



Summary Minutes

STATE COUNCIL MEETING

1 July 2020

NOTICE OF MEETING

Meeting of the WALGA State Council held at the **City of Stirling, 25 Cedric Street Stirling**, on Wednesday 1 July 2020.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

Members	President of WALGA - Chair Deputy President of WALGA, Northern Country Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan 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 Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	Mayor Tracey Roberts JP President Cr Karen Chappel JP President Cr Ken Seymour President Cr Phillip Blight Cr Jenna Ledgerwood Cr Paul Kelly Cr Catherine Ehrhardt Cr Brooke O'Donnell - Deputy President Cr Malcolm Cullen President Cr Stephen Strange Cr Ronnie Fleay Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Michelle Rich Mayor Peter Long Cr Julie Brown Mayor Ruth Butterfield Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	Chair Commissioner, City of Perth Local Government Professionals WA	Mr Andrew Hammond Mr Jamie Parry
Observer	East Metropolitan Zone	Cr Janelle Sewell
Secretariat	Chief Executive Officer EM Environment & Waste EM Governance & Organisational Services EM Finance & Marketing EM Infrastructure Economics Policy Manager Manager Strategy & Association Governance Intergovernmental Relations and Risk Chief Financial Controller Executive Officer Governance	Mr Nick Sloan Mr Mark Batty Mr Tony Brown Mr Zac Donovan Mr Ian Duncan Nebojsa Franich Mr Tim Lane Ms Joanne Burges Mr Rick Murray Ms Margaret Degebrodt

ORDER OF PROCEEDINGS

- **OPEN and WELCOME**

The Chair declared the meeting open at 4:12pm

- **Acknowledgement of Country**

I would like to acknowledge the Whadjuk Nyoongar People who are the Traditional Custodians of this land we meet on today and I would like to pay my respects to their Elders past, present and future.

Welcome to:

State Councillors

Cr Brooke O'Donnell, East Metropolitan Zone Deputy

Cr Janelle Sewell, East Metro Zone Observer

WALGA secretariat

APOLOGIES

Cr Cheryl Cowell

Gascoyne Country Zone

Cr Cate McCullough

East Metropolitan Zone

Cr Doug Thompson

South Metropolitan Zone

Mr James McGovern

WALGA Manager Governance

ANNOUNCEMENTS

Nil

2. DECLARATION 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.

Mayor Logan Howlett declared an interest in Item 8.

Mayor Tracey Roberts declared an interest in Item 5.5

Cr Paul Kelly declared an interest in Item 5.5

PAPERS

State Councillors received the following papers under separate cover:

- Strategic Forum Agenda
- Revised Agenda 1 July
- Flying Minute – Mobile Black Spot Program Round 5A Design and Guidelines
- Item 5.2 Special Finance and Services Committee Meeting Minutes 24 June.
 - Governance Budget Pack – ending 30 November 2020
 - Detailed Profit and Loss Budget – Non Grant
- Item 5.3 Selection Committee Meeting Minutes
- Item 5.4 WALGA JLT Scheme Management Agreement Extension CONFIDENTIAL
- Item 5.5 LGIS Board Minutes
- Item 5.6 Use of the Common Seal;
- Item 5.7 CEO Performance Review Committee Minutes 10 June
- CEO's report to State Council
- President's Report (previously emailed to your Zone meeting)

3. MINUTES OF THE PREVIOUS MEETINGS

3.1 Minutes of Meeting Held 6 May 2020

Moved: Mayor Logan Howlett
Seconded: Cr Paul Kelly

That the [Minutes of the Western Australian Local Government Association \(WALGA\) State Council held Wednesday 6 May 2020](#) be confirmed as a true and correct record of proceedings subject to:

1. Cr Kate McCullough being recorded as leaving the meeting at 5:21pm, not President Cr Malcolm Cullen; and,
2. It being noted in item 5.1 that the City of Bayswater were incorrectly attributed as not supporting third party appeal rights.

