



SUMMARY MINUTES

STATE COUNCIL MEETING

8 September 2017

NOTICE OF MEETING

Meeting No. 4 of 2017 of the Western Australian Local Government Association State Council to be held at Rendezvous Hotel, Preston A Room, 148 The Esplanade, Scarborough on Friday 8 September 2017 beginning at 11.10am.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

Chair	President of WALGA Deputy President of WALGA	Cr Lynne Craigie Mayor Tracey Roberts JP
Members	North Metropolitan Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone Northern Country Zone Peel Country Zone South East Metropolitan Zone South Metropolitan Zone South West Country Zone	Cr Darren Slyns Cr Brendan Whitely (Deputy) Cr Janet Davidson OAM JP Mayor Heather Henderson Cr Sue Bilich Cr Darryl Trease JP President Cr Malcolm Cullen President Cr Cheryl Cowell President Cr Stephen Strange President Cr Ken Clements President Cr Elsia Archer OAM Cr Les Price Cr Russ Fishwick JP Cr Frank Cvitan (Deputy) President Cr Karen Chappel Cr Wally Barrett OAM Mayor Henry Zelones OAM JP Cr Fiona Reid Mayor Carol Adams Cr Doug Thompson Mayor Logan Howlett President Cr Wayne Sanford
Ex-Officio	Local Government Professional	Mr Jonathan Throssell
Secretariat	Chief Executive Officer Deputy Chief Executive Officer EM Environment & Waste EM Governance & Organisational Services Acting EM Finance & Marketing Acting EM People & Place Acting EM Environment & Waste EM Infrastructure EM Business Solutions EO Governance	Ms Ricky Burges Mr Wayne Scheggia Mr Mark Batty Mr Tony Brown Mr Rick Murray Ms Melissa Pexton Ms Nicole Matthews Mr Ian Duncan Mr John Filippone Ms Ann Ibrahim

1.2 Apologies

North Metropolitan Zone Central Country Zone Pilbara Country Zone Pilbara Country Zone Executive Manager, Finance & Marketing Executive Manager People & Place Executive Manager Environment & Waste Manager Strategy & Association Governance Manager Governance	Mayor Giovanni Italiano President Cr Philip Blight Mayor Peter Long President Cr Kerry White (Deputy) Mr Zac Donovan Ms Joanne Burges Mr Mark Batty Mr Tim Lane Mr James McGovern
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OBSERVERS

Cr Catherine Ehrhardt, Deputy East Metropolitan Zone
Mr Mustafa Yildiz, Executive Manager, Governance and Legal - City of Wanneroo

MEETING ASSESSMENT

President Cr Ken Clements was requested to provide feedback as to the effectiveness of the meeting.

ANNOUNCEMENTS

The President, Cr Lynne Craigie thanked the City of Wanneroo and the North Metropolitan Zone for hosting the September 2017 Regional State Council Meeting.

2. MINUTES OF THE PREVIOUS MEETINGS

2.1 Minutes of July State Council Meeting

Moved: Mayor Carol Adams
Seconded: Mayor Heather Henderson

That the Minutes of the Western Australian Local Government Association (WALGA) State Council Meeting held on 5 July 2017 be confirmed as a true and correct record of proceedings.

RESOLUTION 87.9/2017

CARRIED

2.1.1 Business Arising from the Minutes of July 2017.

Nil

3. 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.

I note that there are several State Councillors and deputies that may be directly or indirectly associated with the recommendations of the Selection Committee. I ask that if you are affected by these recommendations, that you excuse yourself from the meeting and do not participate in deliberations.

Mayor Henry Zelones item 5.14 – Selection Committee Minutes

PAPERS

State Councillors have been distributed the following papers under separate cover:

- President's Report (previously emailed to your Zone meeting)
- Item 5.12 - State Council Regional Meetings (01-004-02-0001 TB)
- Item 5.13 - Executive Committee Minutes (01-006-03-0006 TB)
- Item 5.14 - Selection Committee Minutes (01-006-03-0011 MD)
- CEO's report to State Council

4. EMERGING ISSUES

4.1 Department of Local Government, Sport and Cultural Industries, Representation at Zone meetings

Moved: Cr Brendan Whitely
Seconded: Cr Wally Barrett

That the emerging issue on Department of Local Government, Sport and Cultural Industries, representation at Zone meetings be considered by the meeting.

