



State Council Minutes

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.

The Chair, Mayor Tracey Roberts, opened the meeting at 4:02pm.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1. Attendance

Members	President of WALGA - Chair	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 (via Teams)
	East Metropolitan Zone	Cr Cate McCullough (via Teams)
	Goldfields Esperance Country Zone	President Cr Malcolm Cullen (via Teams)
	Gascoyne Country Zone	President Cr Cheryl Cowell (via Teams)
	Great Eastern Country Zone	President Cr Stephen Strange (via Teams)
	Great Southern Country Zone	Cr Ronnie Fleay (via Teams)
	Kimberley Country Zone	Cr Chris Mitchell JP (via Teams)
	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 (via Teams)
	South East Metropolitan Zone	Cr Julie Brown
	South East Metropolitan Zone	Mayor Ruth Butterfield (via Teams)
	South Metropolitan Zone	Cr Doug Thompson
	South Metropolitan Zone	Mayor Carol Adams OAM (via Teams)
	South Metropolitan Zone	Mayor Logan Howlett JP (via Teams)
	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

Nil

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.

- WALGA President, Mayor Tracey Roberts, declared a financial interest in Item 3.1.

WALGA President, Mayor Tracey Roberts, left the meeting at 4:10pm and did not return.

WALGA Deputy President, President Cr Karen Chappel, assumed the Chair.

3. NOTICE OF MOTION

3.1 Conflict of Interest – President – CONFIDENTIAL

By President Cr Phillip Blight, Central Country Zone

MOTION

Moved: President Cr Phillip Blight
Seconded: President Cr Michelle Rich

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.

ABSOLUTE MAJORITY REQUIRED

AMENDMENT

Moved: President Cr Tony Dean
Seconded: Mayor Mark Irwin

All words after “That” are deleted and replaced with:

State Council thank Mayor Tracey Roberts for her years of dedicated service to the West Australian Local Government Association and accept her resignation taking effect at the conclusion of the 1 December 2021 State Council meeting and wishes her all the best in her future career.

Cr Doug Thompson left the meeting at 4:42pm.

Cr Doug Thompson returned to the meeting at 4:43pm.

Mayor Carol Adams left the meeting at 5:15pm and did not return.

THE AMENDMENT WAS PUT AND CARRIED

THE SUBSTANTIVE MOTION NOW READS:

That State Council thank Mayor Tracey Roberts for her years of dedicated service to the West Australian Local Government Association and accept her resignation taking effect at the conclusion of the 1 December 2021 State Council meeting and wishes her all the best in her future career.

PROCEDURAL MOTION

Moved: Cr Catherine Ehrhardt

Seconded: Cr Doug Thompson

That the question be now put.

CARRIED

THE MOTION WAS PUT:

That State Council thank Mayor Tracey Roberts for her years of dedicated service to the West Australian Local Government Association and accept her resignation taking effect at the conclusion of the 1 December 2021 State Council meeting and wishes her all the best in her future career.

RESOLUTION 288.6/2021

CARRIED BY ABSOLUTE MAJORITY

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 **5:31pm**.

DECLARATION

These minutes were confirmed at the meeting held on 1 December 2021.

Signed _____
Person presiding at the meeting at which these minutes were confirmed