



MINUTES

Council Meeting

Tuesday, 17 July 2018 at 6.30pm

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY, 17 JULY 2018.

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.30pm

2. ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place."

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

| | |
|-----------------|------------------|
| Mayor J O'Neill | Presiding Member |
| Cr C Collinson | |
| Cr J Harrington | |
| Cr M McPhail | |
| Cr D Nardi | |
| Cr A Natale | |
| Cr T Watkins | |
| Cr A White | |

The following staff were in attendance:

| | |
|-------------|---------------------------------------|
| Mr G Tuffin | Chief Executive Officer |
| Mr A Malone | Executive Manager Regulatory Services |
| Mr P Kocian | Executive Manager Corporate Services |
| Ms J May | Minute Secretary |

There was one member of the public in attendance.

3.2 Apologies

Nil.

3.3 Approved

Cr A McPhail

4. DISCLOSURES OF INTEREST

4.1 Financial

Nil.

4.2 Proximity

Nil.

4.3 Impartiality

Nil.

5. PUBLIC QUESTION TIME

5.1 Responses to previous questions from members of the public taken on notice

Nil.

5.2 Public Question Time
Nil.

6. PRESENTATIONS/DEPUTATIONS

6.1 Presentations
Nil.

6.2 Deputations
Nil.

7. APPLICATIONS FOR LEAVE OF ABSENCE

7.1 Cr Watkins

Cr Watkins sought leave of absence from the 24 July to 7 September 2018.

7.2 Cr Collinson

Cr Collinson sought leave of absence from the 23 August to 1 October 2018

7.1/7.2 COUNCIL RESOLUTION 020718

Moved Cr Nardi, seconded Cr Natale

That leave of absence be granted to Crs Watkins and Collinson for the periods requested.

(CARRIED UNANIMOUSLY)

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Special Meeting of Council (6 June 2018)

8.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 030718

Moved Cr Nardi, seconded Cr Harrington

That the minutes of the Special meeting of Council held on Wednesday, 6 June 2018 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

8.2 Ordinary Meeting of Council (19 June 2018)

8.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 040718

Moved Cr White, seconded Cr Natale

That the minutes of the Ordinary meeting of Council held on Tuesday, 19 June 2018 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

8.3 Special Meeting of Council (2 July 2018)

8.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050718

Moved Cr Natale, seconded Cr Watkins

That the minutes of the Special meeting of Council held on Monday, 2 July 2018 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER

9.1 Fremantle Recycling Centre

"I had a tour of the Fremantle Recycling Centre with Fremantle Mayor, Brad Pettit.

It truly is a great facility. Recycling those difficult items such as paints including oil based, mattresses, batteries, white goods etc. Well run and managed and will be of great benefit to our residents. Allowing to achieve better recycling outcomes.

I would like to thank our CEO and staff for their work and the City of Fremantle for allowing us to partner with them in this facility."

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

11. REPORTS AND RECOMMENDATIONS OF COMMITTEES

Nil.

12. REPORTS

12.1 PLANNING REPORTS

12.1.1 Application for partial closure of unused portion of road reserve in Canning Highway

| | |
|----------------------------|--|
| Applicant/Owner | Veris/ Main Roads Western Australia |
| File ref | P/CAN101 |
| Prepared by | Andrew Malone, Executive Manager Regulatory Services |
| Supervised by | Gary Tuffin, Chief Executive Officer |
| Meeting date | 17 July 2017 |
| Voting requirements | Simple Majority |
| Documents tabled | Nil |
| Attachments | 1. Letter of application 2. Submissions |

Purpose

This report considers an application for the closure of a portion of public road reserve Lot 2427 on Diagram DP160869 located adjoining the Old Post Office building on the corner of Canning Highway and Stirling Highway.

Executive Summary

Veris on behalf of Main Roads WA (MRWA) requested the Town of East Fremantle to commence and support this application for road closure at the Old Post Office. Veris has requested Council progress this application with the Department of Planning, Lands and Heritage (DPLH), as per section 58 of the Land Administration Act 1997 (LAA) and regulation 9 of the Land Administration Regulations 1998.

It is recommended to support the request and commence the process for the partial road closure of this subject area of land.

Background

Given that the land serves no public purpose other than the containment of numerous services, it is recommended the application be supported subject to the applicant bearing all costs and purchasing the land at market value.