RESOLUTION 88.9/2017

CARRIED

The Central Country Zone has raised the issue in respect to the lack of regular attendance by the Department of Local Government, Sport and Cultural Industries at Zone Meetings. The Zone has requested the matter be listed as an emerging issue item.

SECRETARIAT COMMENT

WALGA is aware of the concerns in respect to Department of Local Government Sport and Cultural Industries support to the sector and has raised the matter with the new Director General, who has given a commitment to better engage with the Local Government sector.

As the matter has been raised with the Director General, no further action be taken.

5. MATTERS FOR DECISION

5.1 2017 Annual General Meeting Minutes (01-003-02-0003 TB)

By Tony Brown, Executive Manager Governance and Organisational Services

WALGA RECOMMENDATION

That Annual General Meeting Items 4.1B and 4.2B be noted and referred to the relevant WALGA policy unit for consideration.

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

East Metropolitan Zone

That:

1. East Metropolitan Zone General Meeting Items 4.1B and 4.2B be noted and referred to the relevant WALGA policy unit for consideration.
2. That the East Metro Zone supports the disclosure requirements under AASB 124 Related Party Disclosures.

SECRETARIAT COMMENT

The Zones support is noted and will be considered by the Governance and Organisational Services Policy Team.

Moved: President Cr Karen Chappel

Seconded: Cr Janet Davidson

That Annual General Meeting Items 4.1B and 4.2B be noted and referred to the relevant WALGA policy unit for consideration.

RESOLUTION 89.9/2017

CARRIED

5.2 2018-19 State Budget Submission (05-001-03-0006 DM)
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By Dana Mason, (Policy Manager - Economics)

WALGA RECOMMENDATION

That WALGA's submission to the State Government in advance of the 2018-19 Budget be endorsed.

Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	No meeting held
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA Recommendation Supported
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
East Metropolitan Zone	WALGA Recommendation Supported

Avon Midland Country Zone

That the WA Local Government Association be requested to advocate for retention of the third instalment of \$32,000 due 2017/2018 under the Community Pools Revitalisation Program to enable projects already in train to be completed.

Great Eastern Country Zone

Support the State Budget Submission with a request for the reinstatement of the swimming pool subsidy.

Goldfields Esperance Country Zone

GVROC supports the WALGA recommendation subject to further comment being included relating to Royalties for Regions and in particular the Goldfields Esperance Revitalisation Fund and funding for CLGF for Training of Elected Members.

SECRETARIAT COMMENT

Funding for Country Local Government Fund, training of Elected Members is already included in the Budget Submission.

Moved: Cr Wally Barrett

Seconded: Cr Les Price

That WALGA's submission to the State Government in advance of the 2018-19 Budget be endorsed subject to the inclusion of the following:

- a) include the Goldfields Esperance Revitalisation Funding commitments. That WALGA's submission to the State Government in advance of the 2018-19 Budget be endorsed subject to the inclusion of the following:**
- b) retention of the third instalment of \$32,000 due 2017/2018 under the Community Pools Revitalisation Program to enable projects already in train to be completed.**

LOST

Moved: President Cr Wayne Sandford

Seconded: President Cr Karen Chappel

That WALGA's submission to the State Government in advance of the 2018-19 Budget be endorsed subject to the inclusion of the following:

- a) retention of the third instalment of \$32,000 due 2017/2018 under the Community Pools Revitalisation Program to enable projects already in train to be completed.**

RESOLUTION 90.9/2017

CARRIED

5.3 Review of the Emergency Services Levy (05-24-02-0001 MP)

Melissa Pexton, Manager Emergency Management

WALGA RECOMMENDATION

That the interim submission to the Economic Regulation Authority (ERA) on the Review of the Emergency Services Levy (ESL) Draft Report 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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
Northern Country Zone	WALGA Recommendation Supported
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

South East Metropolitan Zone

That the South East Metropolitan Zone supports Item 5.3 within the September 2017 State Council Agenda, with the following amendment:

That the interim submission to the Economic Regulation Authority (ERA) on the Review of the Emergency Services Levy (ESL) Draft Report be endorsed, subject to:

Recommendations 1 and 15 should not be supported. Instead, the WALGA submission should suggest that the ESL be remitted directly to the State Government to ensure transparency and to ensure that the taxing authority is also the collecting authority.

