

01-005-03-0003



# South East Metropolitan Zone

## MINUTES

29 August 2018

# South East Metropolitan Zone

Hosted by the City of South Perth

Cnr Sandgate Street and South Terrace South Perth, Phone 9474 0777

Wednesday 29 August commenced at 6:02pm

## Minutes

### MEMBERS

### 2 Voting Delegates from each Member Council

City of Armadale	Mr Ray Tame, Chief Executive Officer – (deputy) -voting delegate Cr Ruth Butterfield (DSC)
City of Canning	Cr Ben Kunze – <b>Deputy Chair</b> Cr Sara Saberi Mr Arthur Kyron Chief Executive Officer – non-voting delegate
City of Gosnells	Cr Julie Brown (SC) Cr Olwen Searle Mr Ian Cowie, Chief Executive Officer - non-voting delegate
City of South Perth	Mayor Sue Doherty - <b>Chair</b> Cr Greg Milner Mr Geoff Glass, Chief Executive Officer – non-voting delegate
Town of Victoria Park	Cr Bronwyn Ife Cr Brian Oliver (SC) Mr Anthony Vuleta, Chief Executive Officer – non-voting delegate
Department of Local Government, Sport & Cultural Industries	Ms Sheryl Siekierka, Director Strategic Initiatives, DLGSC
WALGA Secretariat	Ms Lyn Fogg, Governance Advisor Mr Zac Donovan, Executive Manager, Finance and Marketing
Guest Speakers	Mr Geoff Eves, Local Roads Program Manager

### APOLOGIES

City of Armadale	Mayor Henry Zelones AM JP
------------------	---------------------------

## **ANNOUNCEMENTS**

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

Acknowledgement of Country: Mayor Sue Doherty (Chair) declared the meeting open at 6.02pm, acknowledging the traditional owners of the land that the meeting is held on and paying respects to Elders past and present.

## **ATTACHMENTS WITHIN THE AGENDA**

1. Draft Minutes of the previous meeting
2. Zone Status Report
3. President's Report
4. Standing Orders

**\*\*Cr Greg Milne arrived at 6.05pm.**

---

## **1. DEPUTATIONS**

---

### **1.1 Presentation – Addressing the Risk of Losing State and Federal Road Funding**

---

Mr Geoff Eves provided a presentation.

Mr Eves was appointed to the role of Local Roads Program Manager in August 2016 and has been working with Local Governments and Main Roads WA to improve timely delivery of road improvement projects in the Metropolitan area.

This presentation will identify the six major issues that have been found to affect timely road project delivery and discuss actions that Councillors and Councils should consider to manage the risks.

#### **In Brief**

At the end of 2016/17 Local Governments in the metropolitan area sought to carry forward \$3.7 million of State BlackSpot funding (48% of budget), \$4.2 million of Federal BlackSpot funding (46% of budget) and \$6.2 million in State Government funded Road Project Grants (21% of funding) largely for projects that were unable to be completed in time. This is consistent with the pattern over many years. State Treasury does not support the carry-over of funds between years, meaning that these dollars are potentially lost from road improvement projects. There is also a significant reputational risk for Local Governments.

The State Road Funds to Local Government Advisory Committee established a project to identify the issues affecting timely project delivery and work with Local Governments to implement corrective actions. The analysis has found that there are long held myths about why State funded road projects cannot be delivered on time.

**\*\* Ms Sheryl Siekierke arrived during the presentation at 6.10pm**

**\*\* Mr Geoff Eves left the meeting at 6.30pm.**

---

**1.2 Presentation – Local Government Act Review Update - Department of Local Government, Sport and Cultural Industries**

---

Ms Sheryl Siekierka, Director Strategic Initiatives, DLGSC, provided a presentation on the Local Government Act Review. A copy of the presentation is provided as **Attachment 1**.

---

**2. CONFIRMATION OF MINUTES**

---

**RESOLUTION**

**Moved Cr Julie Brown  
Seconded Cr Brian Oliver**

**That the Minutes of the meeting of the South East Metropolitan Zone held on 27 June 2018 be confirmed as a true and accurate record of the proceedings.**

**CARRIED**

---

**3. DECLARATION OF INTEREST**

---

Pursuant to our Code of Conduct, Councillors 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.**

---

**4. BUSINESS ARISING**

---

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

**Noted.**

---

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

---

---

**Item 5.1 Local Government Act Review**

---

**Moved Cr Julie Brown  
Seconded Cr Bronwyn Ife**

**The South East Metropolitan Zone supports Item 5.1 within the September 2018 State Council agenda.**

**Motion to Amend:**

**Moved Cr Greg Milner  
Seconded Cr Ben Kunze**

**That parts 1(b) and 1(c) be deleted.**

**LOST 3/7**

The substantive motion was put.

