

State Council

Summary Minutes

6 December 2023

Ordinary meeting no. 5 of 2023 of the Western Australian Local Government Association (WALGA) State Council held in the boardroom at ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 6 December 2023.

OPEN and WELCOME

The Chair declared the meeting open at 4:17pm.

1. ATTENDANCE & APOLOGIES

1.1 Attendance

Members	WALGA President - Chair WALGA Deputy President Central Metropolitan Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Gascoyne Country Zone Goldfields Esperance Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Northern Country Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	President Cr Karen Chappel AM JP Cr Paul Kelly President Chris Antonio President Cr Phil Blight Cr Helen Sadler President Paige McNeil Cr John Daw (Deputy) President Eddie Smith President Cr Laurene Bonza Cr Stephen Strange Cr Scott Crosby President Chris Mitchell President Cr Les Price Cr Michael Dudek Cr Lewis Hutton Cr Bronwyn Smith President Cr Kirrilee Warr Mayor Rhys Williams Cr Wendy McWhirter-Brooks Mayor Patrick Hall Cr Adam Hort Mayor Logan Howlett JP Cr Karen Wheatland Cr Barry Winmar President Cr Tony Dean
Ex Officio	Local Government Professionals WA President	Mr Anthony Vuleta
Observers	Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone	President Cr Tracy Lefroy (Deputy State Councillor) President Leigh Ballard (Deputy State Councillor) Cr Chilla Bulbeck (Deputy State Councillor) Cr Georgia Johnson (Zone Chair)

Secretariat	Chief Executive Officer	Mr Nick Sloan
	Executive Director Member Services	Mr Tony Brown
	Executive Manager Infrastructure	Mr Ian Duncan
	Executive Manager Policy	Ms Nicole Matthews
	Acting Executive Manager Advocacy	Mr Jamie Wilkinson
	Manager Association and Corporate Governance	Ms Kathy Robertson
	Executive Officer Governance	Ms Meghan Dwyer

1.2 Apologies

- The Rt. Hon. Lord Mayor Basil Zempilas
- State Councillor, East Metropolitan Zone, Cr Emily Wilding

2. ACKNOWLEDGEMENT OF COUNTRY

Cr Barry Winmar delivered a Welcome to Country at the commencement of the State Council proceedings for the day.

3. ANNOUNCEMENTS

Nil

4. MINUTES OF THE PREVIOUS MEETINGS

4.1 Minutes of the State Council meeting held 13 September 2023

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the Minutes of the WALGA State Council meeting held on [Wednesday, 13 September](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.1.2 Business arising from the Minutes of meeting held 13 September 2023

Nil.

4.2 Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines

RECOMMENDATION

Moved: President Cr Phil Blight

Seconded: President Chris Mitchell

That the [Flying Minute - Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.2.1 Business arising from the Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines

Nil.

4.3 Flying Minute – Draft Operational Policy 2.3 Planning for Public Open Space

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute - Draft Operational Policy 2.3 Planning for Public Open Space](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.3.1 Business arising from the Flying Minute – Draft Operational Policy 2.3 Planning for Public Open Space

Nil.

4.4 Flying Minute – Independent Review of Commonwealth Disaster Funding

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute - Independent Review of Commonwealth Disaster Funding](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.4.1 Business arising from the Flying Minute – Independent Review of Commonwealth Disaster Funding

Nil.

4.5 Flying Minute – Objection to the 2023 WA Electoral Distribution Commission Proposed Boundaries

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute - Objection to the 2023 WA Electoral Distribution Commission Proposed Boundaries](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.5.1 Business arising from the Flying Minute – Objection to the 2023 WA Electoral Distribution Commission Proposed Boundaries

Nil.

4.6 Flying Minute – Submission on the Exposure Draft of the Recycling and Waste Reduction (Export – Paper and Cardboard) Rules 2023

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute - Submission on the Exposure Draft of the Recycling and Waste Reduction \(Export – Paper and Cardboard\) Rules 2023](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.6.1 Business arising from the Flying Minute – Submission on the Exposure Draft of the Recycling and Waste Reduction (Export – Paper and Cardboard) Rules 2023

Nil.

