

Under Separate Cover

Ordinary Council Meeting

Tuesday 24 August 2021

**Item 10.2.9:
Consideration of Motions for WALGA AGM**

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10 REPORTS**10.2.1 Consideration Of Executive And Member Motions - WALGA AGM**

Responsible Branch:	Governance and Strategy
Responsible Directorate:	Corporate and Strategy
Authority/Discretion:	Advocacy
Voting Requirement:	Simple Majority Required
Attachments:	1. WALGA Annual General Meeting Agenda [10.2.1.1 - 34 pages]
Refer:	Item 10.2.08 OCM 24.08.2021 Item 10.2.10: OCM 22.09.2020

SUMMARY

For Council to consider the Executive and Member motions for delegates at the upcoming WALGA Annual General Meeting on Monday 20 September 2021.

OFFICER'S RECOMMENDATION

That Council supports the following motions to be presented by delegates at the WALGA Annual General Meeting on 20 September 2021 as detailed in Attachment 1 to this report, being:

1. Motion 3.1 - Amendments to WALGA's Constitution (Executive Motion);
2. Motion 3.2 - Cost of Regional Development (Shire of Gnowangerup);
3. Motion 3.3 - CSRFF Funding Pool and Contribution Ratios (Shire of Dardanup);
4. Motion 3.4 - Regional Telecommunications Project (Shire of Esperance); and
5. Motion 3.5 - Review of the Environmental Regulations for Mining (Shire of Dundas).

BACKGROUND

The WALGA Annual General Meeting (AGM) will be held on Monday 20 September 2021 at Crown Perth.

A separate report to nominate Council's voting delegates at the AGM is included in this agenda.

Five motions have been lodged by member councils for consideration at the WALGA AGM, as follows:

- Motion 3.1 - Amendments to WALGA's Constitution (Executive Member to move)
- Motion 3.2 - Cost of Regional Development (Shire of Gnowangerup Delegate to move)
- Motion 3.3 - CSRFF Funding Pool and Contribution Ratios (Shire of Dardanup Delegate to move)
- Motion 3.4 - Regional Telecommunications Project (Shire of Esperance Delegate to move)
- Motion 3.5 - Review of the Environmental Regulations for Mining (Shire of Dundas Delegate to move)

EXTERNAL CONSULTATION

Not applicable – the motions are for member councils to consider and vote on through their respective delegates.

OFFICER'S COMMENTS

Delegates are entitled to vote on the motions presented for consideration at the AGM. Council may wish to decide whether or not to support the motions or propose amendments.

The detailed motions are outlined in the Agenda for the AGM on 20 September 2021, which is included in **Attachment 1** of this report.

Motion 3.1 – Amendments to WALGA Constitution (Executive Motion)

The first motion regarding amendments to WALGA's Constitution is necessary to remove requirements for delegates to attend annual and special general meetings. In addition, WALGA has changed their end of financial year from 30 June to 31 May.

Other amendments are proposed to:

- Allow a second vote to be conducted if two candidates tie in an election for President or Deputy President;
- Clarify the application process for Ordinary and Associate Members;
- Simplify the process for providing notice of State Council meetings;
- Allow motions at Special State Council meetings to be passed with a simple, as opposed to absolute, majority, except as required elsewhere in the Constitution, such as the absolute majority requirement to adopt the budget; and
- Amend and update some outdated wording.

The proposed amendments to the Constitution were passed at the 7 July 2021 State Council Meeting by a Special Majority. Consequently, these constitutional amendments are now being put to the 20 September 2021 Annual General Meeting. Given that the amendments have been endorsed by the State Council, it is recommended that this motion be supported.

Motion 3.3 - CSRFF Funding Pool and Contribution Ratios (Shire of Dardanup)

City Officers who are involved in CSRFF funding have reviewed the third motion regarding Community Sporting and Recreation Facilities Fund (CSRFF) Funding Pool and Contribution Ratios.

City Officers have suggested that the motion be supported as the CSRFF is generally oversubscribed with applications that exceed the available funding. The shift of 1/3 contribution to a 50% contribution would increase the viability of projects and applications and enhance the partnership between local government and sporting clubs in providing the required 50% contribution balance. As the City has been a past recipient of CSRFF funding, it is recommended that the motion be supported.

Remaining motions

The remaining motions are the Cost of Regional Development from Shire of Gnowangerup, Regional Telecommunications Project from the Shire of Esperance and the Review of Environmental Regulations for Mining from Shire of Dundas, and they are not directly relevant to the City. It is however recommended that Council support them on the basis of general sector advocacy.

LEGISLATIVE COMPLIANCE

- WALGA Constitution
- *Mining Act 1978*

RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Officer's Recommendation	<p>That Council supports the following motions to be presented by delegates at the WALGA Annual General Meeting on 20 September 2021 as detailed in <u>Attachment 1</u> to this report, being:</p> <ol style="list-style-type: none"> 1. Motion 3.1 - Amendments to WALGA's Constitution (Executive Motion); 2. Motion 3.2 - Cost of Regional Development (Shire of Gnowangerup); 3. Motion 3.3 - CSRFF Funding Pool and Contribution Ratios (Shire of Dardanup); 4. Motion 3.4 - Regional Telecommunications Project (Shire of Esperance); and 5. Motion 3.5 - Review of the Environmental Regulations for Mining (Shire of Dundas). 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	<p>This option presents the lowest risk as the first motion supports changes to the Constitution already passed at State Council, the second motion on CSRFF funding would benefit the City for future applications, and the other motions would provide general sector support.</p>	

Option 2	<p>That Council adopts the following positions in relation to the following motions to be presented by delegates at the WALGA Annual General Meeting on 20 September 2021 as detailed in <u>Attachment 1</u> to this report, being:</p> <ol style="list-style-type: none"> 1. Motion 3.1 - Amendments to WALGA's Constitution (Executive Motion): _____; 2. Motion 3.2 - Cost of Regional Development (Shire of Gnowangerup): _____; 3. Motion 3.3 - CSRFF Funding Pool and Contribution Ratios (Shire of Dardanup): _____; 4. Motion 3.4 - Regional Telecommunications Project (Shire of Esperance): _____; and 5. Motion 3.5 - Review of the Environmental Regulations for Mining (Shire of Dundas): _____. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Risk assessment will be dependent on amendments made by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	

Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	The risks associated with this option will vary depending on the specific positions supported by Council.	

Option 3	<p>That Council does not support the following motions to be presented by delegates at the WALGA Annual General Meeting on 20 September 2021 as detailed in <u>Attachment 1</u> to this report, being:</p> <ol style="list-style-type: none"> Motion 3.1 - Amendments to WALGA's Constitution (Executive Motion); Motion 3.2 - Cost of Regional Development (Shire of Gnowangerup); Motion 3.3 - CSRFF Funding Pool and Contribution Ratios (Shire of Dardanup); Motion 3.4 - Regional Telecommunications Project (Shire of Esperance); and Motion 3.5 - Review of the Environmental Regulations for Mining (Shire of Dundas). 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	A decision to vote against these motions will have little direct impact on the City however there may be associated reputation and community and stakeholder risks in voting against a matter that could benefit the sector generally.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance
 Goal L4: Communicate in a clear and transparent way.
 Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

CONCLUSION

The first motion deals with matters already passed at the WALGA State Council, and the second would potentially assist in securing future funding for the City, so both support for both motions is recommended. The other three motions relate to regional matters; however, support is recommended for purposes of general sector advocacy.



Annual General Meeting

Agenda

Monday, 20 September 2021

Crown Perth, Grand Ballroom



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AGENDA

WALGA

Annual General Meeting

To be held at

Crown Perth, Grand Ballroom

**Monday, 20 September 2021
at 9:00am**



Meeting Program

- 9:00am** Welcome address by WALGA President, followed by Welcome to Country and the National Anthem
- 9:15am** WALGA President's Annual Report
- 9:25am** Address from Hon John Carey MLA, Minister for Housing; Local Government
- 9:35am** Address from Hon Mia Davies MLA, Leader of the Opposition
- 9:45am** Address from Cr Linda Scott, ALGA President (via Zoom)
- 9:55am** LGIS Report
- 10:05am** On-Stage Presentation of Local Government Honours for:
- Life Members
 - Eminent Service Award
 - Long & Loyal Service Awards
 - Merit Awards
 - Local Government Distinguished Officer Awards
 - Local Government Diploma / Scholarships / pins
 - Road Safety Awards
 - MACWA
- 11:05am** Morning refreshments in the Trade Exhibition (Grand Ballroom)
- 11:45am** AGM business session commences:
- Attendance, Apologies and Announcements;
 - Confirmation of Minutes from last AGM (Attachment 2);
 - Adoption of Annual Report;
 - Consideration of 2020/2021 Financial Statements; and
 - Consideration of Executive and Member Motions
- 12:45pm** Chair to close Annual General Meeting, followed by lunch in the Trade Exhibition (Grand Ballroom)



Annual General Meeting – Order of Proceedings

1. Attendance, Announcements, Standing Orders and Previous Minutes

1.1 Record of Apologies

1.2 Announcements

1.3 Adoption of AGM Association Standing Orders

The AGM Association Standing Orders are contained within this Agenda (Attachment 1).

