



Pilbara Country Zone

Minutes

24 August 2020

Pilbara Country Zone

Hosted by WALGA, Wattle Meeting Room

Level 1, 170 Railway Parade, West Leederville

Monday 24 August 2020, commenced at 11:34 pm

Minutes

MEMBERS

2 Voting Delegates from each Member Council

City of Karratha

Mayor Peter Long - **Chair**

Cr Daniel Scott (via videoconference)

Mr Chris Adams, Chief Executive Officer non-voting delegate

Town of Port Hedland

Commissioner Hon. Fred Riebeling OAM JP (via videoconference)

Mr Carl Askew, Chief Executive Officer non-voting delegate (via videoconference)

Shire of East Pilbara

President Cr Lynne Craigie OAM

Cr Anthony Middleton (via teleconference)

Mr Jeremy Edwards, Chief Executive Officer non-voting delegate

Shire of Ashburton

President Kerry White

Cr Peter Foster (via videoconference)

Mr Kenn Donohoe, Chief Executive Officer non-voting delegate

WALGA Secretariat

Mayor Tracey Roberts JP, President – *arrived at 12.20pm*

Mr Nick Sloan, Chief Executive Officer

Ms Chantelle O'Brien, Governance Support Officer

Roadwise Representative

Ms Engel Prendergast, Senior Road Safety Consultant

APOLOGIES

WALGA

Mr Dale Chapman, Procurement and Category Manager

Contents

1.	DEPUTATIONS	4
2.	CONFIRMATION OF MINUTES	4
3.	DECLARATION OF INTEREST	4
4.	BUSINESS ARISING	4
5.	BUSINESS	5
	5.1 Draft WA Aviation Strategy	5
6.	STATE COUNCIL AGENDA - MATTERS FOR DECISION	8
8.	OTHER BUSINESS	9
9.	EXECUTIVE REPORTS	10
	9.1 President's Report to the Zone	10
	9.2 State Councillor's report to the Zone	10
	9.3 Department of Local Government, Sport and Cultural Industries Representative Update Report	10
10.	DATE, TIME AND PLACE OF NEXT MEETING	10
11.	CLOSURE	10

ANNOUNCEMENTS

Zone Delegates were requested to provide sufficient written notice, wherever possible, on amendments to recommendations within the State Council or Zone agenda prior to the Zone meeting to the Chair and Secretariat.

Agenda Papers were emailed 7 days prior to the meeting date to your Council for distribution to Zone Delegates.

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

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

ATTACHMENTS WITH THE AGENDA

1. Previous Minutes
2. President's Report
3. Status Report

1. DEPUTATIONS

All Deputations have a time limit of 20 minutes, which includes questions time.

Nil

2. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Peter Foster
Seconded: Cr Daniel Scott

That the Minutes of the meeting of the Pilbara Country Zone held on 25 June 2020 be confirmed as a true and accurate record of the proceedings.

CARRIED

3. DECLARATION OF INTEREST

Elected Members must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil

4. BUSINESS ARISING

4.1

Nil

4.2 Status Report

There were no outstanding matters for the Pilbara Country Zone.

Noted

5. BUSINESS

5.1 Draft WA Aviation Strategy

By Shire of East Pilbara

Background

The Department of Transport (DoT) released a draft Western Australia Aviation Strategy 2020 for public comment on 10 February 2020.

In response, WALGA sought input from the sector and developed a [detailed submission](#) that was noted by the State Council at its July 2020 meeting ([Resolution 99.3/2020, page 30](#))

Although the draft WA Aviation Strategy was also briefly discussed at the zone meeting of 25 June 2020 whilst providing feedback on the State Agenda, it should be noted that the Pilbara Country Zone has not yet formally considered this matter. At the time it was noted most Pilbara Local Governments operating airports planned to forward through a direct response to the DoT on behalf of their Local Government.

Recently Capricorn Metals announced its intention to build a jetport at its Karlawinda project, 60km from the existing Newman Airport. Following the announcement, the Shire of East Pilbara began to lobby State Government to reconsider the decision based on the impact to the airport and community (loss of direct revenue for the Shire, loss of Regional Passenger Transit (RPT) flights, and loss of economic flow on benefits).

State Government has since advised that approvals are not yet in place however this incident has highlighted the following:

- Approval of jetports do not consider the impact on regional communities prior to consideration and approvals being issued;
- Lack of flexibility where the impact is felt across Local Government boundaries;
- Unclear consultation processes (who needs to be consulted, and when); and
- Lack of coordination between State agencies and alignment with the draft State Aviation Strategy.

