



# **State Council Agenda**

## **Special Meeting**

**13 October 2021**

## NOTICE OF MEETING

Special meeting of the Western Australian Local Government Association (WALGA) State Council to be held at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville and via MS Teams on Wednesday, 13 October 2021 beginning at 4:00pm.

### 1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

#### 1.1. Attendance

Members	President of WALGA - <b>Chair</b>	Mayor Tracey Roberts JP
	Deputy President of WALGA, Northern Country Zone	President Cr Karen Chappel JP
	Avon-Midland Country Zone	Cr Ken Seymour
	Central Country Zone	President Cr Phillip Blight
	Central Metropolitan Zone	Cr Paul Kelly
	Central Metropolitan Zone	Cr Jenna Ledgerwood
	East Metropolitan Zone	Cr Catherine Ehrhardt
	East Metropolitan Zone	Cr Cate McCullough
	Goldfields Esperance Country Zone	President Cr Malcolm Cullen
	Gascoyne Country Zone	President Cr Cheryl Cowell
	Great Eastern Country Zone	President Cr Stephen Strange
	Great Southern Country Zone	Cr Ronnie Fleay
	Kimberley Country Zone	Cr Chris Mitchell JP
	Murchison Country Zone	Cr Les Price
	North Metropolitan Zone	Cr Frank Cvitan JP
	North Metropolitan Zone	Mayor Mark Irwin
	North Metropolitan Zone	Cr Russ Fishwick JP
	Peel Country Zone	President Cr Michelle Rich
	Pilbara Country Zone	Mayor Peter Long
	South East Metropolitan Zone	Cr Julie Brown
	South East Metropolitan Zone	Mayor Ruth Butterfield
	South Metropolitan Zone	Cr Doug Thompson
	South Metropolitan Zone	Mayor Carol Adams OAM
	South Metropolitan Zone	Mayor Logan Howlett JP
	South West Country Zone	President Cr Tony Dean
Secretariat	Chief Executive Officer	Mr Nick Sloan
	Acting, EM Governance & Organisational Services	Mr Tim Lane
	Manager Governance	Mr James McGovern
	Executive Officer Governance	Ms Katherine Robertson

#### 1.2. Apologies

#### 1.3. Announcements

- 1.3.1. WALGA acknowledges the Whadjuk Nyoongar people who are the Traditional Custodians of the land on which we meet today, and pays respect to their Elders past and present.

## 2. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

## 3. NOTICE OF MOTION

### 3.1 Conflict of Interest – President – CONFIDENTIAL

*By Cr Phil Blight, Central Country Zone*

#### MOTION

**That the President, Mayor Tracey Roberts, at the request of the State Council, within seven days, take such steps as are necessary and reasonable to remove any actual (or perceived) conflict or incompatibility between her personal interests and the impartial fulfilment of her official duties.**

#### Attachment

- [Corporate Governance Charter](#) (including the State Councillor Code of Conduct)

#### Background

The meeting has been called, pursuant to Clause 11 (2) of the WALGA Constitution, upon the written request of over one quarter of State Councillors, being:

- President Cr Phillip Blight
- Cr Julie Brown
- Cr Ronnie Fleay
- Cr Paul Kelly
- Cr Ken Seymour
- President Cr Michelle Rich
- President Cr Malcolm Cullen

The purpose of the meeting is outlined in the written request for the meeting to be called, as follows:

*It has become obvious that the conflict of interest of the President has risen to new levels this past week with several media reports.*

*Our Code of Conduct clause 6 states:*

*“State Councillors must:*

- *Ensure that there is no actual (or perceived) conflict or incompatibility between their personal interests and the impartial fulfilment of their official duties.”*

*Whereas,*

*(9) The Role of the President [as per the Corporate Governance Charter]*

*“The President’s role is a key one within the Association. The President is considered the “lead” State Councillor and utilises experience, skills and leadership abilities to facilitate governance processes.*

*The President is to represent and advocate the resolutions of State Council. Whilst State Council retains ultimate responsibility for Association decision making, any issues that require an immediate or urgent decision outside of State Council ordinary and extraordinary decision making processes, and where it is impractical to seek State Council*

*consideration, may be dealt with by the President in consultation with the Deputy President. Such actions shall not contravene existing policy or previous decisions of State Council and must be undertaken in observance to any specified parameters. Any exercise of this power will require an agenda item to be submitted to the next ordinary meeting of State Council seeking ratification.*

*In common with the Chair of most governing boards, the President will:*

- *chair State Council meetings in a manner which results in consensus and commitment to decisions;*
- *represent the views of State Council to management and act as a link between meetings;*
- *be the 'interface' of the organisation with external stakeholders;*
- *act as spokesperson and media contact on such matters as are required..."*

*The President, by her own hand in presenting changes to the Corporate Governance Charter, asserted that she has a conflict of interest. Some of the conflict can be managed by those changes but not all, however the President must be able to "fulfil her duties" without "actual or perceived conflict."*

*It is untenable that the President continues to breach the Corporate Governance Charter in this way.*

#### **4. CLOSURE**

There being no further business the Chair declared the meeting closed at \_\_\_\_pm.