



# Summary Minutes

**STATE COUNCIL MEETING**

**3 March 2021**

## NOTICE OF MEETING

Meeting of the Western Australian Local Government Association State Council held at WALGA, 170 Railway Parade, West Leederville on Wednesday, 3 March 2021.

### 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	President 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 <i>to 5.40pm</i>	
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	
Ex Officio	Lord Mayor – City of Perth	Lord Mayor Basil Zempilas <i>to 5.01pm</i>
Secretariat	Chief Executive Officer	Mr Nick Sloan
	EM Commercial & Communications	Mr Zac Donovan
	EM Governance & Organisational Services	Mr Tony Brown
	EM Infrastructure	Mr Ian Duncan
	EM Strategy, Policy & Planning	Ms Narelle Cant
	Manager Strategy & Association Governance	Mr Tim Lane
	Intergovernmental Relations & Risk	Ms Joanne Burges
	Chief Financial Officer	Mr Rick Murray
	Manager Governance	Mr James McGovern
	Governance Support Officer	Ms Chantelle O'Brien

## **ORDER OF PROCEEDINGS**

### **OPEN and WELCOME**

The Chair declared the meeting open at 4:31pm

- **Acknowledgement of Country**

I would like to acknowledge the Whadjuk Nyoongar People who are the Traditional Custodians of this land we meet on today and I would like to pay my respects to their Elders past, present and future.

Welcome to:

Lord Mayor Basil Zempilas

State Councillors and WALGA Secretariat

### **APOLOGIES**

Local Government Professionals WA

Mr Jamie Parry

### **ANNOUNCEMENTS**

Nil

### **2. DECLARATION 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.

- *Mayor Logan Howlett declared an interest in Item 5.1 External Oversight and Intervention – Authorised Inquiries and Show Cause Notices as an Elected Member for City of Cockburn.*
- *Cr Chris Mitchell declared an interest in Item 5.5 as a candidate for WA Local Government Grants Commission*
- *Cr Phillip Blight declared an interest in Item 5.5 as a candidate for WA Local Government Grants Commission.*
- *Cr Catherine Ehrhardt declared an interest in Item 5.5 as a candidate for Biosecurity Council of WA.*
- *Mayor Tracey Roberts and Cr Paul Kelly declared an interest in section 4 of Item 5.7 as members of the LGIS Board.*
- *Cr Ronnie Fleay declared an interest in Item 6.4 as a member of the WAPC.*

### **PAPERS**

State Councillors received the following papers under separate cover:

- Strategic Forum Agenda
- Item 5.4 Finance and Services Committee Meeting Minutes 17 February 2021;
- Item 5.5 Selection Committee Meeting Minutes 26 February 2021 - Confidential;
- Item 5.6 Use of Common Seal;

- Item 5.7 LGIS Board Meeting Minutes;
- Item 5.8 LGIS Marketing Function Review;
- CEO's Report to State Council;
- March President's Report (previously emailed to Zone meetings)

### **3. MINUTES OF THE PREVIOUS MEETINGS**

---

#### **3.1 Minutes of 2 December 2020 State Council Meeting**

---

Moved: Mayor Logan Howlett  
Seconded: Mayor Carol Adams

That the Minutes of the State Council Meeting held on [2 December 2020](#) be confirmed as a true and correct record of proceedings.

#### **RESOLUTION 173.1/2021**

**CARRIED**

##### **3.1.1 Business Arising from the Minutes of 2 December 2020**

Nil

---

#### **3.2 Flying Minute of Submission – Draft Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2020 – 5 January 2021**

---

Moved: Mayor Logan Howlett  
Seconded: Cr Chris Mitchell

That the Flying Minute of the [Submission - Draft Local Government Regulations Amendment \(Employee Code of Conduct\) Regulations 2020](#) date, be confirmed as a true and correct record of proceedings.

#### **RESOLUTION 174.1/2021**

**CARRIED**

##### **3.2.1 Business Arising from the Flying Minutes of the Submission - Draft Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2020.**

Nil

---

#### **3.3 Flying Minute of Draft State Planning Policy 4.2: Activity Centres Submission – 28 January 2021**

---

Moved: Mayor Logan Howlett  
Seconded: Cr Chris Mitchell

That the [Flying Minute – Draft State Planning Policy 4.2: Activity Centres Submission – 28 January 2021](#), be confirmed as a true and correct record of proceedings.

#### **RESOLUTION 175.1/2021**

**CARRIED**

##### **3.3.1 Business Arising from the Flying Minutes of the Flying Minute – Draft State Planning Policy 4.2: Activity Centres Submission – 28 January 2021**

Nil

---

**3.4 Flying Minute – Registration of Builders (and Related Occupations) Reforms Submission – 28 January 2021**

---

**Moved: Mayor Logan Howlett**  
**Seconded: Cr Chris Mitchell**

That the [Flying Minute – Registration of Builders \(and Related Occupations\) Reforms Submission – 28 January 2021](#) , be confirmed as a true and correct record of proceedings.

