council for consideration.

A full copy of the State Council Agenda for the meeting on 4 September 2024 can be found at **Attachment 5**.

Notification of emerging items must be provided to the Chair no later than 24 hours prior to the meeting.

8. Review of WALGA State Council Agenda - Matters for Decision

8.1 Local Government Elections Analysis 2015-2023

WALGA Recommendation

That WALGA advocate to the State Government:

1. *For an independent Local Government election audit, focusing on the Western Australia Electoral Commission's (WAEC) cost allocation methods and costing applications used, to confirm that marginal cost recovery principles are applied and that the costing program is being effectively managed.*
2. *For the requirement for the WAEC to develop and implement Service Level Agreements with Local Governments, similar to those agreements currently used in New South Wales and Victorian Local Government elections and that includes:*
 - a. *transparency of costing methodology,*
 - b. *direct engagement with Local Governments pre and post elections, and*
 - c. *the roles and responsibilities of the WAEC and Local Governments in the conduct of elections.*
3. *For the introduction of a provision for private service providers to enter the market for the conduct of Local Government elections.*
4. *For a mandated WAEC Report to Parliament specific to Local Government elections post each election cycle, outlining costs, results, voter turnout and matters for improvement both in the conduct of elections and the legislation, if relevant.*

IN BRIEF:

- This report presents the findings of a comprehensive review and analysis of five election cycles up to and including the 2023 Local Government election against the backdrop of legislative reforms to the Local Government electoral process in Western Australia.
- With a focus on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), the analysis has found evidence of the rising cost of conducting Local Government elections in Western Australia.
- Elected Member feedback, costs vs service comparisons and engagement by the sector with WALGA's governance services over the 2023 Local Government election period, are the basis for the recommendations as outlined above.
- The Governance Policy Team considered this item at its meeting of 7 August and endorsed the position for consideration by State Council

BACKGROUND

A number of Zones made recommendations to WALGA in respect to the 2023 Local Government elections. The WALGA Governance Policy Team requested a review of Local Government elections 2015-2023 and a summary of findings in a future report, together with proposals for an alternative engagement strategy that provides for an independent assessment of WALGA's election advocacy. This includes examining the cost of conducting elections.

Zone Matters

Central Country Zone

Item 11.4 Resolution for changes to Electoral Process

That the Central Country Zone request WALGA to advocate for a change to the current electoral system for Local Government to:

1. remove the compulsion of those Local Government entities within the Band 3 and 4 categories to opt out of the Optional Preferential Voting System to return to the First Past the Post voting system; and
2. remove the compulsion for internal elections to be carried out by optional preferential voting and return to First Past the Post method of voting.

Item 9.1 Financial Burden to Local Governments of Optional Preferential Voting

That WALGA forms a policy position and advocates that:

1. any Western Australian Electoral Commission fee increases for the 2023 Local Government elections are capped at 10% when compared with the 2021 rates; and

2. the CountWA software from Western Australian Electoral Commission is provided to Local Governments free of charge for the 2023 and subsequent Local Government elections.

Goldfields Zone

Item 13.1 Request for review of the Proportional Preferential Voting System for Local Government Elections

That the GVROC support the Goldfields Zone State Councillor to put forward to WALGA and the State Council as part of the current review of the system being undertaken, that we request the 'proportional' part and formula being removed to fully align with the State and Federal Government preferential voting system.

Murchison Zone

Item 7.8 Optional Preferential Voting ("OPV")

That WALGA advocate to the Minister for Ports; Local Government; Road Safety; Minister Assisting the Minister for Transport, Hon David Michael MLA to review and repeal legislation to remove Optional Preferential Voting (OPV) for Band 3 and Band 4 Local Government Elections and for the election of Presidents, Deputy Presidents and Chairs of Committees of Band 3 and Band 4 Local Governments and to revert to the First Past the Post method of counting votes.

2023 LOCAL GOVERNMENT REFORMS

The *Local Government Amendment Act 2023* introduced electoral reforms that came into effect prior to the 2023 Local Government ordinary elections. These reforms and the resulting consequences for Local Governments are a focus of this report and include:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation).

Other electoral reforms will come into effect prior to the 2025 elections, including a mandatory state-wide caretaker period and reforms relating to the owners and occupiers roll.

The Regulations prescribe Local Governments into classes 1, 2, 3 and 4. These classes currently align with the four bands that Local Governments are placed in by the most recent Salaries and Allowances Tribunal determination.

Introducing classes for Local Governments has resulted in all class 1 and 2 Local Governments having popularly elected mayors and presidents and class 3 and 4 Local Governments unable to be divided into wards.

The *Local Government Amendment Act 2023* replaced the First Past the Post (FPP) voting system with Optional Preferential Voting (OPV) as the voting method for all Local Government elections in Western Australia, including in-house elections (Presidents/Deputy Mayors/Committee Chairs).

2015-2021 WAEC ELECTION REPORTS

Below is a summary from the WAEC reports of the voting system and per elector cost for each of the five ordinary election cycles 2015-2023.

2015 – The FPP voting system applied to the 2015 elections. The Local Governments deciding to conduct a postal election in 2015 comprised some 1,433,575 electors, which is about 98% of the State's total number of eligible electors. At the close of nominations, 964 candidates had nominated for 419 vacancies resulting in 75 separate postal elections.

According to the WAEC 2015 Local Government Ordinary Election Report¹, the per elector cost to conduct the election was \$3.10.

¹(Western Australian Electoral Commission, 2016)

2017 - The FPP voting system applied to the 2017 elections. The Local Governments deciding to conduct a postal election in 2017 comprised some 1,579,891 electors. At the close of nominations, 1,021 candidates had nominated for 433 vacancies.

According to the WAEC 2017 Local Government Ordinary Election Report², the per elector cost to conduct the election was \$3.59.

2019 - The FPP voting system applied to the 2019 elections. The Local Governments deciding to conduct a postal election in 2019 comprised some 1,619,431 electors. At the close of nominations, 921 candidates had nominated for 445 vacancies.

According to the WAEC 2019 Local Government Ordinary Election Report³, the per elector cost to conduct the election was \$3.70, an increase on the previous year of 3.1%.

2021 - The FPP voting system applied to the 2021 elections. The Local Governments deciding to conduct a postal election in 2021 comprised some 1,727,712 electors. At the close of nominations, 821 candidates had nominated for 471 vacancies.

According to the WAEC 2021 Local Government Ordinary Election Report⁴, the per elector cost to conduct the election was \$4.06, an increase on the previous year of 9.8%.

2023 – The OPV voting system applied to the 2023 elections. The Local Governments deciding to conduct a postal election in 2023 comprised some 1,763,392 electors. At the close of nominations, 1,089 candidates had nominated for 564 vacancies.

According to the WAEC 2023 Local Government Ordinary Election Report⁵, the average per elector cost to conduct the election was \$5.17, an increase on the previous year of 27.5%.

ELECTIONS REVIEW - METHODOLOGY

Election Costs Survey

In early October 2023 WALGA wrote to all 139 Local Governments and requested information relating to the cost of each election between 2015 and 2023. This email was followed up with two subsequent emails, on 26 October 2023 requesting further information about the conduct of the Mayoral/President elections; and on 1 December 2023 requesting information relating to the final WAEC invoice costs and any general feedback on the election process. In April 2024, an email was distributed to the CEOs of Local Governments that had not responded in either full or at all, to the previous requests for information.

Prior to May 2024, only 35 Local Governments had responded with all information requested including final 2023 WAEC invoiced costs. This represented a response rate of 25% of WA Local Governments.

Following the May 2024 Governance Policy Team meeting, further emails were sent to all Local Governments that had not provided either partial or full information in response to the requests made.

By July 2024, a total of 76 Local Governments had responded, representing a response rate of 55%.

Whilst some of information required could be ascertained through the Election Reports available on the WAEC website, direct cost information was not available through this avenue and by writing directly to each Local Government, WALGA was able to establish a direct dialogue in which further information and non-qualitative information may be later sought.

The Final WAEC Report on the 2023 Local Government Elections had not been published in time to inform the report presented to the May 2024 Governance Policy Team. This was report was subsequently released by the WAEC in June 2024 and, having been reviewed, the appropriate information has been included in this current report.

Elected Members Experience Survey

On 8 March 2024, WALGA sent out a survey to 615 elected members who were elected in the 2023 Local Government elections. The survey asked a range of questions regarding the Elected Member

² (Western Australian Electoral Commission, 2017)

³ (Western Australian Electoral Commission, 2020)

⁴ (Western Australian Electoral Commission, 2022)

⁵ (Western Australian Electoral Commission, 2024)

experience in the 2023 Local Government elections. A follow up email was sent on 18 March 2023. The survey closed on Friday 22 March, with a total of 85 responses received. This represents a 14% response rate.

WALGA Awareness of Election Issues

WALGA’s Governance team received 291 enquiries from member Local Governments relating to all aspects of the election process. In the period 1 October 2023 – 30 October 2023, there were approximately 51 enquiries in relation to the 2023 Local Government Elections. Of those, 24 related directly to the conduct of the President/Deputy President elections and Local Governments having to use the OPV method in those elections. Much of the remainder of the enquiries related to declaration of office (8), terms of office (4), declaration of results (2), extraordinary elections (2) and backfilling provisions (1).

Upon review of these enquiries, the theme is one of confusion and unnecessary complexity. Many Local Governments were unaware of the requirement to conduct their non-public internal elections utilising the OPV voting method and many made comment that the supporting information and guidelines by the Department of Local Government, Sport and Cultural Industries (DLGSC) were ineffective. WALGA is aware of at least one instance of a non-public internal election result being appealed to the Court of Disputed Returns.

ELECTIONS REVIEW - RESULTS

Elected Member Survey

85 Respondents			
First time Candidate in LG Elections		YES – 28.57%	NO – 71.43%
Class 1	Class 2	Class 3	Class 4
27.85%	30.38%	15.19%	26.58%

- 41.67%, of respondents were very satisfied with the quality of communications with the returning officer (RO), with 20.24% of respondents being dissatisfied or very dissatisfied.
- 30.95% of respondents were satisfied with quality of communications from WAEC, with 11.90% being dissatisfied.
- 29.76% of respondents were satisfied with quality of communications from DLGSC, with 10.71% being either dissatisfied or very dissatisfied.

Feedback on the quality of communication from the RO, WAEC and/or DLGSC highlighted Optional Preferential Voting (OPV), the lack of clarity in the new voting system and the complexity of using OPV in non-public internal voting (President/Deputy President) as significant issues for Elected Members. WALGA notes that at least one Court of Disputed Returns matter has arisen due to an apparent miscalculation in counting votes at the election of a Deputy President.

Inconsistent levels of service provision from RO’s also featured heavily in the open feedback.

- 46.43% of respondents were satisfied with their experience with the nomination, candidacy, and election process.

The strongest feedback demonstrated a consistent theme of dissatisfaction with the election night overall, with the delays in declaring results perceived to be due to WAEC operations and the unanticipated complexity of counting votes and declaring results in the OPV system.

The following are direct quotations from the feedback received, with any identifying elements redacted:

“The October 2024 Local Government Elections were conducted under a new system of Optional Preferential Voting. Although my Shire was not required to hold an election, the election of the President and Deputy President was confusing, lacked direction and created unnecessary outcomes resulting in conflict due to the process not being explained clearly by WAEC and DLGSC. It was obvious that the returning officer did not understand or know the process in detail. Whilst the Department put out some information it was evident that the details were not clearly understood by some of those who relied upon it. For small councils this system should be replaced by first past the post.”

