

**MINUTES OF THE ZONE MEETING**

held by Video Conference  
Friday 1 May 2020 commencing at 10:21 am

**1 OPENING & WELCOME**

The Zone President and Chair of the meeting, Cr Ken Seymour, welcomed delegates and observers.

**2 ATTENDANCE & APOLOGIES**

**2.1 Attendance**

Delegates -

Cr John Davis	Shire of Chittering
Cr Dahlia Richardson	Shire of Dandaragan
Cr Jan Court	Shire of Gingin (Deputy President)
Cr Barry Haywood	Shire of Goomalling
Cr Ken Seymour	Shire of Moora (President)
Cr Chris Antonio	Shire of Northam
Cr Pauline Bantock	Shire of Victoria Plains
Cr Stuart Boekeman	Shire of Wongan-Ballidu
Cr Denese Smythe	Shire of York

Observers –

Mr Matthew Gilfellow	Shire of Chittering
Mr Aaron Cook	Shire of Gingin
Mr Peter Bentley	Shire of Goomalling
Cr Tracy Lefroy	Shire of Moora
Mr Jason Whiteaker	Shire of Northam
Mr Chris Linnell	Shire of York
Ms Mandy Walker	Director Regional Development, RDA Wheatbelt
Mr Shannon Wood	Senior Legislation & Strategy Officer, Department of Local Government, Sport & Cultural Industries
Mr Gordon MacMile	Director Strategic Coordination and Delivery, Department of Local Government, Sport & Cultural Industries
Ms Carol Hodgen	Project Officer Local Government Policy and Engagement, Department of Local Government, Sport & Cultural Industries
Mr Mark Batty	Executive Manager, Strategy, Policy and Planning, WALGA
Mr Sebastian Davies-Slate	Policy Officer, Transport and Roads, WALGA
Mr Rob Cossart	CEO, Wheatbelt Development Commission
Ms Elise Woods	Regional Manager Avon, Wheatbelt Development Commission
Hon Mia Davies MLA	Member for Central Wheatbelt
Hon Martin Aldridge MLC	Member for Agricultural Region
Robert Dew	Zone Executive Officer

**2.2 Apologies**

Cr Don Gibson	Shire of Chittering
Cr Steve Carter	Shire of Dalwallinu
Cr Julie Williams	Shire of Northam
Cr Beth Ruthven	Shire of Toodyay
Ms Glenda Teede	Shire of Victoria Plains
Ms Jenifer Collins	Regional Manager Wheatbelt, Department of Local Government, Sport & Cultural Industries
Mr Craig Manton	Regional Manager Wheatbelt, Main Roads WA
Mr Cliff Simpson	Road Safety Advisor (Wheatbelt North), WALGA
Hon Martin Aldridge MLC	Member for Agricultural Region
Cr Julie Williams	Shire of Northam

Due to technical difficulties the following were unable to connect to the meeting –

Cr Rosemary Madacsi	Shire of Toodyay
Cr Mandy Stephenson	Shire of Wongan-Ballidu
Mr Shane Love MLA	Member for Moore
Hon Laurie Graham MLC	Member for Agricultural Region

### 3 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 4 ANNOUNCEMENTS

There were no announcements.

### 5 MINUTES

#### 5.1 **Confirmation of Minutes**

Minutes of the Zone Meeting held 21 February 2020 at Jurien Bay. Copies of these Minutes have been circulated to all member Councils.

#### **RECOMMENDATION**

That the Minutes of the Zone Meeting held on 21 February 2020, as printed and circulated, be confirmed.

#### **RESOLUTION**

**Cr C Antonio moved and Cr P Bantock seconded –**

**That the Minutes of the Zone Meeting held on 21 February 2020, as printed and circulated, be confirmed.** **CARRIED**

#### 5.2 **Business Arising from the Minutes**

(a) Future Drought Fund and National Drought Response Resilience Plan (Item 5.2(a))

Last meeting considered the update provided by the WA Local Government Association on the Commonwealth's Drought Resilience Funding Plan and in particular the Future Drought Fund and Drought Communities Program Extension.

The meeting resolved -

*That the WA Local Government Association be requested to advocate to the Commonwealth and State Governments to fully explain the eligibility criteria for funding under the Drought Communities Program Extension and to adjust the eligibility criteria to ensure that the anomalies that have occurred to date do not occur in the future.*

The WA Local Government Association advises that it has met with the WA Minister for Water's Chief of Staff and is lobbying through both the State and ALGA for a third round of funding, bespoke to Western Australia. (See Status Report Item 6.4)

#### **RECOMMENDATION**

For Noting

**NOTED**

Hon Mia Davies MLA commented that in response to an enquiry she had made as the Member for Central Wheatbelt regarding the eligibility for the Drought Communities Program Extension, the Federal Minister for Agriculture, Drought and Emergency Management had advised that an independent review of the methodology, delivery and objectives of the program had recently been completed and an interim methodology to inform the allocation of funding developed. She indicated that she would forward the Minister's response to Zone member Councils.

