

01-005-03-0016



# Peel Zone

# Minutes

25 February 2021

# Peel Zone

Hosted by the Shire of Serpentine Jarrahdale

6 Paterson Street, Mundijong – 9526 1111

Thursday 25 February commenced at 2:10 pm

## Minutes

### MEMBERS

### 2 Voting Delegates from each Member Council

Shire of Boddington	Cr Earl Schreiber Mr Graham Stanley, Acting Chief Executive Officer non-voting delegate
City of Mandurah	Cr Caroline Knight Mr Mark Newman, Chief Executive Officer non-voting delegate
Shire of Murray	President David Bolt Mr Dean Unsworth, Chief Executive Officer non-voting delegate
Shire Serpentine Jarrahdale	President Michelle Rich - <b>Chair</b> Cr Lauren Strange Mr Paul Martin, Chief Executive Officer non-voting delegate
Shire of Waroona	President Michael Walmsley (arrived 2.15pm) Mr Dean Unsworth, Chief Executive Officer non-voting delegate
WALGA Representatives	Ms Lyn Fogg, Governance Advisor Ms Bec Waddington, Policy Officer Community
DLGSC Representative	Mr Gordon MacMile, Department of Local Government, Sport and Cultural Industries
Guest Speakers	Nil

### APOLOGIES

Shire of Boddington	Cr Garry Ventris
City of Mandurah	Mayor Rhys Williams
Shire of Murray	Cr Douglas McLarty
Shire of Waroona	Cr Naomi Purcell

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## **ANNOUNCEMENTS**

Zone Delegates were requested to provide sufficient written notice, wherever possible, on amendments to recommendations within the State Council or Zone agenda prior to the Zone meeting to the Chair and Secretariat.

Agenda Papers were emailed 7 days prior to the meeting date to your Council for distribution to Zone Delegates.

Confirmation of Attendance an attendance sheet was circulated prior to the commencement of the meeting.

Acknowledgement of Country All attendees acknowledged the traditional owners of the land that the meeting is held on and paying respects to Elders past, present and future.

## **ATTACHMENTS WITHIN THE AGENDA**

1. Draft Minutes of previous meeting
2. Zone Status Report
3. President's Report

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### **1. DECLARATION OF INTEREST**

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Elected Members must declare to the Chairperson 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.**

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### **2. DEPUTATIONS**

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*All Deputations have a time limit of 20 minutes, which includes questions time.*

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#### **2.1 Child Safety Officers – Department of Local Government, Sport and Cultural Industries (DLGSC)**

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The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established to investigate failures up public and private institutions in protecting children from child sexual abuse. The Royal Commission made 409 recommendations. Royal Commission Recommendation 6.12 states that with the support from national, state and territory governments, local governments should designate child safety officer positions from within existing staff profiles to complete a range of functions. The State Government has drafted a discussion paper for the WA Local Government Sector about implementing this recommendation.

Gordon MacMile advised of the Royal Commission recommendation and informed the consultation process.

*President Michael Walmsley entered the meeting at 2.15pm.*

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### 3. CONFIRMATION OF MINUTES

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#### RESOLUTION

Moved:                    **President David Bolt**  
Seconded:               **Cr Earl Schreiber**

That the Minutes of the meeting of the Peel Zone held on 26 November 2020 be confirmed as a true and accurate record of the proceedings.

**CARRIED**

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### 4. BUSINESS ARISING

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A Status Report outlining the actions taken on the Zone's resolutions is enclosed as an attachment.

**Noted**

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### 5. STATE COUNCIL AGENDA - MATTERS FOR DECISION

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*(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: [3 March State Council Agenda](#)

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 External Oversight and Intervention – Authorised Inquiries and Show Cause Notices**

That WALGA:

1. Continues to advocate for the State Government to ensure that there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995; and
2. Requests the Minister for Local Government to:
  - a. Engage with affected Local Governments in order to attempt to resolve identified issues, improve performance and achieve good governance before considering an intervention under Part 8 of the Local Government Act 1995;
  - b. Provide written reasons prior to issuing any Show Cause Notices;
  - c. Require regular progress reports to be provided to any Local Government that is the subject of any Authorised Inquiry; and
  - d. Require that any Authorised Inquiry be conducted within a specified timeframe that may be extended with the approval of the Minister.