DRAFT MOTION:

That the AGM Association Standing Orders be adopted.

1.4 Confirmation of Minutes

The Minutes of the 2020 WALGA Annual General Meeting are contained within this Agenda (Attachment 2).

DRAFT MOTION:

That the Minutes of the 2020 WALGA Annual General Meeting be confirmed as a true and correct record of proceedings.

2. Adoption of Annual Report

The 2021 Annual Report, including the 2020/21 Audited Financial Statements, was distributed to members separately.

DRAFT MOTION:

That the 2021 Annual Report, including the 2020/21 Audited Financial Statements, be received.

3. Consideration of Executive and Member Motions

As per motions listed.

4. Closure

The Chair declared the meeting closed at ____pm.



3. Consideration of Executive and Member Motions

3.1. Amendments to WALGA's Constitution (01-001-01-0001 TL)

Executive Member to move:

SPECIAL MAJORITY REQUIRED

MOTION

That the WALGA Constitution be amended as follows:

1. INSERT Definition – "*Present*" means attendance in person or by electronic means deemed suitable by the Chief Executive Officer.
2. Clause 5 (10) – DELETE "and Associate Members".
3. Clause 5 (11) – DELETE "Ordinary Member or", REPLACE "State Council" with "Chief Executive Officer" in the first sentence, INSERT "or its delegate" after State Council in the second sentence.
4. Clause 6 (3) – REPLACE "31 May" with "30 June".
5. Clause 7 (2) – REPLACE "30 June" with "31 July".
6. Clause 11 (1) – after Chief Executive Officer, INSERT "in accordance with the Corporate Governance Charter".
7. Clause 11 (2) – after Chief Executive Officer INSERT "by providing notice to State Councillors of the date, time, place and purpose of the meeting"
8. DELETE Clause 11 (3)
9. Clause 12 (1) – DELETE "as, being entitled to do so, vote in person"
10. DELETE Clause 12 (2)
11. Clause 12 (3) – DELETE "as, being entitled to do so, vote in person"
12. Clause 12 (4) – DELETE "as, being entitled to do so, vote in person"
13. Clause 16 (1) & (2) – After Any election INSERT "other than to elect the President or Deputy President", REPLACE "generally in accordance with the provisions of the *Local Government Act 1995* as amended (2) For the purposes of the election referred to in sub-section (1)" with "as follows".
14. Clause 16 (2) (f) – REPLACE two instances of "2" with "1".
15. INSERT Clause 16A – Election Procedure – President and Deputy President
 - (1) An election to elect the President or Deputy President shall be conducted as follows:
 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of "first-past-the-post";
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;

IN BRIEF

- A number of amendments are proposed to the WALGA Constitution.
- The proposed amendments were endorsed by a special majority of State Council at the meeting on 7 July 2021.



- (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1 (d);
- (h) if two or more candidates receive the same number of votes so that sub-section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
- 16. Clause 21 (4) – REPLACE “Chairman” with “Chair”.
- 17. Clause 22 (1) – REPLACE “in August or September of” with “prior to 31 October”.
- 18. Clause 22 (3) – DELETE “in person”
- 19. DELETE Clause 22 (4) (b).
- 20. Clause 23 (3) – DELETE “in person”
- 21. Clause 24 (2) – DELETE “and of which vote is to be exercised in person”
- 22. Clause 24 (4) – DELETE “as, being entitled to do so, vote in person”
- 23. Clause 28 (1) – DELETE “The common seal shall be held in the custody of the Chief Executive Officer at all times.”
- 24. Clause 29 (1) – DELETE “as, being entitled to do so, vote in person”
- 25. Clause 29 (2) – DELETE “as, being entitled to do so, vote in person”
- 26. Clause 31 (4) (c) – DELETE “and Regional Development”.

Executive Summary

- A number of amendments are proposed to the WALGA Constitution;
- Amendments are necessary:
 - To remove requirements for delegates to attend annual and special general meetings in person; and,
 - As a result of WALGA’s change of financial year end to 30 June, from the previous 31 May year end.
- Other amendments are proposed to:
 - Allow a second vote to be conducted if two candidates tie in an election for President or Deputy President;
 - Clarify the application process for Ordinary and Associate Members;
 - Simplify the process for providing notice of State Council meetings;
 - Allow motions at Special State Council meetings to be passed with a simple, as opposed to absolute, majority, except as required elsewhere in the Constitution, such as the absolute majority requirement to adopt the budget; and,
 - Tidy up outdated wording.
- The proposed amendments to the Constitution were passed at the 7 July 2021 State Council meeting by a Special Majority.
- Consequently, these Constitutional Amendments are now being put to the 20 September 2021 Annual General Meeting.

Attachment

- [WALGA Constitution – Proposed Amendments Mark-Up](#)

Background

Amendments to the Constitution are required to allow delegates to attend and vote virtually through a videoconference, webinar or other platform at Annual or Special General Meetings of the Association if required.



In addition, WALGA has this year changed its financial year end from 31 May to 30 June. The 30 June year end means that WALGA's financial year now aligns with Local Governments' year end. Amendments to clauses relating to the budget, termination of membership and the timeframe for holding the AGM are required as a result of this change.

The requirement to amend the Constitution has provided an opportunity to amend the election procedure for WALGA President and Deputy President. The proposed change would enable a second ballot to be held if two or more candidates are tied for the position. This aligns with the procedure in the *Local Government Act 1995* for the election by Council of Mayors, Presidents, Deputy Mayors and Deputy Presidents.

Other minor changes to remove outdated and tidy up wording are proposed, as per the mark-up version of the Constitution attached.

Comment

Amendments to the Constitution require endorsement by a special (75 percent) majority at State Council, as well as a 75 percent majority at an Annual General Meeting or Special General Meeting.

As the proposed amendments were endorsed by State Council at the 7 July meeting, they are now being put to the 20 September 2021 WALGA Annual General Meeting



3.2. Cost of Regional Development

Shire of Gnowangerup Delegate to move:

MOTION

That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many towns in the Wheatbelt and Great Southern regions.

IN BRIEF

- The shortage of long-term and short-term accommodation for workers in regional areas, combined with the high cost of developing land, has become an urgent issue.
- Government intervention is needed.

MEMBER COMMENT

At the most recent Great Southern Zone meeting, a number of Shires raised the urgent issue of a shortage of long-term and short-term accommodation for workers and the high cost of developing land. DevelopmentWA has been approached for a solution and has provided the following response:

"The costs associated with the development of land across regional Western Australia are dramatically inflated by the servicing standards (including statutory charges) that are imposed upon the developer by the servicing agencies. There is no latent capacity in the Western Power electrical distribution network across the Wheatbelt and Great Southern, allowing Western Power to impose any upgrading costs upon a land developer under its "user pay" principles.

It is our experience that the development costs to create a conventional residential allotment on the edge of a town ranges from \$100,000 to \$160,000 per lot and it is not uncommon for us to be confronted with development costs between \$200,000 and \$400,000 per lot for industrial sites. As you would appreciate, if lots are created and then released into the market, regional based buyers would not entertain paying a price which will allow the developer to recover those costs, let alone make a profit.

This situation produces a failure in the market and DevelopmentWA receives a modest annual subsidy from the State Government to undertake land developments on behalf of Local Governments where a demand for new land exists and the private sector is not responding."

There is considerable pressure on the Regional Development Assistance Program, and the high cost of headworks particularly for water and electricity are a major disincentive to development by the private sector and Local Government. Urgent government intervention is needed to ensure that housing for workers for vacancies in industry in rural areas is delivered at a reasonable cost.

SECRETARIAT COMMENT

Market failure in the provision of residential and industrial land occurs across most of regional Western Australia. State Government intervention was previously provided through the Regional Headworks Program, funded by Royalties for Regions, and through commitments from the utility providers to spread the costs of upgrading and extending infrastructure to service additional land across their customer base, rather than pass these costs to the developer. These arrangements no longer exist.

Strong growth in the demand for housing in regional WA has again highlighted this market failure and the consequent impacts on employment and economic development. The Regional Development Assistance Program delivered by DevelopmentWA is the only State Government support for industrial and residential land development in regional towns. The experience of Local Governments in accessing the Regional Development Assistance Program and the demand on the modest budget allocation will be important information to underpin advocacy for an achievable path to housing growth in regional towns.



3.3. CSRFF Funding Pool and Contribution Ratios

Shire of Dardanup Delegate to move:

MOTION

That WALGA lobby the State Government to increase the CSRFF funding pool to \$25 million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered.

