

# Gascoyne Country Zone Minutes

**Shire of Carnarvon Council Chambers** 

10:00am Friday 22 March 2019

# **Gascoyne Country Zone**

Meeting to be held at the Shire of Carnarvon Commencing at 10:00am, Friday, 22 March 2019

The Chair declared the meeting open at 10:08am

# **Minutes**

#### **ATTENDEES**

Shire of Carnarvon President Karl Brandenburg

David Burton - Chief Executive Officer

Shire of Exmouth Cr Ben Dixon – via teleconference

Cameron Woods - Chief Executive Officer - via

teleconference

Shire of Shark Bay President Cr Cheryl Cowell (Chair)

Paul Anderson - Chief Executive Officer

Brian Galvin – Works Manager

Shire of Upper Gascoyne President Cr Don Hammarquist

John McCleary - Chief Executive Officer (via

teleconference)

Jarrod Walker - Works Supervisor

WALGA Tim Lane, Manager Strategy and Association Governance

Anne Banks-McAllister AM, Regional Capacity Building

Manager

**GUESTS** 

City of Albany Stephen Grimmer, Program Facilitator, IPR Peer Support

Program

Dept. of Local Government, Sport

and Cultural Industries

Benita Donda, Regional Officer Gascoyne

**APOLOGIES** 

Gascoyne Development Commission Mr Andy Munro, Chair

Mr Gavin Robins, Chief Executive Officer

# 1. Attachments

The following are provided as attachments to the agenda:

- 1. Minutes November 2018 Meeting
- 2. IPR Peer Support Program
- **3.** State Council Agenda via link: <a href="https://walga.asn.au/getattachment/1ec84900-16a4-46ec-b64b-520f643574db/State-Council-Agenda-27-March-2019-doc.pdf">https://walga.asn.au/getattachment/1ec84900-16a4-46ec-b64b-520f643574db/State-Council-Agenda-27-March-2019-doc.pdf</a>
- **4.** President's Report

#### 2. **DEPUTATIONS**

# 2.1 Integrated Planning and Reporting (IPR) Peer Support Program

Program Facilitator, Stephen Grimmer, from the City of Albany will present on the Peer Support Program, along with Anne Banks-McAllister, Regional Capacity Building Manager, WALGA.

The eleven Local Governments in the Great Southern recently completed a pilot peer support program for implementing the requirements of Integrated Planning and Reporting (IPR). The program is all about the sharing of practical tools, templates, ideas and experience in implementing and maintaining the requirements of the Integrated Planning & Reporting Framework, supported by a Program Facilitator and regional peers. The program has been so successful that all eleven participants are still actively involved and the program is being rolled out in the South West. A number of Local Governments across Western Australia have expressed interest in the program.

The program is supported by WALGA, the Department of Local Government, Sport & Cultural Industries and LG Professionals WA. As administrators of the program, LG Professionals WA has successfully applied for funding to roll the program out across the state and the program is now engaging with other rural and regional Local Governments to determine the best way to achieve this. The Program Facilitator (Stephen Grimmer from the City of Albany) will present on the Peer Support Program with interested Local Governments, to share the Great Southern experience and to listen and understand the best way to take the program into other areas.

A brochure is attached.

#### Actions:

- 1. Mr Stephen Grimmer will follow up with the four CEOs regarding the program and the potentiality of a regional approach; and,
- 2. The four CEOs will continue discussions regarding Executive level collaboration in the Gascoyne.

#### 2.2 WALGA's Economic Development Project

Anne Banks-McAllister AM, Regional Capacity Building Manager, will provide an overview of WALGA's Economic Development Project.

#### RESOLUTION

That the Gascoyne Zone request WALGA to:

- 1. Support Local Government in their tourism endeavours as a key component of the Economic Development project;
- 2. Continue to prosecute the economic development and tourism agenda;
- 3. Advocate to the State Government to review the regional development commission and tourism structures in WA aiming for a more strategic and collaborative approach; and,
- 4. Advocate to the State for revitalization of the regional development commission regional plans.

#### **CARRIED**

#### 3. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Councillors must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil.

# 4. CONFIRMATION OF MINUTES

# 4.1 Minutes of the 23 November 2018 Meeting of the Gascoyne Country Zone

#### **RESOLUTION**

Moved President Brandenburg

Seconded Cr Cowell

That the Minutes of the meeting of the Gascoyne Country Zone held on 23 November 2018 be confirmed as a true and accurate record of the proceedings.

