



Gascoyne Country Zone

Minutes

10:00am

Friday, 25 June 2021

Gascoyne Country Zone

Meeting to be hosted by the Shire of Upper Gascoyne

4 Scott Street, Gascoyne Junction

Commenced at 10:00am, Friday, 25 June 2021

Minutes

ATTENDEES

Shire of Carnarvon	President Eddie Smith Andrea Selvey –Chief Executive Officer David Nielsen – Executive Manager Infrastructure Carolien Claassens – Manager Governance
Shire of Exmouth	President Cr Matthew Niikkula – via video Matthew Bird – Acting Chief Executive Officer - via video
Shire of Upper Gascoyne	President Cr Don Hammarquist OAM John McCleary – Chief Executive Officer
Shire of Shark Bay	President Cr Cheryl Cowell – Chair Paul Anderson – Chief Executive Officer Edmund Fenny Brian Galvin – Works Manger
WALGA	Mayor Tracey Roberts, President – via video Mark Bondiitti – Policy Manager Transport and Roads

GUESTS

GFG Group	Anne Banks-McAllister Peter McAllister
Department of Local Government, Sport and Cultural Industries	Benita Perkins – Regional Officer
Gascoyne Development Commission	Tym Duncanson – Chief Executive Officer Simmone Van Buerle
Regional Development Australia – Mid West Gascoyne	Mark Holdsworth – Executive Officer Karen Grima – RDA Project Officer
Roadwise	Samantha Adams, Road Safety Officer – Mid-West
GUEST SPEAKER	Mr Paul Ryan, Assistant Commissioner, DFES

APOLOGIES

Department of Local Government, Sport and Cultural Industries	Angele Gray – Regional Manager Mid-West Gascoyne
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Attachments

The following were provided as attachments to the agenda:

1. Previous Meeting Minutes – 23 April 2021 Meeting
2. President's Report

1. 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

2. ANNOUNCEMENTS

On behalf of the Zone delegates, the Chair thanked Paul Anderson for many years of contribution to the Zone and wishing him well on his retirement.

3. DEPUTATIONS

3.1 Department of Fire and Emergency Services

Paul Ryan, Assistant Commissioner, Department of Fire and Emergency Services presented to the Zone on Emergency Management matters.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the 23 April 2021 Meeting of the Gascoyne Country Zone

RESOLUTION

Moved: President Eddie Smith
Seconded: President Cr Cheryl Cowell

That the Minutes of the meeting of the Gascoyne Country Zone held on 23 April 2021 be confirmed as a true and accurate record of the proceedings.

CARRIED

4.2 Business Arising

Nil

5. ZONE BUSINESS

5.1 Solar Eclipse 2023

Shire of Exmouth

Standing Item on the agenda relating to planning for the 2023 Solar Eclipse.

The Director General has formed a Task Force to manage the event. Tourism WA have formed an Officer Working Group, contact for the Hybrid Solar Eclipse is the Project Director, Kelsie Johnston and it is suggested that Gascoyne zone members make direct contact with her. Her contact details will be forwarded to the delegates.

Noted

5.2 Gascoyne Infrastructure Priorities

By Mark Holdsworth, RDAMWG

RDAMWG has appointed GFG Group to prepare a Gascoyne Infrastructure Priorities report. Gascoyne Shires have been invited to provide input into this report which will be coordinated through GFG. It is intended that this report will be used to advocate to State and Federal Government and provide input into Infrastructure Australia discussions and the Developing Northern Australia agenda and White paper.

GFG Group representatives, Anne Banks-McAllister and Peter McAllister provided a presentation to the Zone.

Noted

5.3 Report on Local Government Road Assets and Expenditure

By Mark Bondiotti, WALGA

Mark Bondiotti, Transport and Roads Policy Manager, provided a presentation on Local Government Road Assets Expenditure.

Noted

5.4 Funding Sources for Commodity Routes

By Mark Holdsworth, RDAMWG

After the last meeting, RDAMWG facilitated a briefing from the EO of RDAMWG who spoke to the process, rationale and outcomes used by 42 Wheatbelt shires to secure \$500M in funding to manage road upgrades. A brief summary of this discussion was provided to the meeting.

The delegates resolved that a resource was needed to prepare a business case.

RESOLUTION

Moved: President Eddie Smith
Seconded: President Cr Cheryl Cowell

That the GDC and RDAMWG set up a working group to progress towards preparing a business case for a funding application for commodity route preservation and /or upgrading works in the Gascoyne and adjacent regions.

CARRIED

5.5 DRFAWA Funding Timeframes

By Shire of Upper Gascoyne

BACKGROUND

Currently the timeframes are averaging between 75 to 90 days. These need to be 35 days maximum otherwise it creates major cash flow implications.

For Discussion

After discussion it was concluded that this request falls within the resolution of the previous Zone meeting that resolved that WALGA would request that DFES form a working group to review the DRFAWA process. WALGA is progressing the resolution by collecting evidence that will be presented to DFES to advocate for an improved process.