“Returning officer was fantastic but largely constrained by the WAEC. WAEC communication delays (and unusual decision to recount) cost an enormous amount of staff time/overtime and made a fairly intense period even worse. I am not sure what role DLGSC has in any of this other than the pre-

<p>screening work. I have never found them useful in anything in LG to date but am unsure what we should expect from them as a sector.”</p>
<p>“I was a candidate at [REDACTED]. The count was a complete shambles. This was not the fault of the returning officer. The returning officer raised the risk early. It took 6 days to complete the count. The reason is the process is too complex. The DLGSC’s process description is unclear and was not followed by the WAEC. The results are not declared properly. The auditor general should investigate why this preferential process was given to the WAEC by DLGSC. Complete chaos.”</p>
<p>“The whole process created extra stress and anxiety amongst candidates. I personally was not clear on how the votes would be counted. I couldn’t answer questions from community members on how to make their vote count the most. When looking for information there was no clear explanation from any source. The optional preferential voting creates massive factions within small communities. I experienced councillors that were not up for election secretly petitioning and lobbying for community members to vote in a particular way to help their “preferred” candidate. This is unhealthy in small communities and doesn’t show a true reflection of the communities desires. The messaging coming through from the commission was confusing and creating anxiety for small councils. I have been through three election processes and this was by far the most confusing and stressful.”</p>
<p>“Nominating was more stressful than the 2 previous times, because it took longer and was inefficient. The election night was awful. The counters had finished all the counting on the Saturday night however the RO could not get approval of the count from the WAEC. Everyone sat around for almost 2 hours, including listening to the RO arguing with the WAEC, before the count was adjourned to resume at 9am on Sunday morning. On Sunday morning, we all sat around until 1.30pm just waiting for the WAEC to give approval to announce the results. This has never happened before. The RO informed us that the ballot boxes delivered by the WAEC had contained ballot papers from other LG districts. After our ballots were counted, the WAEC claimed our figures counted didn’t match the ballot papers the WAEC had recorded as returned, which was because the WAEC had counted the ballot papers for other LG districts as part of our overall returned ballot papers. As a candidate and onlooker watching the process, our LG and our counters had completed their work within 3 hours on Saturday night. Everything to do with the approval process through the WAEC looked disorganised and unprofessional. Their lack of communication with our RO on the Saturday night was really poor.”</p>
<p>“1. The OPV system added substantial cost to our community, for absolutely no benefit; 2. Our election was not finalised until the Tuesday afternoon. Normally it is completed on the Election Night (Saturday) within hours of the count being commenced; 3. The WAEC failed to provide sufficient decision making authority to RO’s, leading to long delays, frustration by candidates and staff, and additional costs to the LG. It was chaotic and poorly managed; 4. OPV did not achieve its aim. EM’s were still elected with very small percentage of votes; 5. OPV resulted in organised ‘voting blocks’ aimed at harvesting preferences; 6. In the [REDACTED] Elections, in 2 Wards where the incumbent EM looked likely to be unopposed, a resident nominated at the last minute. Their reasoning was that the ‘backfill’ provisions of the Act would result in their automatic elevation to Council (without even running a campaign) if the incumbent resigned during the first 12 months of tenure. This resulted in elections needing to be held (at considerable cost to ratepayers) - where ordinarily (without the backfill position) the seat would have been unchallenged. It is a significant, inadvertent consequence of the legislation. The backfill provision was aimed to stop costly by-elections, however there is evidence that it also has resulted in elections - where previously an election would not have been held.”</p>
<p>“Really think the preference voting caused angst and allowed factions to control the election especially in rural small electorate.”</p>
<p>“Very dissatisfied with the decision to have a public elected Mayor/President in this level of LG and believe the Council is best positioned to elect the President.”</p>
<p>“The general election voting system was not tested as my Shire did not hold an election. The Election of President and Deputy was an experience not to be repeated.”</p>
<p>“The count locally was managed very well. However there were significant delays caused by WAEC Head Office in proceeding to the Preference vote for both Mayor and Councillor positions, which was extremely frustrating. A result for the Mayor vote should’ve been finalised on the Saturday night and the Councillor vote should’ve been finalised by midday on the Sunday but delays from Head Office caused the Mayoral vote to not be declared until after midday on the Sunday and the Councillor vote was not finalised until the Monday.”</p>
<p>“The RO was not the issue. The issue was that the WAEC is clearly under-resourced, and it had failed to provide a sufficient level of training and guidance to RO’s and staff. On the night of the election, and subsequent days, it was clear that the WAEC simply would not provide clear advice, and were reluctant to make decisions.”</p>
<p>“Very good. Only the mayor was counted on election night, the ward counts started the next day. It was done quickly and all candidates knew the results by around midday, if not sooner.”</p>

“The new process caused significant delay in the counting and declaration of successful candidates.”

“Our LG has less than 500 people and the count was complete on Saturday night however we were made to wait until Tuesday to have a declaration of the votes. There were multiple other LGs that knew their results well before which was extremely frustrating.”

“The declaration of results was not done in a timely manner and that was not the fault of the local Returning Officer but delays from WAEC Head Office in proceeding through the Mayor Preference allocation and then the Councillor Preference allocation.”

“Based on the statewide numbers of electors who voted, the introduction of optional preferential voting did nothing to increase voter turnout, and in my opinion, only served to confuse many voters. There was inadequate (almost non-existent) public awareness campaigns about the change in the voting process by the DLGSC, WAEC and WALGA. Most stressful LG election process I have participated in.”

“I have contested 3 elections, this was the most frustrating. I believe the new preference system was clumsy and probably failed to meet expectations. I doubt the result changed due to its implementation.”

Election Costs Survey

A year-on-year cost analysis for each election cycle between 2015 and 2023 for each of the 76 Local Governments that replied in full to WALGAs request for information shows an average increase over the 5 election cycles of 17% in the final WAEC charges to Local Governments for the conduct of election.

The full year on year cost comparison of Local Governments who provided final cost of all elections 2015-2023 (WAEC Invoice inc GST, not inclusive of internal LG costs) is included on page 7 of this report.

The average increase in election costs between the 2021 and 2023 election cycle was 26%, with the smallest increase between 2021 and 2023 being 1% at the Shire of Narrogin and the largest increase between 2021 and 2023 being 42% at City of Swan (adjusted for metropolitan Local Governments who have engaged the WAEC to conduct their elections across all 5 election cycles).

As well as providing qualitative data, Local Governments were asked to provide non-qualitative feedback on the 2023 election process through the email correspondence. The following are direct quotations from the feedback received, with any identifying elements redacted:

“By way of general comment/feedback on the performance and value for money from the WAEC, we have experienced rapidly declined service levels from the WAEC.

The pre-election meeting we hold with the WAEC prior to each Ordinary LG Election was conducted in July 2023. The WAEC representative did not fill us with confidence. They did not understand that the [REDACTED] was not the [REDACTED], the number of vacancies was consistently incorrect, they were not at all competent to provide advice in response to questions that we raised during the meeting, and were generally disinterested and dismissive, and at times patronising.

Any customer service requests made during the election period to the WAEC representative were either not responded to, provided incorrect responses or were just rude and unhelpful.

This decline is most disappointing given the excellent service we have received in the past from LG election specialists within the WAEC. In addition, the cost of running the elections has escalated considerably whilst we experience a decline in service and support.”

“Our Returning Officer was incredibly capable and efficient, always a pleasure to work with.

On the election night there was a lot of ‘dead’ time, when waiting for approval from WAEC to move onto the next stage, making the process take longer than it needed to.

WAEC were also quite late in providing public notices for the Shire to publish.

Internal elections – it would be helpful if included in the RO role, was overseeing the internal elections.”

“With the move to popularly elected Shire Presidents/Mayors for Band 1 & 2 Shires, the sector should be moving to a 4 yearly election cycle as per recommendation 22 from the Local Government Act review below and 4 Yearly Council Plans.

The argument that a 4 yearly election cycle could potentially cause too much upheaval at the Elected Member level doesn’t hold any weight. Local Government in WA is the only Tier of government that retains the 50% rotation approach and this is overly conservative.

Keeping the current 2 yearly election cycle and now suggesting that a Council Plan should last for 8 years is not workable at an operational level not to mention a doubling in costs to conduct an election.”

“We had a high number of replacement postal vote in person requests on election day and had to use 3 City officers to process the votes. This would have been a difficult task for the RO to have completed on the day and it set back the actual counting process until late into the evening. The RO

did not have enough replacement ballot envelopes so City officers were required to enter into the system manually.

WAEC and the RO officer handled queries, most notably on the optional preferential voting, from rate payers when the questions were outside the information available on the City website or where or customer service/ governance teams could not comfortably answer.

We implemented the Department's guidance notes and tools for OPV counting in conducting internal elections (Deputy Mayor, Committee Chairperson) which we have now worked into our internal Council / Committee meeting procedure."

"With the reform changes to the LG Act on the Election process we did feel that we weren't given enough advice and support from DLGSC with regards to these changes.

Our Returning Officer was good and helpful throughout the lead up to the Election and the actual Election and we had no issues with him. My team of count staff were also great.

The big issue I felt we had at the actual election was the lack of communication from WAEC when we were trying to get confirmation of the Mayoral Election results. We struggled to get hold of anyone at WAEC at the end of the evening on the Saturday. Then on the Sunday morning no-one was answering phone calls, replying to messages and the website was down. We therefore had the potential new Mayor still waiting to announce the results – even though the count was completed the evening before. This also had an impact on the Councillor Election as once this was finalised it affected the votes in this Election. This meant candidates were having to wait for a result and staff were having to wait in-case there was a re-count. We did eventually find out that the software had gone down and they were working on getting it back up and running, but some communication to make us aware of this would have been appreciated so we knew what the hold-up was. I do understand there were huge changes to the voting process and therefore the software had had to be re-built for the election so there were likely to be glitches, it was just not knowing what was going on that was my issue."

"In terms of the general election we found the verification of results process to be quite lengthy, after WAEC concluded the Count on the Saturday evening we were placed in the queue for the results to be verified. I then returned on the Sunday with the Returning Officer and we waited around an hour and a half for the results to be confirmed. There was then an error made with the number of votes received for some candidates on the notice of results and published on the Committee's website.

We also received a few enquiries from electors seeking detailed information about how the votes would be counted under OPV. We directed electors to DLGSC/WAEC where the Town could not satisfy their query however a few of those enquiring were quite displeased with the level of information available to electors."

"Overall the election process was ok; our biggest gripes were with the requirement to count twice (regardless of how clear the results may have been), as well as the mandate to stop counting at 10.30. These 2 combined resulted in us having to wait until Sunday to have the result declared, as the WAEC had shut up shop after 10pm.

Ironically had we chosen to run our own election, I guarantee that we wouldn't have counted twice and we would have had the result declared on the night.

I feel like the approach taken by WAEC was overly cautious, so hopefully it's a similar story from others and WALGA can take up some advocacy in this regard."

Feedback garnered by a larger metropolitan Local Government provides a solid example of the benefits of prior and early engagement with the WAEC in relation to planning for the election. This supports the early planning methods used by the New South Wales and Victorian jurisdictions (discussed further in the report):

"...The 2023 Election was the second time the City had popularly elected its Mayor, and experience from the 2019 Mayoral election, with the requirement to count thousands more votes, suggested that extra resources would be required to conduct a successful election.

The City, in consultation with the WAEC, decided the best way to approach the election count was to hold the Mayoral and Ward counts on separate days. This agreement was reached early on with the WAEC Returning Officer assigned to the City. This enabled the Returning Officer and the City to plan its election resourcing accordingly and to keep candidates and other interested parties informed of this approach. This resulted in an efficient count over the two days, with both the Mayoral and Ward results able to be finalised over the election weekend. The City is proud of its success in leading the sector by delivering timely results for this election under some challenging circumstances."

WAEC Invoicing

Below is an example WAEC invoice from a metropolitan Local Government received after the 2023 Local Government Elections.

The list of chargeable items does not include any further detail or documentation to support the costs incurred by the WAEC in conducting the election. Additionally, in elections where a Mayor and Councillor election was held, invoices were not itemised between the two types of elections.

DESCRIPTION
Returning Officer (Fees, Training, Support, Travel & Accommodation)
Voting Support (Election Packages, Printing)
Postage (Mailout & Reply Paid)
Processing Centre
TEW (Temporary Election Workforce)
IT Support (Equipment, Helpdesk)
Head Office Costs
Project Support
Documentation & Resourcing
Logistics
Apportioned Head Office Wages
Apportioned Head Office Staff Overheads

The following table represents:

- the final WAEC cost associated with all election cycles 2015-2023;
- the average % movement between the five election cycles of 2015, 2017, 2019, 2021 and 2023;
- the exact % change between the 2021 and 2023 election cycles

	2015	2017	2019	2021	2023	Average movement over 5 election cycles	Movement between 2021 and 2023
Local Government	\$	\$	\$	\$	\$	%	%
Shire of Augusta-Margaret River	34832.00	39930.00	50069.56	60124.00	82500.00	19%	27%
City of Albany	87972.95	104578.80	120237.93	125128.83	203671.78	18%	39%
City of Armadale	130801.64	167486.97	190164.25	211284.09	357601.27	21%	41%
Shire of Ashburton	12687.16	15493.13	14588.85	21252.76	42383.59	23%	50%
City of Bayswater	127726.00	162078.00	131384.00	191867.00	270903.00	15%	29%
City of Belmont	63852.00	88672.00	90113.00	104811.00	149204.00	18%	30%
Shire of Beverley	1961.96	2577.76	2799.29	2126.30	17186.02	22%	88%
Shire of Bridgetown-Greenbushes	15597.33	17293.14	22180.81	24986.95	32616.89	17%	23%
City of Bunbury	75969.34	93101.80	89210.14	107924.00	116007.00	10%	7%
City of Busselton	76482.71	101564.25	107334.01	133668.47	181739.16	19%	26%
Town of Cambridge	62492.11	75085.56	22821.94	91926.20	135276.56	41%	32%
City of Canning	176032.01	193909.14	220532.96	244776.54	322682.24	14%	24%
Shire of Carnarvon	21704.52	19694.15	24424.58	23491.16	35582.30	10%	34%
Shire of Chittering	23678.32	24222.71	27780.00	29619.70	31240.03	7%	5%
Town of Claremont	29534.00	36467.00	29653.00	40135.00	46787.00	9%	14%
Shire of Collie	25165.00	31790.00	32282.00	38681.00	50626.10	16%	24%
Town of Cottesloe	21788.00	32238.00	27018.00	35932.00	38864.43	11%	8%
Shire of Cranbrook	5000.00	6500.00	7500.00	7500.00	15000.00	22%	50%
Shire of Dardanup	35019.35	44710.68	42279.64	49998.58	56263.27	11%	11%
Shire of Denmark	23669.14	27399.00	27240.76	27011.99	37619.32	10%	28%
Shire of Donnybrook-Balingup	21934.40	25810.85	23396.88	30854.46	40540.72	13%	24%

