South East Metropolitan Zone Minutes

20 November 2024

Hosted by the Town of Victoria Park
99 Shepperton Road, Victoria Park

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PRIORITISATION FRAMEWORK

How to use the Framework:

- If the majority of the factors are towards the left column, the issue is a high priority.
- If the majority of the factors are towards the middle, the issue requires action, but is not a high priority.
- If the majority of the factors are towards the right column, the issue is a low priority.

Impact on Local Government Sector Impact on Local Government sector without intervention	High	Medium	Low
Reach Number of member Local Governments affected	Sector-wide	Significant (multiple regions, Zones, or bands)	Few
Influence Capacity to influence decision makers	High	Medium	Low
Principles Alignment to core principles such as autonomy, funding, general competence	Strong	Partial	Peripheral
Clarity Policy change needed is clear and well-defined	Clear	Partial	Unclear
Decision-maker support Level of support among decision-makers (political and administrative)	High	Medium	Low
Public support Level of support among the public or other stakeholders	High	Medium	Low
Positive consequences for WALGA Prospect of positive consequences for WALGA. E.g. enhanced standing among members or leverage for other issues.	High	Medium	Low
Negative consequences for WALGA Prospect of negative consequences for WALGA for not undertaking the advocacy effort. E.g. diminished standing among members or other stakeholders.	High	Medium	Low
Partnerships Potential for partnerships with other stakeholders	Yes (3+)	Possibly (1-2)	No (0)

ANNOUNCEMENTS

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

Agenda Papers were emailed 7 days prior to the meeting date.

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

ATTACHMENTS

1. Draft Minutes of previous meeting
2. November 2024 Update – Department of Local Government, Sports and Cultural Industries
3. Zone Status Report
4. President's Report
5. Standing Orders
6. Cooperation and Shared Services document
7. Native Vegetation Issues Paper

1 OPENING, ATTENDANCE AND APOLOGIES

1.1 OPENING

The Chair opened the meeting at 6:12pm.

1.2 ATTENDANCE

MEMBERS	**2 Voting Delegates from each Member Council**
City of Armadale	Mayor Ruth Butterfield Cr Michelle Silver Mr Jason Lyon, Executive Director Corporate Services– non-voting delegate
City of Canning	Mayor Patrick Hall (SC) Cr Michelle Hurn Mr Michael Littleton, Chief Executive Officer – non-voting delegate
City of Gosnells	Cr Caren Baayens (Deputy) Mr Ian Cowie, Chief Executive Officer - voting delegate
City of South Perth	Cr Bronwyn Waugh - **Chair** Cr Jennifer Nevard Mr Mike Bradford, Chief Executive Officer – non-voting delegate
Town of Victoria Park	Cr Lindsay Miles Cr Peter Devereux Mr David Doy, A/Chief Executive Officer – non-voting delegate

WALGA Representatives	Mr Nick Sloan, Chief Executive Officer Mr Tony Brown, Executive Director, Member Services Ms Coralie Claudio, Senior Policy Advisor Planning
Guest Speaker	Mr Jason St Martin, Electrical Inspection Manager, Building and Energy Division

1.3 APOLOGIES

City of Armadale	Ms Joanne Abbiss, Chief Executive Officer – non-voting delegate
City of Gosnells	Mayor Terresa Lynes (SC) Cr Kevin McDonald

2 ACKNOWLEDGEMENT OF COUNTRY

We, the Zone members acknowledge the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth), on the land of the Whadjuk Noongar People, where this meeting is being held and we acknowledge and pay respect to Elders past and present.

3 DECLARATIONS OF INTEREST

Nil.

4 DEPUTATIONS

4.1 DEPARTMENT OF ENERGY, MINES, INDUSTRY REGULATION AND SAFETY

Local Governments frequently procure the services of arboriculture contractors to carry out powerline vegetation control work.

Due to a number of incidents that have resulted in life changing injuries and death, Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) agencies Building and Energy and WorkSafe have launched campaigns to make this industry safer. All stakeholders, including Local Governments have a duty of care and a role to play in this effort.

Managing Senior Electrical Inspector Jason St Martin explained what legislation applies to this industry and how engaging only properly qualified workers is one way to significantly reduce the risk of serious injury and death.

Noted

5 AGENCY REPORTS

5.1 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES REPRESENTATIVE UPDATE REPORT

The November 2024 report from the Department of Local Government, Sport and Cultural Industries (DLGSC) is provided as an attachment.