4.7 Flying Minute – Aboriginal Heritage Legislation Amendment and Repeal Bill, Regulations, Consultation Policy and Section 18 Guideline – Submission to the Department of Planning, Lands and Heritage

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute - Aboriginal Heritage Legislation Amendment and Repeal Bill, Regulations, Consultation Policy and Section 18 Guideline – Submission to the Department of Planning, Lands and Heritage](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.7.1 Business arising from the Flying Minute – Aboriginal Heritage Legislation Amendment and Repeal Bill, Regulations, Consultation Policy and Section 18 Guideline – Submission to the Department of Planning, Lands and Heritage

Nil.

4.8 Flying Minute – Asbestos National Strategic Plan

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute - Asbestos National Strategic Plan](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.8.1 Business arising from the Flying Minute – Asbestos National Strategic Plan

Nil.

4.9 Flying Minute – Draft Code of Practice for Onsite Wastewater Disposal

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute - Draft Code of Practice for Onsite Wastewater Disposal](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.9.1 Business arising from the Flying Minute – Draft Code of Practice for Onsite Wastewater Disposal
Nil.

4.10 Flying Minute – 2024-25 State Budget Submission

RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Mitchell

That the [Flying Minute – 2024-25 State Budget Submission](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 500.5/2023

CARRIED

4.10.1 Business arising from the Flying Minute – 2024-25 State Budget Submission
Nil.

5. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

Nil.

6. EMERGING ISSUES

Nil.

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7. MATTERS FOR DECISION

7.1 2023 Annual General Meeting Resolutions

By Kathy Robertson, Manager Association and Corporate Governance

COMPOSITE RECOMMENDATION

Moved: Cr Helen Sadler
Seconded: President Chris Antonio

That

1. the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken:

5.1 Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district

That WALGA lobby the State Government for legislative reform to enable Local Governments the automatic right to be a represented party at all State Administrative Tribunal hearings related to planning matters within its district.

5.2 Land Use Policy

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.

5.4 Regional and Remote Housing

That WALGA advocates to the WA State and Commonwealth Governments to address the dire shortage of affordable key worker family housing options in regional and remote towns to encourage families to live and work in regional and remote towns. Social housing is addressed at both the State and Federal levels.

2. State Council notes that the following resolution is being considered in Agenda item 7.2 of this meeting Agenda:

5.3 Transparency – Management Order Determinations

That WALGA:

1. *Advocates for Department of Planning, Lands and Heritage to consult and collaborate with Local Governments in reviewing and publishing its policies, decision making criteria, guidelines and procedures associated with the administration of management orders;*
2. *Ensure the review recognises the cost burden on local governments in managing reserves and options for supporting local governments in meeting that responsibility; and*
3. *Calls for proactive consultation and advice to Local Government management bodies.*

RESOLUTION 501.5/2023

CARRIED

7.2 Advocacy Position – Crown Land and Management Order Administration – Land Administration Act 1997

By Lyn Fogg, Governance Specialist

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Cr Kirrilee Warr

That WALGA endorse the below Advocacy Position:

Crown Land and Management Order Administration - Land Administration Act 1997

WALGA advocates to the Department of Planning, Lands and Heritage (DPLH) to:

- 1. Apply the following principles when dealing with matters affecting Local Government's role in managing Crown land:**
 - a. Local Government is an equal partner with State Government in managing, developing and administration of Crown land for community benefit.**
 - b. Local Government should be provided timely advice and consulted where State Government proposals impact management of or investment in Crown land.**
 - c. Ensure timely communication with Local Government where DPLH intends to challenge an intention to levy leasing or land use revenues under a power to lease arrangement.**
 - d. Decision-making criteria, policy and procedure transparency contributes to whole of government efficiency, effectiveness and accountability.**
- 2. Publish the policies and procedures that underpin decision making regarding:**
 - a. Establishing, varying or revoking management orders.**
 - b. Leasing Crown land or facilities, subject to a management order.**
 - c. Decision review where a management body or proponent lessee is dissatisfied with a decision or process.**

RESOLUTION 502.5/2023

CARRIED

7.3 Review of Public Open Space Advocacy Positions

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

Moved: President Cr Les Price

Seconded: Cr Karen Wheatland

That WALGA endorse:

1. the deletion of Advocacy Position 4.3 *Water Management*;
2. the deletion of Advocacy Position 4.4 *Public Open Space*; and
3. new Advocacy Position 6.11 *Public Open Space* as follows:

6.11 Public Open Space

New subdivisions and developments should provide appropriate Public Open Space (POS) or POS contributions to provide environmental benefits and meet the needs of the community.

