

South West Country Zone Minutes

18 February 2022

**Shire of Donnybrook Balingup
Park Donnybrook, in the Goods Shed, at Station
Square, on Collins Street
Donnybrook**

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South West Country Zone

Meeting held on Friday, 18 February 2022 at

Shire of Donnybrook Balingup, Park Donnybrook, in the Goods Shed, at Station Square, on Collins Street, Donnybrook

Minutes

The Chair, President Cr Tony Dean opened the meeting at 9:10am.

1. OPENING AND WELCOME

1.1 Acknowledgement of Country

We, the South West Country Zone of WALGA acknowledge the Nyoongar people, the Traditional Custodians of this land, and pay our respects to their Elders past, present and future.

2. ATTENDANCE AND APOLOGIES

Attendance

Shire of Augusta Margaret River

President Cr Paula Cristoffanini
Ms Stephanie Addison-Brown, Chief Executive Officer non-voting delegate

Shire of Boyup Brook

President Cr Richard Walker
Mr Dale Putland, Chief Executive Officer non-voting delegate

Shire of Bridgetown-Greenbushes

President Cr John Bookless
Mr Tim Clynych, Chief Executive Officer non-voting delegate

City of Bunbury

Mayor Jaysen de San Miguel – *until 10:20am*
Mr Mal Osborne, Chief Executive Officer non-voting delegate

City of Busselton

Mayor Grant Henley
Mr Paul Needham, Director Planning and Development Services

Shire of Capel

President Cr Doug Kitchen
Mr Gordon MacMile, Chief Executive Officer non-voting delegate

Shire of Collie

Mr Stuart Devenish, Chief Executive Officer non-voting delegate

Shire of Dardanup

President Cr Michael Bennett
Mr André Schönfeldt, Chief Executive Officer non-voting delegate

Shire of Donnybrook-Balingup	President Cr Leanne Wringe Mr Ben Rose, Chief Executive Officer non-voting delegate
Shire of Harvey	President Cr Paul Gillett Ms Annie Riordan, Chief Executive Officer non-voting delegate
Shire of Manjimup	Hon President Cr Paul Omodei Mr Andrew Campbell, Chief Executive Officer non-voting delegate
Shire of Nannup	President Cr Tony Dean (Chair) Mr David Taylor, Chief Executive Officer non-voting delegate
WA Local Government Association Secretariat	Tim Lane, Manager, Strategy and Association Governance (executive officer) Chris Hossen, Policy Manager Planning and Building
South West Development Commission	Ashley Clements, Acting Chief Executive Officer
RDA South West	Charles Jenkinson, Director Regional Development
Guests	Peta Greening, NBN Co.

Apologies

Shire of Collie	President Cr Sarah Stanley
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3. DECLARATIONS OF INTEREST

Nil.

4. ANNOUNCEMENTS

4.1 Attachments

The following are provided as attachments to the agenda:

1. South West Country Zone Minutes 19 November 2021
2. Letter from Mr David Caddy, Chair, WAPC
3. DAMA Queries Overview Jan 2022
4. WALGA President's Report
5. State Council Special Meeting Agenda – [State Council Special Meeting Agenda – 23 February 2022](#)
6. State Council Agenda – [State Council Agenda – 2 March 2022](#)

5. GUEST SPEAKERS / DEPUTATIONS

5.1 Shire of Donnybrook-Balingup

President Cr Leanne Wringe and Mr Ben Rose, Chief Executive Officer

President Cr Leanne Wringe and Mr Ben Rose, Chief Executive Officer provided an update to the meeting on priorities and key projects.

5.2 NBN Co.

Peta Greening, Community Engagement Manager (South West Region), nbn Local

NBN Co is the company that is building and operating Australia's national broadband network (nbn), the digital platform upon which we are delivering digital connectivity to every home and business. Our new purpose is to 'lift the digital capability of Australia' and part of our approach is to support digital literacy in our communities, ensure a positive experience for our customers, and assist them to maximise the social and economic benefits of the nbn network for themselves, their families, their business and communities.