	2015	2017	2019	2021	2023	Average movement over 5 election cycles	Movement between 2021 and 2023
Local Government	\$	\$	\$	\$	\$	%	%
Town of East Fremantle	12298.97	29548.27	19570.50	29903.05	37626.05	16%	21%
Shire of Esperance	35102.62	42290.94	45571.45	45808.27	63519.79	13%	28%
Shire of Gingin	22154.08	25324.22	23949.17	29092.84	40737.87	13%	29%
Shire of Gnowangerup	6765.20	5321.88	13510.56	15369.64	17027.89	14%	10%
City of Gosnells	195673.00	253643.00	267689.00	321563.00	408723.03	17%	21%
City of Greater Geraldton	86663.14	82923.63	106156.51	117833.35	160746.24	13%	27%
Shire of Harvey	52161.12	67211.33	66586.05	84745.98	100941.11	15%	16%
City of Kalamunda	113320.00	140647.00	142741.00	147296.00	207453.07	13%	29%
City of Kalgoorlie-Boulder	57400.00	63575.00	112134.00	80190.00	109529.00	10%	27%
City of Karratha	38826.00	46275.00	46212.00	54937.00	80596.38	16%	32%
City of Kwinana	62313.00	86940.00	95535.00	115979.00	173392.62	22%	33%
Shire of Lake Grace	7929.20	11274.76	11967.74	5786.33	15020.71	32%	61%
City of Mandurah	151934.44	209331.98	214061.88	269725.21	352392.01	18%	23%
Shire of Manjimup		29686.00	27407.00	35522.00	51757.00	15%	31%
Shire of Merredin	5488.01	15278.72	16067.93	18447.39	22674.20	25%	19%
Town of Mosman Park	16287.45	32366.91	22648.22	36842.01	44361.05	16%	17%
Shire of Mundaring	50053.00	90675.00	76857.00	114682.00	153326.58	21%	25%
Shire of Murray	37968.30	54574.40	51369.64	66425.65	73264.66	14%	9%
Shire of Narrogin	6698.27	19413.57	7868.43	24728.10	25000.00	45%	1%
City of Nedlands	19169.08	65424.19	64435.26	74845.83	94294.75	26%	21%
Shire of Northam	29855.29	34192.52	32933.49	30496.18	47612.20	9%	36%
City of Perth	46576.28	71640.76	0.00	88629.46	127455.85	21%	30%
Town of Port Hedland	28249.29	39996.62	0.00	48682.17	56820.95	15%	14%
City of Rockingham	217380.00	255248.00	284170.00	395280.00	471643.99	17%	16%
Shire of Serpentine-Jarrahdale	50037.00	71466.00	76666.00	98762.00	83260.38	10%	-19%

	2015	2017	2019	2021	2023	Average movement over 5 election cycles	Movement between 2021 and 2023
Local Government	\$	\$	\$	\$	\$	%	%
City of Stirling	333971.00	476078.00	524073.00	611248.00	754389.00	18%	19%
City of Swan	183218.00	259544.00	279565.00	347110.00	594186.87	24%	42%
Town of Victoria Park	69580.00	90602.00	90357.00	118680.00	156344.00	18%	24%
Shire of Victoria Plains	0.00	11659.00	12035.00	13877.00	13728.00	29%	-1%
City of Vincent	77200.05	94995.56	62123.62	107788.20	152879.59	9%	29%
City of Wanneroo	306569.94	413494.75	463525.10	546374.95	747343.67	20%	27%

Per Elector Cost comparisons for a small range of Local Governments for the 2023 election cycle

The following costs are based on the final WAEC invoices provided to Local Governments and the election information listed for each individual Local Government on the Elections WA website. The final WAEC invoices did not break down the costs associated with a Mayoral/President election and a Councillor election. Local Governments below that conducted a Mayoral/President election as well as Councillor elections are marked with an asterix.

Local Government	2023 Estimate \$	2023 Final \$	2023 Total Electors	2023 Turnout Rate	Per Elector cost - (final cost/total electors) \$
Bayswater*	252,000	270,903	49,146	31.80%	5.51
Bunbury	134,000	116,007	24,568	26.21%	4.71
Claremont	54,000	46,787	8,147	27.11%	5.74
Dardanup	64,000	56,263	10,601	25.73%	5.30
Esperance*	68,000	63,519	9,813	37.01%	6.47
Gosnells*	425,000	408,723	79,207	29.34%	5.16
Murray*	84,000	73,264	13,997	27.91%	5.23
Nedlands*	95,000	94,294	15,873	33.77%	5.94
Subiaco	74,000	18,122	12,616		1.43
Swan*	524,000	594,186	105,881	29.82%	5.61
Victoria Park*	134,000	156,344	24,291	28.29%	6.43
Victoria Plains	12,900	13,723	572	62.24%	23.99
Vincent*	144,000	152,879	26,125	28.34%	5.85
Wanneroo*	722,000	747,348	141,426	25.60%	5.28

ELECTORAL REPORTS - COMPARISONS

New South Wales

Each NSW Local Government may engage either the NSW Electoral Commissioner or a private election service provider to conduct elections.

Following each 4-year election cycle, the NSW Electoral Commissioner presents a report on the conduct of the relevant election. The report is presented in two parts: part one contains aggregated statistics, voting methods, venues, staffing and evidence on the funding of elections. It also includes any relevant and recent changes to the legislation that governs the conduct of Local Government elections⁶.

Part one also includes recommendations by the Electoral Commissioner for legislative reform around the conduct of Local Government elections.

Part two provides information about each individual local council election, including candidates, results, breakdown of votes by vote type, staffing and venues. The report is supplemented by the outcomes of independent research, which measures and evaluates the level of the satisfaction of election stakeholders (voters, candidates, local council general managers, and election staff) with the NSW Electoral Commissioner's conduct of the relevant Local Government election.

Victoria

The Victorian Electoral Commission (VEC) is established under the *Victorian Electoral Act 2002* and is responsible for conducting State elections, Local Government elections, certain statutory elections and polls and electoral representation processes for councils and the state for electoral boundary issues.

During the preparation of each Local Government election, the VEC develops and implements Service Plans with each of the participating councils. The Plans establish the costing arrangements for the preparation, conduct, and closure of each election and summarise contingency election services that may be required during the council term⁷.

In the 2024 Draft Plans, VEC states:

The Plan aims to provide quality election services while keeping costs to a minimum for councils. The VEC's Local Government Election Program will meet all statutory requirements and ensure that customer service and accuracy are prioritised. Each aspect of the 2024 Local Government Election Program will be analysed in detail and transparently shared in relation to costs and benefits.

The VEC then provides each council with a report on the conduct of the election within six months of election day, as required by section 83 of the Local Government (Electoral) Regulations 2020.

Queensland

In Queensland, the Electoral Commission of Queensland (ECQ) delivers the Local Government quadrennial elections for all mayors and councillors of Queensland's 77 Local Government areas.

In 2023, the ECQ also established a Local Government Elections Advisory Committee⁸ to provide a Local Government perspective on planning and preparations for the elections. Convening quarterly Committee members represent various parts of the Local Government sector and provide input and advice on issues to be considered during election planning.

Mayors in every council and councillors in single-member divided councils are elected using the optional preferential voting system. Councillors in undivided councils and in multi-member divided councils are elected using the first-past-the-post voting system. Depending on the voting system in use for an election, this also changes the counting method used to determine the election results, which requires additional training for temporary election staff.

Different Local Government areas can request the ECQ conduct different types of elections such as an attendance election with polling places and full election services, a full postal election where voters for the Local Government area are automatically sent their postal ballot materials, or a hybrid model where part of the council is an attendance election and part is a full postal election.

⁶ (New South Wales Electoral Commission, 2024)

⁷ (Victorian Electoral Commission, 2024)

⁸ (Electoral Commission Queensland, 2024)

Western Australia

Generally the Western Australian Electoral Commission releases a report on the most recently held local government ordinary election within six months (eg, October election, April report released). The reports into the conduct of the 2019 and 2023 elections were released nine and eight months respectively after the elections.

In comparison to NSW, VIC and QLD, the WAEC's Local Government election reports from 2015-2024 reveal significantly less detail in breakdowns of electoral expenditures and cost allocations, which are essential for fiscal transparency and oversight.

Unlike NSW and QLD, which provide extensive data on voter behaviour, turnout, and compliance measures, WAEC's reports are less detailed and lack critical information on cost management and electoral integrity.

This insufficiency in detailed reporting and financial transparency undermines WAEC's accountability to the State Government and local governments throughout the State.

WALGA is aware that in the NSW jurisdiction, two independent Local Government election reviews have been undertaken and are summarised below:

Review of Costs of Conducting Local Government Elections: In 2019, the Independent Pricing and Regulatory Tribunal NSW submitted its Final Report on Local Government election costs to the Minister for Local Government. The Final Report recommended a costing methodology to be applied in determining the amount the NSW Electoral Commissioner (NSWEC) charges councils for Local Government election services.

Preference Counting in Local Government Elections in NSW: In 2017, the NSW Parliamentary Joint Standing Committee on Electoral Matters conducted a comprehensive examination of process of distributing preferences by random selection in Local Government elections, related to the use of the Proportional Representation by Single Transferable Vote voting system.

Although not directly related to WALGA's advocacy positions, the independent assessment of NSW Local Government election matters provides insight to the possibility that a similarly independent approach could be applied in WA.

WALGA COMMENT

The aim of this review was to understand the consequences of recent legislative reform on the Local Government election process in Western Australia. During the review, the emerging results naturally fell into two distinct categories – the increasing costs of elections to Local Governments and the decreasing level of service from the WAEC.

The cost increases across five election cycles can be attributed to many parts – CPI, population increases and legislative changes. And when viewed alone, costs increases can, to a certain extent, be justified.

However, when coupled with the perception of a decrease in service levels and the additional challenges of introducing a new voting method, cost increases for many Local Governments become more difficult to understand.

Overwhelming the feedback from both Elected Members and Administration focused on the lack of information, preparation and communication from the WAEC throughout the 2023 election, in comparison to previous election years. This is important to note – many Local Governments highlighted the reduction in service levels from previous years.

Most, if not all Local Governments attributed all challenges and increased costs in the 2023 election to the changes in electoral legislation, including the introduction of the OPV method.

The challenges included:

- Unanticipated complexity in the counting, directly due to OPV, caused significant delays in declaring elections results.

- In previous elections years, the control of the election rested with the appointed Returning Officer, who oversaw the count and determined the results in line with set protocols. This system allowed for immediate declaration of results on the night of the election.
- In the 2023 election, whilst Returning Officers oversaw the count, changes to the protocols meant that a Returning Officer was required to check in with the WAEC at particular points during the count and unable to move forward without verification. This caused delays in the count itself and resulted in significant delays in the declaration of results, in some instances for several days post-election night.
- Lack of communication from the WAEC, both in the pre-election phase and during the count, regarding the OPV system caused confusion and many Local Governments commented that this meant they were underprepared.

In line with the results of this review, WALGA recommends advocating to the State Government for an independent Local Government election audit, focusing on WAEC's cost allocation methods and costing applications used, to confirm that marginal cost recovery principles are applied and that the costing program is being effectively managed.

In addition, WALGA will advocate the State Government for:

1. The introduction for the requirement for WAEC to develop and implement Service Level Agreements with Local Governments, similar to those agreements currently used in New South Wales and Victorian Local Government Elections and that includes:
 - a. transparency of costing methodology and
 - b. direct engagement with Local Governments pre and post elections and
 - c. the roles and responsibilities of the WAEC and Local Governments in the conduct of elections.
2. The introduction for a provision for private service providers to enter the market for the conduct of Local Government elections; and
3. Mandate a WAEC Report to Parliament specific to Local Government Elections post each election cycle, outlining costs, results, voter turnout and matters for improvement both in the conduct of elections and the legislation, if relevant; and

WALGA will report to the WAEC, as its earliest convenience, the findings of this review project relevant to the 2023 Local Government Elections, including but not limited to, returning officer training and capabilities, election count and result protocols.

In respect to the Zone items requesting advocacy on the Local Government voting system, this will be covered in a separate State Council Agenda item for the December meeting, following sector consultation on election advocacy positions.

RECOMMENDATION

The GVROC note and support the WALGA Recommendation as provided.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

8.2 Energy Transition Engagement and Community Benefit Framework Advocacy Position

WALGA Recommendation

That State Council endorse a new Energy Transition Engagement and Community Benefit Framework Advocacy Position as follows:

It is essential that the energy transition currently underway delivers economic opportunities, ensures reliable and affordable electricity, and the greatest possible benefits for the community.

WALGA calls on the State Government to develop a comprehensive framework to manage the impact of the energy transition that includes local engagement and the realisation of community benefits from energy transition projects as a priority.

IN BRIEF:

- Western Australia's energy industry is transforming to achieve the goal of net zero emissions by 2050.
- In Western Australia there is no framework that provides a consistent approach to how proponents of major energy projects consult with local communities and how they can share in the benefits.
- WALGA will advocate for the State Government to develop a framework to guide consultation and benefit sharing with local communities during the energy transition.
- A joint meeting of the Environment Policy Team and Infrastructure Policy Team held on 10 July endorsed the position for consideration by State Council.
- This draft advocacy position should be considered in conjunction with the accompanying draft WALGA advocacy positions Renewable Energy Facilities ([Item 8.3](#)) and Priority Agriculture ([Item 8.4](#)).