Council at its meeting held on 15 May 2018 supported the application as per the following recommendation:

That Council support the application for the proposed closure of a portion of Canning and Stirling Highway (Lot 2427) intersection and amalgamation with the Old Post Office (lot4247) as indicated on the proposed plan of subdivision dated 16 November 2017 for the purpose of public advertising subject to the following conditions:

- 1. All costs associated with the proposed closure of Lot 2427 located at the corner of Canning and Stirling Highway to be borne by the applicant.*
- 2. All costs associated with the proposed amalgamation of Lot 2427 and Lot 4247 to be borne by the applicant.*
- 3. The application be advertised in accordance with the provisions of the Land Administration Act 1997 (sec58).*

Consultation

Under the LAA, the proposed road closure was advertised in the local paper with a 35 day comment period. During this period relevant stakeholders, service authorities and the public were notified for their comment. Five (5) comments were received, all in support of the proposed development (see attached). ATCO Gas and Telstra both provided comments requesting the inclusion of conditions. These conditions have been included in the Officers recommendation as advice notes.

Statutory Environment

The statutory procedure for road closure is identified in the provisions of the Land Administration Act. Once the road has been closed and the land becomes “Unallocated Crown Land”, the land can then be amalgamated into the Old Post Office (Lot 4247) through the normal subdivision process. The Town has followed the process for road closure as outlined in the Act.

Policy Implications

There is no policy of the Council that has a bearing on the matter.

Financial Implications

Nil

Strategic Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces.

3.1 *Facilitate sustainable growth with housing options to meet future community needs.*

3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*

3.1.2 *Plan for a mix of inclusive diversified housing options.*

3.2 *Maintaining and enhancing the Town’s character.*

3.2.1 *Ensure appropriate planning policies to protect the Town’s existing built form.*

3.3 *Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.*

3.3.1 *Continue to improve asset management practices.*

3.3.2 *Optimal management of assets within resource capabilities.*

3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 *Conserve, maintain and enhance the Town’s open spaces.*

4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*

4.1.2 *Plan for improved streetscapes parks and reserves.*

4.2 *Enhance environmental values and sustainable natural resource use.*

4.2.1 *Reduce waste through sustainable waste management practices.*

4.3 *Acknowledge the change in our climate and understand the impact of those changes.*

4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

Site inspections were undertaken on 28 November 2017 and 4 May 2018

Comment

The subject land currently is grassed/ paved but generally is un-kept and unused. The area currently serves no useful public purpose. The proposed road closure of and its amalgamation with the adjacent lot (Old Post Office) will allow access to the side of the building for maintenance and will ensure the building is located wholly within the separate lot. This section of closed road will be amalgamated into Lot 4247 and sold with the Old Post Office.

Lot 4247 is the location of the Old Post Office. The building on site is the original post office and is of significant heritage value being on both the State and National inventory. At present the site is owned by the MRWA who have resolved to put the lot and building on the market as it is an unrequired asset. In order to ensure the heritage building is properly protected after sale, a feature survey was conducted to determine the exact position of the building relative to the cadastral boundary. This investigation found that the eaves of the building extended over the north and western boundary of the subject lot into both Stirling Highway and Canning Highway road reservations. In order to ensure the Post Office building is properly protected within its own lot it was determined that a portion of road at the corner of both highways (Lot 2427) be closed and then incorporated into the Old Post Office (Lot 4247).

The application was advertised to MRWA, the Water Corporation of WA, Western Power and other state service authorities, and the public. No significant concerns were raised. ATCO Gas and Telstra both provided comments requesting the inclusion of conditions. These conditions have been included in the Officer Recommendation as advice notes.

It is considered the proposal has merit and should be supported subject to the applicant bearing all costs associated with the proposed closure and amalgamation.

12.1.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 060718

Moved Cr Collinson, seconded Cr Watkins

That Council support the application for the proposed closure of a portion of Canning and Stirling Highway (Lot 2427) intersection and amalgamation with the Old Post Office (Lot 4247) as indicated on the proposed plan of subdivision dated 16 November 2017 subject to the following conditions:

- 1. all costs associated with the proposed closure of Lot 2427 located at the corner of Canning and Stirling Highway to be borne by the applicant.**
- 2. all costs associated with the proposed amalgamation of Lot 2427 and Lot 4247 to be borne by the applicant.**

Advice Notes:

i) Telstra Conditions:

(1) In the event Telstra's assets require relocation, please engage Telstra's Asset