(b) Off Road Vehicles and Local Government (Item 5.2(b))

The November 2019 meeting resolved that a representative of the Department of Local Government, Sport and Cultural Industries be invited to a Zone meeting to provide an update on the issue of off-road vehicles. Mr Gordon MacMile, Chair of the Off-Road Vehicle Advisory Committee, indicated that he would be pleased to attend a meeting to discuss off-road vehicles but requested that this be deferred to early 2020 as he would have more information available at that time.

At the last meeting the Shire of Gingin enquired as to the current status of the Off-Road Vehicle Advisory Committee and expressed concern at the lack of communication with local government on the issue. I understand that the Department of Local Government, Sport and Cultural Industries has been in contact with the Shire of Gingin. Cr J Court may care to report.

Cr J Court reported that recent advice had been that meetings of the Off-Road Vehicle Advisory Committee had been put on hold due to COVID-19. She expressed concern that a meeting of the Committee had not yet been convened as it was important for the Committee to be up and running. She requested that a video conference be held as soon as possible. Mr MacMile replied that he would look in the possibility of holding of a video conference.

(c) Other

No other matters were brought forward.

**11 URGENT BUSINESS (as permitted by the Presiding Member)**

**11.1 Modified Proposed Ministerial Order – Penalty and Instalment Interest**

The President referred to the late item submitted by the Shire of Gingin and enquired if the meeting wished to discuss the matter at this time.

**RESOLUTION**

**Cr J Court moved and Cr B Haywood seconded –**

**That Urgent Business Item 11.1 be brought forward for discussion.**

**CARRIED**

Hon M Aldridge MLC commented that Ministerial Orders can be disallowed by Parliament. He expressed concern that persons suffering financial hardship will have to show their financial credentials to prove their eligibility to each different organisation providing assistance.

Mr M Batty drew attention to the webinar being held with the Minister for Local Government at 2:00 pm today and that he expected questions on the matter to be asked of the Minister.

Here was general discussion.

Mr J Whiteaker and Mr A Cook offered to amend the draft letter circulated with the item to take into account the meetings comments.

**RESOLUTION**

**Cr J Court moved and Cr B Haywood seconded –**

**That the Zone write to the Minister for Local Government –**

- (a) Thanking the Minister for listening to the views of local government and making adjustments in relation to the proposed Ministerial Order removing penalty interest on outstanding rates;**
- (b) Advising the Zone's disappointment in the initial announcement and stressing that early consultation with local government on important issues such as penalty interest is critical and encouraging the WA Government to be mindful of this in the future;**
- (c) Expressing concern at the recent decision of the WA Government to not freeze valuations for the 2020/2021 period as this will make it difficult for Councils to maintain rating at 2019/2020 levels; and**
- (d) Requesting clarification of conflicting advice on the WA Government's requirement for local government to 'freeze rates' (freezing in the rate in the dollar or freezing the total amount of rates levied).**

**CARRIED**

## 6 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION BUSINESS

### 6.1 WALGA State Council Agenda

Review of the Agenda for the State Council meeting to be held Wednesday 6 May 2020. The Agenda has been circulated by WA Local Government Association to member Councils for distribution to delegates. The Zone is able to provide comment or submit alternate recommendations to State Council for consideration.

#### Emerging Issues

##### 4.1 COVID-19 Pandemic – WALGA Response (Page 5)

###### WALGA Recommendation

*That the information contained in this report relating to WALGA's response to the COVID-19 pandemic be noted.*

###### WALGA Executive Summary

- The COVID-19 pandemic, declared as a State of Emergency on 16 March 2020 in Western Australia, is having a profound impact on the health, wellbeing and economy of Western Australia
- WALGA's Local Government members have been severely impacted by the pandemic and WALGA is working hard to provide advocacy, resources, communications and guidance on a range of fronts to support the Local Government sector.
- This item summarises at a high level the activities that WALGA is undertaking to provide support for members, and is correct and up-to-date as at 14 April 2020.
- Additional supplementary information will be provided at the Zone and State Council meetings.

##### 4.2 Local Government Act Emergency Provisions (Page 15)

###### WALGA Recommendation

*That WALGA:*

- 1) *Notes and supports the introduction of legislation that:*
  - a. *Provides for Ministerial emergency powers on the condition that the Local Government sector is consulted prior to the issuing of an order using this power, and,*
  - b. *Provides the ability for Local Governments to suspend a provision of a local law*
- 2) *Continues to advocate for the 2019-20 valuations to apply to the 2020-21 rates.*

###### WALGA Executive Summary

- The Minister for Local Government announced the following four proposals to amend the *Local Government Act 1995* to incorporate a number of emergency provisions as follows:
  1. Valuations from 2019-20 to apply to 2020-21 rates
  2. Rates, fees and charges to remain at 2019-20 levels in 2020-21
  3. Ministerial power to make changes to the Act, and
  4. Ability for Local Governments to suspend Local Law provisions.
- Following the Minister's announcement, it is understood that the Government decided not to progress with items (1) and (2) above.
- The legislative amendments are likely to progress through Parliament in mid-April providing little opportunity for the Local Government sector to influence the legislation.
- The amendments will only apply to the current State of Emergency and will be removed from the Act following the COVID-19 pandemic.
- It is recommended that the legislative proposals be broadly supported and that WALGA continue to advocate for deferment of the 2020-21 valuations.