ATTACHMENT

Attachment A: [WALGA 2023 Annual General Meeting Agenda \(Item 5.2 – Land Use Policy\)](#)

Attachment B: [National Energy Transformation Partnership](#)

Attachment C: [NSW Draft Energy Policy Framework](#)

Attachment D: [NSW Draft Benefit Sharing Guideline](#)

Attachment E: [QLD Ministerial Announcement - Code of Conduct](#)

Attachment F: [Powering WA FAQs](#)

POLICY IMPLICATIONS

Related current Advocacy Position:

4.1 Climate Change

Local Government acknowledges:

1. *The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.*
2. *Climate change threatens human societies and the Earth's ecosystems.*
3. *Urgent action is required to reduce emissions and to adapt to the impacts from climate change that are now unavoidable.*
4. *A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

Local Government is committed to addressing climate change. Local Government is calling for:

1. *Strong climate change action, leadership and coordination at all levels of government.*
2. *Effective and adequately funded Commonwealth and State Government climate change policies and programs.*

BUDGETARY IMPLICATIONS

None

BACKGROUND

The 2023 WALGA Annual General Meeting resolved *that WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural*

activities that lead to a net reduction of the State's productive agricultural land (Attachment A). Following on from this discussion, further conversations across the WALGA Membership have led to the consideration of how local communities can be involved in, and benefit from, energy transition projects.

The Australian and WA Government have net zero emissions by 2050 targets. To reach this target, both levels of government recognise the need to transform energy generation and transmission.

Under the National Energy Transformation Partnership (Attachment B) Australian, state and territory governments have agreed to work together to transform Australia's energy system, with a view to achieve net zero by 2050. The Partnership has the following vision:

Australian governments will work together to maximise the economic opportunities of the clean energy transformation, ensure reliable and affordable electricity, and deliver the greatest benefits for Australian households, businesses and communities.

To date, the Partnership has not provided a framework on guidelines on the mechanism to consult with local communities to ensure that they received the "greatest benefit" from this transition. As a result, projects have been proposed and progressed in an ad-hoc manner with Local Governments independently seeking to ensure that the benefits of the energy transformation are shared with their communities. Currently there is no State Framework to guide the consultation of the community for local energy transition projects and no guidance on how to ensure that impacted communities share in the benefits of the energy transition to achieve the Federal and State Governments' shared vision of net zero by 2050.

COMMENT

In lieu of a national approach, states have sought to develop their own mechanisms for guiding the assessment of projects and ensuring the benefits are shared with the local community impacted by the project.

In November 2023, the NSW Government released a Draft Energy Policy Framework (Attachment C). Within this, the Benefit Sharing Guideline (Attachment D) identifies that regional communities experience the most pressure and change from the energy transition and provides advice on how industry can share the benefits of development with these communities in a way that provides long term economic and social benefits.

In April 2024, the Queensland Government announced that a code of conduct will be developed to ensure that local communities can share the benefits of the energy transition (Attachment E).

In November 2023, the WA Government announced the establishment of PoweringWA (as part of Energy Policy WA) to help manage the scale, speed and complexity of WA's renewable energy and transmission developments (Attachment F) by:

- streamlining development of individual transmission, renewable generation and storage projects by removing overlaps and filling any gaps in approvals and other government processes;
- proactively identifying, mitigating and managing impacts of the program with the WA community;
- providing clear information to the public on the infrastructure program and making sure that the need for the program is understood;
- providing opportunities for the public to provide input;
- ensuring that no particular community is unduly impacted;
- ensuring that the impact of the program on native forests, endangered habitats and areas of cultural significance is minimised;
- helping impacted communities and Aboriginal people realise value from the energy transformation; and
- identifying and helping resolve issues with the development and implementation of the infrastructure program, including supply chain and workforce development.

WALGA supports PoweringWA's intent to consult with impacted communities to assist with managing local impacts and realisation of community benefits from the energy transition. However, it is concerning that PoweringWA is yet to substantially begin this work.

To ensure that local communities and Local Governments are supported in achieving this vision it is important that a framework is delivered to guide the development of this infrastructure to ensure that communities see long-term, tangible, local and sustained benefits from the energy transition. As the projects are currently being rolled out, it is critical that this framework be developed as a priority.

A joint meeting of the Environment Policy Team and Infrastructure Policy Team held on 10 July endorsed the position for consideration by State Council. This draft advocacy position should be considered in conjunction with the accompanying draft WALGA advocacy positions Renewable Energy Facilities ([Item 8.3](#)) and Priority Agriculture ([Item 8.4](#)).

GVROC COMMENTS

The GVROC make the following comments for consideration by WALGA and the State Council in finalising the advocacy position for this item and also for the accompanying draft WALGA advocacy positions Renewable Energy Facilities ([Item 8.3](#)) and Priority Agriculture ([Item 8.4](#)):

- the key issue is the location of renewable projects, with fears big tracks of regional WA will become wind and solar farms.
- there needs to be consideration in the planning framework, for any proposed projects to consider the full social, visual and economic impacts on the region.
- needs to factor in the rapidly changing renewable technologies being developed. E.g. wind turbines and solar could be replaced as an energy source quite rapidly and then left with an issue of disposing of outdated assets.
- GVROC LGAs would like to be regularly kept informed through processes, changes and development of policies and advocacy positions to the renewable area and its resultant issues by WALGA and the State and Federal Governments.

RECOMMENDATION

That the GVROC:

1. **endorse, subject to the comments provided above being considered by WALGA and State Council, the new Energy Transition Engagement and Community Benefit Framework Advocacy Position as follows:**
 - a) **It is essential that the energy transition currently underway delivers economic opportunities, ensures reliable and affordable electricity, and the greatest possible benefits for the community.**
 - b) **WALGA calls on the State Government to develop a comprehensive framework to manage the impact of the energy transition that includes local engagement and the realisation of community benefits from energy transition projects as a priority.**

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

8.3 Renewable Energy Facilities Advocacy Position

WALGA Recommendation

That State Council endorse a new Renewable Energy Facilities Advocacy Position as follows:
The growth in the number, size, and complexity of renewable energy facilities across Western Australia is expected to continue as energy generation and other traditional industries decarbonise their facilities and operations. The renewable energy state planning framework requires changes to ensure it is fit for purpose to guide the ongoing development of this sector.

WALGA calls on the State Government to:

- 1. Adopt a new State Planning Policy for renewable energy facilities, to replace the existing Position Statement: Renewable energy facilities, that:**
 - a. Facilitates the orderly development of renewable energy facilities across Western Australia;**
 - b. Outlines the key planning and environmental considerations, for the location, siting, design and operation of renewable energy facilities and their associated infrastructure;**
 - c. Provides a framework that clearly stipulates the minimum required documentation and technical reports that need to be submitted with proposals for renewable energy facilities;**
 - d. Supports the development of Local Planning Policies by Local Governments to further guide locally appropriate planning consideration of renewable energy facilities;**
 - e. Provides a clear relationship with:**
 - i. State Planning Policy 2.5 - Rural planning and Development Control Policy 3.4 - Subdivision of rural land, to ensure planning decisions adequately balance the need to protect and preserve rural land for rural purposes;**
 - ii. State Planning Policy 2.4 - Planning for Basic Raw Materials to ensure proposals for renewable energy facilities consider their impact on basic raw material supply at the earliest stage of the planning process; and**
 - iii. State Planning Policy 2.9 - Planning for Water to ensure water resources impacted by renewable energy facilities are identified and adequately managed.**
 - f. Includes policy measures to address:**
 - i. concerns relating to the location of these facilities and their associated infrastructure on agricultural land, their proximity to lot boundaries, town sites and sensitive land uses, and potential impact on airport operations and rural activities;**
 - ii. planning for renewable energy facilities in industrial areas in relation to the coordination of these facilities, their appropriateness in the 'General Industry' zone and impacts and suitable location on heavy industry sites;**
 - iii. the need for local engagement and the realisation of community benefits from the development of renewable energy facilities.**
- 2. Review the definition of 'renewable energy facility' considering the increasing size and scope of facilities and consider creating definitions based on the scale of the facility (Utility-scale and other), and the form of facility (solar energy and wind energy).**
- 3. Provide guidance to Local Governments on the consideration of green hydrogen production facilities on rural land where it is an incidental use to a renewable energy facility.**

IN BRIEF:

- A 2023 WALGA Annual General Meeting resolution and subsequent resolution by the Great Eastern Country Zone requested WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.
- The Central Country Zone resolved to request WALGA to advocate to the State Government to develop a more comprehensive and effective approach to guide the management and placement of renewable energy facilities; including but not limited to wind, solar, battery renewable diesel and associated infrastructure.

- The existing State Government *Position Statement: Renewable energy facilities* does not adequately address these concerns, leading to inconsistent application and approvals of renewable energy facilities across the State.
- WALGA will advocate for the existing *Position Statement: Renewable energy facilities* to be amended and elevated to a State Planning Policy, including more nuanced provisions which provide greater guidance to Local Governments and applicants, and allow for renewable energy land uses to be classified as either small or large facilities.
- A joint meeting of the Environment Policy Team and Infrastructure Policy Team on 10 July endorsed the position for consideration by State Council.
- This draft advocacy position should be considered in conjunction with accompanying draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Priority Agriculture ([Item 8.4](#)).

ATTACHMENT

Attachment A: [WALGA 2023 Annual General Meeting \(Item 5.2 – Land Use Policy\)](#)

Attachment B: [Great Eastern Country Zone Minutes – 11 April 2024 \(Item 9.2 – Agricultural Land Use\)](#)

Attachment C: [Central Country Zone Minutes – 12 April 2024 \(Item 9.3 – Wind Energy Facilities\)](#)

Attachment D: [Position Statement: Renewable energy facilities](#)

Attachment E: [State Planning Policy 2.5 - Rural planning](#)

Attachment F: [Development Control Policy 3.4 - Subdivision of rural land](#)

Attachment G: [State Planning Policy 2.4 - Planning for Basic Raw Materials](#)

Attachment H: [State Planning Policy 2.9 - Planning for Water](#)

POLICY IMPLICATIONS

Related current Advocacy Positions:

4.1 Climate Change

Local Government acknowledges:

1. *The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.*
2. *Climate change threatens human societies and the Earth's ecosystems.*
3. *Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable.*
4. *A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

Local Government is committed to addressing climate change. Local Government is calling for:

1. *Strong climate change action, leadership and coordination at all levels of government.*
2. *Effective and adequately funded Commonwealth and State Government climate change policies and programs.*

6.1 Planning Principles

All legislation and policy which deals with planning and development must:

- *ensure role clarity and consistency across all legislation controlling development, to avoid confusion of powers and responsibilities;*
- *be easily interpreted by, understood by and accessible to all sections of the community;*
- *be amended only with WALGA involvement and/or consultation/involvement with Local Government.*

6.2 Planning Reform

The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system while ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks.

BACKGROUND

The placement and management of renewable energy facilities have become contentious issues in local communities across Western Australia. Concerns have been raised regarding the location of these facilities on agricultural land, their proximity to rural boundaries and residences, and their potential impact on right-to-farm practices such as aerial spraying activities.

The 2023 WALGA Annual General Meeting resolved that WALGA *establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land* (Attachment A).

The Great Eastern Country Zone passed a similar resolution at their April Zone meeting (Attachment B).

The Central Country Zone made a similar resolution, requesting WALGA advocate to the State Government to *develop a more comprehensive and effective approach to guide the management and placement of renewable energy facilities; including but not limited to wind, solar, battery, renewable diesel and associated infrastructure* (Attachment C).

Furthermore, Local Governments have also raised concerns with the coordination of renewable energy facilities in industrial areas, particularly in relation to their appropriateness in the 'General Industry' zone and impacts and suitable location on heavy industry sites.

The existing State Government *Position Statement: Renewable energy facilities* (Attachment D) is inadequate to address these concerns, leading to inconsistent application and approvals of renewable energy facilities across the State.

The advocacy position was considered at the Environment and Infrastructure Joint Policy Team meeting on 10 July. Following discussions at the Joint Policy Team meeting, an amendment was made to the advocacy position to include reference to "associated infrastructure".

COMMENT

The State Government through the Western Australian Planning Commission's (WAPC) *Position Statement: Renewable energy facilities*, published in March 2020, provides general and specific guidance to planning decision makers when:

1. Considering statutory proposals for renewable energy facilities, and
2. Seeking to address renewable energy facilities through the strategic planning framework.

The Position Statement should be read in conjunction with other relevant planning documents when making planning decisions. Local Governments have raised concerns with policies being affected by renewable energy facilities (attached), including:

- *State Planning Policy 2.5 - Rural planning;*
- *Development Control Policy 3.4 - Subdivision of rural land;*
- *State Planning Policy 2.4 - Planning for Basic Raw Materials; and*
- *State Planning Policy 2.9 - Planning for Water*

Position Statements are afforded a lower level of regard in planning decision making than other documents, such as State Planning Policies.

Considering the expected growth in renewable energy facilities, both in size and number, and the potential for these to impact amenity, and existing land uses, there is merit in exploring if the current State Government policy settings and associated framework are contemporary and fit-for-purpose.

The advocacy position calls on the *Position Statement: Renewable energy facilities* to be amended and elevated to a State Planning Policy, including more nuanced provisions which provide greater guidance to Local Governments and applicants, the need for local engagement and the realisation of community benefits from the development of renewable energy facilities, and allow for renewable energy land uses to be classified as either small or large facilities. WALGA will also advocate for the State Planning Policy to make direct reference to the policies listed above to ensure a balanced approach with the existing planning framework.

This draft advocacy position was informed by sector feedback provided during June 2024 and input from the Environment and Infrastructure Joint Policy Team meeting on 10 July. It should be considered in conjunction with new draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Priority Agriculture ([Item 8.4](#)).

RECOMMENDATION

That the GVROC note and support the WALGA Recommendation as provided subject to the comments noted in the new draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)).