**RESOLUTION 176.1/2021**

**CARRIED**

**3.4.1 Business Arising from the Flying Minute – Registration of Builders (and Related Occupations) Reforms Submission – 28 January 2021**

Nil

---

**3.5 Flying Minute – Reportable Conduct Scheme – 28 January 2021**

---

**Moved: Mayor Logan Howlett**  
**Seconded: Cr Chris Mitchell**

That the [Flying Minute – Reportable Conduct Scheme – 28 January 2021](#) , be confirmed as a true and correct record of proceedings.

**RESOLUTION 177.1/2021**

**CARRIED**

**3.5.1 Business Arising from the Flying Minute – Reportable Conduct Scheme – 28 January 2021**

Nil

## 5. MATTERS FOR DECISION

### 5.1 External Oversight and Intervention – Authorised Inquiries and Show Cause Notices (05-034-01-0001 FM)

*Mayor Logan Howlett declared impartiality interest in Item 5.1*

#### WALGA RECOMMENDATION

That WALGA:

1. Continues to advocate for the State Government to ensure that there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995; and
2. Requests the Minister for Local Government to:
  - a. Engage with affected Local Governments in order to attempt to resolve identified issues, improve performance and achieve good governance before considering an intervention under Part 8 of the Local Government Act 1995;
  - b. Provide written reasons prior to issuing any Show Cause Notices;
  - c. Require regular progress reports to be provided to any Local Government that is the subject of any Authorised Inquiry; and
  - d. Require that any Authorised Inquiry be conducted within a specified timeframe that may be extended with the approval of the Minister.

<b>Avon Midland Country Zone</b>	WALGA Recommendation Supported
<b>Central Metropolitan Zone</b>	WALGA Recommendation Supported
<b>East Metropolitan Zone</b>	WALGA Recommendation Supported
<b>Gascoyne Zone</b>	WALGA Recommendation Supported
<b>Goldfields Esperance Country Zone</b>	WALGA Recommendation Supported
<b>Great Eastern Country Zone</b>	WALGA Recommendation Supported
<b>Great Southern Country Zone</b>	WALGA Recommendation Supported
<b>Kimberley Zone</b>	WALGA Recommendation Supported
<b>Murchison Country Zone</b>	WALGA Recommendation Supported
<b>North Metropolitan Zone</b>	WALGA Recommendation Supported
<b>Northern Country Zone</b>	WALGA Recommendation Supported
<b>Peel Zone</b>	WALGA Recommendation Supported
<b>Pilbara Zone</b>	WALGA Recommendation Supported
<b>South Metropolitan Zone</b>	WALGA Recommendation Supported
<b>South West Country Zone</b>	WALGA Recommendation Supported

#### SOUTH EAST METROPOLITAN ZONE

That the South East Metropolitan Zone supports:

That WALGA:

1. Continues to advocate for the State Government to ensure that there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995; and
2. Requests the Department of Local Government, Sport and Cultural Industries to engage with affected Local Governments in order to attempt to resolve identified issues, improve

- performance and achieve good governance before considering an intervention under Part 8 of the Local Government Act 1995; and
3. Requests the Minister for Local Government to:
    - a. Provide written reasons prior to issuing any Show Cause Notices;
    - b. Require regular progress reports to be provided to any Local Government that is the subject of any Authorised Inquiry; and
    - c. Require that any Authorised Inquiry be conducted within a specified timeframe that may be extended with the approval of the Minister.
  4. Advocates for legislative change to ensure that Show Cause Notices contain reasons.

## **CENTRAL COUNTRY ZONE**

That WALGA:

1. Continues to advocate for the State Government to increase resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the *Local Government Act 1995*; and
2. Requests the Minister for Local Government to:
  - a. Engage with affected Local Governments in order to attempt to resolve identified issues, improve performance and achieve good governance before considering an intervention under Part 8 of the *Local Government Act 1995*;
  - b. Provide written reasons prior to issuing any Show Cause Notices;
  - c. Require regular progress reports to be provided to any Local Government that is the subject of any Authorised Inquiry; and
  - d. Require that any Authorised Inquiry be conducted within a specified timeframe that may be extended with the approval of the Minister.

## **SECRETARIAT COMMENT**

The Zones' proposed amendments clarify and add to the recommendation.