RESOLUTION 84.3/2020

CARRIED

3.1.1 Business arising from the Minutes of 6 May 2020.

Nil

3.2 Minutes of Special State Council Meeting Held 25 May 2020

Moved: Cr Julie Brown
Seconded: Mayor Logan Howlett

That the [Minutes of the Special State Council meeting held Monday 25 May 2020](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 85.3/2020

CARRIED

3.2.1 Business arising from the Minutes of 25 May 2020.

Nil

3.3 Flying Minute 19 June – Mobile Black Spot Program Round 5A Design and Guidelines

Moved: President Cr Karen Chappel
Seconded: Cr Chris Mitchell

That the [Flying Minutes 19 June 2020 Mobile Black Spot Program Round 5A Design and Guidelines](#), be confirmed as a true and correct record of proceedings.

RESOLUTION 86.3/2020

CARRIED

3.3.1 Business arising from the Minutes of 19 June 2020.

Nil

4. EMERGING ISSUES

4.1 COVID-19 Pandemic – WALGA Response

WALGA RECOMMENDATION

That the information contained in this report relating to WALGA's response to the COVID-19 pandemic be noted.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
East Metropolitan Zone	WALGA recommendation noted
Gascoyne Zone	WALGA recommendation noted
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation noted
Great Southern Country Zone	WALGA recommendation noted
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: President Cr Karen Chappel
Seconded: Mayor Logan Howlett

That the information contained in this report relating to WALGA's response to the COVID-19 pandemic be noted.

RESOLUTION 87.3/2020

CARRIED

4.2 Work Health and Safety Bill 2019

Referred by President Cr Karen Chappel, Northern Country Zone

Prepared by Felicity Morris, Governance Advisor, Sector Support & Advice, and Tony Brown, Executive Manager Governance and Organisational Services

Moved: President Cr Karen Chappel

Seconded: President Cr Michelle Rich

That the Emerging Issue relating to the Work Health and Safety Bill 2019 be considered.

RESOLUTION 88.3/2020

CARRIED

Executive Summary

- In 2011, the Council of Australian Governments (COAG) endorsed the harmonisation of work health safety laws leading to the development of a model Work Health and Safety Act by Safe Work Australia;
- In 2017, the West Australian government commenced the development of state legislation based predominantly on the Model Laws;
- The Work Health and Safety Bill 2019, incorporating additional provisions resulting from a review of the Model Laws relating to industrial manslaughter, was introduced to Parliament on 29 November 2019.

Secretariat Comment

At the Northern Country Zone meeting of 22 June 2020, WALGA was requested:

- a) to advocate on legislation regarding the Work Health & Safety Bill 2019, as per the City of Greater Geraldton submission; and
- b) to advocate for an extension on the submission period.

Background

Following a comprehensive national review of work safety laws in 2008, COAG agreed to a harmonised national approach to occupational health and safety through a model framework with the following aims:

- to protect the health and safety of workers;
- to improve safety outcomes in the workplace;
- to improve compliance costs for business; and
- to improve efficiency for regulator agencies.

The model Work Health and Safety Act (Model Laws) were prepared in 2011 by Safe Work Australia and were adopted by all jurisdictions by the end of 2013, except Western Australia and Victoria.

On 12 July 2017, the State Government announced that work would commence to develop modernised health and safety laws for Western Australia, substantially based on the Model Laws. A Ministerial Advisory Panel was established and comprehensive public consultation carried out.

Safe Work Australia conducted a five year review of the Model Laws and the resultant findings prepared by Marie Boland (the Boland Review) was published in December 2018. The Boland Review found that the Model Laws largely functioned as intended, but made a number of recommendations for improvement, including the creation of an offence of industrial manslaughter and the modification of the Category 1 offence to include gross negligence in addition to recklessness.

A Federal Senate Committee report '*They never came home—the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia*' also recommended the introduction of industrial manslaughter offences.

The State Government introduced the *Work Health and Safety Bill 2019* (WHS Bill) in November 2019.

In keeping with the intent of the Model Laws, the WHS Bill includes a range of matters arising from the national harmonisation of workplace health and safety legislation that will affect all industries in the WA jurisdiction.

As an example of the changing paradigm of work safety under the WHS Bill, Section 27 will have a significant effect on organisations by introducing positive, due diligence obligations rather than a passive observation that safety procedures exist. Additionally, failure to meet compliance with the obligations of Section 27 may result in a breach of an officer's obligations and does not require that an accident or incident arise from this non-compliance.