The State Government should take a leadership role in the strategic planning of POS, in consultation with Local Government, including:

1. *Reviewing the requirement for a minimum 10 per cent of all new residential land to be provided as POS to determine if this metric is still appropriate.*
2. *Developing a 10+ year regional level sporting facilities plan to identify and prioritise gaps in regional sporting facilities and acquire and fund regional open spaces, specifically sporting facilities, in a timely manner to align with population growth.*
3. *Developing contemporary legislative and policy mechanisms to ensure that:*
 - a. *POS design and delivery:*
 - i. *appropriately allocates different POS uses and purposes, balancing environmental, recreational, sporting and community needs.*
 - ii. *does not have its use impeded by drainage and utilities facilities.*
 - iii. *is accessible and appropriately distributed.*
 - iv. *is cost effective to enable sustainable maintenance and replacement by Local Government.*
 - v. *is responsive to urban ecology, regional climatic conditions, and climate change.*
 - vi. *considers water requirements and availability as a priority, includes water sensitive urban design principles, and prioritises water allocations for the irrigation and maintenance of functional active recreational and sport facilities.*
 - b. *POS cash in lieu contributions are equitable, transparent, and simplified by:*
 - i. *streamlining the process to collect and expend cash in lieu contributions by delegating functions to Local Government.*
 - ii. *broadening how cash in lieu funds can be spent to include works beyond the current scope.*
 - iii. *allowing for the collection of cash in lieu contributions at development application stage and for all forms of subdivision, including two lot subdivisions or developments.*
 - iv. *investigating the option of a standard fixed rate contribution fee per lot or dwelling when contributions are intended for public open space upgrades.*
4. *Providing guidance documents and support to assist Local Governments with their strategic POS planning.*

RESOLUTION 503.5/2023

CARRIED

7.4 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members

By Kathy Robertson, Manager Association and Corporate Governance

WALGA RECOMMENDATION

Moved: President Chris Mitchell
Seconded: Cr Barry Winmar

That WALGA endorse the submission to the 2024 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members.

RESOLUTION 504.5/2023

CARRIED

7.5 Household Hazardous Waste Policy Statement and Advocacy Position

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

Moved: Cr Karen Wheatland
Seconded: Cr John Daw

That WALGA:

1. Rescind the 2003 WALGA *Household Hazardous Waste Policy Statement and Advocacy Position 7.10 Household Hazardous Waste*; and
2. Endorse a new Household Hazardous Waste Policy Statement and Advocacy Position as follows:

7.10 Household Hazardous Waste

1. *Household Hazardous Waste (HHW) is a small but significant component of the waste stream which requires specialised management strategies to protect human health, property and the environment.*
2. *This requires:*
 - a. *Effective Product Stewardship for all HHW; and*
 - b. *The maintenance and expansion of the HHW Program, funded by the State Government and Product Stewardship Schemes, to provide for the management of HHW collected from the community by Local Government.*

RESOLUTION 505.5/2023

CARRIED

7.6 Waste Education Policy Statement and Advocacy Position

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

Moved: Cr Karen Wheatland
Seconded: President Cr Laurene Bonza

That WALGA:

- 1. Rescind the existing WALGA *Waste Management Education Policy Statement 2008* and Advocacy Position 7.8 Waste Management Education; and**
- 2. Endorse a revised WALGA Waste Education Policy Statement 2023 and Advocacy Position as follows:**
 - 1. *Waste education is essential part of waste management that empowers the community to engage in waste avoidance, reuse and recovery, and to use services correctly.***
 - 2. *Effective waste education requires:***
 - a. *Consistent communications by all stakeholders to ensure messages are clear and the community has confidence in the information provided.***
 - b. *A strategic and long-term investment from the State Government, with funding mechanisms in place to support and enable collaboration between Local Governments and Regional Councils.***
 - c. *Recognition of waste education in the definition of 'waste service' in the Waste Avoidance and Resource Recovery Act 2007, in order to allow a charge for waste education as part of the waste service charge.***
 - d. *Identification of priority problematic materials within the waste stream and ongoing advocacy for evidence based alternative approaches.***

RESOLUTION 506.5/2023

CARRIED

7.7 Submission E-Waste Landfill Ban Regulations

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Mayor Patrick Hall

That WALGA endorse the Submission on the *Waste Avoidance and Resource Recovery (e-waste) Regulations 2023*.