MEMBER COMMENT

There is currently \$12.5 million available in the 2021 Community Sporting and Recreation Facilities Fund (CSRFF). \$1 million of this funding per year, for the next four years, has been specifically set aside for projects that increase female participation in sport and recreation, such as unisex change rooms. An additional \$2.5 million per annum for the next four years is also available in a new sub program called the Club Night Lights Program (CNLP). Therefore the total amount of funding available under the CSRFF program is \$15 million per annum for the next 4 years.

IN BRIEF

- Clubs are not able to contribute their one third required contribution towards facilities and major projects as required under CSRFF framework;
- This results in Local Governments having to fund two thirds of new infrastructure at significant cost to ratepayers;
- Support is sought for WALGA to lobby State Government to increase funding towards this program and to allow a 50:50 split between State and the local communities.

The current CSRFF funding model requires 1/3 contribution from local governments, 1/3 contribution from the clubs and 1/3 could be funded through CSRFF. Some CSRFF applications are eligible for up to one half of the project cost. The eligibility is measured against key development principles with applicants proving eligibility through completion of additional forms and process.

Over the last four CSRFF funding rounds, the WA State Government has contributed an average grant amount of \$424,270 to 91 projects. To put that figure into the terms of a sporting club's contribution, it would take 424 Bunnings sausage sizzles to raise enough money to fund 1/3 of the average State assisted project. Even if a club contributes a portion of this through volunteer labour and in-kind donations, the staggering figure is simply unattainable - which leaves local government to pick up the tab on over 66% of the bill.

Other Australian states use different structures to fund sporting infrastructure, for example, in Queensland the Active Community Infrastructure program allows \$40 million over three years. Unobstructed by percentage contribution rules, the Queensland State Government will invest up to \$1 million per project. Each EOI submission is evaluated on a case by case basis. In round one, the Queensland Government will deliver \$16 million in funding for sport and recreation infrastructure projects to 21 organisations. The average size of these grants is \$741,826, a figure that is almost double that of Western Australia's average contribution and close to 50% of the average cost of building a small pavilion with change rooms.

It is recommended that WALGA lobby the State Government to increase the funding available to \$25 million per annum and to increase the ratio to 50%. In this way, the total number of projects could still be maintained and the impost on local clubs and Local Government ratepayers could be reduced.



SECRETARIAT COMMENT

WALGA has advocated for funding for the Community Sporting and Recreation Facilities Fund (CSRFF) to be increased to \$25 million per annum for a number of years, most recently as part the Association's 2020 [State Election campaign](#) and [WALGA's 2020-21 State Budget Submission](#).

Funding for the CSRFF will increase from \$12 million in 2021-22 to \$12.5 million in 2022-23. \$10 million over four years has also been allocated for sports floodlighting infrastructure under the Club Night Lights Program.

WALGA's Advocacy Position 3.7.1 Community Infrastructure states:

"The Association supports Local Government initiatives and infrastructure that contribute to the health and wellbeing of the community."



3.4. Regional Telecommunications Project

Shire of Esperance Delegate to move:

MOTION

That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service.

MEMBER COMMENT

The regions are the powerhouse of the Western Australian economy and the sustainability of their futures relies on enhanced connectivity. Co-investment by state and federal governments along with Telcos is critical to increase coverage in areas that would otherwise be difficult to justify on economic grounds as it is an expensive and complex exercise.

Under the Barnett Government, there was \$60 million in the bucket of funding for regional telecommunications and partnering with the Commonwealth, there were 89 towers delivered within the federal electorate of O'Connor alone.

After the Labor Government took office, this bucket of State funding has decreased to only \$5 million for the entire state and the installation of towers has dried up significantly. On the contrary, the Federal Government has allocated its largest allocation of funding in Round 6 of \$80 million since the initial Round 1. Matching funds from the State is critical to securing funds from the Federal Mobile Black Spot Program which is in threat of being secured by other States with matching funding.

The State Government's forward estimates show no commitments to the program, demonstrating a lack of long term commitments by the State Government to the Regional Telecommunications Project. Service providers such as Telstra are reluctant to install regional mobile telecommunications infrastructure without third party funding.

Solving the coverage and capacity gaps in regional WA is critical for the success of our regions and a matter of equity for country constituents.

SECRETARIAT COMMENT

As identified, the Commonwealth Government committed \$380 million over six rounds to the Mobile Black Spot Program (the Program). In April 2020 the Round 5 results were announced, with a further 182 base stations to be funded in regional and remote Australia.

The Commonwealth Government has committed \$80 million for Round 6 of the Program and is expected to commence after the Round 5A process is complete.

Since 2012, State Governments have committed to improving mobile connectivity in regional Western Australia, currently through its Regional Telecommunications Project (RTP) and previously via the Regional Mobile Communications Project (RMCP).

IN BRIEF

- State funding has decreased to only \$5 million for the entire state and the installation of towers have dried up significantly.
- The Federal Government has allocated its largest allocation of funding in Round 6 of \$80 million.
- Matching funds from the State is critical to securing funds from the Federal Mobile Black Spot Program which is in threat of being secured by other States with matching funding.



The RTP initial allocation was \$45 million from 2014-15 with a further \$20 million allocated from 2016-17.

The total RTP allocation under the last Coalition Government was \$65 million, which was mainly used for State co-contributions under the Commonwealth Mobile Black Spot Program Rounds 1 and 2. Information on the various MBSP Rounds is here: <https://www.communications.gov.au/what-we-do/phone/mobile-services-and-coverage/mobile-black-spot-program>

The Mobile Black Spot Program Round 4 announced on 22 March 2019 stated "*The Federal and State governments will contribute \$4.3 million each to the Mobile Black Spot Round 4 program in WA, with a further \$6 million from telecommunications companies*".

The Regional Telecommunications Project Continuation (RTPC) Funding (announced 21 May 2019) provided a further \$20 million allocation from 2019-20 by the Labor Government, bringing total RTP funding to \$85 million.¹

On 21 April 2020 a joint Commonwealth/State media statement announcing the Mobile Black Spot Program Round 5 outlined "*under Round 5, \$29.7 million will be invested in mobile infrastructure in Western Australia. This includes \$12.8 million funding from the Commonwealth and \$5.5 million from the Western Australian Government*".

The outcomes of Round 1 of the Regional Connectivity Program were announced on 28 April 2021 advising that "*the McGowan Government will contribute \$5.88 million to projects under the Commonwealth's Regional Connectivity Program to help bring mobile and broadband infrastructure to some of Western Australia's most under-served areas*" and "*the State's investment has attracted co-funding of \$17.1 million from the Commonwealth and additional funding from project applicants and third party contributors*".²

Along with the Digital Farm Grants Program Round 3 announced in January 2021 of a "\$6.3 million investment by the State delivering high-speed broadband to 600 farmers and residents across WA's grain growing regions under Round 3 of the Digital Farm program" there continues to be considerable investment in Telecommunications in WA.³

Notwithstanding, the need is still significant, with the Shire of Esperance motion to increase State funding by way of co-contribution to leverage Federal programs to regional areas that have limited or no access is supported.

¹ <https://www.mediastatements.wa.gov.au/Pages/McGowan/2019/05/20-million-dollars-on-the-table-for-regional-mobile-black-spots.aspx>

² <https://www.mediastatements.wa.gov.au/Pages/McGowan/2021/04/23-million-dollar-boost-for-regional-connectivity.aspx>

³ <https://www.mediastatements.wa.gov.au/Pages/McGowan/2021/01/6-point-3-million-dollar-funding-injection-to-bring-high-speed-broadband-to-the-grainbelt.aspx>



3.5. Review of the Environmental Regulations for Mining

Shire of Dundas Delegate to move:

MOTION

Regarding a review of the *Mining Act 1978*.

1. To call on Minister Bill Johnston, Minister for Minister for Mines and Petroleum; Energy; Corrective Services to instigate a review of the 43-year-old *Mining Act* to require mining companies to abide by environmental regulations, and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.
2. That abandoned mines in regional Western Australia receive a priority action plan with programmes developed to work with remote resource communities to assist in the rehabilitation of these mines as a job creation programme, with funding allocated for diversification projects for support beyond mine life across Western Australia.

IN BRIEF

The Australian and State Governments has several initiatives and studies completed regarding mining environmental regulating and the Mining Rehabilitation Fund.

Our plan is focused on existing information and plans:

- Industry Australia has done extensive studies in this field: [Mine Rehabilitation \(industry.gov.au\)](https://www.industry.gov.au/).
- There is already an established fund for this possible initiative: [Mining Rehabilitation Fund Yearly Report 2018-19 \(dmp.wa.gov.au\)](https://www.dmp.wa.gov.au/).

