



Pilbara Country Zone

Minutes

23 June 2022

Pilbara Country Zone

Held via MS Teams

Thursday 23 June 2022, commenced at 11:30 am

Minutes

MEMBERS

2 Voting Delegates from each Member Council

City of Karratha	Cr Daiva Gillam Mr Chris Adams, Chief Executive Officer non-voting delegate
Shire of East Pilbara	President Cr Anthony Middleton Cr Wendy McWhirter-Brooks Mr Steven Harding, Chief Executive Officer non-voting delegate
Town of Port Hedland	Ms Lee Furness, Director - Infrastructure Services non-voting delegate
Shire of Ashburton	President Cr Kerry White Cr Linton Rumble
WALGA Secretariat	Sebastian Davies-Slate, Policy Officer, Transport and Roads Chantelle O'Brien, Governance Support Officer
DLGSC Representative	Ms Jodie Swaffer, Acting Regional Manager
Regional Development Australia - Pilbara	Mr Tony Simpson
Guests	Nil
Guest Speaker	LTCOL Adam Bryden, CO Pilbara Regiment, Regional Force Surveillance Group

APOLOGIES

City of Karratha	Mayor Peter Long - Chair
Town of Port Hedland	Mayor Peter Carter Cr Tim Turner Mr Carl Askew, Chief Executive Officer, non-voting delegate
Shire of Ashburton	Mr Kenn Donohoe, Chief Executive Officer non-voting delegate
Roadwise	Mr Greg Hayes, Regional Road Safety Advisor

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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 attendance was noted prior to the commencement of the meeting.

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

ATTACHMENTS WITH THE AGENDA

1. President's Report
2. Status Report

In the absence of the Chair and Deputy Chair, the WALGA Secretariat opened the meeting and sought nominations for the position of Chair for the duration of the meeting.

Cr Wendy McWhirter-Brooks (Shire of East Pilbara) nominated for the position and was elected unopposed.

Cr McWhirter-Brooks assumed the position of Chair.

1. DECLARATION OF INTEREST

Elected 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. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil.

2. DEPUTATIONS

2.1 NORFORCE

LTCOL Adam Bryden, CO Pilbara Regiment, provided a deputation to Zone members on:

- Who the Pilbara Regiment is
- Our history and role
- What we do in (and for) Community
- What we offer to those who seek to serve (and employers who support their employees in the Army Reserve)

3. CONFIRMATION OF MINUTES

RESOLUTION

Moved: President Kerry White
Seconded: Cr Linton Rumble

That the Minutes of the meeting of the Pilbara Country Zone held on 21 April 2022 be confirmed as a true and accurate record of the proceedings.

CARRIED

4. BUSINESS ARISING

4.1 Status Report

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

Presenting the Status Report for **June 2022** which contains WALGA's responses to the resolutions of previous Zone Meetings.

Zone	Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
Pilbara C	21 April 2022 Zone Agenda Item 6.1 More Than Mining Campaign	That the Pilbara Country Zone seeks that WALGA supports the More than Mining Campaign and to work with the NSW counterpart to lobby for reform to include FBT benefit to regionally based employees of participating councils of the Pilbara Country Zone.	Matter to be added to agenda for next meeting of the Mining Communities Policy forum	June 2022	Kelly McManus, Principal Policy and Advocacy kmcmanus@walga.asn.au 9213 2096
Pilbara C	2022, 17 February Zone Agenda Item 7.1 Anti-Social Behaviour	That the Pilbara Country Zone requests the WALGA Secretariat to prepare a report for State Council's consideration on advocacy to State Government to extend the Kimberly Justice Strategy into the Pilbara Region.	WALGA will undertake further investigation with Dept. Justice and Dept. Communities contacts in the Pilbara and Kimberly regions to ascertain the current youth justice approaches. Further information will be sought from Pilbara LGA's in relation to the youth crime issues. An update will be provided based on the information gathered from the preliminary investigations in September 2022.	Ongoing	Nicole Matthews A/Executive Manager, Strategy, Policy and Planning nmatthews@walga.asn.au 9213 2039

This is an opportunity for Member Councils to consider the response from WALGA in respect to the matters that were submitted at the previous Zone Meeting.