RESOLUTION 507.5/2023

CARRIED

7.8 Submission on Philanthropic Engagement Framework for Emergency Management

By Susie Moir, Policy Manager Resilient Communities

WALGA RECOMMENDATION

Moved: Cr Wendy McWhirter Brooks
Seconded: Cr Karen Wheatland

That WALGA endorse the submission to the State Emergency Management Committee on the Draft Philanthropic Engagement Framework for Emergency Management.

RESOLUTION 508.5/2023

CARRIED

7.9 Submission to the WA Action Plan for Young People Consultation Paper

By Rebecca Hicks, Policy Officer Community

WALGA RECOMMENDATION

Moved: Cr Barry Winmar

Seconded: Mayor Rhys Williams

That WALGA endorse the submission to the *WA Action Plan for Young People Consultation Paper*.

RESOLUTION 509.5/2023

CARRIED

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

7.10 Appointments to State Council Policy Teams and Committees

By Nick Sloan, Chief Executive Officer

WALGA RECOMMENDATION 1

Moved: Cr Paul Kelly

Seconded: Cr Karen Wheatland

That the appointments of State Councillors to Policy Teams and the Finance and Services Committee as outlined below be endorsed:

Finance and Services Committee – (four State Councillors)

- Mayor Rhys Williams
- Cr Paul Kelly
- President Chris Antonio
- President Cr Kirrilee Warr

Environment Policy Team – (five State Councillors)

- President Cr Tony Dean
- Cr Michael Dudek
- Cr Bronwyn Smith
- President Cr Les Price
- Cr Adam Hort

Governance Policy Team – (five State Councillors)

- Mayor Logan Howlett
- President Paige McNeil
- Cr Barry Winmar
- Mayor Patrick Hall
- President Chris Mitchell

Infrastructure Policy Team – (five State Councillors)

- Cr Stephen Strange
- Cr Helen Sadler
- Cr Karen Wheatland
- President Cr Laurene Bonza
- Cr Wendy McWhirter-Brooks

People and Place Policy Team – (five State Councillors)

- President Cr Phil Blight
- Cr Lewis Hutton
- Cr Scott Crosby
- President Eddie Smith
- Cr Emily Wilding

RESOLUTION 510.5/2023

CARRIED

WALGA RECOMMENDATION 2

Moved: Cr Paul Kelly
Seconded: Cr Karen Wheatland

That the appointments of State Councillors to Committees as outlined below be endorsed:

Honours Panel

State Councillors

- Country State Councillor – President Cr Kirrilee Warr
- Country State Councillor – President Cr Tony Dean
- Metropolitan State Councillor – Mayor Logan Howlett
- Metropolitan State Councillor – Cr Helen Sadler
-

Selection Committee

State Councillors

- Country State Councillor – President Cr Les Price
- Country State Councillor – Cr Wendy McWhirter-Brooks
- Metropolitan State Councillor – Cr Michael Dudek
- Metropolitan State Councillor – Cr Karen Wheatland

Local Government House Trust Board of Management

State Councillors

- Country State Councillor – Mayor Rhys Williams
- Metropolitan State Councillor – Mayor Patrick Hall

Representative from the beneficiaries in the Country Constituency (currently vacant)

- Country representative – President Cr Phil Blight

Municipal Waste Advisory Council (MWAC)

Association Delegates

- President Cr Les Price
- Cr Karen Wheatland
- Cr Michael Dudek
- President Cr Laurene Bonza
- Cr Bronwyn Smith

Chief Executive Officer Performance Review Committee

State Councillors

- Country State Councillor – Cr Stephen Strange
- Country State Councillor – President Cr Tony Dean
- Metropolitan State Councillor – Cr Barry Winmar
- Metropolitan State Councillor – President Paige McNeil

RESOLUTION 510.5/2023

CARRIED

7.11 Finance and Services Committee Minutes – 29 November 2023 – CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Cr Paul Kelly
Seconded: President Chris Mitchell

That the Minutes of the Finance and Services Committee meeting held on 29 November 2023 be endorsed.