Noted

6 CONFIRMATION OF MINUTES

RESOLUTION

Moved: **Mayor Patrick Hall**
Seconded: **Cr Peter Devereux**

That the Minutes of the meeting of the South East Metropolitan Zone held on 21 August 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

7 BUSINESS ARISING

7.1 STATUS REPORT

A Status Report outlining the actions taken on the Zone's resolutions is enclosed as an attachment.

Noted

8 ZONE BUSINESS

8.1 AMENDMENT TO THE LOCAL GOVERNMENT ACT 1995 IN RELATION TO THE DISQUALIFICATION OF ELECTED MEMBERS DUE TO CRIMINAL CONVICTIONS

By City of Gosnells

BACKGROUND

Section 2.22 of the *Local Government Act 1995* prescribes the circumstances in which an Elected Member may be disqualified from membership of a Council. Section 2.22 states:

1) A person is disqualified for membership of a council if the person —

(a) has been convicted of a crime and is in prison serving a sentence for that crime; or
(b) has been convicted in the preceding 5 years of a serious local government offence; or
(c) has been convicted of an offence for which the indictable penalty was or included -
(i) imprisonment for life; or
(ii) imprisonment for more than 5 years.

2) A court that has sentenced a person for a serious local government offence may make an order —
(a) waiving the application of subsection (1)(b); or
(b) reducing the period of 5 years mentioned in subsection (1)(b),

and the court's order has effect in accordance with its terms.

An Elected Member at a local government was recently convicted on three counts of indecent assault and fined a total of $6,000. However, that Elected Member was not disqualified from holding office as the conviction did not satisfy the disqualification criteria detailed in Section 2.22 of the Act.

Legislative provisions that permitted an Elected Member to continue as a Member of Council despite being convicted of a crime caused reputational damage to the local government the person served and local governments more broadly.

Many, if not most, people would expect an Elected Member who is convicted of a crime to be disqualified from continuing as an Elected Member and from being re-elected for a period of time following conviction. It would also be reasonable to expect an Elected Member to be suspended from Council if they are charged with a criminal offence until those charges are either withdrawn or the Elected Member is found not guilty.

As such, it is proposed that WALGA advocates for amendments the *Local Government Act 1995* along the lines detailed in the recommendation below.

SECRETARIAT COMMENT

WALGA adopted Advocacy Position 2.2.5 that additional disqualification criteria be included in the Local Government Act:

> A new disqualification criterion should be added to the *Local Government Act* 1995 that disqualifies a person from serving as an Elected Member if they have been convicted of an offence against the *Planning and Development Act*, or the *Building Act* in the preceding five years.

Noted that wordsmithing may be required to reference 'fit and proper' person.

RESOLUTION

Moved: **Cr Caren Baayens**
Seconded: **Mayor Patrick Hall**

That the South East Metropolitan Zone asks WALGA to advocate for an amendment to the *Local Government Act 1995* along the following lines:

That the *Local Government Act 1995* be amended to give the Minister for Local Government the power to:

1. **Disqualify a person from membership of a Council if the person has been convicted of a criminal offence that, in the opinion of the Minister for Local Government, under the advice of the State Solicitor's Office, has the potential**

to damage the reputation of a local government or the local government sector more broadly;

2. **Suspend an Elected Member who is charged with a criminal offence that has the potential to damage the reputation of a local government or the local government sector more broadly, until the charges are dealt with; and**
3. **Require a person to be paid fees and allowances until they are disqualified.**

CARRIED

8.2 SUBMISSIONS TO THE 2025 SALARIES AND ALLOWANCES TRIBUNAL REMUNERATION INQUIRY FOR LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS AND ELECTED MEMBERS

By Kathy Robertson, Manager Association and Corporate Governance

BACKGROUND

The Salaries and Allowances Tribunal (SAT) conduct an annual inquiry into Local Government Chief Executive Officer and Elected Member remuneration.

SAT generally advertises its intention to receive submissions in December for its inquiry and Determination in relation to the following financial year. The Tribunal will invite individual Local Governments, the Department of Local Government, Sport and Cultural Industries, WALGA, Local Government Professionals WA and other interested individuals to provide information or submissions.

SAT will likely publish its Determination for 2025-2026 in April 2025.