Noted

5.2 Zone Status Report – June 2021

Zone	Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
Gascoyne C	2019 September 5 Zone Agenda Item 5.1 Restricted Access Vehicle Operating Condition	That the Gascoyne Zone request WALGA to establish a Working Group relating to the Restricted Access Vehicle Operating Condition issue as soon as possible, to allow the Working Group to develop possible options prior to meeting with Main Roads.	The RAV Access working group met by teleconference in early December 2019. Based on the resolution of this meeting a letter detailing Local Government expectations was sent to Main Roads WA. The Association discussed this matter with Main Roads WA in November 2020. They are engaging with the State Solicitors Office prior to a proposed consultation with Local Government concerning a proposed approach.	Ongoing	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Gascoyne C	2019 March 22 Zone Agenda Item 5.2 Restricted Access Vehicle Operating Condition	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.	The RAV Access working group met by teleconference in early December. Based on the resolution of this meeting a letter detailing Local Government expectations was sent to Main Roads WA. The Association discussed this matter with Main Roads WA in November 2020. They are engaging with the State Solicitors Office prior to a proposed consultation with Local Government concerning a proposed approach.	Ongoing	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Gascoyne C	2021 19 February Zone Agenda Item 5.2 Asset Preservation Model	That the Gascoyne Country Zone recommend the implementation of options 1 to 4 sequentially with report back at the conclusion of each phase for direction to proceed further.	At the May 2021 meeting WALGA State Council resolved to: <ul style="list-style-type: none"> Seek support from the WA Local Government Grants Commission to provide presentations on the inputs, operation of and outputs of the Road Asset Preservation Model at Zone or Regional Road Group meetings where requested; and Advocate to the WA Local Government Grants Commission to improve the formatting and labelling of the model and make it available via the Commission's website. A formal letter has been sent to the WA Local Government Grants Commission accordingly.	June 2021	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Gascoyne C	2021 19 February Zone Agenda Item 5.4 Issues with the DRFAWA Claims and Approvals Process	That the Gascoyne Country Zone recommend WALGA request DFES to form a working group of participants from affected Shires to review the current process and report back on outcomes and solutions.	Engagement with DFES is scheduled for 15 April but may be deferred due to TC Seroja	April 2021	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031

Gascoyne C	2021 19 February Zone Agenda Item 8.1 Rainfall Monitoring	That the Gascoyne Country Zone recommend that WALGA advocate to the Bureau of Meteorology to increase the density of automatic rain gauges towards a 50km grid coverage.	Correspondence was sent to BOM on 2 June 2021 about this matter and the Zone will be kept updated with the progress of discussions (2/06/21).	June 2021	Narelle Cant Executive Manager, Strategy, Policy and Planning ncant@walga.asn.au 9213 2078
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Noted

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)

The full State Council Agenda can be found via link: [State Council Agenda 7 July 2021](#)

The Zone is able to provide comment or submit an alternative recommendation that is then presented to the State Council for consideration.

Matters for Decision

5.1 Reviews of the *Cat Act 2011* and *Dog Act 1976*

That WALGA seek a commitment from the State Government:

1. for the conduct of comprehensive reviews of the *Cat Act 2011* and *Dog Act 1976*; and
2. that the reviews incorporate Local Government-specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders.

5.2 Amendments to WALGA's Constitution

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;

- (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”.

Matters for Noting

- 6.1 Submission to Ministerial Expert Committee on Electoral Reform
- 6.2 Legal Response to the Coastal Hazard Planning Issues Paper
- 6.3 WALGA Submission: Child Safety Officer
- 6.4 State Planning Policy 3.1 Residential Design Codes Volume 1 – Medium Density Code
- 6.5 Report Municipal Waste Advisory Council (MWAC)
- 6.6 Local Government Performance Monitoring Project
- 6.7 Review of Fire Weather Districts
- 6.8 2021-22 State Budget Submission Approach
- 6.9 Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA

RESOLUTION

Moved: President Cr Don Hammarquist
Seconded: President Cr Cheryl Cowell

That

- 1. Supports all Matters for Decision as listed above in the 7 July 2021 State Council Agenda; and**
- 2. Notes all Matters for Noting and Organisational Reports as listed in the 7 July 2021 State Council Agenda.**

CARRIED

7. EXECUTIVE REPORTS

7.1 State Councillor's Report to the Zone

Cr Cheryl Cowell provided an update on the previous State Council meeting.

Noted

7.2 President's Report to the Zone

Mayor Tracey Roberts JP, President, presented her report.

Noted

7.3 Gascoyne Development Commission

Chief Executive Officer, Tym Duncanson, provided an update to the Zone.

Noted

7.4 Department of Local Government, Sport and Cultural Industries

Benita Perkins provided an update to the Zone on DLGSC matters.

Noted

7.5 Roadwise Report

Samantha Adams, Road Safety Officer, Mid-West provided an update to the Zone.

Noted

8. OTHER BUSINESS

8.1 Road Closures

John McCleary spoke to the group on the problems that the Upper Gascoyne is experiencing with vehicles ignoring road closures and causing significant damage to roads. They are seeking assistance on mechanisms to apply penalties and claim for damages.

It was suggested that they draft a local law to apply fines and use the Traffic Administration Act to recover compensation. John McCleary suggested the Zone recommend that WALGA meet with the Minister of Police and advocate for increased powers for Local Government in the matter. After further discussion the Zone agreed that the Shire should first attempt to apply the available legislative mechanisms.

RESOLUTION

Moved: President Eddie Smith
Seconded: President Cr Cheryl Cowell

That WALGA be tasked to compile a guidance note on the drafting of a local law to apply fines to drivers ignoring road closure signage and on the use of the Traffic Administration Act to recover compensation for road damage.

CARRIED

9. DATE, TIME AND PLACE OF NEXT MEETING

Next meeting: 10:00am, Friday 20 August 2021, held via videoconference.

Remaining Meeting Dates for 2021

Date	Location	Commencement
19 November 2021	Shire of Carnarvon	10am

10. CLOSURE

There being no further business the Chair declared the meeting closed at 12.45pm