#### RECOMMENDATION

That the above emerging issues be noted.

#### RESOLUTION

**Cr C Antonio moved and Cr D Smythe seconded –  
That the above matters emerging issues be noted.**

**CARRIED**

## Matters for Decision

### 5.1 Amendment to Third Party Appeal Rights – Preferred Model (Page 18)

#### WALGA Recommendation

- 1) *That the proposed amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal on decisions made by Development Assessment Panels, is not supported, and*
- 2) *That the proposed amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels, is not supported.*

#### WALGA Executive Summary

- At the 2019 WALGA Annual General Meeting (AGM), a motion was carried to amend the existing Preferred Model for Third Party Appeal rights for decisions made by Development Assessment Panels.
- All Local Governments were contacted, seeking their views on a two part motion. The closing date for feedback was 28 February 2020.
- 35 Local Governments provided a response, 11 supported the motions, 19 did not support the AGM motions and 5 did not support any Third Party Appeal rights being introduced in WA.
- The 2019 WALGA AGM motion is therefore not supported.

**The meeting recommended that the Zone support the recommendation to State Council.**

### 5.2 Managing Lodging House Health Risks in WA (Page 20)

#### WALGA Recommendation

*That the submission to the Department of Health in response to the Managing Lodging House Health Risks in WA discussion paper be endorsed.*

#### WALGA Executive Summary

- The *Public Health Act 2016* is progressing through a five-stage process of implementation and is currently at Stage 4. All regulations from the previous *Health Act 1911* will be repealed and replaced with new regulations at the commencement of Stage 5, which is anticipated to commence in 2021.
- The Department of Health released the 'Managing Lodging House Health Risks in WA' discussion paper for public comment with three options for consideration.
- WALGA's Submission discusses the Local Governments preference for Option C to regulate lodging houses under the Public Health Act using housing regulations

**The meeting recommended that the Zone support the recommendation to State Council.**

## RECOMMENDATION

That the above recommendations and comments be endorsed.

## RESOLUTION

**Cr D Smythe moved and Cr C Antonio seconded –**

**That the above recommendations and comments be endorsed.**

**CARRIED**

## **Matters for Noting/Information**

### **6.1 Submission Position Statement: Special Entertainment Precincts and Options Paper for Proposed Amendments to the Environmental Protection (Noise) Regulations 1997 (Page 30)**

#### **WALGA Recommendation**

*That State Council note the submission on Position Statement: Special Entertainment Precincts & the Options Paper for proposed amendments to the Environmental Protection (Noise) Regulations 1997.*

#### **WALGA Executive Summary**

- The State Government prepared a position statement and options paper, which outlined possible planning and environmental approvals processes to manage noise within entertainment precincts.
- Three options were provided: Status Quo, agent of change and indoor assigned noise levels or establishment of a Special Control Area (SCA) for an entertainment precinct.
- The submission was due by 14 February 2020, consequently, the submission was processed through WALGA's interim submission process, and endorsed by State Council by Flying Minute.

### **6.2 Submission on Proposed Reforms to the Approval Process for Commercial Buildings (Page 32)**

#### **WALGA Recommendation**

*That State Council note the endorsed submission on the proposed reforms to the approval process for commercial buildings.*

#### **WALGA Executive Summary**

- In December 2019, the State Government prepared a Consultation Regulatory Impact Statement (CRIS) for improvements to the commercial building approvals processes.
- The CRIS proposes 28 improvements, ranging from documentation requirements; performance solutions; fire authority consultation; engagement of building surveyors; third-party review of high-risk designs; variations to the design during construction; inspections of building work; material compliance; and the Building Commissioner's powers.
- The submission was due on 3 April 2020, consequently, the submission was processed through WALGA's interim submission process, and endorsed by State Council by Flying Minute on 1 April 2020.

### **6.3 Report Municipal Waste Advisory Council (MWAC) (Page 34)**

#### **WALGA Recommendation**

*That State Council note the resolutions of the Municipal Waste Advisory Council at its 26 February 2020 meeting.*

#### **WALGA Executive Summary**

This item relates to the MWAC meeting held on 26 February 2020, key outcomes of this meeting included:

- 1) Endorsement of the Submission on the Consultation Regulatory Impact Statement on phasing out certain waste exports.
- 2) Endorsement of the Plastic Reduction Options for Local Government Paper.