RESOLUTION 511.5/2023

CARRIED

7.12 Selection Committee Flying Minute – 11 November 2023 - CONFIDENTIAL

By Chantelle O'Brien, Governance Support Officer

WALGA RECOMMENDATION

Moved: Cr Paul Kelly
Seconded: President Cr Les Price

That the resolutions contained in the 11 November 2023 Selection Committee Flying Minute be endorsed.

RESOLUTION 512.5/2023

CARRIED

7.13 LGIS Board Minutes – 19 October 2023 – CONFIDENTIAL

By Craig Hansom, Manager Commercial Contract Services, Member Services

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett
Seconded: President Chris Mitchell

That State Council note the Minutes of the LGISWA Scheme Board meeting held on 19 October 2023.

RESOLUTION 513.5/2023

CARRIED

7.14 Local Government House Trust Board of Management Minutes – 29 November 2023 – CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Cr Paul Kelly

Seconded: President Chris Mitchell

That State Council note the Minutes of the Local Government House Trust board of management meeting held on 29 November 2023.

RESOLUTION 514.5/2023

CARRIED

8. POLICY TEAM AND COMMITTEE REPORTS

8.1 Environment and Waste Policy Team Report

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

Moved: President Cr Les Price

Seconded: Cr Chris Daw

That State Council note the matters considered by the Environment and Waste Policy Team.

RESOLUTION 515.5/2023

CARRIED

8.2 Governance and Organisational Services Policy Team Report

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: President Cr Laurene Bonza

Seconded: Cr Barry Winmar

That State Council:

1. Retain Advocacy Position “2.5.22 Re-counts”, with the following amendment:
The Local Government sector supports the introduction of standard processes for vote re-counts if there is a very small margin (e.g., 10 or fewer votes) between candidates, inclusive of Regulations that specify the circumstances in which the Returning Officer must arrange for some or all of the votes to be re-counted.
2. Delete Advocacy Positions:
 - (a) 2.5.2 No Wards for Band 3 and 4 Councils
 - (b) 2.5.5 Tiered Limits on the Number of Councillors
 - (c) 2.5.14 Tender Exemption General Practitioner Services
 - (d) 2.5.21 Candidate Profiles
 - (e) 2.5.23 Electoral Rolls
 - (f) 2.5.24 Standardised Election Caretaker Period
 - (g) 2.5.27 Recording Votes in Council Minutes
 - (h) 2.5.31 Special Electors’ Meeting
3. Notes the Governance and Organisational Services Policy Team’s consideration of the following:
 - (a) Performance of the Auditor General – Audit Experience Survey Results
 - (b) Optional Preferential Voting – Cost to Local Government

RESOLUTION 516.5/2023

CARRIED

8.3 Infrastructure Policy Team Report

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

Moved: Cr Helen Sadler
Seconded: Cr Stephen Strange

That the Infrastructure Policy Team Report be noted.

RESOLUTION 517.5/2023

CARRIED

8.4 People and Place Policy Team Report

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Chris Antonio

That State Council:

- 1. note the matters considered by the Policy Team; and**
- 2. rescind Advocacy Positions:**
 - a. 6.10 Town Planning and Alcohol Outlets;**
 - b. 6.12 Affordable Housing;**
 - c. 6.13 Senior Housing Strategy;**
 - d. 6.14 Capital City Planning Framework; and**
 - e. 6.15 Built Heritage.**

RESOLUTION 518.5/2023

CARRIED

8.5 Municipal Waste Advisory Council (MWAC) Report

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

Moved: Cr Karen Wheatland
Seconded: President Chris Mitchell

That State Council note the resolutions of the 30 August 2023 and 18 October 2023 Municipal Waste Advisory Council Meetings.