RESOLUTION

Moved: Cr Linton Rumble
Seconded: President Kerry White

That the Pilbara Zone notes the Status Report.

CARRIED

5. STATE COUNCIL AGENDA - MATTERS FOR DECISION

(Zone delegates to consider the Matters for Decision contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)

The full State Council Agenda can be found via link: [State Council Agenda 6 July 2022](#)

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 Review of advocacy positions relating to Emergency Management

That State Council:

1. Endorse the removal of the following Emergency Management Advocacy Positions
 - 8.1 Community Resilience
 - 8.2 Disaster Mitigation
 - 8.3 Emergency Services Levy
2. Endorse the following Emergency Management Advocacy Positions:
 - 8.1 Emergency Management Principles
 - 8.2 State Emergency Management Framework
 - 8.3 Sustainable Grant Funding Model for Emergency Management
 - 8.4 Consolidated Emergency Services Act
 - 8.5 Resource Sharing
 - 8.6 Lessons Learnt Management
 - 8.7 Emergency Services Levy
 - 8.8 Local Government Grants Scheme (LGGS)

5.2 New Emergency Management Advocacy Position – Community Emergency Service Manager Program

That the following WALGA Advocacy Position relating to the Community Emergency Service Manager (CESM) Program be endorsed:

- 8.9 Expansion of the Community Emergency Services Manager Program

That the Association advocates for an expansion of the Community Emergency Service Manager (CESM) Program, as follows:

1. All Local Governments should have the option of participating in the CESM Program.
2. The full cost of the CESM Program should be funded through the Emergency Services Levy.

5.3 Draft WA Public Libraries Strategy 2022-2026 and Updated Advocacy Position

That:

1. the draft WA Public Libraries Strategy 2022-2026 be endorsed.
2. WALGA's existing Advocacy Position on Public Libraries be deleted and replaced as follows:

3.8 *Public Libraries*

1. Western Australian Local Government public libraries provide valuable local cultural infrastructure, creating social and community hubs for community capacity building, recreation, education and literacy, digital inclusion, and social connection, cohesion and inclusion.
2. WALGA supports the provision of Public Library services in Western Australia through a formal partnership between Local Government and the State Government of Western Australia, governed by the Library Board Act 1951, namely the State and Local Government Agreement for the Provision of Public Library Services in Western Australia (2020).
3. The WA Public Libraries Strategy 2022-2026 provides a framework for a shared vision, strategic direction and collaborative action in the provision of a vibrant and sustainable 21st century public library network.
4. It is essential that a sustainable funding model enables Local Governments to continue to deliver library services to support continued growth and adaptation to changing community needs.

Matters for Noting

- 6.1 2020/21 Local Government Performance Monitoring Project
- 6.2 Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades
- 6.3 Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase 1 Submission
- 6.4 Western Power Access Arrangement Review Submission
- 6.5 Economic Development Research
- 6.6 Development of Child Safe Policy for Local Government
- 6.7 National Reconciliation Week Local Government Activation Program
- 6.8 WA Strategic Trails Blueprint 2022-2027 – Draft for Comment
- 6.9 Issues Paper: Local Government Approaches to Tree Retention
- 6.10 Report Municipal Waste Advisory Council (MWAC)

RESOLUTION

Moved: Cr Daiva Gillam
Seconded: President Kerry White

That the Pilbara Country Zone

1. Supports all Matters for Decision as listed above in the July 2022 State Council Agenda; and
2. Notes all Matters for Noting and Organisational Reports as listed in the July 2022 State Council Agenda.

CARRIED

6. BUSINESS

6.1 WALGA Best Practice Governance Review Update

By Tony Brown, Executive Manager Governance and Organisational Services and Tim Lane, Manager Strategy and Association Governance

BACKGROUND

WALGA has embarked on a significant project to review WALGA's governance model to ensure the organisation is governed by a contemporary, sound, and agile governance model that:

- Facilitates meaningful engagement with Local Government members,
- Enhances WALGA's legitimacy among members and stakeholders, and
- Enables sound and focused decision making to guide advocacy, policy, and service delivery.