SECRETARIAT COMMENT

Both the first and final WALGA submissions state that it is Local Governments preference to not collect the ESL on behalf of the State Government.

In doing so, emphasis is given to Local Government concerns that many in the community perceive it as a Local Government tax and there are considerable administrative costs in collecting the ESL. The ERA's conclusion that it should remain with Local Government is based on their assessment that this is the most economically efficient means of collection and that Local Governments would be fully compensated for these costs, including the costs associated with collection of unpaid debts. All other zones have accepted this proposition.

Moved: Mayor Henry Zelones

Seconded: Cr Doug Thompson

That the interim submission to the Economic Regulation Authority (ERA) on the Review of the Emergency Services Levy (ESL) Draft Report be endorsed.

RESOLUTION 91.9/2017

CARRIED

5.4	Outcomes of Consultation – Third Party Appeal Rights in Planning (06-06-01-0001 GC)
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Graham Congdon, Project Officer Planning, Planning and Development

WALGA RECOMMENDATION

That:

1. **WALGA maintain its current policy position on Third Party Appeal rights; that the Local Government sector does not support the introduction of Third Party Appeal rights.**
2. **State Council notes that while there is increased support for the introduction of some form of Third Party Appeal rights, there is no consistent agreement on the form and scope any such rights should take.**
3. **WALGA undertakes further consultation with members on Third Party Appeal Rights, to discuss the various concerns and suggestions raised in response to the discussion paper, to determine if a consensus on a new policy position could be reached.**
4. **WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of State and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process.**

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Gascoyne Zone	No meeting held
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
Pilbara Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

Central Metropolitan Zone

That the Central Metropolitan Zone supports WALGA developing a Third Party Appeal Rights proposal for progression through the Zones.

East Metropolitan Zone

That:

1. WALGA maintains its current policy position on Third Party Appeal rights; that the Local Government sector does not support the introduction of Third Party Appeal rights.
2. State Council notes that while there is increased support for the introduction of some form of Third Party Appeal rights, there is no consistent agreement on the form and scope any rights should take.
3. WALGA undertakes further consultation with members on third Party Appeal Rights, to discuss the various concerns and suggestions raised in response to the discussion paper, to determine if a consensus on a new policy position could be reached.
4. WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of States and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal Process.

5. Particular note be made of use of discretion at the State Administrative Tribunal and the possible removal of discretion from local town planning processes.

Peel Zone

WALGA recommendation 2, 3 and 4 are supported; the Peel Zone requests the deletion of part 1 of the recommendation, as follows:

That WALGA maintain its current policy position on Third Party appeal Rights; that the Local Government sector does not support the introduction of the Third Party Appeal rights.

North Metropolitan Zone

That:

1. WALGA supports the limited introduction of Third Party Appeals into the Western Australian planning framework, however considers that there would be some merit in the introduction of Third Party Appeal Rights in circumstances where determinations have been issued by the Development Assessment Panels (DAPS), the State Administrative Tribunal (SAT), and the Western Australian Planning Commission.
2. WALGA, prior to pursuing the introduction of Third Party Appeal Rights, undertake further consultation and review with relevant stakeholders.

South East Metropolitan Zone

That:

1. The original State Council recommendation not be endorsed.
2. The majority of the Local Government sector, particularly Elected Members, support the introduction of Third Party Appeal Rights in some form.
3. WALGA undertakes further consultation with members on Third Party Appeal Rights, including Elected Member workshops, to discuss the various concerns and suggestions raised in response to the Discussion Paper, the form and scope any such appeal right should take and determine a preferred model.
4. The findings be distributed for comment and the Item then be reconsidered by State Council.
5. WALGA continue to advocate that an independent review of decision making within WA Planning system is required, including the roles and responsibilities of State and Local Government and other decision-making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process.