Mr M Batty reported that due to the COVID-19 crisis the commencement of the Container Deposit Scheme has been deferred. It is likely to be reconsidered in August with a November start. He believed the proposed new start date to be ambitious.

## **RECOMMENDATION**

That the above matters for noting/information be noted.

## **RESOLUTION**

**Cr C Antonio moved and Cr D Smythe seconded –  
That the above matters for noting/information be noted.**

**CARRIED**

## Organisational Reports

### 7.1 Key Activity Reports

- 7.1.1 Report on Key Activities, Environmental Policy Unit (Page 52)
- 7.1.2 Report on Key Activities, Governance and Organisational Services (Page 55)
- 7.1.3 Report on Key Activities, Infrastructure (Page 58)
- 7.1.4 Report on Key Activities, People and Place (Page 60)

### 7.2 Policy Forum Reports (Page 62)

#### RECOMMENDATION

That the above organisational reports be noted.

#### RESOLUTION

**Cr D Smythe moved and Cr P Bantock seconded –  
That the above organisational reports be noted.**

**CARRIED**

### 6.2 WALGA President's Report

Presentation of the WALGA President's Report (attached to Agenda).

#### RECOMMENDATION

That the WALGA President's Report be received.

#### RESOLUTION

**Cr D Smythe moved and Cr C Antonio seconded –  
That the WALGA President's Report be received.**

**CARRIED**

### 6.3 State Councillor's Report

Report by Cr Ken Seymour.

#### RECOMMENDATION

That the State Councillor's report be received.

Copy of Cr Seymour's report was circulated prior to the meeting. Cr Seymour read his report and commented on –

- Election of new WALGA President and Deputy President.
- Planning and Strategy Session held before State Council.
- COVID-19 issues.
- WA Government request for freeze on local government rates and charges.
- Local governments' ability to bring forward capital expenditure.

#### RESOLUTION

**Cr K Seymour moved and Cr D Smythe seconded –  
That the State Councillor's Report be received.**

**CARRIED**

### 6.4 Zone Status Report

Report by WA Local Government Association on status of Zone resolutions for action by the Association – April 2020 (attached to Agenda).

#### RECOMMENDATION

That the April 2020 Status Report be received.

Mr M Batty gave an update on the issue of Corella control and request for a State-wide strategy.

Cr K Seymour commented that he had noticed a build-up of pigeons in sheds in the Miling district. Cr D Smythe supported the comments in relation to disused buildings in York.

**RESOLUTION**

**Cr D Smythe moved and Cr C Antonio seconded –  
That the April 2020 Status Report be received.**

**CARRIED**

**7 ZONE REPORTS**

**7.1 Local Government Agricultural Freight Group**

(a) Minutes

Minutes of the Local Government Agricultural Freight Group meeting held 3 April 2020 (attached to Agenda).

**RECOMMENDATION**

That the Minutes of the Local Government Agricultural Freight Group held 3 April 2020 be received.

**RESOLUTION**

**Cr B Haywood moved and Cr D Smythe seconded –  
That the Minutes of the Local Government Agricultural Freight Group held 3 April 2020 be received.**

**CARRIED**

(b) Delegate's Report

Report by Cr B Haywood.

**RECOMMENDATION**

That the Local Government Agricultural Freight Group report be received.

Cr Haywood commented –

- Following the 2019 local government elections and Zone reappointment of delegates to the Group, Cr Katrina Crute and Cr Rod Forsyth are the only on-going members.
- Cr R Forsyth was elected as Chair of the Group.
- Cr K Crute has taken on the role of Chair of the Wheatbelt Secondary Freight Route Network.
- The Group has requested the Agricultural Vehicles Advisory Committee to consider a change to the regulations to enable tractors and self-propelled agricultural machinery to travel on public roads at a speed of at least 50 km/h.

**RESOLUTION**

**Cr B Haywood moved and Cr D Smythe seconded –  
That the Local Government Agricultural Freight Group report be received.**

**CARRIED**

**7.2 Wheatbelt District Emergency Management Committee**

(c) Minutes

Minutes of the Wheatbelt District Emergency Management Committee held 19 February 2020 (attached to Agenda).

**RECOMMENDATION**

That the Minutes of the Wheatbelt District Emergency Management Committee held 19 February 2020 be received.

