25 February 2016
Peel Zone Minutes
# Table of Contents

1.0 OPENING AND WELCOME ........................................................................................................ 3

2.0 ATTENDANCE AND APOLOGIES ...................................................................................... 3

3.0 DECLARATION OF INTEREST .......................................................................................... 4

4.0 ANNOUNCEMENTS ............................................................................................................. 4

5.0 GUEST SPEAKERS / DEPUTATIONS ................................................................................ 4

   5.1 South West Native Title Settlement (Attachment 5.1) ....................................................... 4
   5.2 Culture Counts (Attachment 5.2) .......................................................................................... 5

6.0 MINUTES ............................................................................................................................. 6

   6.1 Confirmation of Minutes – Peel Zone Meeting – 26 November 2015 .......................... 6
   6.2 Business Arising ..................................................................................................................... 6

7.0 ZONE BUSINESS ................................................................................................................ 7

   7.1 WALGA Peel Country Zone Status Report (Attachment 7.1) ............................................ 7
   7.2 Correspondence Listing (Attachment 7.2) ....................................................................... 7
   7.3 Peel Zone Actions Report (Attachment 7.3) .................................................................... 7

8.0 REVIEW OF WALGA STATE COUNCIL AGENDA ............................................................ 7

   8.1 Matters for Decision (Item 5 of the State Council Agenda) ............................................... 7
   8.2 Matters for Noting / Information (Item 6 of the State Council Agenda) ....................... 8
   8.3 Organisational Reports (Item 7 of the State Council Agenda) ........................................ 8

9.0 EXECUTIVE MEMBERS’ REPORTS .................................................................................... 8

   9.1 WALGA President’s Report (Attachment 9.1) ................................................................. 8
   9.2 DLGC Report ..................................................................................................................... 9
   9.3 State Councillor’s Report – Cr Barrett ............................................................................. 10

10.0 OTHER BUSINESS ........................................................................................................... 10

   10.1 Items to be raised by Members: ..................................................................................... 10

11.0 DATE, TIME AND PLACE OF NEXT MEETING ............................................................. 10

12.0 CLOSURE .......................................................................................................................... 10
Minutes

Peel Zone of WALGA

Meeting held at the City of Mandurah
Council Chambers
3 Peel Street, Mandurah
Thursday 25 February 2016 commencing at 2.30pm

1.0 OPENING AND WELCOME

The Chairman welcomed members and visitors and declared the meeting open at 2.30pm.

2.0 ATTENDANCE AND APOLOGIES

Attendance:

Members: Cr John Erren, Chairman and President Shire of Serpentine Jarrahdale
Cr Maree Reid, Deputy Chairman and President Shire of Murray
Cr Wally Barrett, State Council Representative, Shire of Murray
Mayor Marina Vergone, Deputy State Council Representation, City of Mandurah
Cr Dave Gossage, Shire of Serpentine Jarrahdale
Cr Noel Dew, President Shire of Waroona

Officers: Mr Mark Newman, Chief Executive Officer City of Mandurah
Mr Dean Unsworth, Chief Executive Officer Shire of Murray (from 2.37pm)
Ms Linda Jones, Peel Zone Officer

Guests: WALGA : Ms Vanessa Jackson, Policy Manager Planning, Reform and Improvement
Mr John Lane, Emergency Management Coordinator
DLGC : Mr Ken Parker, Principal Strategy Officer, Strategy, Research and Initiatives

Apologies:

Cr John Allert, President Shire of Boddington
Mr Ian Curley, Chief Executive Officer Shire of Waroona
Mr Richard Gorbunow, Chief Executive Officer Shire of Serpentine Jarrahdale

Absent:

Cr Darren Lee, Deputy Mayor City of Mandurah
Cr Martin Glynn, Deputy President Shire of Boddington
Mr Chris Littlemore, Chief Executive Officer Shire of Boddington
3.0 DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Members 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. Members 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

4.0 ANNOUNCEMENTS

Nil

5.0 GUEST SPEAKERS / DEPUTATIONS

5.1 South West Native Title Settlement (Attachment 5.1)

Angela Elder, Manager Department of the Premier and Cabinet South West Settlement Implementation Unit made a presentation on key elements of the South West Settlement.

An updated copy of the presentation was tabled for Members’ information.

Sandra Flanagan, South West Settlement Project Manager, Department of Lands made a presentation on specific process by which particular lands will be selected for transfer to the Noongars as part of the Settlement (a process which will involve consultation with Local Government).