South Metropolitan Zone

That:

1. State Council notes that while there is increased support for the introduction of some form of Third Party Appeal rights, there is no consistent agreement on the form and scope any such rights should take.
2. WALGA undertakes further consultation with members on Third Party Appeal Rights, to discuss the various concerns and suggestions raised in response to the discussion paper, to determine if a consensus on a new policy position could be reached.
3. WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of State and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process.

SECRETARIAT COMMENT

With regards to the comments raised at the South East Metro Zone meeting regarding item 5.4 Outcomes of Consultation – Third Party Appeal Rights in Planning, please note that the summary of submissions provided on page 20 incorrectly stated that 14 Council Resolutions were received ‘In Favour’, while four (4) Council Resolutions were received ‘Against’, the introduction of some form of Third Party Appeal Rights.

The summary should read as follows:

38 Submissions in total

- 20 submissions in favour of some form of Third Party Appeal Rights in Planning
- 3 submissions in favour of a further review for Third Party Appeal Rights
- 15 submissions against Third Party Appeal Rights

3 Submissions in favour of further review (8%)

- 1 submission from individual Local Government Planning Officer
- 1 submission advising Council’s support for further investigation into the application of Third Party Appeal Rights (formal letter)
- 1 submission as Council Resolution supporting further consideration of Third Party Appeal Rights upon a discussion paper being released by the Department of Planning/WAPC citing options and examples.

20 Submissions for Third Party Appeal Rights (53%)

- 1 submission from a Local Government planning officer
- 2 submissions from private planners who work with/for Local Governments
- 3 submissions from Councillors providing their personal views
- 14 submissions as Council resolutions

15 Submissions against Third Party Appeal Rights (39%)

- 1 submission from private planner who works with/for Local Government
- 2 submissions on behalf of the ‘City/Town/Shire’
- 2 submissions from individual Local Government planning officers
- 3 submissions advising a Council position (formal letter or email)
- 4 submissions on behalf of the administration and/or officers
- 3 submissions as Council resolutions

The reason for the error is that the Council resolution (Submission No.35) stated that the Council ‘*is prepared to support further consideration of third party appeals in Western Australia for development applications, structure plans and planning scheme amendments upon a discussion paper being released by the Department of Planning / Western Australian Planning Commission citing options and examples of third party appeals*’.

There was debate as to whether to consider this submission as being in favour or opposed to the introduction of third party appeals, as it is supporting further review subject to actions of the State Government. This resulted in the Table of Submissions in Appendix 1 indicating that the submission supported Third Party Appeals, while the summary counted it as being against. In order to provide greater clarity as to the exact nature of the submissions, the above summary has therefore been updated to clearly indicate which submissions were actually in favour of further review.

Additionally, Appendix 1: Table of Submissions on Third Party Appeal Rights in Planning should be amended, by changing the information within submission 35, column four (**In favour of Third Party Appeal Rights in Planning? Yes/No**) from ‘Yes’ to ‘Supports further review’.

As to the inclusion of submissions from private planning consultants, these consultants are individually contracted to several regional Local Governments to provide town planning services. For example, Submission No. 3 is from a the private planner who is contracted to three Wheatbelt Local Governments and the private planner who provided Submission No.16 contracts to a number

of regional Local Governments in the Gascoyne and Wheatbelt regions. Despite these planners representing multiple Local Governments, each submission was counted as one submission.

The Composite Recommendation has been based on the Zone feedback.