An overview will be provided on the following topics –

- The nbn business grade products and services available to local businesses to support innovation, productivity, jobs growth and local economic recovery in your communities
- How NBN Co is supporting residents, small business owners, seniors and vulnerable community members and groups with digital literacy to build their skills, knowledge and know-how and helping them to live, learn and work a digital society. We will provide case studies and examples of our work to demonstrate how our Community Ambassadors and community engagement team is delivering value in digital literacy.

Ms Peta Greening provided further information as per above.

6. MINUTES

6.1 Confirmation of Minutes from the South West Country Zone meeting held Friday 19 November 2021 (Attachment 1)

The Minutes of the South West Country Zone meeting held on Friday 19 November 2021 have previously been circulated to Member Councils and are provided as an attachment to this agenda.

RESOLUTION

Moved: President Cr Michael Bennett

Seconded: President Cr Paul Gillett

That the minutes of the South West Country Zone meeting held Friday 19 November 2021 are confirmed as a true and accurate record of the proceedings.

CARRIED

6.1.1 Business Arising

6.1.1.1 – Correspondence

- Letter from Mr David Caddy, Chair, WAPC

RESOLUTION

Move: President Cr Michael Bennett

Second: President Cr Paul Gillett

That the South West Zone invite Mr David Caddy, WAPC Chair, to the April or June 2022 Zone meeting to address the Zone in relation to infrastructure issues, including relationships between government agencies and Local Governments in the South West region.

CARRIED

7. ZONE BUSINESS

7.1 Federal Election Advocacy

The Zone's Federal Election Advocacy document has been produced, and Members have met with the sitting Parliamentary Members and candidates.

Members of the Working Group provided an update on advocacy engagement.

NOTED

7.2 Designated Area Migration Agreement (DAMA) Overview of Queries

Mr André Schönfeldt, Shire of Dardanup

Refer to attachment – DAMA Queries Overview Jan 2022 – which provides an overview of incoming queries.

NOTED

8. WALGA BUSINESS

8.1 WALGA Status Report

By Tim Lane, Zone Executive Officer

BACKGROUND

Status Report for February 2022 which contains WALGA's responses to the resolutions of previous Zone Meetings.

Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
2019 March 22 Zone Agenda Item 7.7 Funding Commitment Towards Strategic Transport Network Infrastructure In South West Western Australia	1. That the South West Zone of WALGA adopts an advocacy position of seeking a commitment to funding from: <ul style="list-style-type: none"> a. Western Australian State Government; and/or b. Australian Federal Government; and/or c. Private industry to better manage the ever increasing numbers of heavy vehicle haulage and light vehicle users within the south-west (particularly including South Western Highway), including the possibility of re-instating and re-opening the disused South West Railway, as well as the future expansion and improvements of our road networks for the south-west region as part of the investment of our future infrastructure and road networks. 2. That the South West Zone of WALGA requests the WALGA State Council to consider adopting the advocacy position outlined in Recommendation 1, above.	The Infrastructure Policy Team requested that the Association investigate the need for and feasibility of developing a road project advocacy tool to support Local Governments and Zones in their advocacy for specific road developments given the large number of potential projects across the State.	Ongoing	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
2021 1 December State Council Agenda Item 5.1 Paid Family and Domestic Violence Leave Entitlements	That in point 4, the word "oppose" be deleted and replaced with the words "does not support".	The Zones suggestion was included in the State Council resolution as per below; That WALGA: Endorse the submission to the Fair Work Commission (FWC) regarding paid family and domestic violence leave (FDVL) which: 1. highlights that FDVL for employees is an important issue for the sector;	February 2022	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au

		<p>2. supports the introduction of a new entitlement in modern awards for employees to receive five days' paid FDVL per year as a minimum entitlement;</p> <p>3. advocates for employees to be able to access their paid personal/carer's leave in circumstances of family and domestic violence; and</p> <p>4. does not support the introduction of a new entitlement in modern awards, at this point in time, for employees to receive 10 days' paid FDVL per year as sought by the Australian Council of Trade Unions (ACTU).</p> <p>RESOLUTION 292.7/2021</p>		
2021 19 November Zone Agenda Item 8.5 Legislative Council Reform	That the South West Country Zone request WALGA to advocate to the Minister for Electoral Affairs and the Salaries and Allowances Tribunal to provide additional allowances to Members of the Legislative Council (MLC), on the proviso they have an office in country areas, to facilitate a regional presence of MLCs.	This item will be considered by WALGA's Governance & Organisational Services Team and a response will be provided to the Zone at a future meeting.	February 2022	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au

RESOLUTION

Moved: President Cr Michael Bennett

Seconded: President Cr Leanne Wringe

That the South West Country Zone WALGA February 2022 Status Report be noted.