Natalie Contos and Claire Egan from the Department of the Premier and Cabinet were also in attendance.

Note: Dean Unsworth joined the meeting at this point, the time being 2.37pm.

Following the presentations a number of questions were raised by Members as follows:

Q1. Does execution of the new Indigenous Land Use Agreements (ILUAs) mean that the Noongar community can develop freehold bush land within the local community?

A1. The focus is on Unallocated Crown Land and Unmanaged Reserves. The process will involve a rigorous assessment in association with the Department of Mines and Petroleum, Department of Planning, Department of Parks and Wildlife and Local Governments. Some parcels of land will be allocated for cultural purposes and some for development purposes. The Noongar Boodja Trust will be subject to the same rules and obligations of any other landholder. Any Management Orders or existing leases may limit the purpose for the land. Instead of the Local Government being the management body, the Noongar Trust will have responsibility for managing the land.

Q2. Will Local Governments have an opportunity to be involved in the identification of Unallocated Crown Land?
A2. The Department of Lands must find 325,000Ha in 5 years, ie 21,000 parcels of land. At present 1.7 million hectares is under assessment. Emphasis was made of the importance of negotiation with local governments. Local governments will receive a list of land within their area and will have 40 business days in which to provide their views and comments on each parcel of land (Annexure J refers).

Q3. How do we as a broader community have input into the regional funding group and how do we get involved at a local level for Indigenous programs?

A3. Membership of the Noongar Regional Corporations is demonstrated by ancestry. Six Regional Corporations will be established to represent each of the six ILUA Groups and will provide advice and opportunities for Local Government engagement with the Noongar community. Local Governments can jointly partner with community groups to undertake a particular activity and may be able to attract funding through the Corporations. There is no other funding to be accessed through the Settlement in that regard.

Q4. Are we going to be creating communities on the land?

A4. It is not about creating separate community groups and has never been something raised by the community groups. There will be an opportunity for Local Governments to have dialogue with local communities.

Q5. A number of community groups have 20 + 20 year lease options over Crown Land. Is there some safety in them being able to exercise that option?

A5. If a lease comes up for renewal, the option to renew will still stand; however it may be an option to terminate a lease in the case of a poor tenant. If there is an existing interest the land parcel is off the table.

The guests thanked Members for the opportunity to present the South West Settlement to the meeting and withdrew point, the time being 3.15pm.

5.2 Culture Counts (Attachment 5.2)

Callum Taylor, Projector Manager at Culture Counts made a presentation on assisting local government entities with strategic planning and engagement with their communities. Callum works closely with a number of our LGA users across WA.

The presentation related to cutting edge performance evaluation technology designed to capture feedback from the public, peer assessors and self-assessors on the quality and impact of places, events, services and experiences. The framework is used by leading arts and cultural organisations around the world.

Following the presentation a number of questions were raised by Members as follows:

Q1. How do you know whether the public are from Mandurah or outside.

A1. With every survey we collate age, postcode, how did you get here, what describes the reason for your visit, how frequently do you come?

Q2. How do you encourage people to participate in the surveys?
A2. The survey takes two/three minutes and people are always willing to give us their time. Surveys are carried out person to person, email to memberships, public WiFi or pulse out on all devices.

Mr Taylor thanked for the opportunity to present the Culture Counts technology to the meeting and withdrew this point, the time being 3.15pm.

6.0 MINUTES

6.1 Confirmation of Minutes – Peel Zone Meeting – 26 November 2015

Motion:

That the minutes of the meeting of the Peel Zone held on 26 November 2015 be confirmed as a true and accurate record of the proceedings.

Moved: Cr Wally Barrett
Seconded: Mayor Marina Vergone

Carried Unanimously

6.2 Business Arising

Item 5.3 - State Council Agenda - State Budget Submission 2016-17

The Chairman noted that the Zone’s request for $2 million to be allocated to control Cotton Bush and Patterson’s Curse on State Government land has been included in the State Council resolution. The amended budget submission has been forwarded to the Premier and Treasurer accordingly.

Item 11.1 – Meeting with WALGA President, Cr Lynne Craigie

The WALGA President will meet with Peel Zone Members at the Shire of Murray on Monday, 14 March 2016 at 2.00pm. RSVP to Peel Zone Officer by Tuesday, 8 March.