RESOLUTION 519.5/2023

CARRIED

9. MATTERS FOR NOTING / INFORMATION

9.1 Planning and Development Amendment Bill 2023 and Associated Regulations and Guidelines

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council notes the *Planning and Development Act Bill 2023* and associated Regulations and Guidance documents.

RESOLUTION 520.5/2023

CARRIED

9.2 WALGA Emergency Management Survey 2023

By Rachel Armstrong, Senior Policy Advisor, Emergency Management

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note the update on the WALGA Emergency Management Survey 2023.

RESOLUTION 520.5/2023

CARRIED

9.3 WALGA Submission on Aboriginal Cultural Heritage Legislation dated 26 September 2023 and Update

By Hannah Godsave, Senior Policy Advisor Community

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note:

1. The submission to the Department of Lands, Planning and Heritage on the Aboriginal Heritage Legislation Amendment and Repeal Bill Regulations, Consultation Policy and Section 18 Guideline, as endorsed via Flying Minute; and
2. The update on the commencement of the amended *Aboriginal Heritage Act 1972*.

RESOLUTION 520.5/2023

CARRIED

9.4 Legal Response to the Local Government Approaches to Tree Retention Issues Paper

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council notes the *Legal Response to Local Government Approaches to Tree Retention Issues Paper* prepared by McLeods Lawyers.

RESOLUTION 520.5/2023

CARRIED

9.5 Flying Minute: Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines

By Max Bushell, Policy Officer Road Safety and Infrastructure

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note:

- 1. the new Advocacy Position regarding the design and implementation of pedestrian crossings; and**
- 2. the submission to Main Roads WA on the draft Pedestrian Crossing Facilities Guidelines as endorsed by State Council via Flying Minute.**

RESOLUTION 520.5/2023

CARRIED

9.6 Flying Minute – Draft Operational Policy 2.3: Planning for Public Open Space

By Coralie Claudio, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note the submission on Draft Operation Policy 2.3 Planning for Public Open Space to the Department of Planning, Lands and Heritage as endorsed by State Council via Flying Minute.

RESOLUTION 520.5/2023

CARRIED

9.7 Flying Minute – Submission on Independent Review of Commonwealth Disaster Funding Arrangements

By Rachel Armstrong Senior Policy Advisor Emergency Management

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note WALGA's Submission to the *Independent Review of Commonwealth Disaster Funding Arrangements* as endorsed by State Council via Flying Minute.

RESOLUTION 520.5/2023

CARRIED

9.8 Flying Minute – Objection to the 2023 WA Electoral Distribution Commission Proposed Boundaries

By Kathy Robertson, Manager Association and Corporate Governance

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That WALGA's objection to the 2023 Western Australian Distribution Commission's proposed boundaries as endorsed via Flying Minute be noted.

RESOLUTION 520.5/2023

CARRIED

9.9 Flying Minute: Submission on the Exposure Draft of the Recycling and Waste Reduction (Export – Paper and Cardboard) Rules 2023

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note the Submission on the Department of Climate Change, Energy, the Environment and Water (DCCEEW)'s Exposure Draft of the Recycling and Waste Reduction (Export - Paper and Cardboard) Rules 2023 as endorsed by State Council via Flying Minute.

RESOLUTION 520.5/2023

CARRIED

9.10 Flying Minute: Submission on National Asbestos Strategic Plan

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note the Submission on the Draft Asbestos National Strategic Plan (2024-2030) as endorsed via Flying Minute.

RESOLUTION 520.5/2023

CARRIED

9.11 Flying Minute: Draft Code of Practice for On-Site Wastewater Disposal

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note the Submission on the Draft Code of Practice for On-Site Wastewater Disposal in Western Australia 2023, as endorsed via Flying Minute.

RESOLUTION 520.5/2023

CARRIED

9.12 Flying Minute: 2024-25 WALGA State Budget Submission

By Dana Mason, Manager Economics

WALGA RECOMMENDATION

Moved: President Chris Antonio
Seconded: President Cr Kirrilee Warr

That State Council note WALGA's 2024-25 State Budget Submission as endorsed by State Council via Flying Minute.