We hope to get support for this initiative to get Local Governments across Western Australia involved by receiving some of these funds to actively participate in these rehabilitation works with mining partnerships and Local Government. This opportunity will fund diversification and implement a plan for after mine life, reducing the impacts of the mining boom bust cycle. (WA currently has approx. \$182 million in the mining rehab fund, generating around \$1 million in interest and of which approx. \$312,000 was used in rehab projects).

MEMBER COMMENT

The mining industry currently enjoys concessions in relation to both environmental and planning legislation that are not available to other industries, nor to Local Governments. For example, a mining company can lodge a mine plan which includes a facility to 'bury' tyres. No other industry or Local Government is permitted to put tyres in landfill or otherwise bury or cover up tyres. There is a cost involved with the disposal of old tyres, which under current legislation, the mining industry is exempt from as they are permitted to bury their old tyres. This flies in the face of all the environmental legislation in relation to the disposal of tyres.

In the planning space, a mining company can object to any development on land over which they hold a current mining tenement, whether that ground is currently being actively mined or the ground has been 'tied up' in a project group of tenements and no work has ever been commenced or completed on the subject ground. This can have very detrimental effects on Local Government planning for the future as the mining company can call to a halt any attempt to develop land for any project. For example, in the Shire of Dundas, we have a very real need to have land released for industrial zoning, however, the one area readily available has an existing mining tenement over it and the mining company has lodged an objection to the Shire being able to purchase that land as a freehold title. The mining tenement has been in existence since 1983 and has never been worked. Similarly, the existence of a mining tenement can hamper any proposed land release for development by a Local Government because it 'may' be explored at some future time. The mining sector appears to enjoy these concessions on the fact that it employs a large number of people and, more importantly, generates royalty revenue for the State Government. Figures from 2019 indicate that the Mining industry in Australia employs approx. 245,000 people while agricultural industries (including forestry and fishing) employ approx. 333,000.



There is a massive, world-wide push to encourage more sustainable and environmentally friendly practices in all industry. Climate change is the hottest topic around the world and reducing greenhouse gases and implementing the best environmental practices is high on everyone's agenda.

There appears to be a large disconnect between the acceptable practices of the mining industry and the rest of industry and Local Government. Mining, by its very nature, is a finite industry but, current mining techniques cause wholesale destruction on an often-massive scale, most of which can never be recovered to its former state. The agricultural sector, on the other hand, is a sustainable industry whose entire focus is the production of food to keep us alive. Despite this, whilst it is considered appropriate for hundreds of hectares of land to be cleared to accommodate a mine site and all its attendant infrastructure, with scant regard for habitat and/or fauna and flora, a farmer can be fined thousands of dollars and/or face a term of imprisonment for clearing even a tiny portion of native vegetation on his freehold land.

In the planning arena, Section 120 of the *Mining Act 1978* makes provision that whilst any planning scheme made under the *Planning & Development Act 2005*, will be 'taken into account', it will not prohibit or affect the grant of a mining tenement.

It appears to be illogical that every other sector is to be bound by legislation that does not apply to the mining industry. The *Mining Act* is 43 years old and, given the current review of the 26-year-old *Local Government Act*, is well and truly due for some review itself.

We are not opposed to the mining industry, in fact, our whole Shire was born out of the mining industry. However, the current provisions of the *Mining Act 1978* doom us to be forever beholden to the 'boom and bust' nature of mining as it is nearly impossible to create a diverse and sustainable community when the *Mining Act* overrides other legislation. For example, any areas that we may earmark as having huge tourism potential can be wiped out in an instant by the application for a mining tenement over that ground. The loss of tourism potential is not something that can be recovered under a rehabilitation scheme. Rehabilitation should be a route of last resort not the accepted norm. Mining companies need to acknowledge that things such as proper disposal of tyres is a normal cost of conducting their business and act accordingly. There must be some mechanism for preserving unique landscapes that cannot be returned to their former state no matter how good the rehabilitation plan is. The mining industry employs some clever and innovative people and rather than tie up money in rehabilitation schemes (WA currently has approx. \$182 million in the mining rehabilitation fund, generating around \$1 million in interest and of which approx. \$312,000 was used in rehab projects), money should be directed into research and development of alternate and less destructive mining methods that leave our stunning natural environment and fauna more intact and available when mining ceases.

There are many papers available relating to mining impacts and legislation that mining is seemingly exempt from abiding by, some of which are referenced below:

- EPA report 1699, 1 February 2021 [EPA Report 1699 - Lake Way Sulphate of Potash Project.pdf](#)
- Regulations affecting landfill management for local governments. Major relevant legislation is contained within:
 - [The Waste Avoidance and Resource Recovery Act 2007](#)
 - [The Waste Avoidance and Resource Recovery Levy Act 2007](#)
 - [The Waste Avoidance and Resource Recovery Regulations 2008](#)
 - [The Waste Avoidance and Resource Recovery Levy Regulations 2008](#)
- [Guide to drafting waste local laws](#) – the Guide to drafting waste local laws is intended to provide general guidance to local government. It is for use by local governments and the Western Australian Local Government Association.
- [Factsheet: Assessing whether material is waste](#) – this Factsheet provides information to industry on matters relevant to determining whether material is waste under the *Environmental Protection*

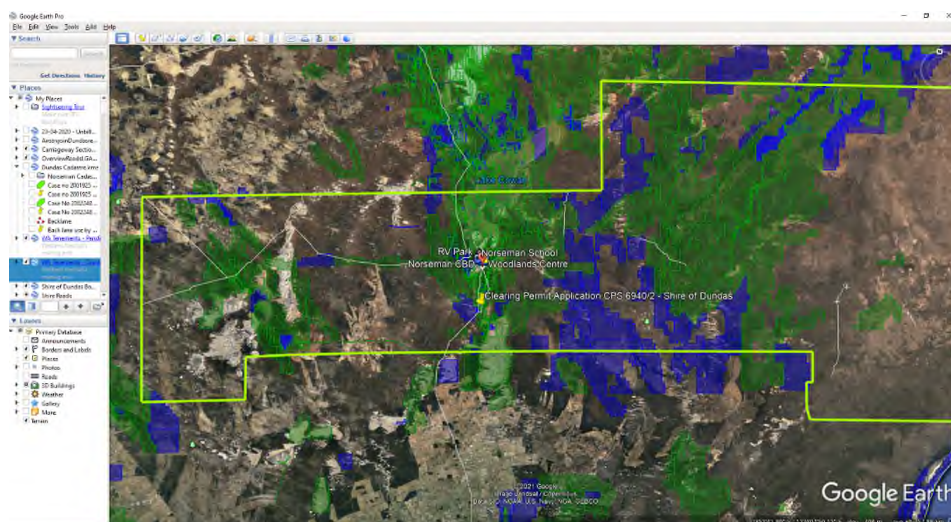


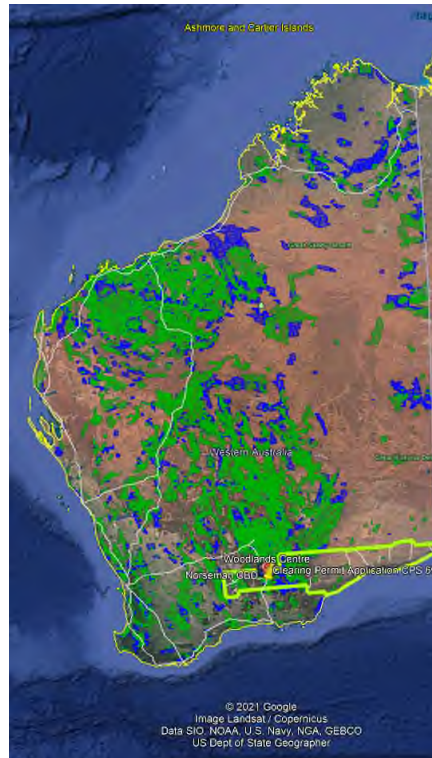
Act 1986 and the Waste Avoidance Resource Recovery Act 2007 and their associated regulations.

- [Factsheet: - amendments to the Environmental Protection Regulations 1987 - clean fill and uncontaminated fill](#) – this Factsheet provides information on clean fill and uncontaminated fill in accordance with the amended *Environmental Protection Regulations 1987* and the revised *Landfill Waste Classification and Waste Definitions 1996 (amended 2019)*.
- [NBN News | WHITEHAVEN COAL APPROVED TO BURY HUNDREDS OF TYRES](#)
- [Tyre Product Stewardship Scheme | Department of Agriculture, Water and the Environment](#)
- [Mining report finds 60,000 abandoned sites, lack of rehabilitation and unreliable data - ABC News](#)

Mines closed, rehabilitated, and relinquished	
Queensland	0
Western Australia	Unknown
New South Wales	1
South Australia	18
Northern Territory	0
Victoria	1
Tasmania	1

Status in 2018





Green area is approved mining leases blue is pending leases

The Mining Rehabilitation Fund has a substantial amount of funds available and these funds could be put to much better use by funding research into more sustainable practices in the mining industry. Every other industry is required to count legislative compliance as a normal cost of conducting their business. The mining industry must be compelled to do the same.