Item 12.0 – Strategic Assessment of the Perth Peel Region

WALGA has contacted the Minister for Planning’s office to request a meeting with the Mayor, Shire Presidents and relevant technical officers to discuss issues of concern affecting the Peel Region. To date there has been no response.

Item 12.1 – Cotton Bush

Dean Unsworth provided background on the increasing problem of Cotton Bush and Pattersons Curse in the Peel Region. The Shire of Murray has spent three years lobbying the Department of Agriculture and Food (DAFWA) to help deal with this issue. During this period DAFWA advised that the best way to deal with Cotton Bush was to form a Recognised Biosecurity Group. In response to this advice the Shire worked to help fund and set up the Peel-Harvey Biosecurity Group.

The Shire has written to the Director General of DAFWA expressing its concern and opposition to the process currently being undertaken by the Department in relation to the proposed declassification of Cotton Bush and Pattersons Curse.
Motion:

That WALGA be requested to strongly relay the Peel Zone’s disappointment in the recent ‘Review of the declared pests of Western Australia’ and request an urgent meeting with the Minister for Agriculture to discuss its concerns.

Moved: Cr Maree Reid
Seconded: Cr Dave Gossage
Carried Unanimously

Action: Dean Unsworth and Mark Newman to work together to prepare briefing papers.

7.0 ZONE BUSINESS

7.1 WALGA Peel Country Zone Status Report (Attachment 7.1)

7.2 Correspondence Listing (Attachment 7.2)

7.3 Peel Zone Actions Report (Attachment 7.3)

Motion:

That the WALGA Peel Country Zone Status Report, Correspondence Listing and Peel Zone Actions Report be received.

Moved: Mayor Marina Vergone
Seconded: Cr Wally Barrett
Carried Unanimously

8.0 REVIEW OF WALGA STATE COUNCIL AGENDA

Zone delegates considered the Matters for Decision, Matters for Noting / Information and Organisational Reports contained in the WA Local Government Association State Council Agenda and put forward resolutions to the Zone Representative on State Council.

8.1 Matters for Decision (Item 5 of the State Council Agenda)

5.1 Planning and Development (Local Planning Scheme) Regulations 2015 (05-047-01-0011 VJ) 5
5.2 Interim Submission – Draft State Planning Policy 2.5 – Rural Planning Policy (05-036-03-0008 VJ) ................................................................. 18
5.3 Interim Submission – Draft Development Control Policy 1.10 – Location, siting and design of freeway service centres and roadhouses (05-036-03-0054 GC) ................................................................. 24
5.4 Main Roads Amendment Bill 2015 (05-001-03-0003 ID) ................................................................. 29
5.5 Variation to the Bus Stop Infrastructure Partnership Agreement (05-001-03-0037 MM) .............. 34
5.6 Review of Rules of Conduct Regulations 2007 (05-034-01-0006 JM) .................................................. 43
5.7 WALGA Constitution Review (01-001-01-0001 JM) ................................................................. 57
5.8 WALGA Governance Review (01-004-07-0001 JM) ................................................................. 92
8.2 Matters for Noting / Information (Item 6 of the State Council Agenda)

6.1 Electoral Caretaker Period: Model Policy (05-034-01-0002) .......................................................... 112

Motion:

That the Peel Zone of WALGA strongly recommends against the development of a model Caretaker Policy in consultation with the Local Government sector in advance of the 2017 Local Government elections.

Moved: Cr Dave Gossage
Seconded: Mayor Marina Vergone

Carried Unanimously

Note: Peel Zone Members voted against the WALGA recommendation in Item 6.1 of the State Council Agenda as they consider development of a model Caretaker Policy is not relevant to the business of Local Government.

6.2 Update on Building Permit Statistics Project – Independent Analysis (05-015-01-003 VJ) ... 115
6.3 Local Government Heritage Officers’ Group (05-071-03 NH) ....................................................... 118
6.4 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB) ......................... 121

8.3 Organisational Reports (Item 7 of the State Council Agenda)

7.1 Key Activity Reports:

7.1.1 Report on Key Activities, Environment and Waste Unit (01-006-03-0017 MJB) ..................... 146
7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB). 148
7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID) ................................................. 152
7.1.4 Report on Key Activities, Planning and Community Development (01-006-03-0014 AH) ... 155

7.2 Policy Forum Reports:

7.2 Policy Forum Reports (01-006-03-0007 TB). ................................................................................. 157

Motion:

That the Peel Zone endorses all other items on 2 March 2016 State Council Agenda ‘en bloc’.