**RESOLUTION**

**Cr C Antonio moved and Cr P Bantock seconded –  
That the Minutes of the Wheatbelt District Emergency Management Committee held 19 February 2020 be received.**

**CARRIED**



(d) Delegate's Report

Report by Cr C Antonio -

- Since our last Avon-Midland Zone meeting, the COVID-19 Pandemic (and response to this) has occurred.
- Since this time the District Emergency Management Committee has been meeting weekly. The meetings are titled under OASG: (Wheatbelt) Operational Area Support Group.
- Local Government is represented in this Group by Cr Tony Sachse, representing the Great Eastern Country Zone, and myself.
- The total focus has been on COVID-19.
- I have attached the latest meeting agenda. Within this agenda are embedded documents. Apart from Local Governments establishing their own COVID-19 recovery response, I direct you toward items 9 and 10, which provide some background on the recovery response.
- WACHS (WA Country Health Service), as a representative of Department of Health, is the lead agency. WACHS also runs a weekly teleconference on Wednesdays for the Shire CEOs.
- My question to all delegates is about provision of information from these meetings. Understanding that both Local Governments and individuals are inundated with COVID-19 information, my query is how much information would delegates like me to forward from these weekly meetings. My understanding is that the Local LEMC co-ordinators are provided copies of these minutes, so did not want to duplicate the information.
- Happy to take questions, and speak during the meeting.

**RECOMMENDATION**

That the Wheatbelt District Emergency Management Committee Report be received.

Cr Antonio referred to the weekly OASG (Wheatbelt) meetings currently being held, to information being provided from different sources and enquired if delegates wished to continue to receive reports and information from him.

**The meeting confirmed that it wished to continue to receive reports and information from Cr Antonio and that these be circulated to delegates.**

**RESOLUTION**

**Cr C Antonio moved and Cr B Haywood seconded –**

**That the Wheatbelt District Emergency Management Committee Report be received.**

**CARRIED**

<b>8 AGENCY REPORTS</b>
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**8.1 Department of Local Government, Sport and Cultural Industries**

Presentation of reports from the Department of Local Government, Sport and Cultural Industries (attached to Agenda) –

- Zone Update – April/May 2020
- Local Government Bill and Regulations Update – Mr Shannon Wood
- Redress Update – Mr Gordon MacMile

**RECOMMENDATION**

That the Department of Local Government, Sport and Cultural Industries Reports be received.

Mr S Wood gave a presentation on the legislative changes to support local government during the COVID-19 crisis.

Cr C Antonio asked as to the requirement for live streaming of Council meetings where they are held by electronic means. Mr S Wood replied that he would follow up this matter.

*Following the meeting Mr Wood provided the following information -*

- *Local governments are required under the Act to have a public question time and so with electronic meetings they have to provide an opportunity for members of the public to submit questions before the meeting and have these answered at the meeting.*

- *They are strongly encouraged to live-stream their meetings if they can, or to make audio recordings and make these available – but it is recognised that the technology and skills of the operators may not at this time make that possible.*

Mr G MacMile gave a presentation on the National Redress Scheme. He stressed that to be part of the Scheme local governments must opt in. Local governments are requested to advise the Department of their decision by 31 May 2020.

Cr J Court referred to the earlier item relating to off-road vehicles (Item 5.2(b)) and asked when the on-line meeting of the Off-Road Vehicle Advisory Committee could be held. Mr MacMile replied that he would be sending out information later today seeking a meeting next week.

#### **RESOLUTION**

**Cr D Smythe moved and Cr P Bantock seconded –  
That the Department of Local Government, Sport and Cultural Industries Reports be received.**  
**CARRIED**

#### **8.2 RDA Wheatbelt**

Presentation of report from RDA Wheatbelt (attached to Agenda).

#### **Recommendation**

That the RDA Wheatbelt Report be received.

Ms M Walker presented her report and commented on –

- COVID-19 Regional Intelligence Reports and Recovery.
- Tourism.
- Aged and disability care service delivery reform.
- Grant Guru

#### **RESOLUTION**

**Cr D Smythe moved and Cr P Bantock seconded –  
That the RDA Wheatbelt Report be received.**  
**CARRIED**

#### **8.3 Main Roads Wheatbelt**

No Report.

#### **8.4 RoadWise (Wheatbelt North)**

No report.

#### **8.5 Wheatbelt development Commission**

Mr Rob Cossart commented –

- Appointed as the CEO of the Wheatbelt Development Commission in February 2020.
- Current focus is on issues arising from COVID-19:
  - Daily updates with the Minister for Agriculture and Regional Development.
  - What are the emerging risks over the next 3-6-9 months and making sure the State is aware of these.
  - Echo the information from RDA Wheatbelt around recovery from COVID-19.
  - Recent survey of Chambers of Commerce indicated that only 50% of businesses were aware of support available to business.

#### **RESOLUTION**

**Cr D Smythe moved and Cr P Bantock seconded –  
That the Wheatbelt Development Commission Report be received.**  
**CARRIED**

## 9 FINANCE

### 9.1 Financial Reports

Balance Sheet and Profit and Loss Report for the period ending 31 March 2020 are attached to the agenda.

#### RECOMMENDATION

That the financial reports for the period ending 31 March 2020, as attached, be received.