Moved: Cr Friona Reid
Seconded: Mayor Heather Henderson

That:

- 1. State Council notes that there is increased support for the introduction of some form of Third Party Appeal rights.**
- 2. WALGA undertakes further consultation with members on Third Party Appeal Rights, including Elected Member workshops, discuss the various concerns and suggestions raised in response to the discussion paper, the form and scope of any such appeal right should include the appropriate jurisdiction including JDAPS, SAT and WAPC to determine a preferred model.**
- 3. The findings to be distributed for comment and the Item then be reconsidered by State Council.**
- 4. WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of State and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process.**

RESOLUTION 92.9/2017

CARRIED

5.5 Interim Submission – Development Control Policy 2.2 – Residential Subdivision (05-036-03-0060 VJ)

Vanessa Jackson, Policy Manager Planning and Improvement

WALGA RECOMMENDATION

That the interim submission to the WA Planning Commission on Development Control Policy 2.2 – Residential Subdivision 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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Moved: Cr Wally Barrett
Seconded: Mayor Tracey Roberts

That the interim submission to the WA Planning Commission on Development Control Policy 2.2 – Residential Subdivision be endorsed.

RESOLUTION 93.9/2017

CARRIED

5.6 National Disability Insurance Scheme (NDIS) Costs position paper submission (05-021-01-0002/1)

Nina Hewson, Senior Community Policy Advisor

WALGA RECOMMENDATION

That the interim submission to the Productivity Commission's National Disability Insurance Scheme (NDIS) position paper 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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
Northern Country Zone	WALGA Recommendation Supported
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South East Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

ADDITIONAL INFORMATION

On 31 January 2017, the Commonwealth and Western Australian Governments signed a Bilateral Agreement for a nationally consistent, locally delivered National Disability Insurance Scheme (NDIS) in Western Australia.

Funding arrangements under the National Disability Insurance Scheme (NDIS) are outlined in the current 'Bilateral Agreement between the Commonwealth and Western Australia, Transition to a National Disability Insurance Scheme in Western Australia'. A full pdf copy of the Agreement is available at <http://www.disability.wa.gov.au/wa-ndis/wa-ndis/>.

The Agreement was signed by the previous State Government. The current State Government is in negotiation with the Commonwealth and is yet to make a final decision on whether to continue under the current State delivery model or change to delivery under the Commonwealth model. A change to the Commonwealth model would require a new bilateral agreement between the State and Commonwealth Governments.

Moved: Mayor Heather Henderson
Seconded: Cr Janet Davidson

That the interim submission to the Productivity Commission's National Disability Insurance Scheme (NDIS) position paper be endorsed.

RESOLUTION 94.9/2017

CARRIED

5.7 Productivity Commission Inquiry – Introducing Competition and Informed User Choice into Human Services: Reforms to Human Services (05-031-01-0001 JH)

Nina Hewson, Senior Community Policy Advisor

WALGA RECOMMENDATION

That the interim submission to the Productivity Commission Inquiry on Introducing Competition and Informed User Choice into Human Services – Reforms to Human Services, 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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

That the WALGA submission be supported and that WALGA give consideration to including comment in their submission relating to the declining rate revenue caused by the practice of the Housing Authority “contracting out” management of its properties to rate exempt charitable Community Housing organisations.

Moved: President Cr Wayne Sanford
Seconded: Cr Darren Slys

That the interim submission to the Productivity Commission Inquiry on Introducing Competition and Informed User Choice into Human Services – Reforms to Human Services, be endorsed with the addition of comment relating to the declining rate revenue caused by the practice of the Housing Authority “contracting out” management of its properties to rate exempt charitable Community Housing organisations.

RESOLUTION 95.9/2017

CARRIED

5.8 Interim Submission to the Australian Government Committee on the Impacts of Climate Change (05-028-03-0018 LS)

By Laura Simes, Environment Policy Advisor

WALGA RECOMMENDATION

That the interim submission in response to the Inquiry into the impacts of climate change 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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett

That the interim submission in response to the Inquiry into the impacts of climate change be endorsed.