##### **5.2 Cost of Revaluations**

That WALGA advocate to the State Government for the equal distribution of valuation costs for properties where the Water Corporation, the Department of Fire and Emergency Services and the Local Government require the valuation.

### **5.3 Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding**

That WALGA:

1. Supports the inclusion of capital costs of Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS).
2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021).
3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGS.
4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process.

#### **Matters for Noting**

- 6.1 Local Government Car Parking Guideline – Western Australia
- 6.2 Submission – Draft Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2020
- 6.3 Submission – Proposed Reportable Conduct Scheme for Western Australia
- 6.4 Submission – Draft State Planning Policy 4.2: Activity Centre
- 6.5 Submission – Registration of Builders (and Related Occupations) Reforms
- 6.6 Report Municipal Waste Advisory Council (MWAC)

#### **RESOLUTION**

**Moved: President David Bolt**  
**Seconded: President Michael Walmsley**

**That the Peel Country Zone:**

1. Expresses its strong disappointment that the feedback provided by the sector and WALGA on the CEO Employment Standards and Council Member and Employee Codes of Conduct Regulations was substantially ignored; and this puts into question the commitment to the principles of the Partnership Agreement.
2. Requests the WALGA Secretariat to provide a detailed outline of the misalignment between the feedback provided by the sector and WALGA on the CEO Employment Standards and Council Member and Employee Codes of Conduct Regulations and the Regulations as gazetted (the State's policy).

**CARRIED**

#### **RESOLUTION**

**Moved: President David Bolt**  
**Seconded: Cr Lauren Strange**

**That the Peel Country Zone**

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

**CARRIED**

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## 6. REPORTS FROM MEMBER COUNCILS

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**Shire of Boddington** advised it would be hosting the official opening of Hotham Park on 25 March 2021.

**Noted**

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## 7. GENERAL BUSINESS

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### 7.1 Proposed Review of the Road Asset Preservation Model (APM)

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*By Ian Duncan, Executive Manager Infrastructure WALGA*

#### **Recommendation**

That the Zone:

- Provide feedback to the WALGA Infrastructure Policy Team regarding a preferred advocacy approach to any review of the Road Asset Preservation Model (APM).

#### **Executive Summary**

- A Zone Council recommendation to review the Road Asset Preservation Model (APM) was referred to the Infrastructure Policy Team in December 2020. The Policy Team resolved to seek views from Zones before recommending the development of a formal State Council agenda paper.
- This paper sets out options to guide the development of a Zone resolution.
- The Asset Preservation Model was developed as a Commonwealth requirement for the distribution of Commonwealth Government road grants among Local Governments in an efficient and equitable manner, taking account of local asset preservation needs and costs. It is currently used to distribute a range of Federal and State Government grant funding allocations.
- Despite being used to allocate large sums of public funding, operation of the APM is not well understood within the Local Government sector.
- The APM is not readily accessible to Local Governments. Limited documentation and complexity means that more open access alone would not be helpful in achieving strong understanding of the processes that underpin the output.
- Complexity of the APM makes it difficult to predict the effects on funding allocations of changes to the model or input parameters.
- This paper proposes five options that could be considered to address this issue, for WALGA to advocate to the Grants Commission.
- The options are not mutually exclusive, and some could be combined as a staged approach.
- The five options are:
  1. Re-format and re-label the model, to improve its legibility for all users and make it available to the Local Government sector in a form that would enable stakeholders to understand it.
  2. Review the parameters within the model, in order to increase the accuracy of road maintenance costs within the model.
  3. Advocate to the Grants Commission to undertake a review of the cost regions and minimum standards to ensure that these appropriately reflect the costs faced by Local Government and the current development of the road network
  4. Advocate to the Grants Commission to undertake an appropriately-resourced process to review and rebuild the road Asset Preservation Model. This new

model should be as simple as possible while still delivering an equitable distribution of funding among Local Governments. Its variables and assumptions should be easily indefinable to model users, being clearly labelled and documented.

5. Accept the status quo with no further action.

## Background

A Zone Council recommendation to review the APM was referred to the Infrastructure Policy Team in December 2020. The Team resolved to seek feedback from the Zones as the matter had not been widely identified as an issue of concern.

The Asset Preservation Model was developed by Main Roads WA and Local Government representatives, to distribute the untied roads component of the Commonwealth Financial Assistance Grants between Local Governments.