- Relocation team to obtain a quote to relocate the assets from the location in question.*
- (2) *Telstra's existing facilities are grandfathered under the 1997 Telecommunications Act. This enables such facilities to legally occupy land in perpetuity for the duration of that facilities use.*
- (3) *Part 1 of Schedule 3 of the Telecommunications Act 1997 authorises a carrier to enter land and exercise any of the following powers:*
- inspect the land*
 - install a facility*
 - maintain a facility*
- In the case of installation and planned maintenance a notification will be afforded and such work will generally proceed during business hours. However, from time to time, certain activities need to be carried out without delay in order to protect the integrity of the network. Such activities may require vehicular access without notice and at any time of the day or night. 24/7 access for maintenance must be maintained.*
- (4) *If at any time in the future it becomes necessary, in the opinion of the carrier because of a subdivision of any land to remove, or alter the position of a facility, the carrier may enter the land and do anything necessary or desirable for that purpose. The person who proposes to subdivide the land is liable to pay the carrier the reasonable cost of anything reasonably done by the carrier in this regard.*
- (5) *If at any time in the future it becomes necessary, in the opinion of the carrier or the land owner to remove, or alter the position of any Telstra assets, the carrier may enter the land and do anything necessary or desirable for that purpose. If the land owner is contemplating carrier relocation of these assets, then the land owner is liable to pay the carrier the reasonable cost of anything done in this regard.*
- (6) *All individuals have a legal "Duty of Care" that must be observed when working in the vicinity of Telstra's communication plant. It is the constructors/land owner's responsibility to anticipate and request the nominal location of Telstra plant in advance of any construction activities in the vicinity of Telstra's assets. All enquires for plant locations should be made through Dial Before You Dig's freecall "1100" enquiry number. On receipt of plans, notwithstanding the recorded location of Telstra's plant, the constructor/land owner is responsible for potholing and physical exposure to confirm the actual plant location before site civil work begins. Telstra reserves all rights to recover compensation for loss or damage caused by interference to its cable network or other property.*
- ii) **ATCO Condition:**
- (1) *That the proponent engages an ATCO Approved locator to confirm whether the Abandoned Gas Main will fall within the area of proposed closure. Prior to any ground disturbing works being conducted, a request must be lodged for a quote for a residual gas test to be completed on the Abandoned Gas Main in accordance with our NCN-WI008-RF01 document Additional Information for working Around Gas Infrastructure.*

(CARRIED UNANIMOUSLY)

12.2 FINANCE REPORTS

12.2.1 Deferral of June 2018 Monthly Financial Statements

| | |
|----------------------------|--|
| File ref | F/FNS2 |
| Prepared by | Peter Kocian, Executive Manager Corporate Services |
| Supervised by | Gary Tuffin, Chief Executive Officer |
| Meeting Date | 17 July 2018 |
| Voting requirements | Simple Majority |
| Documents tabled | Nil |
| Attachments | Nil |

Purpose

Given the end of year processes involved with producing the Annual Financial Report, it is proposed that the June 2018 Monthly Financial Statements be presented to Council at the August Ordinary Council meeting.

Executive Summary

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires the Town to prepare a monthly Statement of Financial Activity. The monthly Statement of Financial Activity is to be presented to the Council at an ordinary meeting within 2 months after the end of the month to which the statement relates. The operating section of the Statement of Financial Activity is shown by program in accordance with Regulation 34 (3) (b) of the *Local Government (Financial Management) Regulations 1996*.

Background

Not Applicable.

Consultation

Nil.

Statutory Environment

Local Government Act 1995 (As amended)

Local Government (Financial Management) Regulations 1996 (As amended)

Policy Implications

Significant accounting policies are adopted by Council on an annual basis. These policies are used in the preparation of the statutory reports submitted to Council.

Financial Implications

There are no financial implications relative to this report.

Strategic Implications

The matter being put to the Council is not likely to have a direct impact on the strategies of the Council.

4.9 A financially sustainable Town – Provide financial management services to enable the Town to sustainably provide services to the community.

Site Inspection

Site inspection undertaken: Not applicable

Comment

A significant amount of work is required to finalise the end of year accounts (accruals, reconciliation of reserves, reconciliation of leave provisions, reconciliation of fixed assets, fair value of infrastructure assets) and it is proposed that the presentation of the June Financial Statements be deferred until the accounts are finalised. This will also allow a thorough comparison of June 30 balances against the 2017/18 Budget, including net current assets carried forward.

12.2.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 070718

Moved Cr M McPhail, seconded Cr White

That Council approves the deferral of the June 2018 Monthly Financial Report until the August 2018 Ordinary Council Meeting, as permissible under Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

(CARRIED UNANIMOUSLY)

Mayor O'Neill welcomed Mr Kocian to his first meeting following his recent appointment to the position of Executive Manager Corporate Services and thanked him for accepting the position and his previous acting role.