COMMENT

In preparation for the inquiry to be undertaken early next year, a draft submission from WALGA has been prepared making recommendations to SAT on behalf of the sector in relation to Elected Member fees and allowances, Chief Executive Officer remuneration, the Regional/Isolation Allowance and Independent Audit Member fees. The draft WALGA submission is contained in the December State Council Agenda for Zone and State Council consideration.

Local Governments can also put forward a submission, particularly in relation to their own circumstances, including requests to be classified in a different Band.

WALGA encourages all Local Governments to make a submission to SAT.

Noted

8.3 2025 PROPOSED MEETING DATES

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

A schedule of the proposed meeting dates for the South East Metropolitan Zone 2025 has been prepared and is set out below. The dates have been set to coincide with the WALGA State Council meetings.

The proposed meeting dates for the South East Metropolitan Zone for 2025 require adoption by delegates.

As with previous years, the venue for each meeting has been rotated amongst Members.

NOTICE OF MEETINGS
SOUTH EAST METROPOLITAN ZONE MEETING
2025

Zone Meeting Dates Wednesday	Time	HOST COUNCIL	State Council Meeting Dates 2025
19 February	Wednesday 6.00 pm	City of Armadale	Wednesday 5 March 2025
23 April	Wednesday 6.00 pm	City of Canning	Regional Meeting Wednesday 7 May 2025
18 June	Wednesday 6.00 pm	City of Gosnells	Wednesday 2 July 2025
20 August	Wednesday 6.00 pm	City of South Perth	Regional Meeting 4-5 September 2025
19 November	Wednesday 6.00 pm	Town of Victoria Park	Wednesday 3 December 2025

RESOLUTION

Moved: **Mayor Ruth Butterfield**
Seconded: **Cr Peter Devereux**

That the 2025 proposed schedule of meetings for the South East Metropolitan Zone be adopted.

CARRIED

8.4 COOPERATION AND SHARED SERVICES

By Tony Brown, WALGA

BACKGROUND

Please find attached (Attachment 6) the latest version of the Cooperation and Shared Services document. This document was created to capture the collaborative work between Local Governments, showcasing ways to maximise resources to deliver outcomes that

would be difficult to achieve alone. Local Governments have contributed to this resource and will be consulted again next year for further updates/modifications.

All CEO's have received this document and were encouraged to share with Councillors and staff to fully display all collaborative work happening within Local Government.

WALGA will be promoting this to Government agencies to display the collaborative work that happens in our sector.

If you have any questions or queries, please contact Tony Brown – tbrown@walga.asn.au or Naoimh Donaghy – ndonaghy@walga.asn.au.

Noted

8.5 NATIVE VEGETATION CLEARING ISSUES PAPER

By Sarah Coles, Environment Policy Officer

BACKGROUND

WALGA has developed an Issues Paper on Native Vegetation Clearing Regulations based on input from Local Government and analysis of Department of Water and Environmental Regulation (DWER), and Appeals Convenor, data. Drawing on this data and Local Government case studies, the Paper outlines challenges Local Governments have encountered in navigating the regulatory system and identifies opportunities for improvement.

WALGA's data analysis identifies that 60% of Local Government clearing permits applications relate to road construction or upgrade. Key challenges relate to the complexity of navigating the regulatory environment, costs associated with the process and the time taken (for assessment of permits and appeals). These challenges can delay road and infrastructure projects and impact on Local Government's ability to attract and retain grant funding.

Based on discussions with the sector, and recommendations of previous submissions, WALGA has identified a range of potential opportunities to improve the native vegetation process. These focus on DWER process improvements, Local Government capacity building and taking strategic approaches to data collection, clearing permits and offsets:

1. The implementation of a State Government coordinated and funded biodiversity survey program.
2. Funding for a trial using Artificial Intelligence (AI) for biodiversity mapping.
3. DWER to develop a Strategic Offsets framework for Local Government.
4. The introduction of statutory timeframes for determination of referrals, permits and appeals and timely compliance and enforcement.
5. Increased support and capacity building for Local Governments to navigate the native vegetation clearing requirements.
6. Extended default periods for purpose permits and removal of the time limit requirement for maintenance in existing transport corridors.

The Issues Paper has been updated following consideration by the Environment and Infrastructure Policy Teams and is attached for Zones' consideration and feedback. In particular, Zones are requested to provide feedback on the following:

a. Does the Issues Paper capture the challenges experienced by Local Government in relation to native vegetation clearing regulations?
b. The opportunities identified for improving the native vegetation clearing process for Local Government.
c. Any additional opportunities.