CARRIED 9/1

---

**Item 5.2 Stop Puppy Farming – Local Government Consultation**

---

Moved Cr Olwen Searle  
Seconded Cr Ben Kunze

The South East Metropolitan Zone supports Item 5.2 within the September 2018 State Council agenda.

**Motion to Amend**

Moved Cr Julie Brown  
Seconded Cr Ruth Butterfield

That part 2 of the substantive motion be amended to read:

2. Acknowledges the benefit of mandatory de-sexing of dogs not used for approved breeding purposes, subject to de-sexing only occurring at a time that is beneficial to the health and growth pattern of the dog and not at a specified time.

**Motion to Suspend Standing Orders**

Moved Cr Brian Oliver  
Seconded Cr Bronwyn Iffe

That Standing Orders be suspended (7.20pm).

CARRIED

Moved Mayor Sue Doherty  
Seconded Mr Ray Tame

That Standing Orders be resumed (7.30pm).

CARRIED

With the agreement of Mover and Seconder the Motion to Amend was amended to read:

That Part 2 of the substantive motion be amended to read:

2. Acknowledges the benefit of mandatory de-sexing of dogs not used for approved breeding purposes;

CARRIED

The Substantive Motion as amended was put.

CARRIED

---

**Item 5.3 Interim Submission on Green Paper – Modernising WA’s Planning System:  
Concepts for a Strategically Led System**

---

**Moved Mayor Sue Doherty  
Seconded Cr Julie Brown**

**The South East Metropolitan Zone supports Item 5.3 within the September 2018 State Council agenda.**

**CARRIED**

---

**Item 5.4 Regional Health Services in Western Australia – Survey of Local Governments**

---

**Moved Cr Ben Kunze  
Seconded Cr Julie Brown**

**The South East Metropolitan Zone supports Item 5.4 within the September 2018 State Council agenda.**

**Motion to Amend:**

**Moved Cr Ruth Butterfield  
Seconded Mayor Sue Doherty**

**That the State Council recommendation for Item 5.4 be endorsed, subject to the WALGA Regional Health Services in Western Australia Survey of Local Governments Report recommendation 3 being amended to also include the following agencies for potential partnerships:**

- **Rural Health West**
- **WA Primary Health Alliance**

**CARRIED**

**The Substantive Motion as amended was put.**

**CARRIED**

---

**Item 5.5 WA Foodborne Illness Reduction Strategy**

---

**Moved Cr Bronwyn Ife  
Seconded Mayor Sue Doherty**

**The South East Metropolitan Zone supports Item 5.5 within the September 2018 State Council agenda.**

**During debate Cr Julie Brown foreshadowed a motion.**

**Vote Tied 5/5**

**The Presiding Member used their casting vote.**

**LOST 6/5**

## RESOLUTION

Moved Cr Julie Brown  
Seconded Cr Olwen Searle

**That the WA Foodborne Illness Reduction Strategy not be endorsed because the strategy lack details required to enable an understanding of the cost implications for Local Government.**

**CARRIED 6/4**

Reason: The South East Metropolitan Zone members noted that the Strategy refers to a series of 'implementation plans' however, other than acknowledging Local Government's role in compliance monitoring, no further information is provided.

Note: The South East Metropolitan Zone members also sought information as to the causation for increased foodborne illness i.e. travel related illness.