12.2.2 Accounts for Payment – June 2018

| | |
|----------------------------|--|
| File ref | F/FNS2 |
| Prepared by | Terry Paparone, Manager Finance & Administration |
| Supervised by | Peter Kocian, Executive Manager Corporate Services |
| Meeting Date | 17 July 2018 |
| Voting requirements | Simple Majority |
| Documents tabled | Nil |
| Attachments | 1. Monthly List of Payments – June 2018 |

Purpose

For Council to receive the monthly list of accounts paid.

Executive Summary

To endorse the list of payments made under delegated authority for the month of June 2018.

It is therefore recommended that Council receives the Lists of Accounts paid for the period 1 June to 30 June 2018, as per the summary table.

Background

The Chief Executive Officer has delegated authority to make payments from the Municipal and Trust Accounts in accordance with budget allocations.

The Town provides payments to suppliers by electronic funds transfer, cheque or credit card. Attached is an itemised list of all payments made under delegated authority during the said period.

Consultation

Nil.

Statutory Environment

Regulation 13: *Local Government (Financial Management) Regulations 1996 (as amended)*

Policy Implications

Policy 4.2.4 Purchasing Policy

Financial Implications

Accounts for Payment are sourced from budget allocations.

All amounts quoted in this report are inclusive of GST.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

STRATEGIC PRIORITY 5: Leadership and Governance

A proactive, approachable Council which values community consultation, transparency and accountability.

Site Inspection

Not applicable.

Comment

The attached itemised list of payments is prepared in accordance with Regulation 13 of the amended *Local Government (Financial Management) Regulations 1996*.

12.2.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080718

Moved Cr Nardi, seconded Cr Watkins

That the list of accounts paid for the period 1 June to 30 June 2018 be received, as per the following summary table:

| JUNE 2018 | | |
|---------------------|---------------------------|-----------------------|
| Voucher No | Account | Amount |
| 5162 – 5169 | Municipal (Cheques) | 18,205.86 |
| EFT26007 – EFT26187 | Electronic Transfer Funds | \$858,540.48 |
| Payroll | Electronic Transfer Funds | \$225,440.43 |
| Superannuation | Electronic Transfer Funds | \$35,983.78 |
| Credit Card | Corporate Credit Card | \$2,897.80 |
| | Total Payments | \$1,141,068.35 |

(CARRIED UNANIMOUSLY)

12.3 GOVERNANCE REPORTS

12.3.1 Review of the WALGA Waste Levy Policy Statement 2009

| | |
|----------------------------|---|
| File ref | H/HRW5 |
| Prepared by | Shelley Cocks Principal Environmental Health Officer |
| Supervised by | Andrew Malone Executive Manager Regulatory Services |
| Meeting Date | 17 July 2018 |
| Voting requirements | Simple Majority |
| Documents tabled | Nil |
| Attachments | 1. Discussion Paper: Review of the WALGA Waste Levy Policy Statement 2009 |

Purpose

The purpose of the report is to advise council of the response provided to a request from WALGA seeking comment and feedback on their review of the Waste Levy Discussion Paper by 30 June 2018.

Executive Summary

The Waste Avoidance and Resource Recovery (WARR) Levy (the levy) is an economic instrument which has the potential to incentivise waste diversion from landfill and fund strategic waste management initiatives. The Levy intends to discourage waste to landfill and a portion of it (not less than 25%) is provided to the WARR account for activities related to the management, reduction, monitoring or measurement of waste. The remaining 75% of the Levy is used for general government revenue which the Municipal Waste Advisory Council (MWAC) argues is not the purpose of a hypothecated tax.

The administration of the WARR account is undertaken by the Waste Authority with ultimate responsibility lying with the Minister for Environment through the Department of Water and Environmental Regulation (DWER). Since the WARR account was established in 2008 (with a balance of \$11m) and funds of \$117m paid into the account during 1 July 2008 and 30 June 2016, \$98m was distributed. Unexpended funds exceeded \$30m. Concern over the use of WARR account funds has been repeatedly raised by local governments. Further, the Waste Authority has sought, but not received from DWER, a detailed breakdown to show that the moneys from the WARR account for DWER administration compliance and policy have been expended on Waste Authority Functions.