The WA Local Government Grants Commission took over responsibility for distributing the identified Commonwealth road funds and undertook a comprehensive review of the Asset Preservation Model and modified and refined it. Application of the APM has since been broadened and it is now used to determine the distribution between Local Governments of a range of state and federal funding.

To assist Local Governments make decisions regarding preferred approaches to the use and development of the Asset Preservation Model a manual has been developed by WALGA describing the APM and how it functions. The manual can be viewed [here](#).

## Problem Statement

The Road Asset Preservation Model is used to allocate large sums of funding. Despite the importance of the model, it is not widely understood, due to its complexity and limited documentation. This results in a lack of transparency, risk of corporate memory loss, the risk of unfair or otherwise inappropriate allocations of funding, and the reputational risk due to funds distribution not being fully explainable and region allocations being subject to question.

## Options

***There are five options identified in the text below, and the table on the final page of this paper. Note that the options are not mutually exclusive and all or some of them could be recommended to be implemented in phased approach.***

1. Advocate to the Grants Commission to re-format and re-label the APM, to improve its legibility for all users. A detailed record should also be made of the model's parameters, and the process that was used for determining their values.
2. Advocate to the Grants Commission for a review of the various parameters contained within the APM, such as the array of annual maintenance costs for different asset types, road reconstruction frequencies and the components of reconstruction costs. This option would increase the accuracy of road maintenance costs within the model, although would not address the underlying problems of excessive complexity and a lack of transparency and predictability.
3. Advocate to the Grants Commission to undertake a review of the cost regions and minimum standards to ensure that these appropriately reflect the costs faced by Local Government and the current development of the road network.
4. Advocate to the Grants Commission to undertake an appropriately-resourced process to review and rebuild the APM. This new model should be as simple as possible while



still delivering an equitable distribution of funding among Local Governments. Its variables and assumptions should be easily indefinable to model users, being clearly labelled and documented.

5. Retain Status quo.

It should be noted that these are all advocacy positions. The Road Asset Preservation Model is controlled by the WA Local Government Grants Commission and any decisions regarding development of the model or use of a different approach would be made by the Commission. It must be noted that if Options 2, 3 or 4 are implemented, there is a risk of some Local Governments receiving a lower grant allocation. This risk may be mitigated by advocating for increased funding from the State or Federal Governments, although there is no guarantee that such funding would be forthcoming.

The current membership of the WA Local Government Grants Commission is:

- Chairperson — Hon Cr Fred Riebeling AM JP
- Deputy Chairperson — Mr Luke Stevens, Legal Counsel, DLGSC
- Metropolitan Member — Cr Deb Hamblin, Deputy Mayor, City of Rockingham
- Country Urban Member — Dr Wendy Giles, Councillor, City of Bunbury
- Country Rural Member — Cr Ian West, Shire of Irwin
- Deputy to the Deputy Chairperson — Ms Darrelle Merritt, A/Director - Strategic Initiatives, DLGSC
- Deputy Metropolitan Member — Vacant
- Deputy Country Urban Member — Cr Deborah Botica, City of Kalgoorlie-Boulder
- Deputy Country Rural Member — Cr Moira Girando, President, Shire of Coorow

### **Analysis of the Options**

The options have varying levels of cost, effort and risk attached to them.

Changes to the APM would affect the funding allocation between Local Governments in ways that are difficult to predict, due to the complexity of the model. The total available funding is fixed, so an increase in one Local Government's funding would necessarily reduce the level of funding available to others, unless additional funding can be secured.

There are also risks associated with no change being made to the APM. The model's complexity and incomplete documentation and labelling creates a risk of corporate memory loss. There is also a reputational risk associated with large sums of money being allocated based on a model that is not well understood by the Local Government sector.

Comparatively simple and lower-cost changes can be made to the APM, under Options 1, 2 and 3. These options would address some of the concerns raised here, but do not address the underlying problems noted above.