During the Shires correspondence with State Government representatives, it was also highlighted and suggested that the State has very limited discretion where the approval of jetports is concerned, it appears that there is limited ability for the State to reject an application based on community impact, when a compliant submission is received.

Although WALGA has already developed and submitted a response on behalf of the sector, the Karlawinda issue would not have been avoided by the current content of the draft Strategy or the incorporation of the WALGA response.

Based on this, it is recommended the Pilbara Zone now request WALGA to advocate to State Government for additional amendments to the draft, in addition to the original WALGA submission (as outlined in the comments).

State Aviation Strategy.

Recognising sustainable regional airports are of critical importance to liveability in our regions, the State Government has committed to the development of an Aviation Strategy following the report from the Parliamentary Inquiry into Regional Airfares in Western Australia.

The draft WA Aviation Strategy reinforces this with the forward stating that regional air services help reduce isolation, are essential to health services, and play a key role in supporting economic development and job creation in the regions.

In April 2020 the State invited comment on the draft strategy, which included jetports. As jetports reduce available RPT flights, and reduce the economic benefits to regional towns, allowing mining to bypass communities while still drawing on their resources - The Shire of East Pilbara provided a comment specifically related to the following:

In summary the comment outlined:

- The viability of regional airports is dependent upon the States willingness to approve jetports tied either to State Agreements, or Mining Leases. Approvals of jetports reduce the financial sustainability of regional airports, reduce community access to RPT flights, and allow mining, and its economic benefits to bypass towns.
- Local Governments seek stakeholder engagement in the decisions to approve jetports (which may require legislative changes).
- Recognising the importance of regional airports to communities, legislation should be amended to ensure jetports are not approved and operated within 150km radius of an existing regional airport.

Comment

From a Shire of East Pilbara perspective and after the recent announcement of the Karlawinda project, 60km from the existing Newman Airport, we feel that it is important to raise some specific concerns through the zone for further consideration and advocacy by WALGA. Jetports can be so damaging to regional communities, support from the Pilbara Zone is sought for WALGA to advocate for a clear Government position on the approval of jetports, which goes further than the current State Government draft WA Aviation Strategy 2020.

The draft strategy currently states:

C7. The Department of Planning, Lands and Heritage, in consultation with relevant State Government agencies, will investigate providing guidance to Local Government which aims to:

- *outline the development requirements for mining airstrips under the Mining Act 1978 and the Planning and Development Act 2005 and associated regulation; and*
- *identify the role of the local planning framework in the planning and development of mining airstrips.*

This recommendation does not go far enough to protect regional communities, and it is suggested WALGA advocate for the strategy to be amended, with the section redrafted to also include the following outcomes:

- Not allow additional jetports to be approved and operated within 150km radius of an existing regional airport.
- Where consultation is conducted, this should be specific to both the Local Government Area where the mine / jetport is located in, and the nearest impacted community or regional airport.
- Has a focus on using RPT flights where possible, given the livability, health and economic flow on effects and job creation potential from regional airports, are based on access to flights.

The provision and access to RPT flights is also considered to be a really relevant point now especially since the Aviation Strategy was developed prior to COVID19, which has created a current structural change to way the mining industry operates flights. Prior to COVID19, the majority of flights were RPT passenger flights providing benefits across the local residential community, however post COVID the majority are now charter flights.

While the move to charter flights was vital to protect mining from COVID19 risks, this is now having a significant negative impact on access to flights. It also renders many of the gains made by the State

Government already in its Aviation Strategy (such as capped resident fares) redundant. The draft State Aviation strategy should have a focus on mining operations using commercial services where possible, to regenerate and restarting RPT flights.

Once changed, the revised Strategy could be used as the consistent policy position to:

- Provide a whole of Government policy framework with clear guidelines on the approval of jetports (including across State Agreements, Mining Leases and across Local Government boundaries).
- Change legislation as required to be consistent with this policy framework.
- Acknowledge the nearest regional airport may be across a Local Government boundary, and consult appropriately based on impact.

A clear and specific position from the Strategy (such as no approvals within 150km of an existing regional airport), and the required legislative changes would assist assessment across State Agreements, Mining lease applications and clearing permits, and Local Government boundaries.

As the strategy is currently in draft, it should be fast-tracked to provide a whole of Government position on this matter. Legislative and policy frameworks would be required across a number of State Government Departments (Including Department of Mines, Industry Regulation and Safety, Department of Jobs Tourism, Science and Innovation, Department of Transport, and Department of Planning, Lands and Heritage).