Mine rehabilitation is all very well and good but, tackles the issue after the '*horse has bolted*'. We could achieve far better outcomes if mining companies worked to adopt sustainable, environmentally friendly, mining techniques that do not need these rehabilitation projects. The burying of tyres is only one part of the problem, and it contributes to the wholesale destruction that goes with mining to the detriment of everything else. There is no tourism value in a rehabilitated mine site. You cannot replace unique granite outcrops and the stunning woodlands once they have been decimated by mining practices. Climate change is happening, and we are currently content to let it be accelerated by actively encouraging poor practice by mining companies.

ATTACHMENTS

- [Photographs](#)
- [Department of Mines, Industry Regulation and Safety – Mining Rehabilitation Fund Yearly Report 2019-20](#)



SECRETARIAT COMMENT

With respect to the Part 1 of the Motion:

Mining companies are required to comply with relevant environmental regulations and conditions of approval, which includes developing and implementing rehabilitation plans.

The Department of Mines, Industry Regulation and Safety (DMIRS) assesses environmental proposals for prospecting, mining exploration and development activities in accordance with the *Mining Act 1978*. Native vegetation clearing permits are assessed under delegation in accordance with the provisions of the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*. Unconditional Performance Bonds (UPB) may be imposed as mining securities for compliance with environmental conditions imposed under the *Mining Act* in some cases.

Mining, petroleum and geothermal activity proposals that may have a significant impact on the environment are assessed by the Environmental Protection Authority (EPA). In addition, proposals likely to have significant impact to matters of national environmental significance require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

In relation to tyre disposal, the Association acknowledges the significant challenge this poses for Local Governments, particularly those in the non-metropolitan area in regard to end of life tyre management. The Shire of Dundas is to be commended for its commitment to ensuring that tyres generated in the Shire are recycled; this is a significant achievement.

It is a significant barrier that there is not an effective Product Stewardship Scheme for tyres, which covers the full costs, including transport, of recycling tyres. The current situation means that frequently organisations choose the cheapest option for disposal or material, rather than the best environmental and social outcome.

As part of the funding to address the Export Bans for recyclable materials, including tyres, the State and Federal Government is investing over \$18 million in tyre recycling infrastructure for WA. WALGA is investigating how this funding will assist Local Governments across WA to develop sustainable tyre recycling solutions, which focus on resource recovery and minimise landfilling of these products.

In relation to Part 2 of the Motion:

The *Mining Rehabilitation Fund Act 2012* and the *Mining Rehabilitation Fund Regulations 2013* provide the legislative framework for declaring abandoned mine sites and enables the Mining Rehabilitation Fund (MRF) to receive levy contributions made by WA mining operators for the purpose of rehabilitation of abandoned mines and other land affected by mining operations carried out, in, on or under those sites.

Income for the MRF comes from a levy on existing mines based on the size of the operating mine and the expenditure comes from the interest earned by the fund. The MRF is aimed at addressing legacy mines pits that were not subject to the current legislative process and requirements, and where no company or individual can be identified and made responsible for the rehabilitation of the mine.

The Mining Rehabilitation Advisory Panel is an independent body that provides advice to the Director General of the DMIRS on matters related to the MRF, including which abandoned mines should receive funds for remedial action.

The Abandoned Mines Policy provides guidance on how the priorities for the use of the funds and which abandoned mines will be managed. The key principle used in decision making is the level of risk an abandoned mine represents. The policy encourages the use of partnerships with Local Governments, community groups and business in the management and rehabilitation of the selected abandoned mine sites.



Attachment 1: AGM Association Standing Orders

1. **INTERPRETATIONS**
For the purposes of these Standing Orders, if not inconsistent with the context, the following words shall have the following meanings:
 - 1.1 **"Absolute Majority"** means:
a majority of delegates of the Association whether present and voting or not.
 - 1.2 **"Association"** means:
all or any part of the Western Australian Local Government Association.
 - 1.3 **"Delegate or Deputy Delegate"** means:
those persons duly nominated, from time to time, to represent a Member Local Government at a meeting of the Association.
 - 1.4 **"Deputy President"** means:
the Deputy President for the time being of the Association.
 - 1.5 **"Meeting"** means:
an Annual or Special General Meeting of the Association.
 - 1.6 **"Member Local Government"** means:
a Local Government admitted to ordinary membership of the Association in accordance with the provisions of the Constitution.
 - 1.7 **"President"** means:
the President for the time being of the Association.
 - 1.8 **"Simple Majority"** means:
a majority of the delegates from the Association that are present and voting.
2. **CONDUCT OF MEETINGS**
The proceedings and business of meetings of the Association shall be conducted according to these Standing Orders.
3. **NOTICE OF MEETING**
 - 3.1 **Annual General Meeting**
The Chief Executive Officer of the Association shall give at least ninety (90) days notice of an Annual General Meeting to all Member Local Governments, advising of the closing date for submission of motions for inclusion on the agenda.
 - 3.2 **Special General Meeting**
A Special General Meeting of the Association is to be held if a request is received by the Association President, in accordance with the requirements of the Association's Constitution. No business shall be transacted at a Special General Meeting other than that for which the Special General Meeting was called.
 - 3.3 Notice shall be given at the destinations appearing in the records of the Association.

Notice will be deemed to have been delivered immediately if transmitted electronically or on the second working day after posting.
4. **QUORUM**
 - 4.1 The Association shall not conduct business at a meeting unless a quorum is present.
 - 4.2 At any meeting of the Association greater than one half of the delegates who are eligible to vote must be present to form a quorum.
 - 4.3 The Association is not to transact business at a meeting unless a quorum is present.
 - 4.4 If a quorum has not been established within the 30 minutes after a meeting is due to begin then the Association can be adjourned –
 - (a) by the President or if the President is not present at the meeting, by the Deputy President;
 - (b) if neither the President nor Deputy President is present at the meeting, by a majority of delegates present;
 - (c) if only one delegate is present, by that delegate; or
 - (d) if no delegate is present, by the Chief Executive Officer or a person authorised by the Chief Executive Officer.
 - 4.5 If at any time during a meeting a quorum is not present, the President shall thereupon suspend the proceedings of the meeting for a period of five (5) minutes and if a quorum is not present at the expiration of that period, the meeting shall be deemed to have been adjourned and the person presiding is to reschedule it for some future time.
 - 4.6 Notice of a meeting adjourned because of absence of a quorum is to be given to all Member Local Governments.
5. **MEETINGS OPEN TO THE PUBLIC**
The business of the Association shall be open to the public except upon such occasions as the Association may by resolution otherwise decide.
6. **ORDER OF BUSINESS**
Unless the Association should decide otherwise, the order of business at meetings of the Association, with the exception of special meetings or an adjourned meeting, shall be as follows:
 - (a) Record of attendance and apologies;
 - (b) Announcements;
 - (c) Confirmation of minutes of previous meetings;
 - (d) President's report;