**CARRIED** 

# 4.2 Business Arising

The Executive Officer will follow up regarding invitations to key Government Ministers to attend future Zone meetings.

# 5. ZONE BUSINESS

# 5.1 Zone Status Report

Agenda Item	Zone Resolution	WALGA Response	WALGA Contact
2018 December 5 State Council Agenda Item 5.1 Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition	That WALGA:  1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative is developed;	Main Roads WA has acknowledged that sustainable access for heavy vehicles is dependent on financial contributions from freight generators such as mines where these operations have a major impact on the road.	lan Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
	Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network;  3. Supports the development of standard	Some alternative proposals to the existing condition on the network (CA07) are being developed for consideration. Development of model procedures has been deferred awaiting consideration of alternative regulatory approaches.	
	administrative procedures including fees and letter formats;  4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road	The tools provided by WALGA (calculating the cost of road wear) are designed to support Councils in their negotiations with freight generators. These tools are not prescriptive and require knowledgeable input in order to generate helpful analysis.	

Agenda Item	Zone Resolution	WALGA Response	WALGA Contact
2018 December 5 State Council Agenda Item 5.3 State Budget Submission	That WALGA's submission to the State Government in advance of the 2019-20 Budget be endorsed with the inclusion of commentary arguing:  1. Under the heading of 'Economic Development' for a review to be undertaken of the State Government's approach to regional development, including the Regional Development Commissions, and the integration between regional development and tourism;  2. For a targeted approach in product development and tourism infrastructure and assets for tourism with less focus on tourism marketing; and,  3. For the proposed State Economic Development Strategy to focus on tourism as a competitive advantage for particular regions as a means to generate economic growth for the State.	1. That WALGA's submission to the State Government in advance of the 2019-20 Budget be endorsed; and, 2. That additional consultation be held with the Peel Zone in relation to the Metropolitan Regional Improvement Tax.  The issues raised by the Zone require further investigation and the development of a supporting evidence base before they can be included in a Budget submission.  These issues will be considered in further detail and advocated separately as part of WALGA's ongoing economic development activities.	Wayne Scheggia Deputy CEO 9213 2024 wscheggia@walga.asn.au

#### **NOTED**

# 5.2 Restricted Access Vehicle Operating Condition

Shire of Upper Gascoyne

#### **Background**

At the December 2018 meeting of State Council considered Main Roads WA's (MRWA) proposal to abolish the CA07 operating condition that Local Governments can impose on transport operators accessing the Restricted Access Vehicle (RAV) network. MRWA intends to abolish the CA07 operation condition on the basis of State Solicitors Officer advice that imposing such a condition is unlawful. State Council resolved the following at the December 2018 meeting:

#### That WALGA:

- 1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed;
- 2. Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network;
- 3. Supports the development of standard administrative procedures including fees and letter formats; and
- 4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage as determined by the Local Government.
- 5. Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from the use of heavy vehicles and those loaded in excess of limits (concessional loading) can be recovered from those benefiting, and redirected into the cost of road maintenance.

Point four of the resolution above was amended by the Gascoyne Zone, and subsequently endorsed by State Council, with the addition of the words "as determined by the Local Government".

#### **Current Situation**

MRWA has agreed to allow the CA07 condition to continue for now (although they are under pressure to show when and how it will be withdrawn). WALGA's position is that there is not yet an acceptable alternative.

Some Local Governments are still charging for Letters of Authority – it is difficult to do anything about this in the short term unless the Local Governments do so willingly.

Work has progressed on a new condition to replace the CA07 and new administrative procedures that will facilitate (but not legislate) maintenance agreements with freight generators along with a mechanism to remove access if the impact on the road is significant.

MRWA is well aware that there is a need to consult broadly with Local Government and we will propose several working groups to be the mechanism. There is a discussion with the Ministerial Heavy Vehicle Advisory Committee in late March and a briefing for the Minister which need to be completed before consultation with Local Governments.

# **Shire of Upper Gascoyne Comment**

As most would be aware both Main Roads and WALGA are looking at the issue of control of heavy vehicles on Local Government Roads, in particular the CA07 requirement. This has been bought about because some Local Governments have been charging a fee to obtain a letter of approval. The State Solicitor is of the opinion that this is Ultra Viries as it is viewed as being a toll and tolls are not permitted in Western Australia.