Background

The *Waste Avoidance and Resource Recovery Levy Act 2007* was enacted to impose a levy on certain wastes. A similar levy was previously raised under the *Environmental Protection Act 1986*. The Levy applies to waste collected or landfilled in the metropolitan area. In 2009 the WARR and WARRL Acts were amended to change the method of funds distribution to allow for 75% of funds to go into consolidated revenue and 25% paid into the WARR account.

Funds from the WARR account are to be applied in line with section 80 of the *WARR Act 2007* which states:

- (1) *Moneys held in the WARR Account are to be applied, in a manner that is consistent with the current business plan or as may be approved by the Minister —*
 - (a) *to fund programmes relating to the management, reduction, reuse, recycling, monitoring or measurement of waste; and*

- (b) to fund the preparation, review and amendment of the waste strategy, waste plans under Part 4 and extended producer responsibility schemes and the implementation of that strategy and those plans and schemes; and
- (c) in payment of the costs of administering the WARR Account (including the costs of collecting levies and penalties and support and evaluation services); and
- (d) to fund the services and facilities referred to in section 36(1)(da); and
- (e) in payment of the other costs of the administration and enforcement of this Act, including the remuneration of members of the Waste Authority.

Upon its establishment in 2008, a balance of \$11 million was transferred into the WARR Account from its predecessor, the Waste Management and Recycling Account. From 1 July 2008 to 30 June 2016, the WARR Account received \$108 million in Levy payments, and \$9 million in interest and other income.

Concern over the use of WARR Account funds has been repeatedly raised by Local Government. Of the approximately \$117 million funds paid into the WARR Account during the 1 July 2008 to 30 June 2016 period, \$98 million was distributed. As of June 2016, unexpended funds exceeded \$30 million.

It is worth noting that the Waste Authority, Waste Authority Services Unit, Waste Wise Schools, Keep Australia Beautiful WA and any other construct of the Department of Water and Environmental Regulation that delivers waste related administrative or regulatory activities is also now funded from the WARR Account.

According to the Office of the Auditor General (2016):

DER [now DWER] receives approximately \$7 million annually from the WARR Account for purposes such as levy and compliance inspections, administrative support and policy and legislative review. The Waste Authority has sought, but has not received from DER, a detailed breakdown to show that the moneys from the WARR Account for DER administration, compliance and policy have been expended on Waste Authority functions.

Consultation

Council officers consulted with Rebecca Brown, Manager Waste Services at WALGA and provided the following responses to questions asked in the review paper produced by MWAC.

1. Should the Policy Statement be amended to focus only on the portion of the Levy that is allocated to the WARR Account?

No. This would negate the intent and purpose of the policy statement which is "A Policy statement to enunciate the local government position on levies charged on the weight or volume of waste received at licensed premises and the application of those funds to waste management activities"

WALGA should therefore apply their policy statement to all of the levies raised regardless of how they are spent. If it is apparent that the levies raised are not being used for their original intention then that is probably a advocacy matter as the Law was changed to allow for 75% of the revenue to be used elsewhere.

The discussion paper includes examples of Levy Fund mismanagement such as unspent funds exceeding millions of dollars and lack of reporting from the private waste sector to cover up inert material that is stockpiled instead of being properly disposed of.

These issues should be properly investigated and resolved by the correct authority.

It is stated in the policy that continuing local government support for the Levy is subject to the provision (on an ongoing basis) of robust evidence, made available to the public, demonstrating the Levy is achieving its broad objectives and on a number of conditions regarding the Levy's operation and the application of Levy funds. This policy should be implemented so perhaps it should be made clear where the responsibility for providing the evidence lies ie Treasury or Waste Authority?

The Town strongly agrees that the levy should be hypothecated to strategic waste management activities and not core government business.

The Town further supports that the Levy not be applied to waste received at licensed premises whose primary support is resource recovery.

The Town strongly agrees with Part 7 of the policy statement - Funding from the Levy which are:

1. provide adequate funding and support for Regional Councils and local governments.
2. reflect the targets and priorities of the State Waste Strategy,
3. fully funds and acknowledges the life cycle costs of infrastructure and services,
4. facilitate the development and implementation of product stewardship schemes.

In the current economic climate surrounding the international sale of recyclates it is even more important that funding is directed to finding markets or further processing opportunities for recyclates in Australia.

Consideration should be given to identifying and implementing examples of sustainable circular economies which may involve partnerships with business and industry.

2. Should the policy statement be amended to support the application of the Levy to non-metropolitan areas, and if so, under what circumstances should application of the Levy be considered?