<p>(e) Financial report for the financial year; and (f) Consideration of Executive and Member Motions.</p>	
<p>7. VOTING ENTITLEMENTS</p>	<p>11. PRESIDENT TO PRESIDE</p>
<p>7.1 Each Member Local Government shall be entitled to be represented at any meeting of the Association.</p>	<p>11.1 The President shall preside at all meetings of the Association, but in absence of the President, the Deputy President shall preside.</p>
<p>7.2 Only eligible and registered delegates may vote.</p>	<p>11.2 In the absence of the President and the Deputy President, the delegates shall choose by resolution, a delegate present to preside at the meeting.</p>
<p>7.3 A delegate shall be entitled to exercise one vote on each matter to be decided. Votes are to be exercised in person.</p>	<p>12. SPEAKING PROTOCOL</p>
<p>7.4 A delegate unable to attend any meeting of the Association shall be entitled to cast a vote by proxy.</p>	<p>12.1 Only registered delegates and members of the Association's State Council shall be entitled to speak at meetings of the Association.</p>
<p>7.5 A proxy shall be in writing and shall nominate the person in whose favour the proxy is given, which person need not be a delegate. Proxy authorisations shall be delivered to the Chief Executive Officer of the Association before the commencement of the meeting at which the proxy is to be exercised and shall be signed by the delegate or by the Chief Executive Officer of the Member Local Government that nominated the delegate.</p>	<p>12.2 The first person that is entitled to speak at a meeting who attracts the attention of the person presiding shall have precedence in speaking.</p>
<p>8. SPECIAL URGENT BUSINESS At any time during a meeting a delegate may, with the approval of an absolute majority, introduce a motion relating to special urgent business that calls for an expression of opinion from the meeting. In presenting an item of special urgent business, a delegate shall have sufficient copies of the motion in writing for distribution to all delegates present at the meeting and, where practicable, give prior notice to the President of such intention.</p>	<p>12.3 Speakers are to use the microphones supplied.</p> <p>12.4 When addressing a meeting, speakers are to:</p> <ul style="list-style-type: none"> (a) rise and remain standing unless unable to do so by reason of sickness or disability; (b) address the meeting through the person presiding; (c) state their name and Local Government before otherwise speaking; (d) refrain from reading comment printed in the agenda paper in support of a motion, but may identify key points or make additional comment; and (e) refrain from using provoking or discourteous expressions that are calculated to disturb the peaceful current of debate.
<p>9. PRESIDENT In the construction of these Standing Orders unless the context requires otherwise, the word "President" shall in the absence of the President include the Deputy President or the delegate chosen by resolution to preside at any meeting of the Association.</p>	<p>12.5 Mobile phones shall not be switched on while the meeting is in session.</p>
<p>10. DELEGATE AND DEPUTY DELEGATE</p>	<p>13. DEBATE PROCEDURES</p>
<p>10.1 In the construction of these Standing Orders unless the context requires otherwise, the word "delegate" shall in the absence of the delegate include the deputy delegate.</p>	<p>13.1 A delegate moving a substantive motion may speak for –</p> <ul style="list-style-type: none"> (a) 5 minutes in his or her opening address; and (b) 3 minutes in exercising the right of reply.
<p>10.2 A deputy delegate acting in the capacity of a delegate unable to attend a meeting of the Association shall exercise all rights of that delegate.</p>	<p>13.2 Other speeches for or against motions are to be limited to 3 minutes unless consent of the meeting is obtained which shall be signified without debate.</p>
	<p>13.3 No delegate, except the mover of a motion in reply, is to speak more than once on the same motion except by way of personal explanation.</p> <p>13.4 As soon as the right of reply has been exercised, the motion is to be forthwith put to the vote without further comment.</p> <p>13.5 No discussion shall take place on any motion unless it is moved and seconded. Only one amendment on any one motion shall be received at a time, and such amendment shall be disposed</p>



- of before any further amendment can be received. Any number of amendments may be proposed.
- 13.6** The provisions of these Standing Orders applicable to motions apply mutatis mutandis to amendments, except that the mover of an amendment shall have no right of reply.
- 13.7** When a motion has been moved and seconded, the person presiding shall at once proceed to take a vote thereon unless a delegate opposes it or an amendment is proposed.
- 13.8** No more than two delegates shall speak in succession on one side, either for or against the question before the meeting, and if at the conclusion of the second speaker's remarks, no delegate speaks on the other side, the motion or amendment may be put to the vote.
- 13.9** Notwithstanding clause 13.7, where a composite motion is moved which embodies the core aspects of subsequent motions listed on the agenda, a delegate whose motion has been superseded shall have the opportunity to speak on the question of the composite motion before it is put.
- Once a composite motion has been carried, no further debate shall be permitted in respect of the superseded motions.
- 13.10** At any time during a debate, but after the conclusion of a delegate's comments, a delegate who has not spoken during the debate may move, without discussion, "that the question be now put". If that motion is seconded and carried by a majority, the question shall be submitted at once to the meeting, after the mover has replied.
- 14. QUESTIONS**
Any delegate seeking to ask a question at any meeting of the Association shall direct the question to the President.
- 15. POINT OF ORDER**
A delegate who is addressing the President shall not be interrupted except on a point of order, in which event the delegate shall wait until the delegate raising the point of order has been heard and the question of order has been disposed of, whereupon the delegate so interrupted may, if permitted, continue.
- 16. MOTION - SUBSTANCE TO BE STATED**
A delegate seeking to propose an original motion or amendment shall state its substance before addressing the meeting thereon and, if so required by the President, shall put the motion or amendment in writing.
- 17. PRIORITY OF SPEAKERS**
If two or more delegates wish to speak at the same time, the President shall decide who is entitled to priority.
- 18. PRESIDENT TO BE HEARD**
Whenever the President signifies a desire to speak during a debate, any delegate speaking or offering to speak is to be silent, so that the President may be heard without interruption.
- 19. WITHDRAWAL OF MOTION**
A motion or amendment may be withdrawn by the mover with the consent of the meeting, which shall be signified without debate, and it shall not be competent for any delegate to speak upon it after the mover has asked permission for its withdrawal, unless such permission has been refused.
- 20. PRESIDENT MAY CALL TO ORDER**
The President shall preserve order, and may call any delegate to order when holding an opinion that there shall be cause for so doing.
- 21. RULING BY PRESIDENT**
The President shall decide all questions of order or practice. The decision shall be final and be accepted by the meeting without argument or comment unless in any particular case the meeting resolves that a different ruling shall be substituted for the ruling given by the President. Discussions shall be permitted on any such motion.
- 22. RESOLUTIONS**
- 22.1** Except as otherwise provided in the Association Constitution and these Standing Orders, all motions concerning the affairs of the Association shall be passed by a simple majority.
- 22.2** Any matter considered by the Association at a Special Meeting shall not be passed unless having received an absolute majority.
- 23. NO DISCUSSION**
Where there is no discussion on a motion, the President may deem the motion to be passed unless the meeting resolves otherwise.
- 24. PERMISSIBLE MOTIONS DURING DEBATE**
- 24.1** When a motion is under debate, no further motion shall be moved except the following:
- (a) that the motion be amended;
 - (b) that the meeting be adjourned;
 - (c) that the debate be adjourned;
 - (d) that the question be now put;
 - (e) that the meeting proceed with the next item of business; or
 - (f) that the meeting sits behind closed doors.



- 24.2** Any delegate who has not already spoken on the subject of a motion at the close of the speech of any other delegate, may move without notice any one of the motions listed in clause 24.1 (b)-(f) and, if the motion is seconded, it shall be put forthwith.
- 24.3** When a debate is adjourned, the delegate who moves the adjournment shall be the first to speak on the motion when the debate is resumed unless the delegate advises of no desire to speak on the motion. Where this occurs, the President shall then call for further speakers, with the exception of those delegates who have previously spoken (unless the meeting otherwise agrees).
- 25. RESCISSION OF RESOLUTION**
- 25.1 At the same meeting**
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may, by simple majority at the same meeting at which it is passed, rescind or alter a resolution if all delegates who were present at the time when the original resolution was passed are present.
- 25.2 At a Future Meeting**
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may rescind or alter a resolution made at an earlier meeting:
- (a) by simple majority, where the delegate intending to move the motion has, through the Chief Executive Officer, given written notice of the intended motion to each delegate at least seven (7) days prior to the meeting; or
 - (b) by absolute majority, in any other case.
- 26. METHOD OF TAKING VOTES**
The President shall, in taking a vote on any motion or amendment, put the question first in the affirmative, and then in the negative and may do so as often as is necessary to enable formation and declaration of an opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands or by an electronic key pad voting system.
- 27. DIVISION**
The result of voting openly is determined on the count of official voting cards and, immediately upon a vote being taken, a delegate may call for a division.
- 28. ALL DELEGATES TO VOTE**
- 28.1** At meetings of the Association, a delegate present at the meeting when a question is put shall vote on the question.
- 28.2** Each delegate shall be entitled to exercise one deliberative vote on any matter considered.
- 29. PRESIDENT'S RIGHT TO VOTE**
The President shall have a casting vote only.
- 30. SUSPENSION OF STANDING ORDERS**
- 30.1** In cases of urgent necessity or whilst the Association is sitting behind closed doors, any of these Standing Orders may be suspended on a motion duly made and seconded, but that motion shall not be declared carried unless a simple majority of the delegates voting on the question have voted in favour of the motion.
- 30.2** Any delegates moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take place.
- 31. NO ADVERSE REFLECTION ON ASSOCIATION**
A delegate shall not reflect adversely upon a resolution of the Association, except on a motion that the resolution be rescinded.
- 32. NO ADVERSE REFLECTION ON DELEGATE**
A delegate of the Association shall not reflect adversely upon the character or actions of another delegate nor impute any motive to a delegate unless the Association resolves, without debate, that the question then before the Association cannot otherwise be adequately considered.
- 33. MINUTES**
- 33.1** The Chief Executive Officer of the Association is to cause minutes of the meeting to be kept and preserved.
- 33.2** The minutes of a meeting are to be submitted to the next Annual or Special General Meeting for confirmation.
- 33.3** Copies of the minutes will be supplied to all delegates prior to the meeting.