The CA07 not only stipulates that a driver must carry a copy of the letter of approval but it also provides the opportunity to impose speed restrictions, hours of operation and also the ability to enter into a road use agreement.

Preliminary advice from Bernie Miller (Main Roads) and Ian Duncan (WALGA) have provided some insight as to what may be proposed as an alternative to the CA07. At first glance it appears that the alternative process will be very unsatisfactory. Without a high degree of certainty it appears that the proposal will be for the CA07 to be withdrawn, Local Governments will have the option to make application to have the RAV rating reduced or taken off the road.

When RAV Audit is undertaken Main Roads look at issues such as the line of site, vertical and horizontal alignments, intersections, road width, signage; although very important they do not do any investigations on the standard of the pavement and the ability of the pavement to withstand the increased traffic, in my mind this is a crucial issue as this is what fails on unsealed formed roads given the quality of material and the availability of water.

It is my understanding that the work behind providing an alternative to the CA07 has progressed and the new proposal is being presented to the Minister of Transport, this is imminent.

This raises a number of concerns:

- 1. What about other road users, in our case pastoralists? They would have to apply to the Local Governments to use the road on a case by case basis. Practically this will not happen;
- 2. To my knowledge no Local Government has yet applied to have a RAV rating removed from their road(s);
- 3. Economic Development is hindered or profitability is severely hindered, in the case of a mining company they would need to use a vehicle configuration that did not breach the Main Roads Act;
- 4. The Minister can overturn a decision to remove the RAV rating; and
- 5. Companies can apply to Main Roads to have a RAV Assessment undertaken.

Questions flow from the above scenarios and concerns:

- 1. How do we control speed?
- 2. How do we control hours of operation (e.g. School Bus Zones, Residential areas noise)?
- 3. How do we control dust issues?
- 4. What are the liability issues (LGIS need to be a party to this process)?
- 5. What happens if Main Road provides a RAV assessment for a company and the Local Government does not allow them on the road, is there potential for litigation, does it go to SAT?
- 6. Who is responsible of maintenance of the road, if Local Government how are we going to fund this?
- 7. Who determines if the road is safe, how many inspections of the road are required to satisfy this, again who pays for this?
- 8. Why are we getting rid of the CA07 rather than getting those Local Government who are doing the wrong thing to stop (who are these Local Governments)?
- 9. Why hasn't Local Government been consulted before a Ministerial proposal has been put forward?
- 10. Why hasn't the Minister for Local Government been included in the consultation phase, perhaps there is opportunity to review provisions of the Local Government Act?

It is my view that we need a working group, comprised of one or two members from each WALGA Zone who are affected by this.

#### **RESOLUTION**

That the Gascoyne Zone request WALGA to:

- 1. Advocate for thorough consultation with the Local Government sector regarding alternative approaches to the CA07 operating condition; and,
- 2. Establish a Working Group consisting of representatives from MRWA, WALGA, LGIS, DoT and the Local Government sector incorporating at least one member from each affected WALGA Zone to consider alternative approaches.

#### **CARRIED**

# 5.3 Gascoyne Regional Investment Blueprint

Shire of Exmouth

The Blueprint is the Economic Development Strategy / vision for our region until 2050. Under the Labour Government the Development Commissions have not been advancing the Blue Prints. Request the zone support a status update from the Gascoyne Development Commission on the advancement of the Blue Print targets.

# **RESOLUTION**

That the Gascoyne Zone request an update from the Gascoyne Development Commission regarding the status and targets of the Gascoyne Regional Investment Blueprint.

#### **CARRIED**

# 5.4 Ningaloo Coast Regional Strategy Carnarvon to Exmouth – Nyinggulu (Ningaloo) Coastal Reserves, Draft Joint Management Plan.

Shire of Exmouth

Department of Biodiversity Conservation and Attractions will take over management of 70,000 hectares from Red Bluff to Yardie Creek and run 500 wilderness camping sites. The Management Plan has no consideration for the economic impact on established towns such as Exmouth, nor does it consider Exmouth's own planning strategy TPS4 and its future tourism land allocations.

Request zone support to encourage the State to undertake an independent economic impact assessment of Wilderness Camping in the Shire of Exmouth and the broader Gascoyne region.