RESOLUTION 96.9/2017

CARRIED

5.9 Interim Submission - Possible Amendments to Telecommunications Powers and Immunities (05-036-03-0048MB)

By Mark Bondiotti, Policy Manager Transport and Roads

WALGA RECOMMENDATION

That the interim submission to the Department of Communications and the Arts on the ‘Possible Amendments to Telecommunications Powers and Immunities’ 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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Moved: Cr Fiona Reid
Seconded: Mayor Henry Zelones

That the interim submission to the Department of Communications and the Arts on the ‘Possible Amendments to Telecommunications Powers and Immunities’ be endorsed.

RESOLUTION 97.9/2017

CARRIED

5.10 Submission in Response to the Inquiry into Airfare Pricing in Regional Western Australia (05-003-02-0005 MM)

By Marissa MacDonald, Policy Officer - Transport and Roads

WALGA RECOMMENDATION

That the interim submission in response to the 'Inquiry into Airfare Pricing in Regional Western Australia' 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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Moved: President Cr Cheryl Cowell
Seconded: President Cr Malcolm Cullen

That the interim submission in response to the 'Inquiry into Airfare Pricing in Regional Western Australia' be endorsed.

RESOLUTION 98.9/2017

CARRIED

5.11 Interim Submission to the National Freight and Supply Chain Priorities Inquiry (05-006-03-0012 ID)

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

That the interim submission in response to the Australian Government Inquiry into National Freight and Supply Chain Priorities be endorsed.

Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Avon Midland Country Zone

That the Zone recommends that the “Orange Route” (as part of the Perth-Adelaide National Highway to improve the safety and access for heavy vehicles entering the Perth Metropolitan area from the wheatbelt and as the major access to freight from the eastern States) from Roe Highway to Northam be included as a priority project in the submission being prepared by the WA Local Government Association to the Department of Infrastructure and Regional Development for the National Freight and Supply Chain Priorities report.

East Metropolitan Zone

That The interim submission in response to the Australian Government Inquiry into National Freight and Supply Chain Priorities be endorsed, with the addition of a recommendation 14:

Federal and State Government should invest in the completion of the planning and commence construction of the “Orange Route” from Roe Highway to Northam as part of the Perth-Adelaide National Highway to improve the safety and access for Heavy Vehicles entering the Perth Metropolitan area from the Wheatbelt and as the major access to freight from the Eastern States.

Moved: Cr Darren Slyns
Seconded: Cr Darryl Trease

That The interim submission in response to the Australian Government Inquiry into National Freight and Supply Chain Priorities be endorsed, with the addition of recommendation 14:

Request Federal and State Government invest in the completion of the planning and commence construction of the “Orange Route” from Roe Highway to Northam as part of the Perth-Adelaide National Highway to improve the safety and access for Heavy Vehicles entering the Perth Metropolitan area from the Wheatbelt and as the major access to freight from the Eastern States.

RESOLUTION 99.9/2017

CARRIED

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

5.12 2018 State Council Meeting Schedule and Regional Meetings (01-004-02-0001 TB)

Moved: Cr Fiona Reid
Seconded: President Cr Malcolm Cullen

That the 2018 State Council Meeting Schedule and Regional Meetings for 2018 be endorsed.

RESOLUTION 100.9/2017

CARRIED

5.13 Executive Committee Minutes (01-006-03-0006 TB)

Moved: Mayor Logan Howlett
Seconded: Mayor Carol Adams

That the Minutes of the Executive Committee meeting held 16 August 2017 be endorsed.

RESOLUTION 101.9/2017

CARRIED

5.14 Selection Committee Minutes (01-006-03-0011 MD)

*Mayor Henry Zelones declared an interest and left the meeting at 12noon.
Cr Cheryl Cowell left the meeting at 12.02 pm.*

Moved: Mayor Logan Howlett
Seconded: Cr Wally Barrett

That:

1. The recommendations from the Selection Committee Minutes of 22 August 2017 be endorsed by State Council.
2. The resolutions from the Selection Committee Minutes of 22 August 2017 be noted by State Council.

RESOLUTION 102.9/2017

CARRIED

Mayor Henry Zelones returned at 12.07pm.