Discussion at the Zone meeting is encouraged. Any written feedback should be provided by Friday, 13 December, to environment@walga.asn.au.

The Zone can provide feedback at the meeting as well as Local Governments can email WALGA direct by 13 December.

Following all Zones feedback an item will be prepared for the Zones and State Council in February/March 2025.

RESOLUTION

Moved: **Mayor Ruth Butterfield**
Seconded: **Cr Peter Devereux**

That the South East Metropolitan Zone:

1. **Notes the Native Vegetation Clearing Regulations Issues Paper;**
2. **Notes that Local Governments may submit their written feedback directly to WALGA for consideration; and**
3. **Provides the following feedback;**
   - **Support to streamline process with a replacement strategy**
   - **Adopting biodiversity strategies into plans**

CARRIED

8.6 DEPUTATIONS PLANNING FOR 2025

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

As we approach the new year, it's an excellent time to reflect on the opportunities ahead. One of the most impactful ways for Zones to focus their efforts and have meaningful discussions is by inviting knowledgeable speakers to future Zone meetings.

There is a standing item on all Zone Agendas for Deputations. Zones are asked to endorse all proposals for Deputations, allowing Delegates full control as to what kinds of guest presenters and topics they would like to have on each Zone Agenda.

For the South East Metropolitan Zone, there are no Deputations organised for 2025.

The South East Metropolitan Zone prefers to allow one Deputation per meeting.

COMMENT

To assist the Zone Executive Officer in organising Deputations for 2025 that are most relevant to the interests of the Zone, Delegates are invited to consider any potential guest presenters or topics for next year's meetings.

Below are some ideas to consider when thinking about potential Deputations:

- Current trends: consider inviting speakers who can discuss the latest trends and developments in the sector.
- Consider inviting a Minister: Ministers often have deep expertise in their respective fields, whether it's education, health, infrastructure, or another area. Their insights can provide valuable information and updates on policies, programs, and initiatives that directly impact the community. This creates an excellent networking opportunity for Delegates to connect with key decision-makers and build valuable relationships.
- University professors: experts in public administration, political science, or urban studies can provide evidence-based insights and research findings.
- Nonprofit Executives: leaders from influential nonprofits can discuss community needs, partnerships and collaborative projects.
- Urban planning and development: experts in urban planning can discuss sustainable development, zoning laws and infrastructure projects.

The Zone may wish to discuss their suggestions for potential speakers or topics for 2025.

For Discussion

Recommendations from Zone Delegates provided below (no priority to recommendations):

- *Kate O'Hara CEO of Food Bank - understand underprivilege and lack of social cohesion*
- *40 km per hour speed limit proposal*
- *EMRC - benchmarking against sustainable development goals*
- *Carbon accounting including from a governance / risk management / liability perspective*
- *Transport and mobility - integrate active transport and public facilities*
- *Climate resilience - address urban heat islands and energy resilience (potentially climate council or professor)*
- *Housing and Urban development - housing affordability & challenges (DevWA or subject matter expert)*

9 STATE COUNCIL AGENDA – MATTERS FOR DECISION AND NOTING

Zone delegates to read and consider the September 2024 WALGA State Council Agenda, which has been provided as an attachment with this Agenda.

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

9.1 STATE COUNCIL MATTERS FOR DECISION

9.1.1 2024 Annual General Meeting Resolutions (State Council Agenda item 8.1)

By Meghan Dwyer, Executive Officer Governance

WALGA RECOMMENDATION

That:

1. the item 7.1 Amendments to *Cat Act 2011* - Allow Local Governments to Make Local Laws to Contain Cats to the Owner's Property be endorsed.
2. the following resolutions from the 2024 WALGA Annual General be referred to the Environment Policy Team for further work to be undertaken:
   - 7.2 Advocacy for Legislative Reforms to Counter Land-Banking
   - 7.4 Action on Asbestos for Western Australia
   - 7.6 Advocacy for Accessibility.
3. the following resolutions from the 2024 WALGA Annual General be referred to the Governance Policy Team for further work to be undertaken:
   - 7.2 Advocacy for Legislative Reforms to Counter Land-Banking
   - 7.3 Advocacy for Expansion of Differential Rating to Include Long Term Unoccupied Commercial Buildings (Property Activation Levy).
4. the following resolution from the 2024 WALGA Annual General be referred to the People and Place Policy Team for further work to be undertaken:
   - 7.5 Addressing the Impracticality of Local Governments Funding Department of Communities and GROH Houses.