However, the WHS Bill will introduce industrial manslaughter provisions that differ from the approach taken or proposed in other jurisdictions. This difference in approach by each State and Territory arises from the current lack of reference to industrial manslaughter in the Model Laws, with the recommendations of the Boland Review yet to be implemented; jurisdictions are therefore adopting industrial manslaughter provisions that are idiosyncratic rather than harmonised to the Model Laws.

The WHS Bill contains a criminal offence provision (Section 30A) that is similar in approach to the recommendation of the Boland Review, but also contains an apparently unique provision for a simple offence (Section 30B) where there is a failure to comply with a health and safety duty which causes the death of a person, but in the absence of negligence. Following is a summary of each offence taken from the Explanatory Memorandum accompanying the Bill:

Industrial Manslaughter – Crime: Due to seriousness of this offence, it will be heard in the District Court and may only be prosecuted by the Director of Public Prosecutions (DPP). It will also require high standards of proof including a requirement for the prosecution to establish the person engaged in the conduct that caused the death of an individual knowing the conduct was likely to result in death, and in disregard of the likelihood.

Industrial manslaughter – Simple Offence: Provides lesser penalties but has correspondingly simpler elements of proof and will be heard in the Magistrate's Court as a simple offence. The maximum penalties for a PCBU convicted on industrial manslaughter – simple offence are 10 years and a fine of \$2,500,000 for an individual PCBU, or \$5,000,000 for a body corporate. For Industrial manslaughter – simple offence the prosecution must prove the person failed to comply with a health and safety duty that caused the death of an individual.

The WHS Bill places the balance of responsibility for compliance and liability with 'persons conducting a business or undertaking' (PCBU) and with a category of individuals referred to as 'officers' which within a Local Government context will include but not be limited to CEOs, Directors, Managers, Coordinators and Supervisors.

These definitions will replace the primary duty of care imposed on 'employers' under Section 19 of the current *Occupational Safety and Health Act 1984*. Elected Members are specifically excluded from the category of individuals identified as officers under Section 4 of the WHS Bill.

The WHS Bill also includes further additions recommended by the Boland Review; allowing an inspector to assist with dispute resolution and prohibiting insurance against fines; a new duty of care for WHS service providers; and requirements for membership of health and safety committees.

WALGA has engaged with LGIS for comment on the WHS Bill and the expected ramifications for the Local Government sector. It is their view that the WHS Bill provides for a predominantly modern approach to work place safety and health, and will provide more certainty regarding scope of duties that are necessary to achieve compliance.

Parliament directed the WHS Bill to the Standing Committee on Legislation which commenced an inquiry on 21 May 2020, with submissions closing on 26 June 2020.

Summary

It is noted that the WHS Bill entered Parliament largely without comment from the Local Government sector. However, WALGA has written to the Standing Committee Chair, seeking a one week extension to enable WALGA to collate issues raised by the sector and provide a submission for the Committee's consideration.

Western Australia has not previously adopted harmonised work health and safety laws based on the Model Laws, and industrial manslaughter will need to be implemented in all jurisdictions including those that have previously adopted harmonised Model Laws.

Western Australia is unique in providing that a failure to comply with a health and safety duty, that causes death or serious harm to an individual, may constitute industrial manslaughter (simple) or a level one offence without any requirement for recklessness or negligence. Both of these offences are punishable by imprisonment.

For these reasons, it is suggested that WALGA recommend that the Standing Committee investigate the drafting and interpretation of these offences in the context of Western Australia's Criminal Code, and consider whether the standard imposed in s30B and s31 is appropriate for an offence punishable by imprisonment.

Secondly, it is suggested that WALGA recommend that the Standing Committee ensure there is adequate time following proclamation of the WHS Bill for all industries in Western Australia to transition to the new, harmonised work place safety and health provisions.

Moved: President Cr Karen Chappel

Seconded: President Cr Michelle Rich

That WALGA:

- 1. recommend that the Standing Committee on Legislation investigate the drafting and interpretation of offences in the context of Western Australia's Criminal Code, and consider whether the standard imposed in s30B and s31 is appropriate for an offence punishable by imprisonment; and**
- 2. recommend that the Standing Committee on legislation ensure there is adequate time following proclamation of the WHS Bill for all industries in Western Australia to transition to the new, harmonised work place safety and health provisions.**

RESOLUTION 89.3/2020

CARRIED

4.3 Teacher Housing Availability

*Referred by Cr Ronnie Fleay, Great Southern Country Zone
Prepared by Mark Batty, Executive Manager Strategy, Policy & Planning*

Moved: Cr Ronnie Fleay
Seconded: President Cr Stephen Strange

That the Emerging Issue relating to Teacher Housing Availability, be considered by State Council.