5.15 Use of the Association's Common Seal (01-004-07-0001 RB)

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett

RESOLUTION 103.9/2017

CARRIED

That the use of the Association's common seal for the following purpose be noted:

Document	Document Description	Signatories	State Council prior approval
Respondent's Submission Form	LGANT Part 3 - Respondent's Submission Form - Provision of Workplace Relations & Advocacy Advice	Cr Lynne Craigie Ricky Burges	No

6. MATTERS FOR NOTING / INFORMATION

6.1 National Disability Insurance Scheme (NDIS) and role of Local Government report (05-021-01-0002/1)

WALGA RECOMMENDATION

That State Council notes that the Association commissioned ACIL Allen consultants to provide a report and recommendations on Local Governments' roles under the National Disability Insurance Scheme (NDIS).

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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Moved: Cr Doug Thompson
Seconded: President Cr Karen Chappel

That State Council notes that the Association commissioned ACIL Allen consultants to provide a report and recommendations on Local Governments' roles under the National Disability Insurance Scheme (NDIS).

RESOLUTION 104.9/2017

CARRIED

6.2 First Interim State Public Health Plan (05-031-01-0001 EDR)
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WALGA RECOMMENDATION

That the release of the Department of Health's First Interim State Public Health Plan for Local Government feedback, and the development of two WALGA papers that support Local Government in implementing their obligations under the *Public Health Act 2016* be noted.

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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Moved: Mayor Logan Howlett
Seconded: Cr Doug Thompson

That the release of the Department of Health's First Interim State Public Health Plan for Local Government feedback, and the development of two WALGA papers that support Local Government in implementing their obligations under the *Public Health Act 2016* be noted.

RESOLUTION 105.9/2017

CARRIED

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

That the resolution of the Municipal Waste Advisory Council at its 28 June 2017 meeting be noted.

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	No meeting held
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
North Metropolitan Zone	WALGA Recommendation Supported
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

Moved: Cr Doug Thompson
Seconded: Cr Darren Slys

That the resolution of the Municipal Waste Advisory Council at its 28 June 2017 meeting be noted.

RESOLUTION 106.9/2017

CARRIED

President Cr Karen Chappel left at 12.16pm.

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Environment and Waste Policy Team (01-006-03-0017 MB)

Moved: Mayor Logan Howlett
Seconded: Cr Doug Thompson

That the Key Activities Report from the Environment and Waste Unit to the August 2017 State Council meeting be noted.

RESOLUTION 107.9/2017

CARRIED

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

Moved: Mayor Heather Henderson
Seconded: Cr Janet Davidson

That the Key Activities Report from the Governance and Organisational Services Unit to the August 2017 State Council meeting be noted.

RESOLUTION 108.9/2017

CARRIED

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

Moved: Mayor Howlett
Seconded: Cr Doug Thompson

That the Key Activities Report from the Infrastructure Unit to the August 2017 State Council meeting be noted.

RESOLUTION 109.9/2017

CARRIED

7.1.4 Report on Key Activities, People and Place (01-006-03-0014 JB)

Moved: Cr Wally Barrett
Seconded: Mayor Henry Zelones

That the Key Activities Report from the People and Place Unit to August 2017 State Council meeting be noted.

RESOLUTION 110.9/2017

CARRIED

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

Moved: President Cr Wayne Sanford
Seconded: Cr Doug Thompson

That the report on the key activities of the Association's Policy Forums to the August 2017 State Council meeting be noted.

RESOLUTION 111.9/2017

CARRIED

7.3 President's Report

Moved: Cr Henry Barrett
Seconded: Mayor Logan Howlett

That the President's Report for August 2017 be received.

RESOLUTION 112.9/2017

CARRIED

7.4 CEO's Report

Moved: Mayor Howlett
Seconded: Mayor Adams

That the CEO's Report for September 2017 be received.

RESOLUTION 113.9/2017

CARRIED

7.5 Local Government Professionals (WA)

Local Government Professionals (WA) President, Mr Jonathan Throssell provided an update to State Council.

8. ADDITIONAL ZONE RESOLUTIONS

Moved: Cr Doug Thompson
Seconded: Cr Janet Davidson

That the additional Zone Resolutions from the August 2017 round of Zones meetings as follows be referred to the appropriate policy area for consideration.