#### RESOLUTION

**Cr D Smythe moved and Cr P Bantock seconded –**

**That the financial reports for the period ending 31 March 2020, as attached, be received.**

**CARRIED**

### Accounts for Payment

The following accounts are submitted for payment -

<u>Payee</u>	<u>For</u>	<u>Amount</u>
R W & S Dew	Secretarial Services to Zone – June 2020 Quarter	3,608.50
	License Zoom Video Conferencing	237.81
	TOTAL (no GST)	<u><u>\$3,846.31</u></u>

#### RECOMMENDATION

That the accounts as listed totalling \$3,846.31 be approved for payment.

#### RESOLUTION

**Cr P Bantock moved and Cr D Smythe seconded –**

**That the accounts as listed totalling \$3,846.31 be approved for payment.**

**CARRIED**

## 10 ZONE BUSINESS

### Pilot Requirements for Movement of Agricultural Machinery

#### BACKGROUND

When moving an oversize agricultural vehicle, including a machine, towed agricultural implement or agricultural combination, pilot vehicles may be required. Under the Agricultural Pilot Authorisation 2019 pilots are allowed to accompany an oversize agricultural vehicle, up to 8.5 m in width, without the need to hold a Heavy Vehicle Pilot Licence, subject to the conditions of the Authorisation.

The Agricultural Pilot Requirements Flow Chart (attached to Agenda) specifies the pilot requirements depending on the Zone the oversize agricultural vehicle is travelling in. The pilot requirements vary for each Zone, as the risks to road users vary due to different traffic volumes and mix of traffic. The Agricultural Pilot Zones are defined as follows:

- Green Zone - All roads within the areas bounded by Regional Distributor and State roads.
- Orange Zone - All Regional Distributor and State roads, outside the Perth Metropolitan Area.
- Red Zone - All roads within the Perth Metropolitan Area.

#### COMMENT

At its meeting on 3 April 2020 the Local Government Agricultural Freight Group noted concerns around the current requirement to have a licensed heavy vehicle pilot for the movement of oversize agricultural machinery on regional distributor and State roads outside of the metropolitan area (Orange Zone) where the travel on those roads is more than 1 km between Green Zones.

The Group also noted the resolution of the Great Southern Country Zone requesting the review of the distance limit on regional distributor roads before a license heavy vehicle pilot is required to be expanded to the nearest local government 'through road'.

So that the Group may properly judge how widespread concerns are with this issue and to consider possible solutions for feedback to the WA Local Government Association the Group has requested comment from the Zones in the agricultural region.

#### **RECOMMENDATION**

For comment

#### **RESOLUTION**

**Cr B Haywood moved and Cr C Antonio seconded –**

**That the Zone support the Great Southern Country Zone's request for a review of the Agricultural Pilot requirements to enable movement of oversize agricultural machinery on regional distributor and State roads outside of the metropolitan area (Orange Zone) without the need for a licensed heavy vehicle pilot where the travel on those roads is to the nearest local government through road.**

**CARRIED**

### **10.1 COVID-19 Regional Level Vulnerability Analysis**

#### **BACKGROUND**

To assist Local Governments as they look to provide the most appropriate response and recovery packages in light of the COVID-19 pandemic, WALGA have been assessing the extent to which each local community in WA will be impacted by COVID-19.

#### **COMMENT**

As way of doing this, WALGA analysed a range of demographic and social data that provide an indication of the COVID-19 health and economic vulnerability of each Local Government Area in WA. The indicators analysed for each Local Government Area include:

##### Health vulnerability

Share of people aged over 70  
Share of lone person households  
Share of households with no motor vehicles  
Share of people who need assistance with core activities  
Population density

##### Economic Vulnerability

Share of people who work in impacted industries  
Share of businesses in impacted industries  
Share of non-employing businesses  
Share of businesses with less than \$2m in annual turnover  
Share of households with no internet access

Over 60 individual Local Governments have been provided with an analysis pack specific to their district, and now WALGA have aggregated and reported on this data at the WALGA Zone level.

Analysis of the above indicators for the Avon-Midland Country Zone is attached to the Agenda.

#### **RECOMMENDATION**

That the COVID-19 Regional Level Vulnerability Analysis be received.

Mr M Batty advised that there was an opportunity for a report to be prepared for individual local governments.

#### **RESOLUTION**

**Cr B Haywood moved and Cr C Antonio seconded –**

**That the COVID-19 Regional Level Vulnerability Analysis be received.**

**CARRIED**

## **National General Assembly of Local Government 2020**

### **BACKGROUND**

The National General Assembly of Local Government was scheduled to be held in Canberra in June 2020. The Assembly attracts around 900 delegates. The Zone had budgeted to send delegates to Assembly.

### **COMMENT**

ALGA Board has announced that the 2020 National General Assembly (NGA) will not go ahead due to the COVID-19 crisis and the Government's decision to ban for a least six months non-essential gatherings of more than 100 people at indoor venues as part of its efforts to slow the spread of coronavirus.