CARRIED

8.2 Review of WALGA State Council Agenda

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.

8.2.1 Special State Council Meeting Agenda – 23 February 2022

The full State Council Agenda can be found via link: [State Council Special Meeting Agenda , 23 February 2022](#)

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

Matters for Decision

3.1 Local Government Reform Proposal Submission

1. That the recommendations contained in the 'Local Government Reform Proposal Submission' be endorsed.
2. That WALGA:
 - a. seek assurance from the Minister for Local Government that further detail on the proposed reforms will be provided to the sector for comment prior to the formulation of a draft Local Government Act Amendment Bill; and

- b. seek a formal commitment from the Minister for Local Government that WALGA actively participates in the legislative drafting process necessary to formulate a draft Local Government Act Amendment Bill.

RESOLUTION

Moved: President Cr Paul Omodei
Seconded: Mayor Jaysen De San Miguel

That the South West Country Zone supports Matters for Decision, item 3.1 as listed above in the Special State Council Meeting Agenda – 23 February 2022.

CARRIED

The meeting adjourned at 10:20am and resumed at 10:50am. Mayor Jaysen De San Miguel departed the meeting at 10:20am and did not return.

8.2.2 Ordinary State Council Meeting Agenda – 2 March 2022

The full State Council Agenda can be found via link: [State Council Agenda, 2 March 2022](#)

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

Matters for Decision

5.1 Short-Term Accommodation Regulatory Scheme

That the draft Short-Term Accommodation Regulatory Reform submission be endorsed

Matter for Noting

- 6.1 COVID-19 – Update**
- 6.2 2022-23 Federal Budget Submission**
- 6.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government**
- 6.4 State Planning Policy 2.9: Planning for Water - Submission**
- 6.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry**

Key Activity Reports

- 7.1.1 Report on Key Activities, Commercial and Communications Unit**
- 7.1.2 Report on Key Activities, Governance and Organisational Services**
- 7.1.3 Report on Key Activities, Infrastructure**
- 7.1.4 Report on Key Activities, Strategy, Policy and Planning**
- 7.2 Policy Forum Report**
- 7.3.1 Environment and Waste Policy Team Report**
- 7.3.2 Governance and Organisational Services Policy Team Report**
- 7.3.3 Infrastructure Policy Team Report**
- 7.3.4 People and Place Policy Team Report**

RESOLUTION

Moved: Mayor Grant Henley
Seconded: President Cr Paula Cristoffanini

That WALGA makes a submission on the *Draft Position Statement: Planning for Tourism* as follows:

1. Does not support the adoption of the draft position statement, and indicates that substantial engagement should occur with the local government sector as an integral part of developing a revised draft position statement, to be subject of further formal consultation prior to WAPC consideration of that revised draft position statement.
2. Notes that a significant proportion of the detailed policy direction in the draft position statement is inconsistent with the over-arching policy measure, which is that -
“Local government are best placed to plan for tourism within their communities, with local knowledge of tourism activity, opportunities, constraints, including potential impacts and what requirements, if any, should be placed on tourism proposals”.
3. Expresses its disappointment and concern that the draft position statement was developed without any significant engagement with the local government sector, or with individual local governments that have significant tourism industries and knowledge and experience of tourism issues.
4. Calls for the intergovernmental working group to be re-formed to guide the integrated development of a regulatory regime that allows local governments to make decisions about the regulation of short-term accommodation uses in residential areas, with the State supporting and enabling that local level regulation, importantly through the establishment of a state-wide registration scheme.
5. Calls for the intergovernmental working group to include diverse local government representation to ensure that the experience and knowledge of the sector informs the development of the regulatory regime.
6. Sets out that the state-wide registration scheme for short-term accommodation and peer-to-peer platforms should include the following features:
 - a. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property, and platforms must publish the registration number as part of the marketing and booking services;
 - b. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform;
 - c. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework;
 - d. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances, including both town planning and Local Government Act (Local Law) regulation;;
 - e. Local Government’s must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme;
 - f. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts; and
 - g. Unless Local Governments have ‘opted-out’, accommodation cannot be registered under the state-wide registration scheme without the prior obtaining and periodic renewal of a ‘certificate of local government authority’.
7. Sets out that individual local governments should have the capacity to make their own decisions about whether there are any exemptions from the need to obtain development approval for ‘unhosted accommodation’.