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

8.4 Priority Agriculture Advocacy Position

WALGA Recommendation

That State Council endorse a new Priority Agriculture Advocacy Position as follows:

The state planning framework should provide sufficient statutory protections for areas identified as high quality agricultural land.

WALGA calls on the State Government to:

1. **Amend the Planning and Development (Local Planning Schemes) Regulations 2015 to:**
 - a. **Create a new model zone under Schedule 1, Part 3, Clause 16 for land identified as high quality agricultural land known as the 'Priority Agriculture' zone, with the following objectives:**
 - i. **to retain priority agricultural land for agricultural purposes; and**
 - ii. **limit the introduction of sensitive land uses which may compromise existing, future and potential agricultural production.**
 - b. **Define 'Priority Agriculture' zone under Schedule 2, Part 1, Clause 1 to align with the definition provided in State Planning Policy 2.5 - Rural planning.**
2. **Review the areas which have been identified by the Department of Primary Industries and Regional Development as high quality agricultural land and expand the extent of mapping to address the whole of Western Australia.**
3. **Undertake a 'health check' of State Planning Policy 2.5 - Rural planning and Development Control Policy 3.4 - Subdivision of rural land, in consultation with relevant stakeholders.**

IN BRIEF:

- A 2023 WALGA Annual General Meeting resolution and subsequent resolution by the Great Eastern Country Zone have requested *that WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.*
- WALGA prepared a *Research Paper: Protection of Productive Agricultural Land* that provides policy context, previous WALGA advocacy and analysis of State and Local Government approaches to agricultural land use protections.
- This work identified that a lack of consistency between the sub-regional planning strategies across the different regions of WA has impeded the implementation of best practice planning controls into local planning frameworks, and thus inconsistent application across the State.
- This advocacy position recommends statutory protections of areas that have been identified as high quality agricultural land, through amending the *Planning and Development (Local Planning Schemes) Regulations 2015* to include a model zone for 'Priority Agriculture'. This will provide the ability for Local Governments to adopt the model zone into their local planning schemes.
- A joint meeting of the Environment Policy Team and Infrastructure Policy Team endorsed the position for consideration by State Council on 10 July 2024.
- This draft advocacy position should be considered in conjunction with accompanying draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Renewable Energy Facilities ([Item 8.3](#)).

ATTACHMENT

- Attachment A: [WALGA 2023 Annual General Meeting \(Item 5.2 – Land Use Policy\)](#)
- Attachment B: [Great Eastern Country Zone Minutes – 11 April 2024 \(Item 9.2 – Agricultural Land Use\)](#)
- Attachment C: [Research Paper: Protection of Productive Agricultural Land](#)
- Attachment D: [State Planning Policy 2.5 - Rural planning](#)
- Attachment E: [Development Control Policy 3.4 - Subdivision of rural land](#)

POLICY IMPLICATIONS

Current related Advocacy Positions:

6.1 Planning Principles

All legislation and policy which deals with planning and development must:

- *ensure role clarity and consistency across all legislation controlling development, to avoid confusion of powers and responsibilities;*
- *be easily interpreted by, understood by and accessible to all sections of the community;*
- *be amended only with WALGA involvement and/or consultation/involvement with Local Government.*

6.2 Planning Reform

The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system while ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks.

BACKGROUND

A 2023 WALGA Annual General Meeting resolution (Attachment A) and subsequent resolution by the Great Eastern Country Zone (Attachment B) requested WALGA *establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.*

WALGA prepared a *Research Paper: Protection of Productive Agricultural Land* (Research Paper) which provided policy context, WALGA advocacy and analysis of State and Local Government approaches to land use protections (Attachment C). The Research Paper described the process of high quality agricultural land (HQAL) being identified by the Department of Primary Industries and Regional Development (DPIRD), which can then inform Local Governments who choose to adopt priority agricultural land provisions within their local planning frameworks.

This work identified a lack of consistency between the sub-regional planning strategies across the different regions of WA that has impeded the implementation of best practice planning controls into local planning frameworks, and thus produced inconsistent application across the State.

The Research Paper was noted at the Environmental Policy Team meeting on 16 February. The advocacy position was considered at the Environment and Infrastructure Joint Policy Team meeting on 10 July.

COMMENT

The state planning framework - specifically *State Planning Policy 2.5 - Rural planning* (SPP2.5) and *Development Control Policy 3.4 – Subdivision of rural land* (DCP3.4) (attached) - clarifies the importance of protecting Western Australia's rural land assets, due to their economic, natural resource, food production, environmental and landscape values.

Furthermore, SPP2.5 outlines the general requirements for agricultural land use protections, including the identification of HQAL, with the policy measures able to be enacted by Local Governments who choose to through local planning frameworks. However, there are notable gaps in the current state planning framework, namely, the lack of statutory protections for areas which have been identified as HQAL.

The *Priority Agriculture Advocacy Position* recommends statutory protections of areas that have been identified as HQAL, through the amendment of the *Planning and Development (Local Planning Schemes) Regulations 2015* to include a model zone for 'Priority Agriculture'.

This will provide the ability for Local Governments to adopt the model zone into their local planning scheme. Local Governments would then be able to identify preferred, discretionary, and not permitted

land uses through their scheme's zoning table. This could then be supplemented by a local planning policy to outline locally appropriate planning considerations that proponents would need to consider.

This draft advocacy position was informed by sector feedback provided during June 2024. A joint meeting of the Environment Policy Team and Infrastructure Policy Team held on 10 July endorsed the position for consideration by State Council. It should be considered in conjunction with new draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Renewable Energy Facilities ([Item 8.3](#)).

RECOMMENDATION

That the GVROC note and support the WALGA Recommendation as provided subject to the comments noted in the new draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)).

RESOLUTION: **Moved: *Cr Laurene Bonza, Shire of Dundas***
 Seconded: *Mayor Glenn Wilson, City of Kalgoorlie Boulder*

Carried

8.5 Planning Principles and Reform Advocacy Position

WALGA Recommendation

That State Council:

1. Retire Advocacy Position 6.2 Planning Reform; and
2. Replace Advocacy Position 6.1 Planning Principles with the following:

6.1 *Planning Principles and Reform*

1. *The Local Government sector supports an efficient and effective planning system guided by legislation, policy, and processes that:*
 - a. *facilitates the creation of sustainable and liveable communities and places;*
 - b. *has a focus on strategic planning that delivers on long-term objectives and outcomes that balance social, environmental, cultural, and economic interests;*
 - c. *is easy to understand, accessible and transparent;*
 - d. *recognises the diversity of Western Australia and ensures that local environment, context, communities and character are appropriately reflected in planning frameworks and decision making;*
 - e. *ensures decisions are made by the level of government closest to and most impacted by a planning proposal; and*
 - f. *establishes consistent planning frameworks and streamlines planning processes where there is a demonstrated benefit in doing so.*
2. *Reforms to the planning system should:*
 - a. *be guided by the above principles;*
 - b. *deliver community benefit;*
 - c. *promote system efficiency, including through the use of technology;*
 - d. *be evidence-based and informed by robust, transparent data;*
 - e. *proceed at an appropriate pace to enable effective implementation;*
 - f. *be informed by engagement with the community; and*
 - g. *be amended only with WALGA involvement and/or consultation/involvement with Local Government.*

IN BRIEF:

- It is proposed that the Advocacy Positions 6.1 Planning Principles and 6.2 Planning Reform be replaced with a new contemporary combined position that reflects the current planning system and planning reform agenda.
- The updated position identifies key elements that would create an effective and efficient planning system and how planning reform can be developed, prioritised, and implemented to achieve this.
- The updated position has been informed by feedback from Local Government officers, including WALGA's Planning Advisory Group and previous WALGA submissions on State Government planning reform initiatives.
- The Environment Policy Team endorsed the advocacy position at their meeting on 29 July.

POLICY IMPLICATIONS

1. Retire Advocacy Position 6.2 Planning Reform; and
2. Replace Advocacy Position 6.1 Planning Principles with a new 6.1 Planning Principles and Reform.

BACKGROUND

Planning coordinates land use and development by balancing social, environmental, cultural and economic issues in both strategic planning and statutory decision-making. Western Australia is typified by a centrally controlled planning system with strong decision-making powers sitting with the Western Australian Planning Commission (WAPC) and Minister for Planning, with many planning functions then delegated to Local Government.

Local Government is an important decision maker, regulator, and participant in the WA planning system, and has a key role in setting the strategic land use planning framework and managing statutory functions at a local level.

Planning reform has been a priority for the State Government for several years with an ambitious reform agenda and an unprecedented amount of reform initiatives resulting in substantial changes to planning legislation and the planning system, accelerated by COVID-19 Regulatory reforms.

WALGA's Planning Principles and Reform advocacy positions were initially developed over a decade ago and are no longer fit for purpose to deal with the current planning system and ongoing reform agenda.

The consolidated updated position identifies key elements that make an effective planning system and how planning reform can be developed, prioritised, and implemented to achieve these principles.

The updated advocacy position addresses several key planning matters:

1. Strategic Planning for the Future

A strategically focused, well-functioning planning system is critical to creating better places to live and work for all Western Australians through the development of policy and planning decisions for the long-term benefit of the community.

Recent planning reform initiatives have been focused on the Government's plans to boost the housing supply and meet the State's commitment under the National Planning Reform Blueprint specifically through measures that streamline development application processes and decision-making. While the sector supports measures to address current issues, the planning system and reform initiatives should prioritise creating sustainable and liveable communities.

2. Transparency and Accountability

Timeliness and transparent decision making are key elements of the current reform agenda. Local Government processes and decision making have been scrutinised and subject to extensive review as part of the State Government reform agenda.

It is acknowledged a comprehensive review has recently been undertaken to address the structure, functions, and operations of the WAPC to increase transparency and efficiency and focus on greater strategic planning matters.

This review should extend to a holistic review of the planning processes and decision makers including the WAPC, supported by the Department of Planning, Lands and Heritage, to ensure they are efficient, effective and accountable to the communities in which their decisions impact.

3. Evidenced-based Reforms

Utilising technology to collect data and report on planning activities by all decision makers should be required to inform the timeliness of decisions and identify changes in planning legalisation, policies, and processes. Some recent State planning reform initiatives have not been supported by a strong evidence base.

WALGA has been collecting Local Government planning and building performance data since 2017 through its Performance Monitoring project which currently accounts for 90% of the WA population and 94% of population growth. This data tracks Local Government decision making and informs WALGA's advocacy positions and policy submissions.

DPLH has recently established a Planning Online Portal system which creates a central and single place for applications to be lodged and centralise data collection. These two data sources should be used to assess performance and identify planning reform initiatives.

4. Local Government's role in the planning system

Planning reforms have incrementally eroded Local Government's role in the planning system through the standardisation of local planning frameworks and reducing Local Government's role in decision making.

While the planning system has many similarities across WA, there are a range of unique economic, social, environmental, and cultural factors that require planning to consider local context and character.

Local Governments have an innate understanding of their area and communities and are uniquely well placed to manage growth and development and make planning decisions that consider local needs under the umbrella of the State planning system.

Decision-making should occur at an appropriate level of Government with consideration given to delegating further low risk local statutory functions to Local Government.

5. Pace of planning reform

The pace of reform in recent years has been challenging for Local Government. Sufficient time is needed to adequately review, respond to and implement the State Government's extensive reform agenda. This speed of reform also hasn't allowed for sufficient analysis of the effectiveness of reforms against their intended goals.

COMMENT

WALGA's Advocacy Positions 6.1 Planning Principles and 6.2 Planning Reform are outdated and do not reflect the sector's current advocacy priorities for legislative, regulation and policy change. The consolidated contemporary advocacy position will align with WALGA's State Election campaign and ensure WALGA can be effective and agile in responding to future State Government planning reform proposals.

The proposed advocacy position has been informed by feedback from Local Government officers, including WALGA's newly formed Planning Advisory Group, and WALGA's submissions on planning reform initiatives, specifically WALGA's 2023 submission on Consistent Local Planning Schemes.

The Environment Policy Team endorsed the advocacy position at their meeting on 29 July.

GVROC COMMENT

While GVROC note and support the WALGA Recommendation it also would like WALGA and State Council to note that some of these reforms continue to erode Local Governments control and authority going forward, which is becoming a common trend by State Government.

RECOMMENDATION

That the GVROC note and support the WALGA Recommendation as provided with comments to be noted above by WALGA and the State Council.