RESOLUTION 520.5/2023

CARRIED

10. ORGANISATIONAL REPORTS

10.1 Key Activity Reports

10.1.1 Report on Key Activities, Advocacy Portfolio

By Jamie Wilkinson, Acting Executive Manager Advocacy

WALGA RECOMMENDATION

Moved: President Chris Mitchell

Seconded: President Cr Les Price

That State Council note the Key Activity Report from the Advocacy Portfolio for December 2023.

RESOLUTION 521.5/2023

CARRIED

10.1.2 Report on Key Activities, Infrastructure Portfolio

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

Moved: Cr Wendy McWhirter-Brooks

Seconded: Cr Adam Hort

That State Council note the Key Activity Report from the Infrastructure Portfolio for December 2023.

RESOLUTION 522.5/2023

CARRIED

10.1.3 Report on Key Activities, Member Services Portfolio

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Cr Barry Winmar

Seconded: President Chris Mitchell

That State Council note the Key Activity Report from the Member Services Portfolio for December 2023.

RESOLUTION 523.5/2023

CARRIED

10.1.4 Report on Key Activities, Policy Portfolio

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

Moved: President Cr Phil Blight

Seconded: President Chris Mitchell

That State Council note the Key Activity Report from the Policy Portfolio for December 2023.

RESOLUTION 524.5/2023

CARRIED

10.2 President's Report

WALGA RECOMMENDATION

Moved: President Chris Antonio

Seconded: Cr Karen Wheatland

That the President's Report for December 2023 be received.

RESOLUTION 524.5/2023

CARRIED

10.3 CEO's Report

WALGA RECOMMENDATION

Moved: President Chris Antonio

Seconded: Cr Karen Wheatland

That the CEO's Report for December 2023 be received.

RESOLUTION 525.5/2023

CARRIED

10.4 Ex-Officio Reports

10.4.1 City of Perth Report

The Rt. Hon. Lord Mayor Basil Zempilas was an apology for this meeting.

10.4.2 LG Professional's Report

Mr Anthony Vuleta, President, LG Professionals WA, provided a report to the meeting.

11. ADDITIONAL ZONE RESOLUTIONS

11.1 WALGA RECOMMENDATION

Moved: President Cr Kirrilee Warr
Seconded: President Chris Mitchell

That the additional Zone Resolution from the August 2023 round of Zones meetings as follows be referred to the appropriate policy area for consideration and appropriate action.

RESOLUTION 526.5/2023

CARRIED

GREAT SOUTHERN COUNTRY ZONE (Infrastructure Portfolio)

Western Power Headworks – Lead time for quotes

That the Great Southern Country Zone request WALGA advocacy to State Government to reduce the time taken for Western Power to provide quotes to a maximum of three months.

11.2 WALGA RECOMMENDATION

Moved: President Cr Laurene Bonza
Seconded: President Cr Phil Blight

That the additional Zone Resolutions from the November 2023 round of Zones meetings as follows be referred to the appropriate policy area for consideration and appropriate action, noting that some may have already been referred.

RESOLUTION 527.5/2023

CARRIED

CENTRAL COUNTRY ZONE (Member Services Portfolio - Governance)

2023 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.

CENTRAL METROPOLITAN ZONE (Member Services Portfolio - Governance)

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.

EAST METROPOLITAN ZONE (Infrastructure Portfolio)

Traffic Management Changes

That the East Metropolitan Zone request the Chair to:

1. submit a letter to the Minister of Transport on behalf of the Zone to:
 - a) Raise concern regarding the lack of consultation with Local Government on the changes to Traffic Management Registration Scheme
 - b) Request Main Roads defer its implementation date of 1 December 2023 to allow Local Governments time to mitigate the impacts of this decision in relation to safety, financial and operational outcomes.
 - c) Request Further consultation and understanding of the impacts on the sector between local governments and Main Roads.
2. Advise the WALGA State Council of the zones full support to lobby the Minister and State Government to amend the proposed Traffic Management Registration Scheme to mitigate the impacts of this decision in relation to safety, financial and operational outcomes.

GASCOYNE COUNTRY ZONE (Member Services Portfolio - Governance)

Virtual Attendance at Annual General Meeting

That the Gascoyne Country Zone recommends WALGA investigates opportunities to allow remote and virtual attendance and/or voting at Annual General Meetings.