### **Next Steps**

Resolutions made by the Zones will guide the development of an agenda item for the next meeting of State Council, to provide WALGA with direction on the sector's preference for its advocacy position regarding the Road Asset Preservation Model.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>
	<b>Reformat and label</b>	<b>Review model cost parameters</b>	<b>Review cost regions/ min. standards</b>	<b>Full model review and rebuild</b>	<b>Status quo</b>
<b>Advantages</b>	Improves operation of existing model. Helps retain corporate memory. Improves transparency. Low risk and cost, in the short term.	Improves link between funding allocation and road maintenance costs.	Addresses concerns about inappropriate groupings of Local Governments.	Opportunity to review the model objectives. Improvement in transparency. Opportunity to incorporate contemporary modelling and user functionality.	Avoids conflict between Local Governments over funds distribution. Lowest short-term risk. No direct cost.
<b>Disadvantages</b>	Does not address: <ul style="list-style-type: none"> <li>questionable parameter values.</li> <li>complexity and transparency.</li> </ul>	May require some additional resourcing. Does not address complexity and transparency. Possible reduction in funding for some LGs.	May require some additional resourcing. Does not address complexity and transparency. Likely reduction in funding for some LGs.	If no material impact on funds distribution, the rationale for the exercise may be questionable. Would require additional resourcing.	Does not address: <ul style="list-style-type: none"> <li>questionable parameter values.</li> <li>complexity and transparency</li> <li>corporate memory issues.</li> </ul>
<b>Risks / Dependencies</b>	Reputational risk, due to funds distribution not being fully explainable.	Reputational risk, due to funds distribution not being fully explainable.	Reputational risk, due to funds distribution not being fully explainable. Continued risk of corporate memory loss.	Difficult to predict the distribution of funds. A review may trigger disagreement between Local Governments over the distribution of funds. The Grants Commission may not agree to implement.	Reputational risk, due to funds distribution not being fully explainable and regional allocations being subject to question. Continued risk of corporate memory loss.
<b>Effort / Cost</b>	Low-medium	High	Medium	Very high	None
<b>Notes</b>		Assumes Option 1 also undertaken: reformat and labelling.		Mutually exclusive of the other options or as an aspirational addition.	Mutually exclusive of the other five options.

## RESOLUTION

**Moved:** President David Bolt  
**Seconded:** Cr Lauren Strange

That the Peel Country Zone supports Option 4, subject to the Zone being provided with the opportunity to consider the parameters for the review of the model i.e.

- Funding levels
- Vehicle size and loads and resulting impact on asset consumption
- Changing transport corridor / network loads and uses; current and future
- Impact of changed construction standards
- Other factors that contribute to inequity

**CARRIED**

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## 8. EXECUTIVE REPORTS

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### 8.1 WALGA President's Report

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The State Council representative or WALGA representative presented the President's Report.

**Noted**

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### 8.2 State Councillor's report to the Zone

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WALGA State Councillor presented on the previous State Council meeting.

**Noted**

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### 8.3 Department of Local Government, Sport and Cultural Industries Representative Update Report.

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Department of Local Government, Sport and Cultural Industries representative, Gordon MacMile provided an update the Zone on DLGSC issues. Please also see link below:

[DLGSC Zone Update Feb 2021](#)

**Noted**

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### 8.4 Topics for next meeting update by the DLGSC

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To assist the content of the DLGSC's updates each Zone meeting, feedback is sought on what topics may be of particular relevance to the Zone. The DLGSC's portfolio is as follows:

#### DLGSC business areas

- Local Government
- Racing, Gaming and Liquor
- Infrastructure
- Sport and Recreation
- Regional Services
- Culture and the Arts
- Aboriginal History Unit

- Office of Multicultural Interests

The Zone would like an update and/or information on the following topics at future Zone meeting.

- **State Government priorities for the Local Government Sector** - requested for the next Zone meeting (after the State Government Election)
- **Elected Member Induction** – to assist Local Governments prepare for the 2021 Election
- **Council Member Essentials Training** – requested update on effectiveness and compliance
- **Native Title Agreement** – Implementation arrangements

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## 9. DATE, TIME AND PLACE OF NEXT MEETING

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That the next ordinary meeting of the Peel Zone will be held on 22 April 2021 at the Shire of Waroona, commencing at 2pm.

Noted

## RESOLUTION

Moved:                   President Michele Rich  
Seconded:               President David Bolt

That the Peel Country Zone amends its meeting dates for August and November 2021 as follows:

- 1.00pm, Thursday, 19 August 2021;
- 1.00pm, Thursday, 18 November 2021.

CARRIED

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## 10. CLOSURE

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There being no further business the Chair declared the meeting closed at 3.42pm.