Moved: Cr Noel Dew
Seconded: Cr Dave Gossage

Carried Unanimously

9.0 EXECUTIVE MEMBERS’ REPORTS

9.1 WALGA President’s Report (Attachment 9.1)

9.1.1 Emergency Management Fund

In response to a query from Cr Dave Gossage relating to assistance for local governments, John Lane suggested the Peel Zone could consider signing a resource sharing agreement with its partner Councils.
The City of Rockingham, City of Mandurah and Shire of Murray were parties to a Memorandum of Understanding (MOU) in late 2015 to share its resources in the event of a disaster which affects one or more of the Local Governments. It was suggested that this agreement could be extended to include Serpentine Jarrahdale, Waroona and Kwinana.

**Action:** CEOs to consider if the Rockingham, Mandurah and Murray MOU could be extended to include Serpentine Jarrahdale, Waroona and Kwinana.

### 9.1.2 Bushfire Prone Areas

In response to a query from Cr Dave Gossage relating to Bushfire Regulations, Vanessa Jackson advised that the transition period for implementation of the regulation provisions is due to expire on 8 April 2016. WALGA will be working over the next two weeks in an attempt to have this date extended to allow for training opportunities for Fire and Emergency Services, Planning and Building officers.

**Motion:**

That the Peel Zone of WALGA expresses its concern at the timeframe for the impending implementation of the Bushfire Regulations and disconnect created between the various Local Government departments.

Moved: Cr Dave Gossage  
Seconded: Cr John Erren  
Carried Unanimously

**Action:** The Peel Zone and the individual Member Councils to forward letters of support to WALGA to have the implementation date extended.

### 9.2 DLGC Report

DLGC representative Ken Parker spoke to the meeting on a number of topics including:

**New MyCouncil Website**

To be launched in mid-2016, the new website will allow users, including members of the public, to have a better understanding of their Council's financial sustainability and performance and to make comparisons of data over time and between local governments.

**Disclosing Gifts**

The legislative changes circular recently released outlines requirements for Councillors and designated officers to declare gifts and travel contributions within 10 days of receipt, rather than in their annual return. They will have a period of 28 days to disclose gifts and travel contributions received between 1 July 2015 and the date the new provisions take effect. The relevant disclosure form has been provided with the circular.

**Integrated Planning and Reporting (IPR)**

A series of workshops will occur throughout March to seek feedback from local governments on the updated IPR guidelines. The workshops are being held in Perth, Northam, Bunbury and Geraldton.
9.3 State Councillor’s Report – Cr Barrett

Cr Wally Barrett advised of his attendance at this week’s State Council Finance Committee Meeting earlier this week and that the Association’s finances remain in good order.

10.0 OTHER BUSINESS

10.1 Items to be raised by Members:

10.1.1 Shire of Boddington
Nil

10.1.2 City of Mandurah
Nil

10.1.3 Shire of Murray
Nil

10.1.4 Shire of Serpentine Jarrahdale

Cr John Erren referred to a proposal to redesign the Mundijong District Structure Plan. The proposal seeks to rezone various lots from Rural to Industrial and the Shire is seeking support from industry and government to realign the existing rail line parallel to the future Tonkin Highway extension.

Cr Erren requested the support of this group and it was resolved that the Shire of Serpentine Jarrahdale will request to make a presentation to the next meeting of the Peel Regional Leaders Forum.

10.1.5 Shire of Waroona

Cr Noel Dew referred to the recent disastrous bushfires and advised that the recovery phase is well underway. On behalf of the Council, staff and community of the Shire of Waroona, Cr Dew took this opportunity to thank Peel Zone Member Councils for their support, in particular the City of Mandurah and Shire of Murray.

Cr Dew made special mention of the support received from Blaze Aid, WALGA and all around Australia.

11.0 DATE, TIME AND PLACE OF NEXT MEETING

The next meeting is scheduled for Thursday 28 April 2016 at the Shire of Serpentine Jarrahdale. The Hon Tony Simpson, Minister for Local Government will attend this meeting.

Action: Discussion on Members attendance and definition of the role of the Peel Zone of WALGA to be listed on the agenda for this meeting

12.0 CLOSURE

There being no further business the Chairman declared the meeting closed at 4.57pm.