CARRIED UNANIMOUSLY

RESOLUTION

Moved: Mayor Grant Henley
Seconded: President Cr Michael Bennett

That the South West Country Zone notes the matters for noting and key activity reports contained in the 2 March 2022 State Council Agenda.

CARRIED

8.3 WALGA President's Report

The WALGA President's Report was noted.

NOTED

9. AGENCY REPORTS / PRESENTATIONS

9.1 South West Development Commission

Acting Chief Executive Officer, Ashley Clements, provided a brief update to the Zone.

NOTED

9.2 Regional Development Australia – South West

Director of Regional Development, Charles Jenkinson, provided a brief update to the Zone.

NOTED

9.3 Department of Local Government, Sport and Cultural Industries

Apologies from the DLGSC

10. FINANCIAL REPORT

South West Country Zone	
As at 31 January 2022	
	Actual
	YTD
	\$
Opening Cash Balance	9,071
Income	
Subscription Income	7,200
Total Income	7,200
Expenses	
Bank Charges	37

Jobs Forum	92
SW Zone Brochure	3,367
Total Expenses	3,495
Closing Cash Balance	12,775

RESOLUTION

Moved: President Cr Paul Omodei
 Seconded: President Cr Paul Gillett

That the Financial Report be received.

CARRIED

11. EMERGING ISSUES

11.1 Future Presentations

The Office of the Auditor General will present at the April 2022 meeting.

Other suggested presenters are as follows:

- Mr David Caddy, Chair, Western Australian Planning Commission (WAPC) (requested)
- Infrastructure WA (requested)
- State Government Ministers:
 - Hon Alannah MacTiernan, Minister for Regional Development; Agriculture and Food; Hydrogen Industry

The Executive Officer will invite representatives listed above.

NOTED

11.2 Shire of Bridgetown Greenbushes February 2022 Fires

President Cr John Bookless and Mr Tim Clynnch provided an update in relation to the recent fires in the Shire of Bridgetown-Greenbushes, and expressed gratitude for assistance from South West Local Governments and volunteer brigades, and particularly the Shire of Manjimup that provided evacuation centre facilities.

NOTED

President Cr Doug Kitchen left the meeting at 11:42am and did not return.

12. DATE, TIME AND PLACE OF NEXT MEETINGS

12.1 2022 Meeting Dates

Meeting dates for 2022 are listed below as endorsed at the August 2021 Zone meeting.

MEETING DATE	HOST LOCAL GOVERNMENT
Friday 18 February 2022	Donnybrook-Balingup
Friday 22 April 2022	Manjimup
Friday 24 June 2022	Harvey
Friday 26 August 2022	Nannup
Friday 25 November 2022	Augusta Margaret River

13.2 Next Meeting

MEETING DATE	HOST LOCAL GOVERNMENT
Friday 22 April 2022	Manjimup

13. CLOSURE

The Chair closed the meeting at 11:46am.

Delegates informally discussed the calling of special electors meetings in relation to Covid-19 restrictions and mandates.

The Chair re-opened the meeting 11:53am.

13.1 Special Electors Meetings

RESOLUTION

Moved: Mayor Grant Henley

Seconded: President Cr Paul Omodei

That WALGA advocate to the Minister for Local Government to amend the *Local Government Act 1995* to provide protections against the misuse of special electors meetings by:

1. Prohibiting a matter previously considered being resubmitted, and
2. Ensuring that motions to be considered are relevant to Local Government

CARRIED

The Chair declared the meeting closed at 12:01pm.