EXECUTIVE SUMMARY

- WALGA's 2024 Annual General Meeting (AGM) was held on 9 October.
- The meeting resolved for WALGA to act in relation to six Member Motions:
  - Amendments to the *Cat Act 2011* - Allow Local Governments to Make Local Laws to Contain Cats to the Owner's Property
  - Advocacy for Legislative Reforms to Counter Land-banking
  - Advocacy for Expansion of Differential Rating to Include Long Term Unoccupied Commercial Buildings (Property Activation Levy)
  - Action on Asbestos for Western Australia
  - Addressing the Impracticality of Local Governments Funding Department of Communities and Government Regional Officer Housing
  - Advocacy for Accessibility
- The action proposed to be taken in relation to each of the resolutions has been summarised for State Council's information.

9.1.2 Local Government Elections Advocacy Positions (State Council Agenda item 8.2)

By Tony Brown, Executive Director Member Services and Jason Russell, Senior Governance Specialist

WALGA RECOMMENDATION

That WALGA adopt the following Elections Advocacy Positions:

The Local Government sector supports:

1. *Voluntary participation in Local Government elections.*
2. *Councillors serve four-year terms with elections every two years and half of the Council positions spilled at each election.*
3. *First-Past-The-Post (FPTP) voting system for Local Government elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.*

4. *First-Past-The-Post (FPTP) voting system for internal Council elections.*
5. *Councils holding elections by means of in-person, postal and/or electronic voting.*
6. *Current legislative provision of Mayor/President of Class 1 and Class 2 Local Governments being directly elected by the community and Class 3 and Class 4 Local Government Councils electing the President.*

EXECUTIVE SUMMARY

- This report presents the findings of sector-wide consultation on WALGA's Elections Advocacy Positions.
- Consultation addressed key areas elements of the current Advocacy Positions:
  1. Voluntary participation,
  2. Terms on Council and election cycles,
  3. Voting systems for public elections,
  4. Voting systems for internal elections,
  5. Methods for holding elections,
  6. Ability to choose how Mayors/Presidents are elected.

9.1.3 Aboriginal Communities Advocacy Positions (State Council Agenda item 8.3)

By Rebecca Hicks, Policy Officer Community

WALGA RECOMMENDATION

That State Council:

1. Replace Advocacy Position 3.1.2 Reconciliation with the following:

   WALGA:
   1. *Acknowledges the continuing connection of Aboriginal people to Country, culture and community and embraces the vast Aboriginal cultural diversity throughout Western Australia.*
   2. *Supports the efforts of Local Governments to progress reconciliation at the local level.*

2. Remove Advocacy Position 3.1.3 Constitutional Recognition of Aboriginal and Torres Strait Islander People.

3. Replace Advocacy Position 3.1.4 *Aboriginal Cultural Heritage Act 2021* and South West Native Title Settlement with the following:

   3.1.4 Aboriginal Heritage Protection

   1. *WALGA supports the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognises the fundamental importance of Aboriginal cultural heritage to Aboriginal people and the State.*
   2. *The State Government must:*
      a. *Ensure that legislative requirements balance the need to protect Aboriginal heritage with the need for Local Government to undertake activities in a timely and affordable manner.*

b. *Provide adequate resourcing to ensure all parties have the capacity, capability and resources to discharge their statutory obligations.*
c. *Provide support and guidance to Local Governments to ensure that they have the resources, capacity and capability to effectively and efficiently deliver essential services to community while protecting Aboriginal heritage.*

EXECUTIVE SUMMARY

- Following a review of WALGA's Aboriginal Community advocacy positions it is proposed that Advocacy Positions 3.1.2 Reconciliation and 3.1.4 *Aboriginal Cultural Heritage Act 2021* and South West Native Title Settlement be updated and that Advocacy Position 3.1.3 Constitutional Recognition of Aboriginal and Torres Strait Islander People be removed.
- The intent of the proposed revisions is to reflect contemporary approaches to key issues in Aboriginal Affairs policy and legislation as they relate to Local Government.
- The People and Place Policy Team considered and endorsed the proposed advocacy position changes at its meeting on 25 October.