RESOLUTION: **Moved: *Cr Laurene Bonza, Shire of Dundas***
 Seconded: *Cr Tracey Rathbone, Shire of Coolgardie*

Carried

8.6 Product Stewardship Policy Statement and Advocacy Position

WALGA Recommendation

That State Council:

1. Rescind the existing Extended Producer Responsibility Policy Statement and Advocacy Position 7.5 Extended Producer Responsibility.
2. Endorse a new Product Stewardship Advocacy Position as follows:
 1. ***Industry should take responsibility (physical and/or financial) for the waste that it generates through the entire life cycle of the products it produces through the implementation of effective product stewardship. Without effective Product Stewardship, there will be increasing costs for the community, resource recovery targets will be difficult to reach and a transition to a circular economy is unlikely.***
 2. ***Effective Product Stewardship is characterised by:***
 - a. ***Producers and importers taking responsibility for post consumption product impacts.***
 - b. ***Schemes covering the entire cost of product recycling or recovery, including transport.***
 - c. ***Leveraging existing Schemes and collection locations.***
 - d. ***Being easy and convenient for the community to access.***
 - e. ***Having equitable national coverage and access for all, including regional and remote locations.***
 - f. ***Being evidence based.***
 - g. ***Consistent regulation and implementation across Australia using national Product Stewardship legislation.***
 - h. ***Timely action and industry cooperation during Scheme development and implementation.***
 - i. ***Being demand based and aiming to recover the maximum amount of material, rather than being limited by targets.***
 - j. ***No additional cost to consumers when the product is disposed of post consumption.***
 3. ***Local Government calls on the Commonwealth Government to implement effective Product Stewardship schemes for all products that drive environmentally and socially sustainable outcomes through the design, manufacture and distribution of products that can be more easily reused, repaired, recovered or recycled.***
 4. ***If national action is not progressed within a reasonable timeframe, or in a way that meets the needs of the Western Australian community, then Local Government supports a State based approach to Product Stewardship.***

IN BRIEF:

- The [Extended Producer Responsibility \(EPR\) Policy Statement](#) was first endorsed in 2004 and reviewed and amended in 2008.
- The Statement outlines the rationale for Local Government support for EPR, as a way of ensuring producers take responsibility for their products at the end of life, and some of the key elements of successful Schemes.
- WALGA's [Local Government Principles for Product Stewardship](#) was endorsed in 2022. The Principles provided more detail on key design elements for Schemes and have been used to inform advocacy.
- Following discussion at the April Municipal Waste Advisory Council (MWAC) and Officers Advisory Group meetings it was agreed to review the EPR Policy Statement and incorporate the Local Government Principles into a new Product Stewardship Policy Statement and Advocacy Position.
- The Product Stewardship Policy Statement and Advocacy Position has been updated to:
 - Include a greater focus on the potential for Product Stewardship to influence the design of products, as well as their post consumption disposal.

- Identifying the increasing cost burden on Local Government and the community of increasing complex products.
- Focus on ensuring all products have a clear and funded end of life pathway.
- The MWAC endorsed the new Policy Statement and Advocacy Position in June.

ATTACHMENT

- [Draft Product Stewardship Policy Statement](#)

POLICY IMPLICATIONS

This item rescinds the existing [Policy Statement](#) and [Advocacy Position](#):

7.5 Extended Producer Responsibility

Local Government supports the concept of Extended Producer Responsibility, as a mechanism for ensuring manufacturers of products take responsibility (be that physical or financial) for the entire lifecycle impact of their products.

By placing greater responsibility on producers, Extended Producer Responsibility can potentially improve valuation, pricing and incentive mechanisms, as well as encourage greater investment in infrastructure, research and development.

A new Advocacy Position and Policy Statement for Product Stewardship are proposed:

Product Stewardship

1. *Industry should take responsibility (physical and/or financial) for the waste that it generates through the entire life cycle of the products it produces through the implementation of effective product stewardship. Without effective Product Stewardship, there will be increasing costs for the community, resource recovery targets will be difficult to reach and a transition to a circular economy is unlikely.*
2. *Effective Product Stewardship is characterised by:*
 - a. *Producers and importers taking responsibility for post consumption product impacts.*
 - b. *Schemes covering the entire cost of product recycling or recovery, including transport.*
 - c. *Leveraging existing Schemes and collection locations.*
 - d. *Being easy and convenient for the community to access.*
 - e. *Having equitable national coverage and access for all, including regional and remote locations.*
 - f. *Being evidence based.*
 - g. *Consistent regulation and implementation across Australia using national Product Stewardship legislation.*
 - h. *Timely action and industry cooperation during Scheme development and implementation.*
 - i. *Being demand based and aiming to recover the maximum amount of material, rather than being limited by targets.*
 - j. *No additional cost to consumers when the product is disposed of post consumption.*
3. *Local Government calls on the Commonwealth Government to implement effective Product Stewardship schemes for all products that drive environmentally and socially sustainable outcomes through the design, manufacture and distribution of products that can be more easily reused, repaired, recovered or recycled.*
4. *If national action is not progressed within a reasonable timeframe, or in a way that meets the needs of the Western Australian community, then Local Government supports a State based approach to Product Stewardship.*

BACKGROUND

WALGA's Extended Producer Policy Statement was first endorsed in 2004 and reviewed and amended in 2008. In 2022, Local Government Principles for Product Stewardship were endorsed to provide further detail on the essential design elements of Product Stewardship Schemes. WALGA has used both documents to inform advocacy on the development and implementation of Product Stewardship Schemes.

The Policy Statement and Advocacy Position have been updated to make the language more contemporary and incorporate the Principles for Product Stewardship. The focus on producers taking physical and/or financial responsibility for their products at the end of life has been strengthened. There is also an increased focus on the importance of design in ensuring effective end of life management.

The Municipal Waste Advisory Council (MWAC) endorsed the new Advocacy Position in June.

COMMENT

Local Government has historically been responsible for managing a significant proportion of products consumed by the community. Unfortunately, rapidly changing waste streams have turned the process of managing post-consumption products into an expensive and complicated activity for Local Governments. Product Stewardship offers a mechanism to address this, by placing responsibility for products on their producers. Without this approach, producers have limited incentives to design for recovery or consider the costs of managing products post-consumption.

The updated Policy Statement and Advocacy Position builds on WALGA and Local Governments' existing advocacy and provides the opportunity to highlight the importance of the entire product lifecycle including design, manufacture and distribution as well as reuse, repair, recovery and recycling.

WALGA continues to focus on advocating for effective product stewardship for key priority materials, electronic waste, packaging, tyres and mattresses.

RECOMMENDATION

That the GVROC note and support the WALGA Recommendation as provided.

RESOLUTION:

Moved: *Cr Laurene Bonza, Shire of Dundas*

Seconded: *Cr Tracey Rathbone, Shire of Coolgardie*

Carried

8.7 Submission on the Draft State Waste Strategy

WALGA Recommendation

That State Council endorse the Draft State Waste Strategy Submission.

IN BRIEF

- The [Draft State Waste Strategy](#) (Draft Strategy) and [State Waste Infrastructure Plan](#) were released on 29 May. This follows the release of the [Strategy Directions Paper](#) in May 2023. WALGA provided a comprehensive [Submission](#) on the Directions Paper.
- Given the significant impact of the Strategy on Local Government, WALGA was granted an extension to the deadline to allow the draft submission to be considered by WALGA Zones and State Council.
- The focus of the Draft Strategy is:
 - Better outcomes for regional and Aboriginal communities
 - Increasing our focus on waste avoidance
 - Better management of priority materials
 - Realising the economic potential of recycling
 - Contingency planning and climate resilience.
- New Targets are also proposed for each of the Avoid, Recover and Protect areas.
- WALGA's draft submission on the Draft Strategy was informed by Local Government written feedback and feedback received at a webinar held on 19 July.
- This Municipal Waste Advisory Council (MWAC) endorsed the draft submission on 31 July 2024.

ATTACHMENT

- [Draft State Waste Strategy Submission](#)

POLICY IMPLICATIONS

The Submission aligns with existing Advocacy Position [7.2 State Waste Strategy](#) and previous [Submissions](#).

7.2 State Waste Strategy

Local Government requires leadership and clear direction from the State Government in relation to waste management. As such, Local Government supports the development and implementation of a comprehensive State Waste Strategy which:

- 1. Is consistent with the content, purpose and objective of existing legislation and policy at both a state and national level;*
- 2. Clearly identifies the roles and responsibilities of the Waste Authority in regard to the development and implementation of the Strategy, as outlined in the Waste Avoidance and Resource Recovery Act 2007;*
- 3. Is reviewed, with Stakeholder input, within 2 years of implementation; and*
- 4. Includes achievable targets for all waste streams and focuses on waste reduction, resource recovery and the diversion of waste from landfill. Targets should be based on accurate baseline data and clearly identify roles, responsibilities and funding for each target area.*

BACKGROUND

The [Draft State Waste Strategy](#) (Draft Strategy) and [State Waste Infrastructure Plan](#) were released on 29 May 2024. This follows the Government's release of the [Strategy Directions Paper](#) in May 2023. The approach taken in the Draft Strategy is very focused and considers the key areas identified in the Directions Paper. The focus areas align with [WALGA's Submission](#) on the Directions Paper and incorporate some of the key recommendations relating to regional areas, focusing on priority materials and the importance of contingency planning.

A 'Strategy Roadmap' identifying actions and initiatives, to be developed with stakeholders, is flagged in the Draft Strategy as the implementation mechanism. For the current Strategy, WALGA suggested an Action Plan, that meets similar objectives, and this has been a useful tool to track progress and maintain accountability for the Government.

WALGA developed a Draft Submission on the Draft Strategy, drawing on comments on the Directions Paper and feedback from Local Government. The Draft Submission was provided to Local Government for comment. Detailed written feedback was received from seven Local Governments (22 July) and over 30 registered to provide input through a webinar (19 July). An updated Submission, incorporating Local Government feedback, was provided to MWAC for consideration and endorsement (31 July).

COMMENT

In discussing the Draft Strategy, MWAC agreed that it builds on the current Strategy, however considered that the Draft does not emphasise waste avoidance sufficiently. There are new Targets proposed for each of the Avoid, Recover and Protect areas with the Strategy. The focus area of the Draft Strategy includes better outcomes for regional and Aboriginal communities, increasing our focus on waste avoidance, better management of priority materials (organic waste, plastics and batteries and electronic waste), realising the economic potential of recycling, contingency planning and climate resilience.

WALGA conditionally supports the vision and priorities set out in the Draft Strategy, with greater focus recommended on the following activity areas:

- Continued advocacy at a national level for effective product stewardship schemes, which deliver waste avoidance outcomes and cover the full cost of transport and recycling, for priority materials including e-waste, packaging, tyres and mattresses.
- Continued advocacy at a national level to implement design standards for products entering the market to ensure they can be easily reused, repaired, recovered or recycled.
- Expanding the scope of container types accepted as part of Containers for Change, to further support litter reduction and recycling efforts.
- Leveraging the extensive Containers for Change collection network in place to provide opportunities for collection of other materials covered by effective product stewardship schemes.
- Development of fit for purpose regional infrastructure plans that focus on developing infrastructure solutions to manage waste close to source in order to develop local industry and employment.
- Including food waste as a key focus area for program delivery throughout the Strategy, to contribute toward achieving targets under all three goals (Avoid, Recover and Protect).
- Developing a specific funding program to facilitate local repair and reuse opportunities.
- Develop an illegal dumping strategy to map the pathway to zero dumping.
- Review and identify targets for management of priority materials and adopt a framework to assess the priority level of each as effective actions are undertaken.
- Include Paper and Cardboard as a priority material.
- State Government support for market development, products specifications, and recycled content procurement guidelines alongside integrated waste avoidance/reduction procurement practices.
- Support provided for Local Governments to undertake risk assessment and mitigation activities for emergency preparedness, such as asbestos removal.
- Support provided to Local Governments in planning and response to emergency events through the development of a State Emergency Waste Management framework.

GVROC COMMENTS

While the GVROC note and support the WALGA Draft State Waste Strategy Submission, it provides the following comments for consideration by WALGA and the State Council:

- There continues to be no real support or funding from State or Federal Governments for LGAs to deal with waste as the responsible authority for having to manage waste in their communities.
- The current Waste levy collected needs to go more towards funding and assisting in waste reduction projects and not as it currently does predominantly on administration costs.

RECOMMENDATION

That the GVROC note and support the WALGA Draft State Waste Strategy Submission as provided with the GVROC comments listed above to be noted by WALGA and State Council.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Cr Wes Graham, Shire of Esperance

Carried

9. Review of WALGA State Council Agenda - Matters for Noting/Information

9.1 Local Government Legislative Reform

WALGA Recommendation

That State Council note the update on the Local Government Legislative Reform update.

IN BRIEF:

- The Minister for Local Government has been carrying out a legislative reform program. The program has been separated into two tranches.
- The *Local Government Amendment Act 2023*, containing the first tranche of reforms, was passed on 11 May 2023.
- There are a number of items from the Tranche 1 reforms still requiring regulations to be prepared.
- The Minister for Local Government is progressing with Tranche 2 of the Local Government legislative reform program and will look to introduce a further Local Government Amendment Bill 2024 in August 2024.
- The Tranche 2 reforms include the Office of the Inspector, Elected Member Superannuation, clarity around roles and responsibilities of the Council and CEOs, together with other reforms listed in this report.

ATTACHMENT

Nil

POLICY IMPLICATIONS

Please refer to the current [WALGA Advocacy Positions Manual](#).

WALGA has a number of advocacy positions that relate to Tranche 2 of the Local Government legislative reform proposals.

2.5.41 – External Oversight

The Local Government sector supports:

1. *Establishing a Chief Inspector of Local Government, supported by an Office of the Local Government Inspector to provide an independent body to receive, investigate and assess minor and serious complaints against Elected Members and CEOs, and undertake inquiries.*
2. *Establish a Conduct Panel to replace the Standards Panel, and a panel of Monitors to proactively resolve problems at Local Governments.*
3. *That an early intervention framework of monitoring to support Local Governments be provided with any associated costs to be the responsibility of the State Government.*
4. *An external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.*
5. *If State Government does not support external oversight of behaviour complaints, the Local Government sector advocates for a new category of interest be included in the Act, that requires any Council Member who is either the complainant or the respondent to a behaviour complaint, to disclose the interest and be required to leave the meeting and therefore be prohibited from participation in debate or voting on the matter.*

2.10.2 – Elected Member Superannuation

The Local Government sector:

1. *supports WALGA advocating for superannuation to be required to be paid to Elected Members of Local Governments in Salaries and Allowances Tribunal (SAT) Band 1 and Band 2; and*
2. *supports the position that superannuation payments to Elected Members of Local Governments in SAT Band 3 and Band 4 should be optional and determined by Council.*

2.5.2 – Roles and Responsibilities

That roles and responsibilities for Mayors/Presidents, the Council, individual Councillors and CEOs be better defined to ensure that there is no ambiguity.