RESOLUTION 90.3/2020

CARRIED

Background

Nyabing in the Shire of Kent has a small primary school that teaches 40 to 50 students.

The Department of Communities is the state housing authority that plans and provides housing to meet teacher number requirements.

Nyabing only has one house available (Principal) but we have three full time teachers and a full time principal.

One house isn't enough. When going forward we could potentially have four staff needing houses and this could occur in the next 12 -24 months.

We realise that in urban areas teachers don't get the option of Government housing but in regional areas there needs to be housing available to encourage teachers to move and stay in the area.

Although it is not a Shire responsibility to supply state housing, there seems to be a community expectation that Council will provide some form of housing or resolve the problem.

The Council has land and is prepared to enter into a Joint Venture with Government Regional Officer Housing (GROH) and is interested to see if other Shires are currently experiencing these issues and how they have dealt with them?

Several years ago GROH had a draft agreement with the shire to build a house but it was never signed off by the minister and lapsed.

We would like to determine if this is an issue in other communities and if they have had success with working with GROH in a timely manner.

If it is an issue in other communities then we could collaborate to raise the issue, and potentially get more houses in the region.

This would fit in with COVID19 recovery plans at all levels and aligns with supporting the building industry.

Any support or advice would be appreciated.

Secretariat Comment

The onset of COVID-19, the implementation of the Machinery of Government review and a restructure of the Department of Communities has stalled discussion with the State Government on the GROH agenda. The Department of Communities finalised their restructure on 20 May 2020.

WALGA will now re-engage with the Department of Communities to discuss and progress GROH matters, including the item at hand. WALGA notes and will include (subject to State Council endorsement) the recommendations in its ongoing advocacy for GROH and greater service support for regional and remote Western Australian Local Governments.

Moved: Cr Ronnie Fleay
Seconded: President Cr Stephen Strange

That WALGA contact the Director General of the Department of Housing to:

- 1. Seek action and acknowledge the extra challenges in attracting and retaining public sector staff in remote and rural areas of the state;**
- 2. Immediately review and address the issue of insufficient GROH housing (and the high cost of subsidised rental) for public sector staff and actively seek and enter into Joint Venture arrangements with Councils to address the shortfall in accommodation;**
- 3. Request that the agencies be requested to engage with WALGA to seek a solution to the current short supply of GROH housing within all regions.**

RESOLUTION 91.3/2020

U

CARRIED UNANIMOUSLY

5. MATTERS FOR DECISION

5.1 WA Public Libraries Agreement (05-012-03-0001 KD)

By Kirstie Davis, Policy Manager Community

Recommendation

That the draft State and Local Government Agreement for Public Libraries be endorsed.

Avon Midland Country Zone	WALGA Recommendation supported
Central Country Zone	WALGA Recommendation supported
Central Metropolitan Zone	WALGA Recommendation supported
East Metropolitan Zone	WALGA Recommendation supported
Gascoyne Zone	WALGA Recommendation supported
Goldfields Esperance Country Zone	WALGA Recommendation supported
Great Eastern Country Zone	WALGA Recommendation supported
Great Southern Country Zone	WALGA Recommendation supported
Kimberley Zone	WALGA Recommendation supported
Murchison Country Zone	No meeting held
Northern Country Zone	WALGA Recommendation supported
Peel Zone	WALGA Recommendation supported
Pilbara Zone	WALGA Recommendation supported
South East Metropolitan Zone	WALGA Recommendation supported
South Metropolitan Zone	WALGA Recommendation supported
South West Country Zone	WALGA Recommendation supported

NORTH METROPOLITAN ZONE

That the draft State and Local Government Agreement for Public Libraries be endorsed subject to:

1. The inclusion of a formal acknowledgement in the Agreement that Public Libraries Western Australia Inc (PLWA) plays a critical role as the peak representative body;
2. PLWA being engaged directly and in a timely manner on any decisions being considered by SLWA and State Government that will affect public libraries;
3. Consideration being given for PLWA to be allocated a position on the State Library Board in acknowledgement of the peak body;
4. The agreement referencing a commitment for SLWA to implement the endorsed WA Public Libraries Strategy, especially section 1 Governance, to repeal the *Library Board (Registered Public Libraries) Regulations 1985* as they do not reflect contemporary public library services - and develop new legislation;
5. A commitment in the Agreement by the State Government not to erode the current support and value provided to public library allocations, including funding allocations being indexed by CPI annually;
6. A commitment by the State Government to explore a cultural facilities fund (similar to CSRFF) whereby incorporated groups and local government could apply for cultural infrastructure projects, including for new and/or upgraded public libraries;
7. Acknowledgement of the specialist and practitioner knowledge and essential role of PLWA in representing and advocating for WA Public Libraries;
8. Iteration that WALGA and the State must consult with PLWA on all matters relating to WA Public Libraries; and
9. Request PLWA as a signatory to the Agreement.

SECRETARIAT COMMENT

Public Libraries Western Australia (PLWA) is an active stakeholder involved in the development of this Intergovernmental Agreement, through its participation in the Public Libraries Working Group, which has underpinned the development of the Agreement. The PLWA has also given 'in-principle' support for the Intergovernmental Agreement in its current form, which focuses on high level Goals, Principles and Roles and Responsibilities.

In relation to the motion of the North Metropolitan Zone:-

Items 1 and 2 – This is an overarching and strategic Intergovernmental Agreement between State and Local Government. Notwithstanding this, the Public Libraries Working Group, of which the PLWA is a member, will continue to have an important role in the Agreement. The role that PLWA has on the Public Libraries Working Group could be acknowledged in the text of the Agreement.

Item 3 - Is a matter for the State Library Board, but could be advocated for separately by WALGA, in conjunction with PLWA.

Items 4-6 - Is outside the scope and intent of the Intergovernmental Agreement, but could be advocated for separately by WALGA, in conjunction with PLWA.

Item 7 - The PLWA is a member of the Public Libraries Working Group, which is identified in the Agreement as having the key role in the governance and management of the Agreement.

Item 8 – As per Item 7. There is also the opportunity for WALGA liaise with the PLWA to evaluate an agreed approach in ensuring that WALGA formally consult with PLWA on all matters relating to WA Public Libraries.

Item 9 - This is an overarching Intergovernmental Agreement between the State Government and Local Government.

Moved: Cr Russ Fishwick

Seconded: Mayor Mark Irwin

- 1. That the draft State and Local Government Agreement for Public Libraries be endorsed, subject to the inclusion of an acknowledgement of the role of PLWA in representing and advocating for WA Public Libraries as a member of the Public Libraries Working Group;**
- 2. That WALGA liaise with the PLWA to evaluate an agreed approach in ensuring that WALGA formally consult with PLWA on all matters relating to WA Public Libraries.**

RESOLUTION 92.3/2020

CARRIED UNANIMOUSLY

**MATTERS FOR CONSIDERATION BY STATE COUNCILLORS
(UNDER SEPARATE COVER)**

5.2 Special Finance and Services Committee Minutes (01-006-03-0006 TB)

Moved: President Cr Karen Chappel
Seconded: Cr Paul Kelly

That the Minutes of the Special Finance and Services Committee Meeting held 24 June 2020 be endorsed.

RESOLUTION 93.3/2020

CARRIED UNANIMOUSLY

5.3 Selection Committee Minutes (01-006-03-0011 CO)

Moved: Cr Catherine Ehrhardt
Seconded: Cr Ronnie Fleay

That the recommendations contained in the 16 June 2020 Selection Committee Minutes be endorsed.

RESOLUTION 94.3/2020

CARRIED UNANIMOUSLY

**5.4 WALGA JLT Scheme Management Agreement Extension
CONFIDENTIAL**

Moved: Cr Paul Kelly
Seconded: President Cr Karen Chappel

State Council require that:

- a) The terms of existing WALGA JLT/Marsh Scheme Management Agreement be maintained for a further 12 months or until the review actions are completed.
- b) A contingency planning project be undertaken to ensure the WALGA LGIS insurance service is competitive, resilient and appropriate to serve the needs of Member Councils.
- c) All other details as to the State Council LGIS review to remain confidential.