WALGA's [Corporate Strategy 2020-25](#) identifies "contemporary governance and engagement models" as a key strategic priority leading to State Council's commissioning of the Best Practice Governance Review project.

A further goal of the project is to fundamentally review, and subsequently amend, WALGA's governance documentation – Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – to ensure consistency and alignment.

To oversee the project, State Council appointed a Steering Committee with the following membership:

President Cr Karen Chappel JP	WALGA President (Chair)
Cr Paul Kelly	WALGA Deputy President
President Cr Phil Blight	Country State Councillor
Mayor Carol Adams OAM	Metropolitan State Councillor
President Cr David Menzel	Country Elected Member
Mayor Albert Jacob	Metropolitan Elected Member
Andrew Sharpe	Country Chief Executive Officer
David MacLennan	Metropolitan Chief Executive Officer
Nick Sloan	WALGA Chief Executive Officer

Senior WALGA staff are providing executive support and PwC has been appointed to facilitate meetings of the Steering Committee and to produce an Options Paper and a Final Report.

The Steering Committee has met twice. At the first meeting, held on 5 May 2022, the Committee:

- Adopted Terms of Reference
- Reviewed the Project Plan
- Considered existing governance documentation
- Discussed the project methodology, and
- Agreed five comparator organisations whose governance models would be reviewed:
 - i. Australian Hotels Association (AHA)
 - ii. Australian Medical Association (AMA)
 - iii. Chamber of Commerce and Industry WA (CCIWA)
 - iv. Chamber of Minerals and Energy (CME), and
 - v. Pharmacy Guild of WA

The comparator organisations were selected for their similarity to WALGA as membership organisations (with organisations as members) and their perceived effectiveness as advocacy peak bodies.

At the Steering Committee's second meeting, held on 8 June 2022, the Committee reviewed the governance models of comparator organisations presented by PwC and identified initial performance assessment criteria that will guide the evaluation of alternative governance model options.

The Steering Committee will be meeting again in late June to consider an Options Paper which will present alternative governance model options. The Options paper will be presented to State Council at the 6 July Strategic Forum. Member feedback will then be sought on the Options Paper during July and August.

Following member feedback, the Steering Committee will direct the development of an agenda item outlining high level principles and non-negotiables of a future governance model for the 2022 Annual General Meeting. This agenda item and debate will gauge members' views on the direction of the project.

The final report due to be completed by mid-October 2022 will be the subject of further consultation with members, including through a full round of Zone meetings in November in the lead-up to the December State Council meeting.

Substantive structural changes to WALGA's governance model will require amendments to the Constitution, which must be approved by a special (75 percent) majority at both a meeting of State Council and an Annual General Meeting. As such, any proposed changes will need to have strong support of members for Constitutional change to be ratified. The aim of the project is to put forward constitutional amendments to members at the 2023 Annual General Meeting.

COMMENT

The Best Practice Governance Review Project represents a significant opportunity to improve WALGA's governance model to improve decision making effectiveness while ensuring meaningful member representation and participation.

Past reviews since the formation of WALGA as the single Local Government sector peak body over 20 years ago have led to significant process and other improvements while the structure and composition of State Council has remained broadly unchanged. WALGA receives mixed feedback on its governance model through member surveys and other mechanisms suggesting there is room for improvement.

Any future governance model will need to balance member representation and participation in decision making processes with efficiency and strategic focus. The forthcoming Options Paper will present potential options that aim to balance competing objectives identified by the Steering Committee.

Member engagement and consultation will be crucial to the success of the project and very high levels of member support will be required for constitutional amendments to be ratified, as outlined above. Consequently, members should anticipate opportunities to contribute to the project and provide insight in relation to options put forward over coming months.

RESOLUTION

Moved: President Kerry White
Seconded: Cr Linton Rumble

That the update on the WALGA Best Practice Governance Review Project be noted.