#### **RESOLUTION**

That the Gascoyne Zone requests WALGA to advocate to the State Government to undertake an independent economic assessment of Wilderness Camping in the Shire of Exmouth and the broader Gascoyne Region.

#### **CARRIED**

# 5.5 Murchison Country Zone Meeting

Shire of Upper Gascoyne

At previous Zone meetings there has been discussion regarding attendance of a Gascoyne Zone delegation at a Murchison Country Zone meeting. The Murchison Country Zone typically meet for a full day and host presentations from a range of politicians, Government Departments and other speakers.

The next Murchison Zone meeting will be held on Friday 3 May in Cue.

Cr Don Hammarquist and John McCleary will be attending and Tim Lane, Gascoyne Zone Executive Officer, is scheduled to attend to accompany the WALGA President, Cr Lynne Craigie in representing WALGA at the meeting.

Would the Gascoyne Zone be interested in sending a delegation to attend the Murchison Zone meeting?

#### **ACTION**

Cr Cowell and President Brandenburg will liaise regarding their availability to attend the meeting.

#### 5.6 WALGA Regional State Council Meeting

Planning is underway for the Regional Meeting of State Council to be held over Thursday, 5 September 2019 and Friday, 6 September 2019 in Shark Bay.

Below is the draft program of events:

# Thursday, 5 September

WALGA Party arrive by charter flight – 12:00pm Lunch – WALGA party plus representatives from the Gascoyne Zone – 12:30pm Zone Forum and/or tour – 1:30pm to 4:30pm

Check in to accommodation – 5:00pm

Gascoyne Country Zone – 22 March 2019

Zone and WALGA dinner - 6:00pm

#### Friday, 6 September

State Council meetings – 8:30am-1:00pm State Council lunch – 1:00pm-1:30pm WALGA party flies back to Perth – 2:00pm/2:30pm

As per the draft program above, representatives from the Zone would be invited from lunch on Thursday through to dinner on Thursday night, with Friday being for State Council business (at which Zone members are welcome to attend as observers).

A key part of the program is the Zone Forum on the afternoon of Thursday, 5 September, which presents an opportunity for the Zone to present and discuss key issues with WALGA State Council.

Typically this session would involve presentations from Zone members and could also include other relevant regional speakers.

Input is sought from the Zone regarding content for the Zone Forum.

#### **ACTION**

The Executive Officer will invite the Minister for Tourism and the CEO of Tourism WA to present to the forum.

#### 5.7 Zone Meeting Calendar Amendments

The following changes are proposed to the Zone meeting schedule for 2019:

 Move Zone teleconference meeting from Friday 3 May to now be held on <u>Wednesday 1 May at</u> 10:00am.

Rationale: the original date clashes with the Murchison Country Zone meeting, which some delegates will be attending.

2. Hold the June Zone meeting and Regional Road Group meeting at Mt Augustus on the afternoon of Thursday 20 June (instead of Friday 21 June) as follows:

Zone meeting: 1:00pm-3:00pm

Regional Road Group: 3:00pm-5:00pm

Rationale: change of date from the Friday to the Thursday to allow delegates to travel to Mt Augustus on the morning of Thursday 20 June, and then travel home on Friday 21 June, with lunch on arrival on the Thursday, followed by the meetings and then dinner and accommodation.

# **RESOLUTION**

# That Zone Schedule of meetings, as amended, be endorsed as follows:

Zone Meeting	Location
10:00am, Wednesday 1 May	Teleconference
1:00pm, Thursday 20 June	Mt Augustus
10:00am, Friday 23 August	Teleconference
10:00am, Friday 22 November	Carnarvon

#### **CARRIED**

#### 6. STATE COUNCIL AGENDA – MATTERS FOR DECISION

(Zone delegates to consider the Matters for Decision contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)

#### **MATTERS FOR DECISION**

#### 5.1 Local Government Act Review – Sector Positions Following Feedback from Submissions

That WALGA endorse and submit to the Minister for Local Government and the Department of Local Government, Sport and Cultural Industries:

- 1. The Local Government Act Review Report contained in this agenda; and,
- 2. The attached WALGA Advocacy Positions.

# 5.2 Economic Development Project

That State Council endorses the:

- 1. Local Government Economic Development: Research Findings and Future Directions Discussion Paper; and,
- 2. Local Government Economic Development Framework.

# 5.3 Interim Submission to Salaries and Allowances Tribunal – Elected Member Fees and Allowances

That the interim submission to the Salaries and Allowances Tribunal relating to Elected Member Fees and Allowances be endorsed.