9.1.4 Family and Domestic Violence Advocacy Position (State Council Agenda item 8.4)

By Rebecca Hicks, Policy Officer Community

WALGA RECOMMENDATION

That State Council replace Advocacy Position 3.10.1 Family and Domestic Violence with the following:

3.10.1 Family and Domestic Violence

1. *Family and domestic violence is unacceptable and has devastating and long-term impacts on individuals, families and communities.*
2. *Preventing family and domestic violence requires commitment from all levels of government, different sectors, and members of the community.*
3. *WALGA calls on the State and Australian governments to provide adequate funding and support for family and domestic violence programs and services, in particular:*
   a. *Funding for collaborative and connected family and domestic violence programs and services that are place-based and people-centred; and*
   b. *Better integration of family and domestic violence initiatives, including capacity building across all tiers of government and community services.*

EXECUTIVE SUMMARY

- It is proposed that Advocacy Position 3.10.1 Family and Domestic Violence be updated.
- The revised position makes a clear statement on the Local Government sector's condemnation of family and domestic violence and the collective responsibility of governments and the community in prevention.

- The revised position provides a framework for WALGA advocacy to the Australian and State Government, without impinging on individual Local Government's approach to this issue, which will be dependent on their capacity, capability, local context and strategic direction.
- The People and Place Policy Team endorsed the revised Advocacy Position at its meeting on 25 October.

9.1.5 Container Deposit System Policy Statement and Advocacy Position (State Council Agenda item 8.5)

By Rebecca Brown, Policy Manager, Environment and Waste

WALGA RECOMMENDATION

That State Council replace the existing Container Deposit Systems Policy Statement and Advocacy Position 7.6 Container Deposit Systems with the following:

7.6 Container Deposit Systems

1. *Local Government supports the WA Containers for Change Scheme and acknowledges its contribution to reducing litter, increasing material recovery and providing employment opportunities across the state.*
2. *To maximise the benefits of the WA Scheme, Local Government calls on the State Government to:*
    a. *Maintain a resource recovery target of 85% for eligible containers and a focus on litter reduction.*
    b. *Expand the range of containers accepted in the Scheme, by:*
        i. *2027: to include wine bottles, spirit bottles and larger sizes of currently eligible containers,*
        ii. *2030: to include plain milk and milk alternative containers and composite container types, and*
        iii. *2035: other container types.*
    c. *Ensure national alignment of the materials covered by the Scheme and consistent messaging.*
    d. *Maintain a State-based and managed Scheme.*
    e. *Review the deposit amount to appropriately incentivise community engagement.*
    f. *Increase the number of refund and donation points to ensure community access, including in public places and at events.*
    g. *Ensure refund points are financially sustainable.*
    h. *Leverage the refund point collection network to provide drop off points for other materials covered by effective product stewardship schemes.*

EXECUTIVE SUMMARY

- WALGA's 2008 Container Deposit Systems (CDS) Policy Statement and Advocacy Position 7.6 Container Deposit Systems, formed the basis of WALGA's advocacy for the introduction and design of a WA CDS, Containers for Change, which commenced on 1 October 2020.

- The current Advocacy Position and many elements of the Policy Statement have been achieved. However, there are aspects of the Scheme that Local Government has identified as important to improve.
- The focus of the updated Advocacy Position is:
    - building on the environmental, social and economic benefits of the current Scheme;
    - expanding the range of containers covered by the Scheme;
    - increasing community access and incentives to use the Scheme; and
    - leveraging the refund point network to collect other materials covered by effective product stewardship schemes.
- The Municipal Waste Advisory Council (MWAC) endorsed the new Policy Statement and Advocacy Position at its meeting on 23 October.

9.1.6 Bus Stop Infrastructure Agreement (State Council Agenda item 8.6)

By Negar Nili, Policy Officer Transport and Roads

WALGA RECOMMENDATION

That State Council endorse the proposed Bus Stop Infrastructure Partnership Agreement between WALGA and the Public Transport Authority 2024/25 to 2028/29.

EXECUTIVE SUMMARY

- WALGA has negotiated a new Bus Stop Infrastructure Partnership Agreement (Agreement) with the Public Transport Authority (PTA). If agreed this will be the third such Agreement, with validity through to 2028/29.
- The Agreement seeks to provide the foundation for an effective working relationship between the PTA and Local Governments.
- The purpose of the Agreement is to clarify the roles, responsibilities and discretion of PTA and Local Governments in the provision and maintenance of bus stop infrastructure in areas with regular public transport SmartRider ticketed services, including regional cities and towns.
- The Agreement defines the roles and responsibilities of the PTA and Local Governments in various scenarios including when bus routes are changed, bus stops are added or removed, and bus stop infrastructure is upgraded.
- The Agreement provides a funding contribution to Local Governments for the maintenance and installation of bus shelters.