ALGA is looking at options to broaden the agenda of the 2020 Local Roads and Transport Congress to be held on 16-18 November in Hobart. They note that the Congress will provide an opportunity for the sector to come together at a national level and the chance to consider issues of general concern to councils will be welcomed by ALGA.

### **RECOMMENDATION**

For Information

**NOTED**

## **11 URGENT BUSINESS (as permitted by the Presiding Member)**

### **11.2 Modified Proposed Ministerial Order – Penalty and Instalment Interest**

#### **BACKGROUND**

The WA Local Government Association has advised that at the Friday 24 April webinar update, the Minister for Local Government, Hon David Templeman MLA, spoke about a proposal for a Ministerial Order to prevent Local Governments from collecting interest on overdue rate payments or on rates that are paid by instalment in the 2020/2021 financial year.

WALGA has comment that clearly, a proposal to prevent Local Governments from charging interest on overdue rates or rates paid by instalment would have a deleterious impact on Local Governments' cash flow in the 2020/2021 financial year. This cash flow challenge would be in addition to the constrained revenue environment in which Local Governments are likely to be operating.

At the time of the webinar on Friday afternoon, WALGA had not been advised on the detail about the proposal.

Following the webinar, in urgent discussions, WALGA put to the Minister that the blanket approach initially proposed would have serious cash flow consequences for the Local Government sector.

As an outcome of these discussions, the proposal has been modified to focus on not charging instalment or penalty interest to ratepayers genuinely experiencing hardship.

#### **COMMENT**

The WA Local Government Association is seeking urgent feedback (by 5:00 pm, Thursday 30 April) on the modified proposal below to assist with ongoing advocacy.

It is acknowledged that the timeframe to provide feedback is extremely tight; the Minister is aiming to provide an update on this issue at Friday's webinar.

Modified Proposed Ministerial Order – Penalty and Instalment Interest -

#### **Application of Policy:**

The Ministerial Order would only apply to the following categories of ratepayers:

- Residential ratepayers, and
- Small business ratepayers.

*“Small business” has the meaning outlined in the Small Business Development Corporation Act 1983 section 3(1) (modified as outlined below, by removing the consideration of market share which is not considered to be relevant in many regional towns):*

*Small business means a business undertaking which is wholly owned and operated by an individual person in partnership or by a proprietary company within the meaning of the Corporations Act 2001 of the Commonwealth and which:*

- i. Is managed personally by the owner or owners or directors, as the case requires, and*
- ii. Is not a subsidiary of, or does not form part of, a larger business or enterprise.*

**Eligibility:**

Eligible ratepayers are ratepayers suffering financial hardship as a result of the COVID-19 consequences.

Financial Hardship defined as follows, modified from the *Water Services Code of Conduct (Customer Service Standards) 2018*:

*Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.*

Importantly, Council is responsible for determining eligibility under this proposal. WALGA will develop advice and procedures to support the sector in implementation pending the outcomes of the proposal.

**Effects:**

For ratepayers eligible under the criteria outlined above there would be:

- No interest on rates and service charges for 2020-21 (section 6.13)
- No interest charged on other amounts owing (section 6.51)
- No additional charge (including by way of interest) charged for payments by instalments (section 6.45)

**Other Ratepayers:**

For ratepayers that do not qualify under the criteria outlined above, the Government will reduce the current maximum interest rates as follows:

- Instalment interest – from 5.5% to 2.0%
- Penalty interest – from 11.0% to 5.0%

**RECOMMENDATION**

That the Avon Midland Country Zone:

- (1) Provide the following feedback to the WA Local Government Association regarding the Minister for Local Government’s proposed amendments to the Penalty Interest charged by Local Governments for 2020/2021:
  - What is your current instalment interest rate?
    - 5.5% pa
  - What is your current penalty interest rate?
    - 11% pa
  - Do you have a current financial hardship policy?
    - Not formally, however payment arrangements are assessed on case by case basis under similar framework to other local government.\
  - Are you comfortable with the proposed application, eligibility and financial hardship criteria listed above? Yes / No. If no, why not?
    - Yes, but the definition of small business and extent of demonstration of proof of financial hardship will need to be clarified to protect Local Governments and ensure that only those that actually require the assistance receive.
  - Are the proposed revised interest rates of 2% and 5% appropriate and can this be managed with your budget?
    - Yes, however system changes may be required to segregate 5% penalty interest applied to outstanding 2020/21 rates from all other (older) outstanding rates currently accruing 11%.