RESOLUTION 95.3/2020

CARRIED

5.5 LGIS Board Minutes – 14 May 2020

Cr Paul Kelly and Mayor Tracey Roberts declared an interest in item 5.5 and left the room at 4:54. President Cr Karen Chappel assumed the Chair.

Moved: President Cr Karen Chappel

Seconded: Cr Julie Brown

That State Council:

- a) Note the Minutes of the LGIS Board meetings held 14 May.
- b) Approve the Scheme Management fee annual adjustment payable to JLT/Marsh be adjusted to increase by 3% for the 2020/21 financial year on the proviso that it is re-credited to the Scheme by JLT/Marsh.
- c) Allocate a reciprocal 3% adjustment to remuneration to WALGA from the LGIS scheme for the 2020/21 period so as to maintain parity with the JLT/Marsh allocation.
- d) The quantum of the additional adjustments to the WALGA remuneration be allocated to the WALGA LGIS contingency planning project.
- e) Allocate a 0% adjustment to remuneration for LGIS directors for 2020/21.

RESOLUTION 96.3/2020

CARRIED

Cr Paul Kelly and Mayor Tracey Roberts returned to the meeting at 4:56. Mayor Tracey Roberts resumed the Chair.

5.6 Use of the Association's Common Seal (01-004-07-0001 NS)

Moved: Mayor Logan Howlett

Seconded: Cr Chris Mitchell

That the use of the Association's Common Seal be noted.

Document	Document Description	Signatories	State Council prior approval
Local Government House Trust Bankwest Building Loan Facility Renewal	Renewal for further three years of building loan of Joint Venture to which House Trust has a 60 percent interest. WALGA signs in a capacity of Trustee.	WALGA President Mayor Tracey Roberts Chief Executive Officer Nick Sloan	No

RESOLUTION 97.3/2020

CARRIED

5.7 Minutes CEO Performance Review Committee – 10 June 2020

All staff left the room at 4.56pm

Moved: Mayor Logan Howlett
Seconded Mayor Carol Adams

That the Minutes of the CEO Performance Review Committee held 10 June be endorsed.

RESOLUTION 98.3/2020

CARRIED UNANIMOUSLY

All staff returned to the meeting at 5:00pm

6. MATTERS FOR NOTING / INFORMATION

6.1 Draft Aviation Strategy 2020 (05-003-02-0005 SD)

By Sebastian Davies-Slate, Policy Officer, Transport and Roads

WALGA RECOMMENDATION

That the submission to the Department of Transport in response to the Draft State Aviation Strategy 2020 be noted.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
East Metropolitan Zone	WALGA recommendation noted
Gascoyne Zone	WALGA recommendation noted
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation noted
Great Southern Country Zone	WALGA recommendation noted
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: Cr Julie Brown
Seconded: Cr Ronnie Fleay

That the submission to the Department of Transport in response to the Draft State Aviation Strategy 2020 be noted.

RESOLUTION 99.3/2020

CARRIED

6.2 Regional Aviation Policy Issues Paper (05-003-02-0004 SD)

By Sebastian Davies-Slate, Policy Officer Transport and Roads

WALGA RECOMMENDATION

That the submission to the Australian Government Department of Infrastructure, Transport, Regional Development and Communications, in response to the Draft Regional Aviation Policy Issues Paper be noted.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
East Metropolitan Zone	WALGA recommendation noted
Gascoyne Zone	WALGA recommendation noted
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation noted
Great Southern Country Zone	WALGA recommendation noted
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: President Cr Karen Chappel
Seconded: Cr Chris Mitchell

That the submission to the Australian Government Department of Infrastructure, Transport, Regional Development and Communications, in response to the Draft Regional Aviation Policy Issues Paper be noted.

RESOLUTION 100.3/2020

CARRIED

6.3 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

By Rebecca Brown, Manager Waste and Recycling

WALGA RECOMMENDATION

That the resolution of the Municipal Waste Advisory Council at its 29 April 2020 meeting be noted.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
East Metropolitan Zone	WALGA recommendation noted
Gascoyne Zone	WALGA recommendation noted
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation noted
Great Southern Country Zone	WALGA recommendation noted
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: President Cr Karen Chappel
Seconded: Cr Chris Mitchell

That the resolution of the Municipal Waste Advisory Council at its 29 April 2020 meeting be noted.