GASCOYNE COUNTRY ZONE (Policy Portfolio)

Challenges with Aboriginal Heritage Matters

That the Gascoyne Country Zone requests that WALGA schedules a Teams meeting between the Gascoyne Zone delegates and the relevant Policy Team to discuss the issues the Zone faces in complying with Aboriginal Heritage Legislation and establishing indigenous Land Use Agreements.

GOLDFIELDS ESPERANCE COUNTRY ZONE (Member Services Portfolio - Governance)

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.

GREAT SOUTHERN COUNTRY ZONE (Policy Portfolio)

Appeal for Remedial Action on Education Policy and Procedures in Country Schools

That the Western Australian Local Government Association Great Southern Zone (WALGA) request that WALGA strongly advocates to the Department of Education (Department) on behalf of rural and remote districts that greater efforts be made to reduce the inequality of educational opportunity with particular reference to the following:

1. That the Department makes available resources for intervention in the experience of students specifically disaffected by the current model of schooling who are disruptive, falling behind and at risk of failing to learn to read, write and work in basic arithmetic; including intensive attention combined with health and like issues and more active, empathic, and practical instruction.

2. That the Department makes available the current resources of Distant Education and/or enables families to access similar private providers for secondary education in order that students can study for an ATAR (Australian Tertiary Admission Rank), or other subjects of their own choosing, using internet resources and mentors provided in the schools closest to them; and
3. That the Department subsidises housing suitable for teachers or enables local governments to build and manage such housing.

MURCHISON COUNTRY ZONE (Member Services Portfolio - Governance)

Fees for objection under the Mining Act 1978

That the Murchison Country Zone of WALGA;

1. lodge an objection to the Department of Mines regarding their introduction of an \$859 Mining Objection Fee,
2. call for WALGA to develop an advocacy position which requests the State Government to provide public analysis on cost shifting to the local government sector when changes are proposed to legislation not administered by the Department of Local Government – namely mining, planning, building and emergency management.

MURCHISON COUNTRY ZONE (Member Services Portfolio - Governance)

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.

MURCHISON COUNTRY ZONE (Infrastructure Portfolio)

Disaster Recovery Funding Arrangements WA

That Murchison Country Zone of WALGA request WALGA to advocate on behalf of the local government sector to expedite the approval process for the delivery of Disaster Recovery Funding Arrangements.

MURCHISON COUNTRY ZONE (Policy Portfolio)

Improving the Patient Assisted Travel Scheme

That Murchison Country Zone of WALGA request that WALGA advocate for improvements to the Patient Assisted Travel Scheme (PATS) for regional Western Australia particularly around fuel and accommodation subsidies.

PEEL COUNTRY ZONE (Member Services Portfolio - Governance)

Fee for Objections Under the Mining Act

That the Peel Country Zone requests WALGA advocate to the State Government immediately and request the removal of the proposal to implement an \$859 charge per objection under the Mining Act 1978.

PILBARA COUNTRY ZONE (Infrastructure Portfolio)

Disaster Recovery Funding Arrangements WA

That the Pilbara Country Zone request WALGA:

1. to raise the matter and seek action to find solutions for the excessive delays in processing and approving of claims with the Disaster Recovery Funding Arrangements WA, with the appropriate agency; and
2. the appropriate agency be requested to engage proactively with the Shire of Ashburton to address current outstanding claims for Natural disaster events dating back to 2020.

12. DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be held in the Boardroom at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 6 March 2024 commencing at 4:15pm.

The State Council meeting schedule for 2024 is as follows:

Date	Venue
Wednesday, 6 March	WALGA
Wednesday, 1 May	North Metropolitan Zone City of Wanneroo
Wednesday, 10 July*	WALGA
Thursday-Friday, 5-6 September	South West Country Zone City of Busselton
Wednesday, 4 December	WALGA

*Please note that the meeting scheduled for Wednesday, 3 July has been rescheduled to Wednesday, 10 July due to a conflict with the ALGA National General Assembly.

13. CLOSURE

*There being no further business the Chair declared the meeting closed at **5:04pm**.*