The South East Metropolitan Zone's proposal that an authorised inquiry report is presented to the Minister for consideration under s.8.15, there should be consultation with the Local Government on the findings. However, technically the power sits with the Departmental CEO to conduct authorised inquiries under Part 8, not the DLGSC, so any substitution of 'Minister' should read 'Departmental CEO'.

Moved: Cr Julie Brown  
Seconded: Cr Karen Chappel

That WALGA:

1. Continues to advocate for the State Government to increase resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995; and
2. Requests the Departmental CEO, of the Department of Local Government, Sport and Cultural Industries to engage with affected Local Governments in order to attempt to resolve identified issues, improve performance and achieve good governance before considering an intervention under Part 8 of the Local Government Act 1995; and
3. Requests the Minister for Local Government to:
  - a. Provide written reasons prior to issuing any Show Cause Notices;
  - b. Require regular progress reports to be provided to any Local Government that is the subject of any Authorised Inquiry; and
  - c. Require that any Authorised Inquiry be conducted within a specified timeframe that may be extended with the approval of the Minister.
4. Advocates for legislative change to ensure that Show Cause Notices are required to contain reasons.

AMENDMENT

Moved: Cr Russ Fishwick  
Seconded: Mayor Mark Irwin

That point 1 be amended to read:

1. Continues to advocate for the State Government to increase resourcing of the Department of Local Government, Sport and Cultural Industries particularly by engaging experienced and qualified staff to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995; and

CARRIED

THE AMENDED MOTION NOW READS

That WALGA:

1. Continues to advocate for the State Government to increase resourcing of the Department of Local Government, Sport and Cultural Industries particularly by engaging experienced and qualified staff to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995; and

2. Requests the Departmental CEO, of the Department of Local Government, Sport and Cultural Industries to engage with affected Local Governments in order to attempt to resolve identified issues, improve performance and achieve good governance before considering an intervention under Part 8 of the Local Government Act 1995; and
3. Requests the Minister for Local Government to:
  - a. Provide written reasons prior to issuing any Show Cause Notices;
  - b. Require regular progress reports to be provided to any Local Government that is the subject of any Authorised Inquiry; and
  - c. Require that any Authorised Inquiry be conducted within a specified timeframe that may be extended with the approval of the Minister.
4. Advocates for legislative change to ensure that Show Cause Notices are required to contain reasons.

**RESOLUTION 178.1/2021**

**CARRIED**

## 5.2 Cost of Revaluations (05-034-01-0001 TB)

### WALGA RECOMMENDATION

That WALGA advocate to the State Government for the equal distribution of valuation costs for properties where the Water Corporation, the Department of Fire and Emergency Services and the Local Government require the valuation.

<b>Avon Midland Country Zone</b>	WALGA Recommendation Supported
<b>Central Country Zone</b>	WALGA Recommendation Supported
<b>Central Metropolitan Zone</b>	WALGA Recommendation Supported
<b>East Metropolitan Zone</b>	WALGA Recommendation Supported
<b>Gascoyne Zone</b>	WALGA Recommendation Supported
<b>Goldfields Esperance Country Zone</b>	WALGA Recommendation Supported
<b>Great Eastern Country Zone</b>	WALGA Recommendation Supported
<b>Great Southern Country Zone</b>	WALGA Recommendation Supported
<b>Kimberley Zone</b>	WALGA Recommendation Supported
<b>Murchison Country Zone</b>	WALGA Recommendation Supported
<b>North Metropolitan Zone</b>	WALGA Recommendation Supported
<b>Northern Country Zone</b>	WALGA Recommendation Supported
<b>Peel Zone</b>	WALGA Recommendation Supported
<b>Pilbara Zone</b>	WALGA Recommendation Supported
<b>South East Metropolitan Zone</b>	WALGA Recommendation supported
<b>South Metropolitan Zone</b>	WALGA Recommendation Supported
<b>South West Country Zone</b>	WALGA Recommendation Supported

Moved: Cr Julie Brown  
 Seconded: Cr Frank Cvitan

That WALGA advocate to the State Government for the equal distribution of valuation costs for properties where the Water Corporation, the Department of Fire and Emergency Services and the Local Government require the valuation.

**RESOLUTION 179.1/2021**

**CARRIED**

### 5.3 Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding (05-024-02-0001 SM)

#### WALGA RECOMMENDATION

That WALGA:

1. Supports the inclusion of capital costs of Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGs).
2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021).
3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGs.
4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process.