Attachment 2: Minutes of 2020 Annual General Meeting



Minutes

Annual General Meeting

Friday, 25 September 2020

Crown Perth

Minutes

WALGA

Annual General Meeting

Held at

Crown Perth, Grand Ballroom

Friday 25 September 2020

The meeting commenced at 4pm



1 Annual General Meeting – Order of Proceedings

1.1 Record of Apologies

- | | |
|---------------------------|-------------------------|
| • City of Albany | |
| • Town of Bassendean | |
| • Shire of Boyup Brook | |
| • Shire of Carnarvon | |
| • Shire of Coorow | |
| • Shire of Dumbleyung | |
| • Shire of Halls Creek | |
| • Shire of Meekatharra | |
| • Shire of Murchison | |
| • Shire of Ngaanyatjaraku | |
| • Shire of Sandstone | |
| • Shire of Shark Bay | |
| • Shire of Three Springs | |
| • Shire of Williams | |
| • Shire of Woodanilling | |
| • Cr Thomas Oversby | Shire of Boyup Brook |
| • Cr Helen O'Connell | Shire of Boyup Brook |
| • Cr Brett McGuinness | Shire of Quairading |
| • Cr Len Armstrong | Shire of Lake Grace |
| • Cr Ian Mickel | Shire of Esperance |
| • Cr Amanda Yip | City of Bunbury |
| • Cr Anthony Farrell | Shire of Chapman Valley |
| • Mayor Dan Bull | City of Bayswater |
| • Cr Cheryl Kozisek | City of Bunbury |
| • Cr Steven Carter | Shire of Dalwallinu |
| • Cr Keith Carter | Shire of Dalwallinu |
| • Cr Sue Meeking | Shire of Kondinin |
| • Cr Julie Russel | Shire of Wickepin |
| • Cr Steven Martin | Shire of Wickepin |
| • Cr Dot Newton | City of Wanneroo |
| • Mr Tony Nottle | City of Busselton |
| • Cr Jason Russell | Shire of Mundaring |

1.2 Adoption of Standing Orders

RESOLUTION:

Moved Mayor Shane Van Styn, City of Greater Geraldton
Seconded Cr Julie Brown, City of Gosnells

That the AGM Association Standing Orders be adopted.

CARRIED



1.3 Confirmation of Minutes

Minutes of the 2019 WALGA Annual General Meeting were contained within the AGM Agenda.

RESOLUTION:

Moved Cr Paul Kelly, Town of Claremont

Seconded Mayor Logan Howlett, City of Cockburn

That the Minutes of the 2019 Annual General Meeting be confirmed as a true and correct record of proceedings.

CARRIED

2.0 Adoption of Annual Report

Annual Report including audited Financial Statements were distributed to members separately.

RESOLUTION:

Moved President Cr Michelle Rich, Shire of Serpentine Jarrahdale

Seconded Mayor Shane Van Styn, City of Great Geraldton

That the 2020 Annual Report including the 2019/20 Audited Financial Statements be received.

CARRIED

3.0 Consideration of Executive and Member Motions

As per motions listed.

4.0 Closure

There being no further business the Chair declared the meeting closed at 4:29pm.



3. Consideration of Executive and Member Motions

3.1 Drought in Western Australia

Shire of Dundas Delegate to move

RESOLUTION

Moved: President Cr Laurene Bonza, Shire of Dundas
Seconded: Cr Rasa Patupis, Shire of Dundas

That WALGA:

1. Requests assistance from the Federal Minister for Agriculture, Water and Environment, to reconsider the Federal Government's approach when determining the criteria on what areas are eligible for drought assistance; and
2. Requests the State Minister for Agriculture and Food, to reconsider the State Government approach of not assisting with the drought situation, and if the State cannot help under their Water Deficiency Program that is implemented to cart water, then an alternative assistance package be considered.

IN BRIEF

The Australian Government has released a drought response, resilience and preparedness plan.

The plan is focused on three themes:

- Immediate action for those in drought.
- Support for the wider communities affected by drought.
- Long-term resilience and preparedness.

Read the detail in the:

[Australian Government's Drought Response, Resilience and Preparedness Plan.](#)

Most regions in WA did not form part of the Drought Program

CARRIED

MEMBER COMMENT

In relation to the above the Hon David Littleproud MP, Minister for Agriculture, Drought and Emergency Management announced on 1 July 2020 that the Australian Government was investing \$3.9 billion (growing to \$5 billion) in the Future Drought Fund.

This long-term, sustainable investment will make \$100 million available each year to help farmers and communities become more prepared for, and resilient to, the impacts of drought. The first of the Future Drought Funds Programs were announced and began to roll out from July 2020, funding farm business planning, greater access to information for decision-making, adoption of research and technologies, and building the drought resilience of natural resources such as soil and vegetation in agricultural landscapes.

Communities will also benefit through improved regional planning, strengthening networks, leadership and community capabilities and small-scale infrastructure projects.

The eight programs, totalling \$89.5 million, are:

1. The \$20m Farm Business Resilience program will provide farm businesses with training to strengthen their strategic business management skills and develop a farm business plan to build risk management capacity and drought resilience.



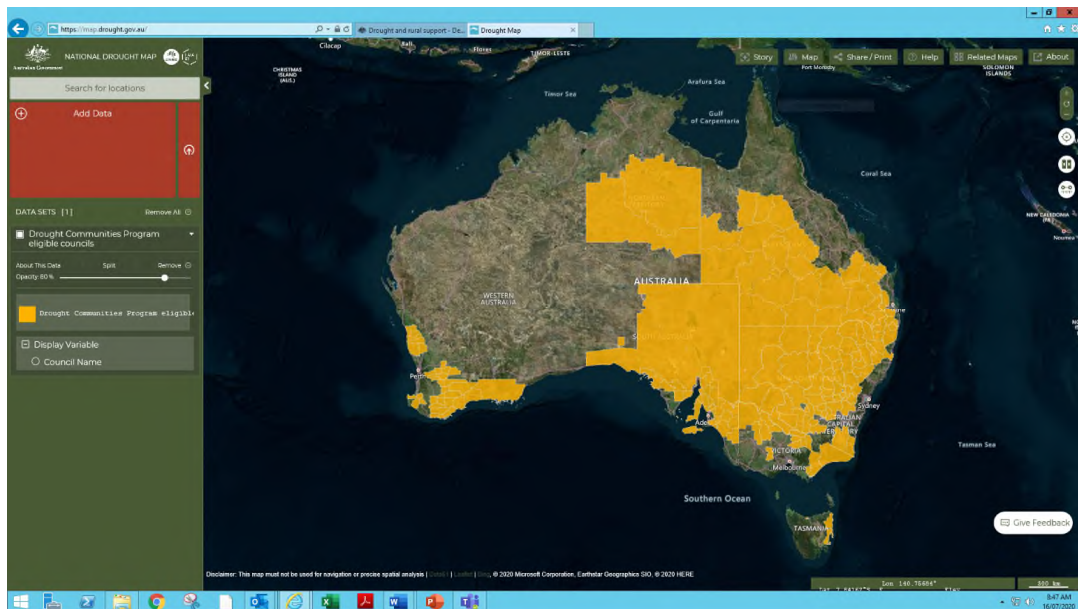
2. The \$10m Climate Services for Agriculture program will fund the development and delivery of interactive digital 'climate information services' for the agriculture sector to assist farmers to make real-time decisions.
3. The \$3m Drought Resilience Self-Assessment Tool will provide an online self-assessment tool for farmers to self-identify drought risks based on a range of social, economic and environmental indicators, and take action to build the drought resilience of their farm business.
4. The \$20.3m Drought Resilience Research and Adoption program will establish two regionally located Drought Resilience Adoption and Innovation Hubs, and Innovation Grants will become available to research organisations, private sector, industry, not-for-profit organisations and community groups.
5. The \$15m Natural Resource Management (NRM) Drought Resilience program will fund regional NRM bodies to undertake projects to build drought resilience of natural resources on agricultural landscapes, and there will also be grants available to organisations, farmer groups and individuals to undertake NRM projects to build the drought resilience of natural resources on small scales.
6. The \$3.75m Networks for Building Drought Resilience program will support community-driven projects that enhance drought resilience and strengthen networks, including small-scale infrastructure projects to make community facilities drought resilient.
7. The \$7.45m Drought Resilience Leaders program will develop leadership capability in communities and include a mentoring component to foster uptake of innovative practices to build drought resilience of farmers and their businesses.
8. The \$10m Regional Drought Resilience Planning will provide funding to consortia of local councils or equivalent entities to develop Regional Drought Resilience Plans for agriculture and allied industries.

In response to the above announcements on the 1 July 2020, the Western Australian Government was critical of these as they had bypassed critical WA projects that had been presented in a WA Government submission. WA's submission included research and development projects to regenerate degraded and dehydrated lands, projects to prove and promote on-farm desalination, a boost to Strategic Community Water Supplies in the grainbelt and support for horticulture on the Gnangara Mound. While any Federal drought funding is welcomed by the State Government, they felt that this program represents a lost opportunity for WA farmers in need of long-term drought support.

Despite its disappointment with the outcome, the McGowan Government stated it will work with the Federal Government to deliver programs in WA and will continue to push for projects to deal with systemic dry conditions in WA.