9.1.7 2025 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members (State Council Agenda item 8.7)

By Kathy Robertson, Manager Association and Corporate Governance

WALGA RECOMMENDATION

That State Council endorse the submission to the 2025 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members.

EXECUTIVE SUMMARY

- The Salaries and Allowances Tribunal (SAT) conduct an inquiry into Local Government Chief Executive Officer and Elected Member remuneration annually.
- In preparation for the inquiry to be undertaken early next year, WALGA has prepared a draft submission to SAT that makes recommendations in relation to Elected Member fees and allowances, Chief Executive Officer remuneration, the Regional/Isolation Allowance and independent audit, risk and improvement committee member fees.
- The submission recommends:
    - an increase to Elected Member Fees and Allowances (including maximum reimbursable expenses) of 4%;
    - an increase to Chief Executive Officer remuneration bands of 4%;
    - an increase to the Regional/Isolation Allowance payable for Local Governments that are particularly isolated, long distances from population centres, and lacking in amenities;
    - the publication of clear guidance to the Local Government sector outlining how the Regional/Isolation Allowance is applied in terms of methodology, criteria and weightings;
    - the creation of a new fee category for independent audit, risk and improvement committee members without bands, and that the fee be set at a suitable level to recognise the skills and knowledge required for such a role; and
    - that the new category provide a fee for the independent chair position as well as the independent member position.
- SAT will likely publish its determination for 2025-2026 in April 2025.
- The Governance Policy Team endorsed the submission at its meeting on 4 November.

9.1.8 Submission on the draft State Hazard Plan - Fire (State Council Agenda item 8.8)

By Rachel Armstrong, Policy Manager Emergency Management

WALGA RECOMMENDATION

That State Council endorse the submission on the draft State Hazard Plan - Fire.

EXECUTIVE SUMMARY

- The State Hazard Plan - Fire (SHP Fire) outlines the arrangements for the management of fire in Western Australia including fire prevention, preparedness, response and initial recovery.
- Local Governments have a critical role in bushfire management, including statutory responsibilities for mitigation, prevention and response under the *Bush Fires Act 1954* (BF Act) and responsibility for community-led recovery, as provided in the *Emergency Management Act 2005* (EM Act).
- The Department of Fire and Emergency Services (DFES) has undertaken a comprehensive review of the SHP Fire and is seeking comments on the revised draft Plan by 9 December (Engage WA Emergency Management).
- WALGA's draft submission on the draft SHP Fire incorporates feedback from 33 Local Governments and LGIS.
- The submission focusses on the key issues that underpin Local Government's capacity to implement their roles and responsibilities for the hazard of fire including:
    - Emergency Services Funding;

- The State Emergency Management Framework and Consolidated Emergency Services Legislation; and
- Bush Fire Brigade management and Work Health and Safety (WHS).

- A detailed list of proposed specific changes to plan is also included.

RESOLUTION

Moved: Mayor Ruth Butterfield
Seconded: Cr Lindsay Miles

That the South East Metropolitan Zone supports all WALGA recommendations in the Matters for Decision as contained in the December 2024 State Council Agenda and as listed above

AMENDMENT

Moved: Cr Peter Devereux
Seconded: Mayor Ruth Butterfield

That the following change be made to the recommendation in State Council item 8.2 as below:

Replace point 1 *Voluntary participation in Local Government elections* with:

1. Compulsory participation for Metropolitan Local Government elections and voluntary participation for country Local Governments.

AMENDMENT WAS PUT AND CARRIED

AMENDMENT

Moved: Cr Michelle Silver
Seconded: Mayor Ruth Butterfield

That the following change be made to the recommendation in State Council item 8.2 as below:

Replace point 6 *Current legislative provision of Mayor/President of Class 1 and Class 2 Local Governments being directly elected by the community and Class 3 and Class 4 Local Government Councils electing the President* with:

6. Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

AMENDMENT WAS PUT AND CARRIED

MOTION AS AMENDED WAS PUT AND CARRIED

9.2 POLICY TEAM AND COMMITTEE REPORTS

9.2.1 Infrastructure Policy Team Report (State Council Agenda item 9.1)

By Ian Duncan, Executive Manager, Infrastructure

WALGA RECOMMENDATION

That State Council note the report from the Infrastructure Policy Team meeting for the 6 December 2024 meeting.