---

### Item 5.6 Developing a National Plan on Elder Abuse – Interim Submission

---

Moved Cr Julie Brown  
Seconded Cr Brian Oliver

**The South East Metropolitan Zone supports Item 5.6 within the September 2018 State Council agenda.**

**CARRIED**

---

### Item 5.7 Vehicle Emissions

---

Moved Cr Ruth Butterfield  
Seconded Mayor Sue Doherty

**The South East Metropolitan Zone supports Item 5.7 within the September 2018 State Council agenda.**

**Motion to Amend:**

Moved Cr Ben Kunze  
Seconded Cr Brian Oliver

**That Part 6 of the motion be deleted.**

**LOST 3/7**

**The Substantive Motion was put.**

**CARRIED 9/1**

---

**Item 5.8 Interim Submission to the Independent Review of the Strategic Assessment of the Perth and Peel Regions**

---

**Moved Mayor Sue Doherty  
Seconded Cr Julie Brown**

**The South East Metropolitan Zone supports Item 5.8 within the September 2018 State Council agenda.**

**CARRIED**

---

**Item 5.9 Interim Submission on Proposed new Biodiversity Conservation Regulations and Ministerial Guidelines**

---

**Moved Cr Julie Brown  
Seconded Cr Ruth Butterfield**

**The South East Metropolitan Zone supports Item 5.9 within the September 2018 State Council agenda.**

**CARRIED**

---

**Item 5.10 2018 WALGA Annual General Meeting**

---

**Moved Mayor Sue Doherty  
Seconded Cr Ruth Butterfield**

**The South East Metropolitan Zone supports Item 5.10 within the September 2018 State Council agenda.**

**CARRIED**

---

**Item 6 Items for Noting**

---

**Items 6.1 – 6.4 were noted by the Zone members.**

---

**Item 7 Organisational Reports**

---

**Items 7.1.1 – 7.1.4 and 7.2 were noted by the Zone members.**

---

**6. BUSINESS**

---

---

**6.1 Gross Rental Value Assessments**

---

*By Cr Ben Kunze, City of Canning*

**Introduction/Background**

Rateable land within Perth's 30 local government areas is currently valued by Landgate every three years for their Gross Rental Value (GRV) assessment.



Gross Rental Value means the gross annual rental that the land might reasonably be expected to realise if let on a tenancy from year to year upon condition that the landlord were liable for all rates, taxes and other charges thereon and the insurance and other outgoings necessary to maintain the value of the land.

The most recent date of valuation for metropolitan Councils was August 1 2015, which was used for the 2017/18 assessment year. This GRV assessment will also be used by rating and taxing authorities for the 2018/19 and 2019/20 financial years before a new GRV assessment will be determined for the 2020/21 financial year.

This means that property owners are paying sewerage charges, Local Government rates and the emergency services levy based on a valuation that could be up to five years old. In fact, the valuation is already two years old when it comes into effect.

The date of valuation for the 2020/21 financial year will be conducted on August 1, 2018 – this month.

This should strike a chord with Western Australians, as it is remarkably similar to the GST issue where the three year lag has significantly impacted the State Government's budget.

While the three-year lag in the distribution determinations of the GST has received much attention, the same scrutiny has not been provided to the unfair lag within Landgate's valuation system.

Under the Valuation of Land Act 1978 (W.A.), Landgate is required to ensure that valuation rolls issued after a general valuation are complete, accurate and as current as possible. You have to ask whether the current system complies given that valuations can be many years out of date.

Last year a local resident highlighted that he was renting his Riverton property at almost 20% less than what Landgate had determined through its GRV assessment, following a significant fall in the rental market. The difference was due to the fact that rents payable were considerably higher two years ago than they currently are.

While the lag has existed for many years, the significant appreciation of property values during the boom years, and then the subsequent depreciation of some areas during the downturn has further exposed this issue.

There were a number of 'shocks' when the recent valuations came out last year, significantly impacting the rates payable by local residents. Despite a depreciation in the market and a modest rate increase of 2.8% by the City of Canning, some residents saw their rates payable increase significantly higher than 2.8% and there were a number of discrepancies.

## **Reasons**

The valuation of metropolitan properties every three years causes a significant lag affecting the accuracy of rates payable, especially during periods of significant appreciation/depreciation in property values.

A system needs to be implemented to improve the accuracy of GRV assessments and ensure that they are updated more regularly to minimise the impact during a valuation year.

To have a system that's philosophically based on a ratepayer's capacity to pay, by assessing the rental value of their property, but then use a point in time that's many years out of date – is that fair and consistent?

In Victoria, properties are valued on a biennial basis, while the Queensland Government values properties annually, except in unusual circumstances or where the Valuer-General, after consultation with local government and industry groups, determines there has been insufficient market movement in a local government area to warrant an annual valuation.

## RESOLUTION

**Moved Cr Ben Kunze**  
**Seconded Cr Sara Saberi**

That the South East Metropolitan Zone request WALGA to review options for improving the timeliness and accuracy of GRV valuations provided to Local Governments by Landgate for the purposes of rating, with the aim of presenting a preferred option to the State Government.

**CARRIED**

**Note:** It was requested that the review detail financial implications for Local Government of more frequent revaluations.

---

## 7. OTHER BUSINESS

---

Nil.

---

## 8. EXECUTIVE REPORTS

---

---

### 8.1 WALGA President's Report

---

The WALGA President's Report was tabled.

**Noted.**

---

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

---

Cr Julie Brown, WALGA State Councillor presented on the previous State Council meeting.

**Noted.**

---

### 8.3 Department of Local Government and Communities Representative Update Report.

---

Sheryl Siekierka provided an update to the Zone on all DLGC issues (circulated under separate cover).

---

## 9. MEETING ASSESSMENT

---

Mr Ray Tame provided feedback as to the effectiveness of the meeting.

---

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

---

## RESOLUTION

**Moved Cr Bronwyn Ife**  
**Seconded Cr Oliver Brown**

**That the next ordinary meeting of the South East Metropolitan Zone be held on Wednesday 28 November 2018 at the Town of Victoria Park commencing at 6:00 pm.**


**CARRIED**

---


**11. CLOSURE**

---

There being no further business the Chair declared the meeting closed at 8.05pm.