RESOLUTION 101.3/2020

CARRIED

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Commercial and Communications (01-006-03-0017 ZD)

Moved: Cr Les Price
Seconded: President Cr Phillip Blight

That the Key Activity Report from the Commercial and Communications unit to the July 2020 State Council meeting be noted.

RESOLUTION 102.3/2020

CARRIED

7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)

Moved: Cr Les Price
Seconded: President Cr Phillip Blight

That the Key Activity Report from the Governance and Organisational Services Unit to the July 2020 State Council meeting be noted.

RESOLUTION 103.3.3/2020

CARRIED

7.1.3. Report on Key Activities, Infrastructure (05-001-02-0003 ID)

Moved: Cr Les Price
Seconded: President Cr Phillip Blight

That the Key Activity Report from the Infrastructure Unit to the July 2020 State Council meeting be noted.

RESOLUTION 104.3/2020

CARRIED

7.1.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0014 MJB)

Moved: Cr Les Price
Seconded: President Cr Phillip Blight

That the Key Activity Report from the Strategy, Policy and Planning Team to the July 2020 State Council meeting be noted.

RESOLUTION 105.3/2020

CARRIED

7.2 Policy Forum Reports (01-006-03-0007 TB)

Moved: Cr Les Price
Seconded: President Cr Phillip Blight

That the report on the Key Activities of the Association's Policy Forums to the July State Council Meeting be noted.

RESOLUTION 106.3/2020

CARRIED

7.3 President's Report

Moved: President Cr Karen Chappel
Seconded: Mayor Carol Adams

That the President's Report for July 2020 be received.

RESOLUTION 107.3/2020

CARRIED

7.4 CEO's Report

Moved: Cr Paul Kelly
Seconded: Cr Chris Mitchell

That the CEO's Report for July 2020 be received.

RESOLUTION 108.3/2020

CARRIED

7.5 Ex-Officio Reports

7.5.1 LG Professionals Report

Mr Jamie Parry, President, LG Professionals, provided an update to the meeting.

Mayor Mark Irwin left the meeting at 5:33pm and did not return.

7.5.2 City of Perth Report

Mr Andrew Hammond, Chair Commissioner, City of Perth provided an update to the meeting.

8. ADDITIONAL ZONE RESOLUTIONS

Mayor Logan Howlett declared an interest in South West Country Zone item relating to Regulation of Park Homes / Manufactured Homes / Lifestyle Villages and left the meeting at 5:50pm.

South West Country Zone Universal Elected Member Training – Governance and Organisational Services

Moved: President Cr Tony Dean
Seconded: President Cr Stephen Strange

That due to the COVID-19 pandemic, WALGA request the Minister for Local Government to extend by six months the requirement for newly Elected Members to undertake training within 12 months.

RESOLUTION 109.3/2020

CARRIED

Moved: Cr Brooke O'Donnell
Seconded: President Cr Phillip Blight

That the additional Zone Resolutions from the July 2020 round of Zones meetings as follows be referred to the appropriate policy area for consideration and appropriate action.

RESOLUTION 110.3/2020

CARRIED

Mayor Howlett returned to the meeting at 5:54pm

SOUTH METROPOLITAN ZONE

Support for a Forum into Environmental Damage, Vandalism and Anti-Social Behaviour in Regional Parks – Strategy, Policy and Planning

That:

1. WALGA to establish a working group that includes representation from Local Government , Regional Parks and other landholders (DPLH, Water Corp etc.) to source funding options and identify projects to address site security, environmental damage, vandalism and anti-social behaviour affecting Regional Parks at a regional scale .
2. WALGA to advocate to state government bodies/departments to maintain access control to Regional Park land which they are responsible for.

Racism and Discrimination Working Group – Strategy, Policy and Planning

That WALGA convenes a working group to review its Accessible and Inclusion Policy position and report on options to reinforce Local Government's commitment to combatting racism and discrimination.

SOUTH EAST METROPOLITAN ZONE

State Government Consultation – Armadale Rail Line - Infrastructure

That the WALGA South East Metropolitan Zone:

1. Expresses concern regarding the 16 June 2020 announcement made by the State Government to elevate the Armadale Rail Line in Victoria Park, East Victoria Park, Carlisle and Welshpool, without first conducting appropriate consultation with impacted local governments and residents, and

2. Requests WALGA investigate the development of a partnership agreement between the Local Government sector and State Government that outlines the obligation for consultation with Local Government for major capital works undertaken by the State.