Recently the State Government has also declared a water deficiency in another area of the Goldfields Esperance Region in the Shire of Esperance - Cascade area. This is the 12th declaration since May 2019. A declaration is made as a last resort, after continued dry conditions due to climate change have depleted on-farm and State Government managed community water supplies.

<https://map.drought.gov.au/>



The above map identifies the Shires or Regions eligible for this funding. Unfortunately most areas in WA are excluded from any assistance for these programs, and it is important to highlight the Western Australian position as severely impacted with a lack of understanding or support from both Federal and State Governments.

SECRETARIAT COMMENT

The motion is in keeping with the State Council resolution of March 2020, requesting WALGA, in consultation with ALGA, to liaise with the WA State Government Ministers for Water, Agriculture and Environment to provide a coordinated holistic response in respect to the ongoing drying climate issues and access to the Drought Communities Funding Program (RESOLUTION 37.1/2020).



3.2 State Owned Unallocated Crown Land (UCL) House Blocks

Shire of Dundas Delegate to move

RESOLUTION

Moved: President Cr Laurene Bonza, Shire of Dundas
Seconded: Cr Rasa Patupis, Shire of Dundas

That WALGA request the Minister for Local Government, Hon. David Templeman to consider a review into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).

IN BRIEF

Local Governments impose rates to raise revenue to fund the services and facilities.

The State Government do not pay rates on unallocated crown land.

Request a review into the justification and fairness of the State not paying rates on UCL land.

CARRIED

MEMBER COMMENT

The Shire of Dundas is concerned that the State Government does not pay rates on Unallocated Crown Land. What is not considered is the roads in front of these properties still need to be sealed every ten years, the drains need repairs and verges need to be mowed, not to mention the portion of rates that contribute to the landfill, footy grounds, town-hall, public amenities, swimming pool and the general beautification of the Town.

The Shire of Dundas has 679 Town-site Properties.

The Shire of Dundas has 352 lots of Crown Land within the Town Boundary not paying rates or not vested to anyone to pay rates.

This is just over 50% of blocks in our community that does not pay rates while the infrastructure in-front of these blocks of land has to be maintained by the rest of our community. This equates to \$158,400.00 per year that the community has to find to maintain the infrastructure in front of these properties, which is 16% of the Shire's rates revenue.

The Shire of Dundas believes that the State should review the rate exemption provisions into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).

An alternative may be for the State to pay a minimum annual maintenance charge on each block to Local Governments to mitigate fire risk and asset management costs for roads, footpaths, drainage etc.

SECRETARIAT COMMENT

The above motion is consistent with WALGA's current policy of requesting for a broad review to be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act. This would include the current exemption for State Government Unallocated Crown Land (UCL).

It is also worth noting that the Local Government Review Panel have recommended that "*The Economic Regulation Authority (ERA) should be asked to undertake a review of the rating system, including a thorough examination of the case for the current wide range of exemptions*".



Attachment 3: Action Taken on Resolutions of the 2020 AGM

Action Taken on Resolutions of the 2020 Annual General Meeting

Action Taken on Resolutions of the 2020 Annual General Meeting	
<p>3.1 Drought in Western Australia</p> <p>That WALGA:</p> <ol style="list-style-type: none"> 1. Requests assistance from the Federal Minister for Agriculture, Water and Environment, to reconsider the Federal Government's approach when determining the criteria on what areas are eligible for drought assistance; and 2. Requests the State Minister for Agriculture and Food, to reconsider the State Government approach of not assisting with the drought situation, and if the State cannot help under their Water Deficiency Program that is implemented to cart water, then an alternative assistance package be considered. 	<p>WALGA has made representations on this issue including to the Hon David Littleproud MP, Minister for Agriculture, and Northern Australia; the Hon Alannah MacTiernan MLC, Minister for Regional Development and Food, Hydrogen Industry; and WA Federal Government members, including meetings between the WALGA Deputy President and Senators Dean Smith and Slade Brockman. WALGA has also met with Minister MacTiernan's Chief of Staff and WA Government officials.</p> <p>Correspondence from Minister Littleproud received in October 2020 indicated that details of the Commonwealth's Regional Drought Resilience Planning Program were still being worked through with the WA Government, which was yet to commit to co-funding the program. WALGA subsequently sought an assurance that Minister MacTiernan remained committed to <i>'working with the Minister for Water to ensure WA local government optimally benefit from the Future Drought Fund'</i>.</p> <p>On 4 July 2021 it was announced that the WA Government had secured \$1.33 million of the \$9.85 million available under the Regional Drought Resilience Planning Program for 2021-22 to undertake planning for the Northern Midwest, Southern Wheatbelt and Great Southern Inland regions. This work will be led by Regional Development Commissions working with Local Governments and is due for completion by 30 June 2022. The WA Government has not provided a cash contribution towards this program.</p> <p>On 3 February 2021 the WA Government announced a \$7.3 million infrastructure plan to upgrade and refurbish 70 community dams in the State's Wheatbelt and Great Southern regions with half to be funded from the National Water</p>



Action Taken on Resolutions of the 2020 Annual General Meeting	
	<p>Grid Fund, however the State's application for funding was unsuccessful.</p> <p>On 15 April 2021, the Commonwealth announced that an additional \$2.8 million would be provided to pay rebates for eligible water infrastructure installed on-farm to all WA farmers who submitted their application prior to 20 January 2021.</p> <p>On 11 August it was announced that the WA Government has been successful in securing National Water Grid Connections funding for nine projects (spanning Water Corporation, DPIRD and DWER):</p> <ul style="list-style-type: none"> • Cave Springs Road Tail Water Return System <ul style="list-style-type: none"> - Two water recycling systems will be constructed in the Ord River Irrigation Area resulting in 2,400 megalitres per annum of water savings. • Agricultural Area Dams and Strategic Community Water Supplies <ul style="list-style-type: none"> - Infrastructure facilities will be constructed including pipework, tanks, solar pumps and standpipes at 70 dam sites. This will increase resilience and water security in farming communities in the region. • Katanning to Kojonup Pipeline Enhancement <ul style="list-style-type: none"> - A number of sections of the existing pipeline between Katanning and Kojonup will be replaced, increasing water reliability and supply to all farmland customers. • Jerramungup Dam Catchment Improvement <ul style="list-style-type: none"> - Degraded bitumen will be replaced with plastic liner enabling increased runoff and water storage, and improving reliability to almost 100 per cent of water users in the Jerramungup catchment. • Gascoyne Irrigation Scheme Augmentation and Modernisation <ul style="list-style-type: none"> - Essential infrastructure in the Gascoyne region will be upgraded, including additional production bores and modernisation of irrigation systems. This will increase horticultural production capability in the region.



Action Taken on Resolutions of the 2020 Annual General Meeting	
	<ul style="list-style-type: none"> Community Water Supplies Partnership Program with Local Government <ul style="list-style-type: none"> Up to 40 new and improved non-potable water supplies will be developed in priority areas for farming communities to access. Ravensthorpe Dam Catchment Extension <ul style="list-style-type: none"> The catchment area of the Ravensthorpe dam will be increased by 5 hectares, increasing the volume of water in the dam by approximately 7 megalitres per annum. Cranbrook Dam Catchment Improvement <ul style="list-style-type: none"> Degraded bitumen will be replaced in Cranbrook Dam 1 catchment, increasing the volume of water in the dam by 15 megalitres per annum, for agricultural and primary industry use. Wongutha Independent Water Security Pilot <ul style="list-style-type: none"> A small-scale, solar powered water reverse osmosis desalination system pilot will be installed, producing an additional 7.3 megalitres per annum of fresh water. <p>Total funding for these projects is \$43.8 million: \$23.8 million State Government and other partners, \$20 million Commonwealth.</p> <p>WALGA has also secured a seat on the Commonwealth Agriculture Minister's Meeting Working Group on Drought which has representatives from the Commonwealth, all State/Territory Jurisdictions, National Farmers Federation and ALGA.</p>
<p>3.2 State Owned Unallocated Crown Land (UCL) House Blocks</p> <p>That WALGA request the Minister for Local Government, Hon. David Templeman to consider a review into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).</p>	<p>WALGA adopted advocacy positions in December 2021 that addresses this issues as follows;</p> <p><u>Rating Exemptions</u></p> <p>The rating exemptions that are of concern for the sector relate to the following:</p> <ul style="list-style-type: none"> Rating of Charitable Purpose properties Department of Housing: Leasing to Charitable Organisations Government Trading Entities



Action Taken on Resolutions of the 2020 Annual General Meeting	
	<ul style="list-style-type: none">• State Agreement Act projects• State Owned Unallocated Crown Land <p>On this basis, the Local Government sector supports an independent review of all rating exemptions to enhance equity among ratepayers in the community.</p> <p>Local Government Position:</p> <p>That an independent review of all rate exemptions be undertaken.</p>