The case WALGA has put forward to applying the Levy to non-metropolitan areas include the following:

1. raising additional funding for waste management activities by an estimated 25%, and factoring in the 25% of the WARR levy **only** would raise an additional \$4.36M.
2. promoting the business case for increased resource recovery in the non-metropolitan area (by making landfill unaffordable).
3. the landfill levy only applies to metropolitan local governments therefore is clearly inequitable.
4. simplify the Regulation by applying the levy to all waste (it states waste generated or landfilled, but that does not reflect other elements of the policy statement such as not including resource recovery industries) therefore it should be waste landfilled not just generated.

The Town understands the rationale behind the above four points but are also aware that non-metropolitan local governments generally have less income. It is further our understanding that many rural landfill sites are unmanned and do not have the appropriate supporting infrastructure (weigh bridges). Therefore, to manage the collection of the levy it is likely that these LGs would need to man their landfill sites and invest in additional infrastructure to ensure they correctly collect the levy. Which would result in a substantial financial burden.

3. Rationale for the Waste Levy.

The Town agrees that any funds raised for, and allocated to strategic waste management activities must be expended in a timely manner.

4. Differential Levies.

The Town agrees that the section of the Policy Statement on Differential Levies is removed for ease of application because the current Levy regime no longer includes a Differential Levy and the Department of Water & Environmental Regulation is still working to implement the Levy.

5. Basis for setting Levy Rates

The Town agrees that at least a 5 year rolling schedule for the Levy is required to enable local government as a whole the capacity to plan and budget for changes to the Levy and to have a firm basis from which to develop business cases on changes to services.

6. Administration of the Levy

Agree that this section of the Policy Statement is removed. However there should be some alternative acceptable proposal to deal with administration of the Levy (See Section 8).

7. Funding Scope.

As mentioned previously, the Town concurs with Part 7 of the policy statement which reflects funding principles adopted by MWAC in June 2017. These principals outline Local government expectations regarding State Government funding programs that support waste management.

In short, Local Government expects State Government funding programs that support waste management activities to:

1. Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments,
2. Reflect the targets and priorities within the State Waste Strategy,
3. Fully funds and acknowledges the life-cycle costs of infrastructure and services, and
4. Facilitate the development and implementation of Product Stewardship Schemes.

8. New Section – Regulation of the Levy

The Town agrees with the proposed “Regulation of the Levy”. It is clear that the Levy needs to be supported by a comprehensive regulatory regime for both licenced premises and other sites and that roles and responsibilities are clearly enunciated.

Statutory Environment

The Waste Avoidance and Resource Recovery Act 2007
The Waste Avoidance and Resource Recovery Levy Act 2007

Policy Implications

N/A

Financial Implications

No direct financial implication.

Strategic Implications

Strategic Priority 5 Leadership and Governance

5.2 Proactively collaborate with the community and other stakeholders.

5.2.1 Foster and promote strategic collaborative relationships with neighbouring LGA's, NGO's, State and Federal government representatives and agencies.

12.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 090718

Moved Cr Collinson, seconded Cr Watkins

That Council notes the responses made in relation to the WALGA Waste Levy Discussion Paper.

(CARRIED UNANIMOUSLY)

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

14. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING

Nil.

15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

16. NEW BUSINESS OF AN URGENT NATURE

Nil.

17. MATTERS BEHIND CLOSED DOORS

17. PROCEDURAL MOTION

Moved Cr M McPhail, seconded Cr Natale

That Council resolve the meeting be closed to the public to discuss item 17.1 under the terms of the *Local Government Act 1995, Section 5.23(2)(a)*.

(CARRIED UNANIMOUSLY)

17.1 Gratuity Payment – Sue Limbert

17.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 100718

Moved Cr Watkins, seconded Cr M McPhail

That Council;

- (1) approve the gross payment of \$4,200 (before tax) in accordance with policy 4.2.8 to Mrs Sue Limbert in recognition of her 28 years of excellent service to the Town of East Fremantle.
- (2) send a letter of thanks to Mrs Limbert to recognise her outstanding contribution to the Town.

(CARRIED UNANIMOUSLY)

17. PROCEDURAL MOTION

Moved Cr White, seconded Cr Natale

That Council come from behind closed doors.

(CARRIED UNANIMOUSLY)

18. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 7.01pm.

I hereby certify that the Minutes of the meeting of the Council of the Town of East Fremantle, held on 17 July 2018, Minute Book reference 1. to 18. were confirmed at the meeting of the Council on

21 AUGUST 2018



Presiding Member