- Can you advise the expected budgetary impact (as a proportion of the total budget) if applying 2% and 5% as opposed to the previous interest rates?
    - Between 1% & 2% of rates budget (reduction in Instalment interest - \$30,000, reduction in penalty interest - \$70,000)
  - Any other comments you would like to make, particularly in relation to the impact this proposal would have?
    - The impact on pre-existing outstanding rates accruing at differing amounts will create issues within the system as there is no function for this within Synergy.
    - It is assumed that existing debt would continue to accrue at the normal rates and only new debt would accrue at the new rate or 0 rate? Not being all outstanding debts to have interest rates amended moving forward?
    - What are the Utilities companies doing in this regard?
    - Is it reasonable that every institution needs to make their assessment if a person or business requires assistance? Is it not possible that the person only has to have one assessment for assistance (ie if the person is approved for assistance by the Water Corporation why should they then need to prove it again for Council rates, Western Power etc, etc)?
    - Perhaps the Department of Social Services would be best placed to facilitate this for all agencies with one set of requirements? There will be instances where one organisation will approve and the other will reject creating angst and tension.
- (2) Write to the Minister for Local Government, Hon David Templeman MLA, and provide the following feedback regarding his announcement during the Webinar on 24 April 2020.

Drafted letter attached to Agenda.

This matter was considered earlier in the meeting following item 5.2(b).

Mr Whiteaker and Mr Cook advised that they had redrafted the letter to the Minister for Local Government. The Executive Officer read the letter to the meeting.

#### **CONSENSUS RESOLUTION**

**That the redrafted letter to the Minister for Local Government concerning penalty interest, early consultation with local government, revaluations and the freezing of rates be endorsed.**

**CARRIED**

## **12 MEMBERS OF PARLIAMENT**

Ms Mia Davies MLA commented on –

- The recent sitting of Parliament was unusual. It was challenging as the legislation to be considered was not presented to members until just before they entered Parliament. The Government was also making amendment to legislation as it passed between the two houses of Parliament.
- There have been a number of unintended consequences to the COVID-19 restrictions including travel, education, low stock levels and resupply for the smaller supermarkets (this issue is currently being followed up).
- Have a contact in the Deputy Prime Minister's Office for questions and contacts. There has been a reasonable turn around on issues raised.
- Think local government will have a good role in recovery from the COVID-19 crisis and having discussions with local government.
- Looking at Royalties for Regions and how it should go forward. Asked if unused value on the Country Aged Pension Fuel Card could be rolled over.
- Taking advice of health experts on the COVID-19 lockdown and on lifting of the restrictions. Erring on the side of caution with regards to lifting restrictions; we do not want a Singapore situation. Understand that people are impatient.

Hon M Aldridge MLC commented on –

- Currently 44 active COVID-19 cases in the State with none in the Midwest or Wheatbelt.
- \$159m Lotterywest COVID-19 Relief fund established to respond to hardship in the community. The fund includes a \$20m Crisis and Relief Program which is available to not-for-profit community organisations and local government.

- In relation to the rating issue the Government didn't pursue the proposal to freeze valuations as it was realised it could affect falling rates income.

Cr C Antonio referred to the Country Age Pensions Fuel Card. Ms M Davies replied that she had asked if the unused value on the cards could be rolled over. She also referred to the lag in the drop of fuel prices between country and metropolitan areas and that despite many enquiries there has been no action on the issue.

Cr C Antonio asked if there had been any discussion in Parliament on Royalties for regions. Ms M Davies replied that the Western Australian Regional Development Trust that overviews Royalties for Regions has been used for budget repair. This, and how Royalties for Regions is used, needs to be addressed.

Cr D Smythe referred to an e-mail from Hon Christian Porter MP requesting advice as to fuel prices within the Pearce electorate. Ms M Davies reiterated the distinct lag between a drop in price in the metropolitan area and in regional country areas. Cr K Seymour commented that this may be a problem of logistics whereby smaller quantities are used by regional operators. Ms Davies agreed.

Ms M Davies congratulated local governments in stepping into the role of looking after the vulnerable in the regions during the COVID-19 crisis.

**13 DATE, TIME AND PLACE OF NEXT MEETING**

Future meetings of the Zone are scheduled for –  
19 June 2020  
21 August 2020  
20 November 2020

**RECOMMENDATION**

That the next ordinary meeting of the Zone be held Friday 19 June 2020 by video conference.

**RESOLUTION**

**Cr C Antonio moved and Cr D Smythe seconded –  
That the next ordinary meeting of the Zone be held Friday 19 June 2020 by video conference.  
CARRIED**

The meeting indicated that in-person meetings resume as soon as practicable after COVID-19 restrictions have been lifted.

The Executive Officer advised that once in-person meetings were resumed the order of host local governments would continue on from the last in-person meeting (ie Victoria Plains, York, Chittering, Wongan-Ballidu).

**14 CLOSURE**

There being no further business the President thanked attendees and declared the meeting closed at 12:14 pm.

**CERTIFICATION**

These Minutes were confirmed by the meeting held on .....

Signed:  
*(Chairman of meeting at which the Minutes were confirmed)*