Mayor/President is responsible for:

- 1. Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council.*
- 2. Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act.*
- 3. Developing and maintaining professional working relationships between councillors and the CEO.*
- 4. Performing civic and ceremonial duties on behalf of the local government.*

The Council is responsible for:

- 1. Making significant decisions and determining policies through democratic deliberation at council meetings.*
- 2. Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions - including all functions that support informed decision-making by council.*
- 3. Providing a safe working environment for the CEO.*
- 4. Providing strategic direction to the CEO.*
- 5. Monitoring and reviewing the performance of the local government.*

Every individual Councillor is responsible for:

- 1. Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward)*
- 2. Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council*
- 3. Applying relevant law and policy in contributing to the decision-making of the council*
- 4. Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions*
- 5. Communicating the decisions and resolutions of council to stakeholders and the public*
- 6. Developing and maintaining professional working relationships with all other councillors and the CEO*
- 7. Maintaining and developing their knowledge and skills relevant to local government*
- 8. Facilitating public engagement with local government.*

The CEO is responsible for:

- 1. Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions*
- 2. Facilitating the implementation of council decisions*
- 3. Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council*
- 4. Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council*
- 5. Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3)*
- 6. Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council*
- 7. Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council.*
- 8. The recruitment and performance management of all staff.*

2.3.1 – Regional collaboration

- 1. Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises where the primary governance and regulatory instrument is a charter.*
- 2. In addition, compliance requirements of Regional Councils should be reviewed and reduced.*

2.5.9 – Local Law Making process

The Local Law making process should be simplified as follows:

- The requirement to give state-wide notice should be reviewed, with consideration given to Local Governments only being required to provide local public notice;*
- Eliminate the requirement to consult/advertise when Model Local Laws are adopted;*
- Require review of local laws only every 15 years, with local laws not reviewed in the timeframe to automatically lapse; and*
- Introduce certification of local laws by a legal practitioner in place of scrutiny by Parliament's Delegated Legislation Committee.*

2.5.36 – Building Upgrade Finance

The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.

2.5.39 – Restriction on Borrowings

Section 6.21 of the Local Government Act 1995 should be amended to allow Local Governments to use freehold land, in addition to its general fund, as security when borrowing.

Section 6.20(2) of the Local Government Act, requiring one month's public notice of the intent to borrow should be deleted.

BACKGROUND

The State Government through the Minister for Local Government, has been carrying out a legislative reform program. The program has been separated into two tranches.

Tranche 1

The *Local Government Amendment Act 2023*, containing the first tranche of reforms, was passed on 11 May 2023 and included priority reforms to election and council representation ahead of the October 2023 Local Government Elections.

The electoral reforms included the introduction of optional preferential voting, changes to council member representation based on population, and abolishing the use of wards for smaller Local Governments.

Tranche 1 reforms that were implemented without the need for further regulations included:

- changes to special electors' meetings
- compliance exemptions (due to emergency or unusual circumstances)
- parental leave for council members
- recording individual votes in minutes of council meetings.

Three regulation amendments and 63 Governor's Orders were made in 2023 to prescribe detail related to these reforms. These included:

- model financial statements
- constitutional reforms such as the introduction of class groupings and the alignment of council sizes to population size
- electoral reforms such as optional preferential voting, backfilling and the public election of mayors and presidents
- remuneration for independent committee members
- broadcasting and recording of council meetings
- owners and occupiers' enrolments
- payment for council professional development and training.

Various other regulations projects are currently in development by the Department of Local Government, Sport and Cultural Industries or are being drafted. These include:

- standardised meeting procedures
- council plans
- community engagement charters
- community surveys
- online registers
- publication of CEO key performance indicators
- communications agreements
- standardisation of crossovers and obstruction of public thoroughfares.

Tranche 2

In respect to the Tranche 2 reforms, the Minister for Local Government intends to introduce a Bill to Parliament in August 2024 for these reforms.

Tranche two reforms include the following:

- the new Local Government Inspector
- introduction of monitors for early intervention
- council member superannuation
- greater role clarity for council members and CEOs

- increasing penalties
- enabling resource sharing of CEOs and other staff
- streamlining processes for model local laws
- introduction of a rates and revenue policy for Local Governments
- changes to audit committees with the requirement for an independent Chair
- providing greater flexibility for regional subsidiaries
- building upgrade finance.

Information about Tranche 2 reforms will be provided to the sector as soon as the Minister makes the information public.

COMMENT

The Local Government sector has been providing input to the Local Government Legislative reform process over the last three years.

Many of the reform proposals for Tranche 2 are in accordance with the WALGA sector advocacy positions as listed in the policy implications section of this report.

WALGA's governance team will provide assistance to the sector on the implementation of the reform proposals.

GVROC COMMENTS

The GVROC provided the following comments regarding the latest changes implemented through the Local Government Legislative Reform:

- The process for RDAPs changing so that they no longer are put to Councils for a decision and go straight through the CEOs. This erodes the power of Local Government Councils in the decision-making process and raises concerns.
- Rates and Revenue Policy now requiring four-year rates forecasts from LGAs. This could be conceived as a way to effectively place capped rates on LGAs, which also raises concerns for LGAs.

RECOMMENDATION:

GVROC note the WALGA update on the Local Government Legislative Reform with comments provided above to be noted by WALGA and State Council.

RESOLUTION:

Moved: *Cr Tracey Rathbone, Shire of Coolgardie*

Seconded: *Cr Laurene Bonza, Shire of Dundas*

Carried

9.2 Report on Local Government Road Assets and Expenditure 2022/23

WALGA Recommendation

That State Council note the Report on Local Government Road Assets and Expenditure 2022/23.

IN BRIEF:

- The Report on Local Government Road Assets and Expenditure 2022/23 has been finalised.
- This Report provides information, statistics and trends on:
 - the length and types of roads and bridges managed by Local Governments;
 - sources of funding and the use of funds in expanding, upgrading, renewing and maintaining roads, paths and bridges;
 - actual expenditure relative to that needed to sustainably maintain the road network.
- The Report is intended to underpin advocacy for continued and increased Federal and State funding for Local Government roads and to support Councils wishing to benchmark aspects of their own roads programs with similar or neighbouring areas.

ATTACHMENT

- [Report on Local Government Road Assets and Expenditure 2022/23](#)

BACKGROUND

The Report on Local Government Road Assets and Expenditure 2022/23 (the Report) was produced by WALGA with assistance from the WA Local Government Grants Commission. The report provides information on the lengths and types of roads, paths and bridges and highlights trends in the data over the preceding five years. It includes statistics and trends on the funding sources and amount of Local Government expenditure on roads, paths and bridges. Details are provided on the allocation of expenditure between expansion, upgrade, maintenance and renewal of the network at a regional level and for individual Local Governments.

The expenditure statistics are analysed to provide comparisons of road preservation performance, net preservation needs and expenditure effort. These comparisons provide insight into the adequacy of funding and the difference between road preservation needs and current expenditure on road preservation.

COMMENT

Local Government is responsible for 127, 284 kilometres of roads with a replacement value of over \$35.5 billion, which makes up 86% of the State Road network (excluding Forestry and National Park roads). Only 32% of these roads are sealed with a bitumen surface, the rest being gravel or unformed roads. In 2022/23 the total expenditure on Local Government roads was \$1046.1 million and 51% of this was funded by State and Federal Government grants. Total annual expenditure increased by \$24.1 million (2.4%) compared with the previous year. Four percent of this investment in roads in 2022/23 was to repair flood damage.

Much of the Local Government road network is now approaching the end of its design life and an increasing portion of funding is being spent on maintenance and renewal (collectively termed preservation). In 2022/23 expenditure on preservation (excluding flood damage) was \$700.3 million amounting to 66.9% of the total expenditure.

An important objective of the Report is to assess if road expenditure on preservation is keeping up with road preservation needs. This is determined by comparing actual annual expenditure on road preservation with the estimated amount needed to maintain the roads in their current condition in that year. The estimated cost of maintaining the Local Government road network in its current condition in 2022/23 was \$957.4 million and Local Governments spent \$700.3 million on preservation. There was therefore a shortfall of \$257.0 million. There was a small decrease in shortfall from 2021/22 of \$27.7 million, however the shortfall has increased by \$100.8 million over the past five years, which indicates that the average condition of the road network is deteriorating.

A further important objective is to assess the sustainability and capacity of Local Government to fund their road preservation requirements. For regional Local Governments, 63% of road expenditure is funded by State or Federal Government grants and for the Wheatbelt, this figure rises to 74%. On average, Local Governments spend 18% of their revenue capacity on roads. This illustrates the

dependence on State and Federal funding and many regional Local Governments would have to spend almost their entire income on roads if this was the only source of funding.

The statistics and analysis presented in the report provides evidence for the level of expenditure required on Local Government roads and underpins the argument for sustainable funding to maintain and improve the condition and functionality of the road network.

RECOMMENDATION:

GVROC note the WALGA Report on Local Government Road Assets and Expenditure 2022/23.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Cr Ron Chambers, Shire of Esperance

Carried

9.3 Shire of Ravensthorpe application to transfer Zones

WALGA Recommendation

That GVROC note the Shire of Ravensthorpe’s request to join the Great Southern Country Zone (GSCZ).

BACKGROUND

The Shire of Ravensthorpe (Ravensthorpe) is currently an ordinary member of this Zone, the Goldfields Esperance Country Zone. Earlier this year, Ravensthorpe began taking steps to consider transferring to a different Zone, namely the Great Southern Country Zone (GSCZ).

Ravensthorpe has not participated in a Goldfields Esperance Country Zone meeting for several years, after a Council decision in 2020 resolved to withdraw the Shire’s membership from the GVROC and therefore also not participate in the Zone meetings.

An ordinary member of a Zone, such as Ravensthorpe, may apply to transfer from one Zone to another. Clause 14 of the WALGA Constitution pertains to Zones and outlines the transferral process.

Subclause 14(2) states:

“(2) The membership of Ordinary Members to Zones shall be determined from time to time by State Council.”

Subclauses 14(7) and (8) relate to an application for transferring from one Zone to another:

“(7) An application for change in membership between Zones may only be made by the member seeking to change its membership and with the approval of the receiving Zone.”

“(8) Applications for changes in membership between Zones shall be determined by the State Council. In considering such applications, State Council shall give regard to the reasons provided in support of the application and any views expressed by the Zones directly affected by the application. State Council may approve or refuse any application, advising accordingly and including any reason therefore.

In accordance with subclause 14(7) above, to transfer to a different Zone, a Local Government Member must make an application for change in membership to the receiving Zone. For the application to proceed, the receiving Zone must consider the application and resolve to support the transfer. As per subclause 14(8), State Council would then consider the application, and the reasons provided therein, in ultimately deciding whether or not to approve the application and transfer.

On 18 June, the Ravensthorpe Council resolved by unanimous decision to seek membership to the GSCZ. An application was subsequently submitted to the GSCZ, and this application will be considered at their next meeting on 23 August. If the application is approved by the GSCZ, an item will be provided to State Council for consideration at the next meeting on 4 September. Both the GSCZ and the Goldfields Esperance Country Zone will be advised of the decision of State Council shortly thereafter.

COMMENT

Subclause 14(8) of the Constitution requires State Council to give regard to any views expressed “by the Zones directly affected by the application”. This includes both the receiving and outgoing Zones, being the GSCZ and the Goldfields Esperance Country Zone.

Please direct any questions or comments about Ravensthorpe’s application for Zone transfer to Tony Brown, WALGA Executive Director Member Services on 9213 2051 or tbrown@walga.asn.au prior to COB Thursday, 29 August. Any comments received will be included in the item to State Council on 4 September.

ATTACHMENT

- Minutes of Shire of Ravensthorpe OCM, 18 June 2024 - [Shire of Exmouth \(ravensthorpe.wa.gov.au\)](https://www.ravensthorpe.wa.gov.au)

RECOMMENDATION:

GVROC note the Shire of Ravensthorpe’s request to join the Great Southern Country Zone (GSCZ).

RESOLUTION: **Moved: *Cr Laurene Bonza, Shire of Dundas***
 Seconded: *Cr Tracey Rathbone, Shire of Coolgardie*

Carried

10. Review of WALGA State Council Agenda - Policy Team Reports

The following provides an outline of the key activities of the Policy Teams since the last State Council meeting.

Policy Teams

10.1 Environment Policy Team Report

WALGA RECOMMENDATION

That State Council note the report from the Environment Policy Team to the 4 September 2024.

The Environment Policy Team includes the following subject areas:

- *Climate change*
- *Native vegetation and biodiversity*
- *Biosecurity*
- *Water resources*
- *Sustainability*
- *Planning and building*

This Report provides an update on matters considered, since the last State Council meeting, by the Environment Policy Team at its meetings held on 10 July and 29 July, and the joint Environment and Infrastructure Policy Team meeting on 10 July.

1. Matters For State Council Decision

Advocacy Position Review

The 2023 WALGA Annual General Meeting resolved that WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land. This was followed by similar resolutions from the Great Eastern Country and Central Country Zones as well as an increasing level of concern from the sector regarding these issues.