RESOLUTION 114.9/2017

CARRIED

EAST METROPOLITAN ZONE (People and Place)

Public Open Space

That the Western Australian Local Government Association advocates for the Western Australian Planning Commission to change its policies, procedures and practices relating to the provision of public open space (POS as part of the subdivision of land, so that the POS can only be provided as land unless the Local Government supports the POS or part thereof to be provided as a cash-in-lieu contribution.

EAST METROPOLITAN ZONE (Economics)

That WALGA prepare an analysis and draft a position paper for Local Government relating to smart technology and artificial intelligence, and the broad implications for communities arising thereof for the next State Budget submission in 2019-20.

PEEL ZONE (People and Place)

Native Title Settlement: Indigenous Land Use Agreements: Local Government Response to the “Whadjuk” and “Swan River People 2” Native Title Claims

That the WALGA State Council is requested to investigate what the likely impact of the current situation regarding Indigenous Land Use Agreements will be and update the affected member Councils within the claimant area.

SOUTH EAST METROPOLITAN ZONE (Governance and Organisational Service)

Freedom of Information Act – Resource Implications

That WALGA prepare a report for State Council consideration addressing the operation of the Freedom of Information Act and specifically the implications of and potential solutions for vexatious or malicious applications and withdrawn applications which have incurred substantial costs to the Local Government.

CENTRAL COUNTRY ZONE (Infrastructure)

Reduction of Direct Grant Road Funding to Local Government

That:

1. WALGA be advised that the Central County Zone does not support the \$10m cut from Direct Road Grants;
2. Following the release of the 2017/2018 State Budget the Zone Executive Committee review the details of any road funding cuts in the budget and should the Member Councils be impacted by the cuts the Zone Executive Committee be granted delegated authority to determine a Zone position on any advocacy.
3. The Central County Zone write to the Minister for Transport Hon Rita Saffioti MLA extending an invitation to the Minister to attend a Zone Meeting to discuss transport related issues in the Wheatbelt.

CENTRAL COUNTRY ZONE (Environment and Waste)

Kukerin Septic Tank Effluent System – Shire of Dumbleyung

- A. That the Central Country Zone write to Premier the Hon. Mark McGowan MLA and the Minister for Water the Hon. Dave Kelly MLA to:
 1. Express their disappointment at the withdrawal of funding for the STEDs Program, the Water Corporation's severe miscalculation of cost estimates and the disregards for the health and well-being of small rural towns; and
 2. In light of the health issues, call for the reinstatement of the STEDs Program for Kukerin, Boyup Brook, Leonora and Bindoon.
- B. That the Zone request WALGA, in conjunction with local governments affected by the cut to the STEDs Program, to convene a meeting with the Minister for Water.

SOUTH WEST COUNTY ZONE

Cat Act 2011 Review (Governance and Organisational Services)

THAT WALGA be requested to lobby the State Government to seek amendments to the Cat Act 2011 to make it an offence under the Cat Act 2011 to have an uncontrolled, untethered cat in a public place and to provide the power for local governments to designate certain public places where cats are prohibited.

ESL FUNDING–DFES OPERATIONS (People and Place)

That WALGA be requested to lobby the State Government for:

1. ***A maximum contribution of 70% from the ESL to fund the administrative operations of DFES, with the other 30% coming from state government general revenue; and***
2. ***The Office of Emergency Management to take over the role of advising Treasury how ESL funds should be distributed.***

ANNOUNCEMENT

President Craigie acknowledged retiring State Councillors Mayor Heather Henderson, Cr Wally Barrett and Cr Elsie Archer.

9. MEETING ASSESSMENT

President Cr Ken Clements provided feedback as to the effectiveness of the meeting.

10. DATE OF NEXT MEETING

That the next meeting of the Western Australia Local Government Association State Council be held in the Boardroom at WALGA, ONE70 Railway Parade, West Leederville, on Wednesday 6 December 2017 commencing 4pm.

11. CLOSURE at 12.30pm