NORTHERN COUNTRY ZONE

Work Health and Safety Bill 2019 – Governance and Organisational Services

The Northern Country Zone of WALGA requests WALGA:

- a) To advocate on legislation regarding the Work Health & Safety Bill 2019, as per the City of Greater Geraldton submission; and
- b) To advocate for an extension on the submission period.

EAST METROPOLITAN ZONE

Racism and Discrimination Working Group – Strategy, Policy and Planning

That WALGA convenes a working group representing all WA regions to investigate options by which we can prevent, and then eradicate, racism and discrimination in Western Australian Local Government.

Child Care Centre Advocacy – Strategy, Policy and Planning

That WALGA convenes a working group of affected Local Governments to discuss issues relating to the Federal Government Child Care Package and formulate appropriate advocacy actions.

GREAT EASTERN COUNTRY ZONE

Local Government Audits – Office of the Auditor General (OAG) – Governance and Organisational Services

1. That WALGA carry-out research with the sector to quantify the new and extra requirements that the OAG is requesting from Local Governments and determine whether there is consistency across audits. Research to include information on the extra Local Government staff time that is now required.
2. This information be used to advocate to the OAG to further consider the costing model and the consistency of audits across the sector.

Telecommunications – Power Outages – Strategy, Policy & Planning – Emergency Management

That WALGA again raise the issue of lack of communication when power outages occur with the State Emergency Management Committee (SEMC) and the Federal/State Government politicians advising of the lack of response from Telstra on this issue and the extreme concern in an emergency situation that this causes.

Rural Water Scheme – Strategy, Policy and Planning

1. That WALGA advocate to the Federal Government to request additional funding for the National On-Farm Emergency Water Infrastructure Rebate Scheme as the fund has been fully subscribed one year into a three year program.
2. That WALGA advocate to the State Government to reinstate the Farm Water Rebate Scheme.

SOUTH WEST COUNTRY ZONE

Regulation of Park Homes / Manufactured Homes / Lifestyle Villages – Strategy, Policy and Planning

That the South West Zone seek WALGA's support to request that the State Government urgently amend the Caravan Parks Legislation to allow the continued lawful placement of new manufactured homes on caravan park sites, until approximately 2030, providing regulatory certainty in the short

term to the industry, its customers and local governments, and providing time in which more comprehensive regulatory reform can be undertaken.

Local Government Grant Scheme (ESL) Eligible Expenditure – Strategy, Policy and Planning

That, in relation to ESL eligible expenditure, slip line water tanks be considered by DFES as eligible for funding as part of the Local Government Grant Scheme.

State Government Procurement Debarment Regime Proposal – Commercial and Communications / Governance and Organisational Services

1. Continues to monitor the proposed Procurement Debarment Regime and the impacts on the Local Government sector to provide advice, guidance and advocacy; and
2. Considers the impacts of the Procurement Debarment Regime on its own preferred supplier arrangements.

GASCOYNE COUNTRY ZONE

Review of the State Roads to Local Government Agreement 2018/19 to 2022/23 – Infrastructure

1. Request that in accordance with the State Road Funds to Local Government Agreement 2018/19 to 2022/23, clause 6.2.1, WALGA through the State Advisory Council seek to review the 36% Metro / 64% Rural split in Road Project Grants.
2. Request that WALGA investigate and review the inclusion of the 25% population factor used in the methodology for allocating Road Project Grants.
3. Request that WALGA present findings from the review of the Asset Preservation Model to the Regional Road Group.
4. Request that WALGA engage SAC to consider redistributing funds from Regional Road Groups that are forecast to be unspent in any given financial year to Regional Road Groups that can deliver and acquit projects using those funds in that particular financial year.

10. DATE OF NEXT MEETING

The next meeting of the Western Australia Local Government Association State Council will be held **on Wednesday 2 September 2020 at WALGA**, commencing at 4pm.

11. CLOSURE

There being no further business the Chair declared the meeting closed at 5:57pm.

DECLARATION

These minutes will be confirmed at the meeting held on 2 September 2020.

Signed _____

Person presiding at the meeting at which these minutes were confirmed