When they are within safe distance of an existing regional airport, jetports approvals undermine the financial sustainability of our regional airports and economies, and ability of community members to access affordable and regular RPT flights.

Links:

WALGA draft aviation strategy: <https://walga.asn.au/getattachment/Documents/Draft-State-Aviation-Strategy-2020-WALGA-submission.pdf?lang=en-AU>

WALGA State Council Minutes 1 July 2020

[https://walga.asn.au/getattachment/3274853a-c491-424d-a565-297cf3f85976/Full-Minutes-State-Council-1-July-2020-\(1\).pdf](https://walga.asn.au/getattachment/3274853a-c491-424d-a565-297cf3f85976/Full-Minutes-State-Council-1-July-2020-(1).pdf)

RESOLUTION

Moved: Mayor Peter Long
Seconded: Cr Lynne Craigie

The Pilbara Zone considers the location of mining airstrips close to existing local government airports is a major risk to both the services provided and the overall viability of those Local Government airports and requests that WALGA:

- 1. Advocates to the State Government to amend C7 of the Draft Aviation Strategy to provide a clearer policy framework for the approval of jetports which consider the location of the nearest regional airport.**
- 2. Strongly recommends that the State Government should not allow new mining airstrips within a radius of (WALGA to find Queensland benchmark on this distance) km.**
- 3. Expresses the security concerns and unfair competition that arises when mining companies avoid security screening of passengers and baggage by using charter rather than RPT aircraft**
- 4. Investigates current legislative impediments to limiting construction of mining airstrips within a certain distance of regional towns**

5. Requests the State conduct consultation with both the Local Government in which the mining airstrip is located in and with the nearest communities that will be impacted by the airstrip
6. Advocates that the State Government always focus on encouraging RPT flights, given the liveability, health and economic flow on effects and job creation potential from regional airports, are based on access to flights.

CARRIED

6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

(Zone delegates to consider the Matters for Decision contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)

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

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

Matters for Decision

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

That WALGA requests the State Government to:

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

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

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

5.3 Development Assessment Panels

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

1. The abolishment of the current 'mandatory' mechanism which requires a Development Assessment Panel to act as the decision maker where a proposal has a value of \$10 million or greater, and replace this with an 'opt in' mechanism for all proposals;
2. Raising the Development Assessment Panel threshold from the current \$2 million back to \$3 million; and

3. The Department of Planning, Lands and Heritage to make public comprehensive data related to the performance of the Development Assessment Panel system to improve the transparency of the system.

5.4 Air Handling Discussion Paper Part Two

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

5.5 Local Government Act Review Panel Report

Please refer to Agenda attachment

6.1 State Council Agenda Items 5.1 to 5.4

RESOLUTION

Moved: Cr Lynne Craigie
Seconded: Commissioner Fred Riebeling

That the Pilbara Country Zone Supports items 5.1, 5.2, 5.3 and 5.4 as listed in the September 2020 State Council Agenda.

CARRIED

6.2 State Council Agenda Item 5.5

RESOLUTION

Moved: Cr Kerry White
Seconded: Cr Lynne Craigie

That the Pilbara Zone:

1. Suggests WALGA concentrates on a small number of important concerns but makes a positive contribution by explaining what it considers would be an unsatisfactory outcome and recommends changes that would result in an improved outcome;
2. Supports in particular, WALGA's opposition to Recommendations 38a, 38b, 53a and 53b and will provide further information on Pilbara Zone concerns before the September State Council meeting;
3. Notes all Matters for Noting and Organisational Reports as listed in the September 2020 State Council Agenda.

CARRIED

8. OTHER BUSINESS

Nil

9. EXECUTIVE REPORTS

9.1 President's Report to the Zone

Nick Sloan, presented the President's Report.

Noted

9.2 State Councillor's report to the Zone

WALGA State Councillor, Mayor Peter Long presented on the previous State Council meeting.

Noted

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

The Department of Local Government, Sport and Cultural Industries representative was an apology for this meeting.

A link was provided for November by the Department. Please find below:

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

Noted

10. DATE, TIME AND PLACE OF NEXT MEETING

The next ordinary meeting of the Pilbara Country Zone be held on 23 November 2020 at WALGA commencing at 1.30pm.

Noted

11. CLOSURE

There being no further business the Chair declared the meeting closed at 12.33 pm.