A joint Environment and Infrastructure Policy Team meeting was held on 10 July to consider new draft Advocacy Positions. The joint meeting endorsed the recommendations that State Council adopt the Advocacy Positions related to Renewable Energy Legislation.

Agenda items [8.2](#), [8.3](#) and [8.4](#) of the State Council Agenda relate to this matter.

Planning Principles and Reform

The Policy Team considered the review of Advocacy Positions and recommended Advocacy Positions 6.1 Planning Principles and 6.2 Planning Reform be replaced with a new contemporary combined position that reflects the current planning system and planning reform agenda.

Agenda [item 8.5](#) of the State Council Agenda relates to this matter.

2. Matters For State Council Noting

The Policy Team discussed the following items for noting included in the July State Council Agenda:

- Item 8.1 Caravan Park and Camping Grounds Regulations
- Item 9.1 Environment Policy Team Report
- Item 10.3 Perth and Peel Urban Greening Strategy
- Item 10.4 Polyphagous Shot-Hole Borer Update
- Item 11.1.4 Report on Key Activities, Policy Portfolio

3. Portfolio Updates

The Policy Team was provided with a Polyphagous Shot-Hole Borer update at their meeting on 29 July.

RECOMMENDATION:

GVROC notes the report from the Environment Policy Team as presented.

RESOLUTION:

Moved: *Cr Laurene Bonza, Shire of Dundas*

Seconded: *Cr Tracey Rathbone, Shire of Coolgardie*

Carried

Cr Tracey Rathbone, Shire of Coolgardie then left the meeting at 10:40am.

10.2 **Governance Policy Team Report**

WALGA RECOMMENDATION

That State Council note the report from the Governance Policy Team meeting for the 4 September 2024 meeting.

The Governance Policy Team includes the following subject areas:

- *Governance (Local Government legislation)*
- *Local Government Reform/Regional Service Delivery*
- *Local Government Revenue*
- *Local Government Elections*
- *Employee Relations/Industrial Relations*
- *Training*

This Report provides an update on matters considered by the Governance Policy Team at its meetings held on 19 June and 7 August.

1. MATTERS FOR STATE COUNCIL DECISION

Local Government Elections Analysis 2015-2023

The Policy Team considered a report which presented the findings of a review and analysis of five election cycles up to and including the 2023 local government, against a backdrop of legislative reforms to the Local Government electoral process in WA.

Agenda [item 8.1](#) of the State Council Agenda relates to this matter.

2. MATTERS FOR STATE COUNCIL NOTING

Local Government Elections Advocacy Positions Review

A report on the current Local Government Elections advocacy positions was considered and the Policy Team requested a review of these advocacy positions including sector consultation on advocacy positions relating to Local Government elections, including the following:

1. Voting at Local Government elections: Compulsory or voluntary voting;
2. Four year terms with a two year spill as opposed to 'all in all out';
3. The "proportional" part of the formula to count votes be removed to fully align with the State and Federal Government preferential voting system;
4. The First Past the Post voting method to be used by all Local Governments for non-public internal elections, thereby replacing the Optional Preferential Voting requirement for these types of elections; and
5. The method of electing the Mayor/President.

Protection from Liability

At a meeting on 23 November 2023, the Central Metropolitan Zone put forward an item - LG Act Division 4 – Protection from Liability – Online Broadcasting of Meetings:

"Given the legislative changes requiring publicly available recordings and livestreaming of Council meetings, that the Central Metropolitan Zone requests WALGA State Council to reinforce its policy position in the support and defence of Elected Members and Local Government Officers regarding Liability protections. This WALGA action should include (but not limited to): improved advocacy, advice, training and guidelines being made available to Elected Members."

The Policy Team considered a report on the resolution from the Central Metropolitan Zone.

The Policy Team recommended that WALGA develop a resource for Local Governments and update existing WALGA Training materials to support Local Governments and Elected Members.

Candidate Nomination - National Police Certificates

The North Metropolitan Zone resolved at its meeting held 23 November 2023, as follows:

That the North Metropolitan Zone requests that WALGA research whether the introduction of mandatory police clearances for candidates at Local Government elections would be of any benefit.

The Policy Team considered a report which examined the potential benefits and limitations that may arise from a proposal to implement National Police Certificates as a requirement when making a Nomination for Election. The outcomes of the report indicated that the benefits are outweighed by the potential limitations and therefore it was recommended that no further action is taken.

RECOMMENDATION

GVROC notes the Governance Policy Team report as presented.

RESOLUTION: **Moved: *Cr Laurene Bonza, Shire of Dundas***
 Seconded: *Mayor Glenn Wilson, City of Kalgoorlie Boulder*

Carried

10.3 Infrastructure Policy Team Report

WALGA RECOMMENDATION

That State Council:

- 1. Note the report from the Infrastructure Policy Team to the 4 September 2024 meeting.**
- 2. Determine to retire the following Advocacy Positions:**
 - a. 5.2.4 Seat Belt Legislation**
 - b. 5.8 Ports**
 - c. 5.12 Infrastructure WA**

The Infrastructure Policy Team includes the following subject areas:

- *Transport*
- *Infrastructure*
- *Road Safety*
- *Underground power*
- *Street lighting*

This Report provides an update on matters considered, since the last State Council meeting, by the Infrastructure Policy Team at its meetings held on 10 July and 29 July.

3. MATTERS FOR STATE COUNCIL DECISION

The basis for proposing each of the following advocacy positions be retired is summarised below:

5.2.4 Seat Belt Legislation

This Advocacy Position was endorsed in 2008 in response to proposed changes to seat belt legislation that places an additional responsibility on vehicle drivers to ensure passengers 16 years of age or older are restrained, similarly to the driver's responsibility to ensure passengers under 16 years of age are restrained. Seat belt legislation has since been amended in accordance with this advocacy position and changes to Australian Road Rules implemented in other jurisdictions.

5.8 Ports

This Advocacy Position was developed in 2010 in response to the draft National Ports Strategy. This strategy has since been superseded by the National Freight and Supply Chain Strategy, which was reviewed in 2023.

5.12 Infrastructure WA

Apart from supporting the establishment of Infrastructure WA, this 2018 advocacy position outlines recommendations related to scope of work (project value), board representation, transparent processes, strategic asset maintenance and infrastructure renewal costs. Infrastructure WA was established in July 2019 although the proposed representation, scope and some other matters were not achieved in the *Infrastructure Western Australia Act 2019*.

The Joint Environment and Infrastructure Policy Team meeting discussed and endorsed proposed advocacy positions that are listed for consideration by State Council in September 2024:

- Energy Transition Engagement and Community Benefit Framework
- Renewable Energy Facilities, and
- Priority Agriculture.

Agenda items [8.2](#), [8.3](#) and [8.4](#) of the State Council Agenda relate to this matter.

4. MATTERS FOR STATE COUNCIL NOTING

A submission to Main Roads WA draft Traffic Signals Approval Policy and Process was reviewed, amended and endorsed for consideration by State Council by Flying Agenda.

Development of a Partnership Agreement between WALGA and the Public Transport Authority (PTA) Defining Roles and Responsibilities for Planning, Installation and Maintenance of Bus Stop Infrastructure is being developed and requires conclusion of further discussions with the PTA before being presented to State Council for consideration.

10.4 People and Place Policy Team Report

WALGA RECOMMENDATION

That State Council:

1. Note the report from the People and Place Policy Team to the 4 September 2024 meeting.
2. Determine to:
 - a. retain the following Advocacy Positions with amendment:
 - i. 3.2.1 Local Public Health Plans
 - b. rescind the following Advocacy Position:
 - i. 3.5 Crime Prevention

The People and Place Policy Team includes the following subject areas:

- Community
- Emergency Management

This Report provides an update on matters considered, since the last State Council meeting, by the People and Place Policy Team at its meeting held on 10 July.

1. MATTERS FOR STATE COUNCIL DECISION

Advocacy Position Review

The People and Place Policy Team provides recommendations regarding WALGA community and emergency management advocacy positions for State Council's decision. Advocacy positions may be reviewed in the [WALGA Advocacy Position Manual](#).

Public Health Act 2016 (Advocacy Position 3.2.1)

The Policy Team recommends that Local Public Health Plans Advocacy Position 3.2.1 be amended to reflect the commencement of Stage 5 of the *Public Health Act 2016* on 4 June 2024 and provide the framework for WALGA's ongoing advocacy.

WALGA's current Public Health Act Advocacy Position:

3.2.1 *Public Health Act 2016*

The Local Government sector supports the introduction of the Public Health Act 2016 and:

1. *Development of a clear implementation plan and timelines for the staged implementation of the Act and subsidiary legislation;*
2. *Engagement of Local Government in the development of any supporting regulations;*
3. *The provision of funding to support smaller rural and regional councils with the development of local Public Health Plans; and*
4. *The development of tools and resources to support the introduction of requirements for Public Health Plans.*

It is proposed to amend the position as follows:

3.2.1 Local Public Health Plans

WALGA supports the objects and principles of the Public Health Act 2016.

The State Government must ensure that:

1. *Guidance, tools and resources are developed to support the development of Local Public Health Plans; and*
2. *Funding is provided for:*
 - a) *Smaller rural and regional councils are provided with funding to support the development of Local Public Health Plans; and*
 - b) *Local Governments receive ongoing funding for the implementation of actions under Local Public Health Plans.*

Crime Prevention (Advocacy Position 3.5)

The Policy Team recommends that the Crime Prevention Advocacy Position 3.5 be rescinded.

This advocacy position relates to the specific strategies and plans that have since been superseded by the *Graffiti Vandalism Strategy Western Australian 2022-2023*, which encompasses the *Graffiti*

Management Toolkit and Graffiti Management Plan, and the Crime Prevention Community Liaison Unit, both of which WALGA supports.

WALGA will continue to support Members in the community safety space, including through the Local Government Community Safety Network. There are no foreseen consequences of the advocacy position being rescinded.

Family and Domestic Violence (Advocacy Position 3.10.1)

The Policy Team note that the Advocacy Position 3.10.1 Family and Domestic Violence will be reviewed for its consideration in September 2024.

2. MATTERS FOR STATE COUNCIL NOTING

The Policy Team discussed the following item for noting on the July State Council Agenda:

- Item 10.2 Submission to the Commissioner for Children and Young People WA Priority Area Discussion Paper

RECOMMENDATION:

GVROC notes the report by the People and Place Policy Team as presented and the advocacy positions to be retained and rescinded.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

10.5 **Municipal Waste Advisory Council (MWAC) Report**

WALGA Recommendation

That State Council note the report from the Municipal Waste Advisory Council to the 4 September 2024 meeting.

This Report provides an update on matters considered, since the last State Council meeting, by the Municipal Waste Advisory Council (MWAC) at meetings held on 26 June and 31 July.

1. MATTERS FOR STATE COUNCIL DECISION

- [Item 8.6](#) Product Stewardship Policy Statement and Advocacy Position Update
[Item 8.7](#) Submission on Draft State Waste Strategy

2. MATTERS FOR STATE COUNCIL NOTING

MWAC considered the following matters:

- Waste to Energy – Consistent Communication: Local Government and Regional Councils are collaborating with the Department of Water and Environmental Regulation, WALGA and the Waste to Energy providers to ensure public communication on Waste to Energy supports existing waste avoidance and source separation behaviours.
- E-Waste Landfill Ban/National Product Stewardship: The Council expressed disappointment regarding delays to the National Product Stewardship Scheme for all electronic waste and encouraged WALGA to continue to advocate for funding for the State Government for e-waste recycling. A webinar will be held on the E-Waste Landfill Ban to ensure Local Government is well informed on this issue.

3. UPDATES

MWAC noted the following updates:

- Policy Statement Review Update,
- Waste and Environment Summit held in Northam (30-31 May) was a success with over 75 delegates gathering to discuss waste management, biodiversity and biosecurity,
- WALGA has successfully advocated for Compostable Barrier Bags to be allowed under the Single Use Plastic Bans,
- National Asbestos Strategy Plan,
- Potential impact of the Landfill Gas ACCU Method Review on Local Government/Regional Council Landfills, and
- E-Cigarette Collection Study Update.

RECOMMENDATION:

That GVROC note the report from the Municipal Waste Advisory Council to the 4 September 2024 meeting.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

13. Review of WALGA State Council Agenda – State Council Status Report

13.1 Complete Status Report on State Council Resolutions - To the September 2024 State Council Meeting

GVROC COMMENT:

Additional to the Complete Status Report on State Council Resolutions, **Attachment 7** provides the relevant Goldfields Esperance Country Zone Status Report.

RECOMMENDATION:

GVROC notes the Complete State Council Status Report to the September 2024 State Council meeting and the Goldfields Esperance Country Zone Status Report.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

14. LATE ITEMS as notified, introduced by decision of the Meeting

Nil.

15. FUTURE MEETINGS

The following suggested dates in 2024 have been set for the remaining GVROC meetings.

- 8 October 2024 (Dinner to be confirmed aligned with WALGA AGM at Perth Convention Centre)
- 29 November 2024 in Laverton (to be hosted by Shire of Laverton)

The following are the WALGA State Council meeting dates in 2024 with suggested GVROC Zoom video conference meeting dates prior to these to inform the GVROC's representatives attending the meetings with relevant input for State Council Agenda Items:

- 4 December 2024 WALGA State Council Meeting - GVROC meeting on **15 November 2024**

16. CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 10:47am.