# 5.4 Review of the Administrative Road Classification Methodology - Regional Roads within Rural/Non Built Up Areas

That State Council supports the proposed Administrative Road Classification Methodology - Regional Roads within Rural/Non Built Up Areas.

# 5.5 Interim Submission – Draft Position Statement: Container Deposit Scheme Infrastructure

That the interim submission to the WA Planning Commission on Draft Position Statement: Container Deposit Scheme Infrastructure, be endorsed.

#### 5.6 Interim Submission – Parliamentary Inquiry into Short-Stay Accommodation

That the interim submission to the Economics and Industry Standing Committee's Inquiry into Short-Stay Accommodation be endorsed.

# 5.7 Interim Submission – State Planning Policy 2.4 Basic Raw Materials

That the interim submission to the Western Australian Planning Commission on draft State Planning Policy 2.4 Basic Raw Materials and the Draft Basic Raw Materials Guidelines be endorsed.

# 5.8 Community Policy Reform Project

That State Council receives the Community Policy Reform Report and endorses the establishment of a Community Technical Reference Group.

# 5.9 Submissions – Draft WA Cultural Infrastructure Strategy

That the Submission on the Draft WA Cultural Infrastructure Strategy be endorsed.

# 5.10 Interim Submission - Public Health Act 2016 Aquatic Facilities and Public Buildings Regulation Review

That the Interim Submissions provided to the Department of Health Public Health Act 2016 Discussion Papers on Regulations for Aquatic Facilities and Public Buildings be endorsed.

# 5.11 WA Foodborne Illness Reduction Strategy

That the WA Foodborne Illness Reduction Strategy 2018-2021+ be endorsed.

#### **MATTERS FOR NOTING / INFORMATION**

- 6.1 ERA Business Licensing Inquiry WALGA Response to Draft Report
- 6.2 Local Government Performance Monitoring Project 2017/2018
- 6.3 Review of Coastal Hazard Risk Management and Adaption Planning (CHRMAP) Guidelines
- 6.4 Completion of the Changing Places and Community Infrastructure Grant Programs
- 6.5 Update on Building and Energy's State Wide Cladding Audit
- 6.6 Report Municipal Waste Advisory Council (MWAC)
- 6.7 Electric Scooter Shared Services
- 6.8 Systemic Sustainability Study Actions Update
- 6.9 2018 WALGA Annual General Meeting Action updates

### **ORGANISATIONAL REPORTS**

- 7.1.1 Report on Key Activities, Environment and Waste Unit
- 7.1.2 Report on Key Activities, Governance and Organisational Services
- 7.1.3 Report on Key Activities, Infrastructure
- 7.1.4 Report on Key Activities, People and Place
- 7.2 Policy Forum Reports

#### **RESOLUTION**

Moved: President Brandenburg

Seconded: Cr Hammarquist

That the Gascoyne Country Zone endorse State Council items 5.1 – 5.11.

**CARRIED** 

# 7. EXECUTIVE REPORTS

# 7.1 State Councillor's Report to the Zone

Cr Cheryl Cowell and President Brandenburg provided an update to the Zone.

#### **NOTED**

# 7.2 President's Report to the Zone

Tim Lane outlined the President's Report on behalf of Cr Lynne Craigie.

#### **NOTED**

# 7.3 Department of Local Government, Sport and Cultural Industries Report to the Zone

Benita Donda, Regional Officer Gascoyne, updated the Zone on a range of issues including the following:

- Community Sport and Recreation Facilities Fund (CSRFF)
- Targeted Participation Program (TPP)
- Flagship Projects 2019/2020
  - Gascoyne Outdoor Recreation Strategy
  - Sport and Recreation Facility Activation

In addition, the Department's Local Matters Newsletter is available here.

#### **NOTED**

# 7.4 Gascoyne Development Commission Report

The Gascoyne Development Commission were unable to attend the meeting.

Nil

8.	OTHER BUSINESS	
0.	UTREK DUƏHNEƏƏ	

Nil.

# 9. DATE, TIME AND PLACE OF NEXT MEETING

The next ordinary meeting of the Gascoyne Country Zone will be held at 10:00am on Wednesday 1 May 2019 via teleconference.

# 10. CLOSURE

There being no further business the Chair declared the meeting closed at 12:10pm.