CARRIED

6.2 Proposed Advocacy Position for Management of Bushfire Brigades Discussion Paper

By Susie Moir, Policy Manager Resilient Communities

BACKGROUND

WALGA is seeking the views of the sector on a new Advocacy Position on the management of Bushfire Brigades, as per the Discussion Paper, [Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position](#).

Western Australian Local Governments have extensive roles and responsibilities prescribed in the State Emergency Management Framework (State Framework) across the emergency management activities of prevention, preparedness, response, and recovery. Relevantly, pursuant to the *Bush Fires Act 1954*, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs).

The Paper proposes a new Advocacy Position on the management of BFBs to guide the Association's emergency management advocacy on behalf of Local Government, and in particular its engagement with the State Government on the development of the Consolidated Emergency Services Act which is expected to be released for stakeholder consultation in early 2023.

Four options are identified for the future management of BFBs:

1. Status quo – continue with the current arrangements for management of BFBs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their BFBs).
2. Improvements – continue with the current arrangements for Local Government management of BFBs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.
3. Hybrid Model – Local Government continues to manage BFBs where they have the capacity, capability and resources to do so; however where they do not have the capacity, capability and resources, responsibility for management of BFBs is transferred to DFES.
4. Transfer – Responsibility for management of all BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories.

COMMENT

Based on the feedback received from Local Governments in the WALGA Emergency Management Survey and the other considerations outlined in the paper, it is considered appropriate for the Association to support a hybrid model for the management of BFBs.

A hybrid model would enable the continued management of BFBs by those Local Governments with capacity, capability and resources to do so, while providing a framework for the transfer of the management of BFBs to the State Government where a Local Government does not.

Whatever the arrangements for future management of BFBs, it is apparent that Local Governments with responsibility for management of BFBs require additional support and resourcing which should be provided by the State Government, including:

- Development of a suite of [guidelines and resources](#) to assist Local Governments in their management of BFBs, particularly with respect to the discharge of obligations under the *Work Health and Safety Act 2021*;



- Expansion of the Community Emergency Services Manager Program (CESM) so that every Local Government with responsibility for managing BFBs has access to the Program if they wish to participate;
- Universal access to DFES training for BFBs; and
- Development of mandatory and minimum training requirements including recognition of competency for volunteers.

Local Governments are encouraged to provide a written response to this Paper or to complete the survey. Formal Council resolutions will assist the Association understand the sentiment of the sector on this important issue.

Questions are provided at the end of the Paper to guide feedback.

Feedback should be provided in response to the questions via email to em@walga.asn.au by 5pm Friday 8 July 2022.

Noted

6.3 Meeting Attendance Protocols – Online Attendance

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

As a consequence of the Covid-19 pandemic, attendance at meetings and forums via video conference has been widely adopted as a standard practice and is, in many cases, an expectation of attendees.

While Zone meetings have historically been conducted in-person, there have been occasions when Zone meetings have been held as a fully virtual meeting due to Covid restrictions or Covid risk.

Recently, as the technical capacity to host virtual meetings (with a mix of in-person and online attendance) has developed, there has been an increase in requests from Zone Delegates to attend otherwise in-person Zone meetings via a video-conferencing platform.

The WALGA secretariat is seeking Zone guidance on this matter to put in place Zone protocols going forward.

COMMENT

There are several considerations regarding the suitability of hybrid meetings.

Firstly, there is an argument that in-person Zone meetings are preferable, as has been past practice, as in-person meetings (including sharing a meal and refreshments) facilitate relationship building, information sharing, networking opportunities and engagement between member Local Governments and between Local Governments and the WALGA secretariat including office bearers and senior staff.

Secondly, while there may be circumstances that prevent a Council Delegate from attending in-person, each Council has one or more Deputy Delegates who may be available to attend in-person and contribute to the meeting. For instance, it is unclear which is preferable: in-person attendance by a Deputy Delegate or online attendance by a Delegate.



Thirdly, from a meeting management perspective, there are challenges for the chairperson facilitating participation and managing a hybrid meeting, particularly given the chair may not be familiar with the technical arrangements at the host Local Government for any given meeting.