9.2.2 People and Place Policy Team Report (State Council Agenda item 9.2)

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

That State Council note the report from the People and Place Policy Team to the 6 December 2024 meeting.

9.2.3 Governance Policy Team Report (State Council Agenda item 9.3)

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That State Council:

1. Note the report from the Governance Policy Team for the 6 December 2024 meeting.
2. Determine to:
    a. retain the following Advocacy Positions with amendment:
        i. Advocacy Position 2.8.1 Industry Award Coverage
        ii. Advocacy Position 2.8.3 Registration of WALGA as an Employer Organisation
    b. retire Advocacy Position 2.8.2 Local Government Long Service Leave Regulations.

9.2.4 Environment Policy Team Report (State Council Agenda item 9.4)

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

That State Council note the report from the Environment Policy Team to the 6 December 2024 meeting.

9.2.5 Municipal Waste Advisory Council (MWAC) Report (State Council Agenda item 9.5)

By Rebecca Brown, Policy Manager, Environment ana Waste

WALGA RECOMMENDATION

That State Council note the report from the Municipal Waste Advisory Council to the 6 December 2024 meeting.

RESOLUTION

Moved: Mayor Patrick Hall
Seconded: Cr Carem Baayens

That the South East Metropolitan Zone:
1. **notes all Policy Team and Committee Reports as contained in the December 2024 State Council Agenda; and**
2. **supports the WALGA recommendations in the Governance Policy Team Report as contained in the December 2024 State Council Agenda and as listed above.**

CARRIED

9.3 MATTERS FOR NOTING/INFORMATION

- WALGA Strategic Planning Update (State Council Agenda item 10.1)
- Submission on Reform of Packaging Regulation (State Council Agenda item 10.2)
- Submission on The Draft State Support Plan – Animal Welfare in Emergencies (State Council Agenda item 10.3)
- Local Government Primary Healthcare Survey Report (State Council Agenda item 10.4)
- Renewable Energy Survey Highlights (State Council Agenda item 10.5)
- Flying Agenda: Submission to Main Roads WA on the Revised Western Australia Traffic Signals Approval Policy and Process (State Council Agenda item 10.6)
- Flying Minute: Submission on the Draft Objectives and Priorities for the Upcoming State Public Health Plan (State Council Agenda item 10.7)
- Flying Minute: Submission On the Draft Regional Education Strategy (State Council Agenda item 10.8)
- Flying Minute: Submission on Derbal Yiragan (Swan) Djarlgarro (Canning) Draft River Protection Strategy (State Council Agenda item 10.9)
- Flying Minute: Submission on the State Hazard Plan - Human Biosecurity (State Council Agenda item 10.10)

RESOLUTION

Moved: Mayor Ruth Butterfield
Seconded: Cr Lindsay Miles

That the South East Metropolitan Zone notes all Matters for Noting/Information as contained in the December 2024 State Council Agenda.

CARRIED

9.4 KEY ACTIVITY REPORTS

- Report on Key Activities, Advocacy Portfolio (State Council Agenda item 11.1.1)
- Report on Key Activities, Infrastructure Portfolio (State Council Agenda item 11.1.2)

- Report on Key Activities, Member Services Portfolio (State Council Agenda item 11.1.3)
- Report on Key Activities, Policy Portfolio (State Council Agenda item 11.1.4)

RESOLUTION

Moved: **Cr Michelle Silver**
Seconded: **Cr Peter Devereux**

That the South East Metropolitan Zone notes all Key Activity Reports as contained in the December 2024 State Council Agenda.

CARRIED

10 EXECUTIVE REPORTS

10.1 WALGA PRESIDENT'S REPORT

WALGA CEO, Nick Sloan presented the President's Report. The report was attached within the Agenda.

Noted

10.2 STATE COUNCILLOR'S REPORT TO THE ZONE

State Councillor, Mayor Patrick Hall presented on the previous State Council meeting and included information on the most recent Strategic Forum, Flying Minutes and the 2024 Annual General Meeting.

Noted

11 OTHER BUSINESS

Nil.

12 NEXT MEETING

The next meeting of the South East Metropolitan Zone will be held on Wednesday, 19 February 2025 at the City of Armadale commencing at 6:00pm.

Cr Bronwyn Waugh (Chair) will be on a leave of absence for the 19 February 2025 meeting.

13 CLOSURE

There being no further business the Chair declared the meeting closed at 7:38pm.