Department of  
Local Government, Sport  
and Cultural Industries



Local Government Act 1995 review  
Agile • Smart • Inclusive

---

## Local Government Act review

---

## Phase 1

- Discussion paper released 9 November 2017.
- Public submission period closed 9 March 2018.
- Key topics:
  - better preparing council members
  - standards of behaviour and gifts
  - CEO recruitment and performance management
  - information availability
  - administrative efficiencies
- Bill to be introduced in 2018.

---

## Key phase one reforms

- Key reforms announced by the Minister at WALGA State Conference:
  - universal training of candidates and council members, including ongoing professional development
  - revised gift framework that provides clarity and meets community expectations
  - modernises public notice requirements and provides greater flexibility for local governments to better inform their community
- Information sheets available from the Department's website

## **Key phase one reforms cont.**

- reforms to better manage behaviour, including
  - mandatory codes of conduct for council members, candidates and staff and new sanctions; and
  - reporting requirements associated with breaches to drive cultural change
- improvements to ensure greater consistency in CEO recruitment, performance management and termination through mandatory standards developed in consultation with the sector

## **Universal training**

- Three components:
  - universal candidate induction
  - universal council member training
  - continuing professional development
- Two-hour candidate induction on what to expect as a council member and the rules for campaigning.
- Council member training features five foundation competencies to be completed within 12 months of being elected. Available online.
- LGs required to adopt a policy providing for council member professional development.

## **Standards of behaviour**

- Introduction of a mandatory code of conduct for
  - all council members and candidates
- Code of conduct for staff
  - Covering key principles, specified matters and dispute resolution
- Standards Panel able to order mediation where appropriate
- Improvements to transparency in relation to breaches
  - council members in breach to reimburse the cost of panel proceedings
  - tabling of decisions which result in a minor breach finding at the council's next ordinary meeting
  - publishing censure information on council website
  - publishing the number of allegations, findings of breach and costs associated with the Standards Panel in the local government's annual report.

## **CEO recruitment and performance**

- Policies, standards and procedures covering CEO recruitment, selection, performance review and termination will be prepared in consultation with the sector.
- All of council to be involved in reviewing job description, review of contract and final appointment.
- Council to develop policy for acting arrangements (less than 12 months).

## **Public notices**

- Increased flexibility in relation to local public notice:
  - local government’s official website, and
  - any three of the following
    - State Government website
    - on social media
    - newsletter
    - notice board
    - electronic mail distribution list
    - newspaper circulating through the district (if available)

## **Public notices**

- State public notice:
  - Local governments to select appropriate mediums that provide coverage to their intended audiences and will result in outcomes that are in the best interests of the community.
- Local public notice will also be necessary

## Access to Information

- To be made available on the council's website:
  - district map with ward boundaries
  - full version of each local law
  - adverse findings of the Standards Panel, CCC and State Administrative Tribunal relating to council members
  - all documents contained within a meeting agenda
  - all approved policy documents
- Annual report:
  - diversity data
  - council member attendance at council and committee meetings
  - all fees and allowances paid to each council member
  - the total benefits package of the CEO

## Gifts

- A gift is to be defined as the receipt of property or a benefit for inadequate consideration.
- Council members and CEOs will be prohibited from accepting gifts that:
  - may be perceived to be or are an actual conflict of interest
  - may be perceived as an attempt to corruptly influence the council member or CEO in the exercise of their duties
- Council members and CEOs to declare all gifts over \$300 received in their role as a council member
- Gifts to be declared within 10 days and published within a further 10 days
- The threshold will include cumulative gifts over a twelve-month period.

## Gifts cont.

- Under the disclosure of interest provisions a council member will be required to declare **any** gift over \$300 (or cumulative gifts) that they have received – they will not be able to participate in that part of the meeting, including voting.
- Similar provisions to apply to CEO.
- Local governments will be required to develop and publish a policy covering council member and CEO attendance at events, addressing who will pay for tickets.

## Administrative efficiencies

- Administrative efficiencies to
  - remove special majority and
  - designated senior officers, and
  - improve the appointment of authorised persons and
  - harmonise evidence provisions.

## Phase 1 - next steps

- Drafting of the Bill by the Parliamentary Counsel's Office.
- This can be a complex activity to ensure that the policy is translated appropriately into legislation.
- The Department liaises closely with PCO during this process. In preparing the draft, PCO regularly seeks clarification and guidance from the Department.
- Department will be working with WALGA and LG Pro during drafting.
- Targeted for introduction to Parliament in 2018.

## Phase two topics





## **Timetable – phase 2**

- Discussion papers released in September 2018
- Three month engagement period
- Green bill in 2019
- Introduction to Parliament in 2020