Fourthly, there are technical considerations for the host Local Government. While many Local Governments now have suitable facilities, it would be expected that the host Local Government would provide the necessary technical support (potentially outside of business hours) to ensure the meeting can transpire smoothly.

Finally, the Zone's direction in relation to guest speakers is also sought. From the secretariat's point of view, in-person attendance by guest speakers is preferable, however there may be instances when a guest speaker is unable to attend in-person but is able to attend virtually.

From the perspective of the secretariat, there are significant benefits to continue holding Zone meetings primarily in-person – relationship building, information sharing and engagement – and there are technical and meeting management challenges associated with hybrid meetings.

On balance, it is recommended that, restrictions notwithstanding, Zone meetings continue to be held primarily in-person.

Accordingly, and given Councils appoint Deputy Delegates to ensure representation when a Delegate is unable to attend, it is recommended that preference is given to Deputy Delegate attendance in-person ahead of online Delegate attendance and the hybridisation of the meeting. If Deputy Delegate attendance is not possible, the secretariat will liaise with the host Local Government to facilitate online attendance.

If Zone meetings are to be held in a hybrid format, the secretariat will liaise with the host Local Government to check whether a hybrid meeting can be facilitated, to ensure technical setup is undertaken and to confirm technical support will be provided.

It is also recommended that the secretariat continue to liaise with the Zone Chair in relation to guest speakers, as is current practice.

RESOLUTION

Moved: Cr Linton Rumble
Seconded: President Kerry White

That the Zone adopt the following protocols:

- 1. That, Covid-19 or other restrictions notwithstanding, Zone meetings continue to be held primarily in-person;**
- 2. That, given Zone meetings are to be held primarily in-person:**
 - a. first preference will be for in-person Deputy Delegate attendance, before online attendance of Delegates is considered, and**
 - b. If Deputy Delegates are unable to attend in-person, the secretariat will liaise with the host Local Government with the aim of facilitating online attendance in a hybrid meeting format;**
- 3. That, if Zone meetings are to be held in a hybrid format, the host Local Government will provide technical setup and support in liaison with the WALGA secretariat; and,**

4. That the WALGA secretariat liaise with the Zone Chair in relation to attendance and arrangements for guest speakers, and if online attendance of a guest speaker is to be facilitated, the secretariat will liaise with the host Local Government to make the necessary arrangements.

CARRIED

7. OTHER BUSINESS

7.1 Future Zone Meetings

RESOLUTION

Moved: Cr Linton Rumble
Seconded: President Kerry White

That the Pilbara Country Zone Chief Executive Officer's investigate changing the day and suitable location that the Zone meetings are to be held in future and suggest an alternative option for the delegates consideration at the next Zone meeting.

CARRIED

7.2 Local Government Act Review

By Shire of East Pilbara

RESOLUTION

That the Zone requests guidance from WALGA on how it may be possible to propose an amendment to the *Local Government Act* that will allow Elected Members to attend their Ordinary Council Meetings virtually when not in the State.

CARRIED

8. EXECUTIVE REPORTS

8.1 President's Report to the Zone

The Chair, Cr McWhirter-Brooks, presented the President's Report.

Noted

8.2 State Councillor's report to the Zone

WALGA State Councillor was an apology for this meeting.

Noted



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

The Department of Local Government, Sport and Cultural Industries representative Jodie Swaffer, will provide an update the Zone.

Noted

8.4 Regional Development Australia – Pilbara Region.

The Regional Development Australia – Pilbara Region Chief Executive Officer, Tony Simpson provided an update the Zone.

Noted

9. DATE, TIME AND PLACE OF NEXT MEETING

RESOLUTION

Moved: President Kerry White
Seconded: Cr Linton Rumble

That the next ordinary meeting of the Pilbara Country Zone be held on 25 August 2022, to be held via MS Teams, commencing at 11.30am.

CARRIED

10. CLOSURE

There being no further business the Chair declared the meeting closed at 12.16pm.