<b>Avon Midland Country Zone</b>	WALGA Recommendation Supported
<b>Central Metropolitan Zone</b>	WALGA Recommendation Supported
<b>East Metropolitan Zone</b>	WALGA Recommendation Supported
<b>Gascoyne Zone</b>	WALGA Recommendation Supported
<b>Great Eastern Country Zone</b>	WALGA Recommendation Supported
<b>Great Southern Country Zone</b>	WALGA Recommendation Supported
<b>Kimberley Zone</b>	WALGA Recommendation Supported
<b>Murchison Country Zone</b>	WALGA Recommendation Supported
<b>North Metropolitan Zone</b>	WALGA Recommendation Supported
<b>Northern Country Zone</b>	WALGA Recommendation Supported
<b>Peel Zone</b>	WALGA Recommendation Supported
<b>Pilbara Zone</b>	WALGA Recommendation Supported
<b>South Metropolitan Zone</b>	WALGA Recommendation Supported
<b>South West Country Zone</b>	WALGA Recommendation Supported

#### GOLDFIELDS ESPERANCE COUNTRY ZONE

GVROC note the WALGA recommendation as stated, however it requests that WALGA reconsider the current recommendation to look at Trailer Fire Fighting Units instead of Slip On Fire Fighting Units, given the concerns around safety of the Slip on Fire Fighting Units.

#### SOUTH EAST METROPOLITAN ZONE

That the South East Metropolitan Zone supports Item 5.3, with the addition of a new point 5 as follows:

5. Requests that an alternate grants program be instituted for Slip On Fire Fighting Units should inclusion on the Eligible List of the LGGs be unsuccessful.

## **CENTRAL COUNTRY ZONE**

1. That the WALGA recommendation be amended by deleting Parts 1, 2 and 3.
2. The recommendation now read as follows:

That WALGA advocates for membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with WALGA staff attending as observers and that these appointments be determined through the WALGA Selection Committee process.

### **SECRETARIAT COMMENT**

The majority of Zones support the current recommendation and the proposed amendments from the South East Metropolitan Zone and the Goldfields Esperance Zone may shift the focus from the initial request. The Central Country Zone proposal relating to observers to the Local Government Grants Scheme Working Group can be achieved administratively.

**Moved:** Cr Tony Dean  
**Seconded:** Cr Ronnie Fleay

**That WALGA:**

1. Supports the inclusion of capital costs of Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS).
2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021).
3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGS.
4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process.

**AMENDMENT**

**Moved:** Cr Malcolm Cullen  
**Seconded:** Cr Stephen Strange

**That point 1 be amended to read:**

1. Supports the inclusion of capital costs of Trailer Fire Fighting Units and Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS).

**CARRIED**

**THE AMENDED MOTION NOW READS**

**That WALGA:**

1. Supports the inclusion of capital costs of Trailer Fire Fighting Units and Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS).
2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021).
3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGS.
4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process.

**RESOLUTION 180.1/2021**

**CARRIED**

**Moved: Cr Karen Chappel**  
**Seconded: Cr Ronnie Fleay**

**That Item 7.5.2 – Lord Mayor Report, be brought forward for discussion.**

### **7.5.2 City of Perth Report**

Lord Mayor Basil Zempilas, City of Perth, provided an update to the meeting.

*The Lord Mayor left the meeting at 5.01pm and did not return.*

**MATTERS FOR CONSIDERATION BY STATE COUNCILLORS  
(UNDER SEPARATE COVER)**

---

**5.4 Finance and Services Committee Minutes (01-006-03-0006 TB)**

Moved: Cr Paul Kelly  
Seconded: Cr Karen Chappel

That the Minutes of the Finance and Services Committee Meeting held 17 February 2021 be endorsed.

**RESOLUTION 181.1/2021**

**CARRIED**

**5.5 Selection Committee Minutes (01-006-03-0011 TL) – CONFIDENTIAL**

*Cr Chris Mitchell, Cr Phillip Blight, Cr Catherine Ehrhardt, declared an interest in Item 5.5 and left the room at 5.02pm*

Moved: Cr Karen Chappel  
Seconded: Cr Les Price

That the recommendations contained in the 26 February 2021 Selection Committee Minutes be endorsed.

**RESOLUTION 182.1/2021**

**CARRIED**

*Cr Chris Mitchell, Cr Philip Blight, Cr Catherine Ehrhardt returned to the meeting at 5.05pm*

**5.6 Use of the Association's Common Seal (01-004-07-0001 NS)**

Moved: Cr Julie Brown  
Seconded: Cr Chris Mitchell

That State Council:

1. Approve the use of the Common Seal for the LGIS Bank Guarantee for 2021;
2. Note the use of the Common Seal for the Local Government House Trust Deed of Variation.

**RESOLUTION 183.1/2021**

**CARRIED**

## **5.7 LGIS Board Minutes – CONFIDENTIAL**

*Mayor Tracey Roberts and Cr Paul Kelly declared an interest in point 4 of Item 5.7 and left the meeting at 5.06pm*

**Moved:** Cr Chris Mitchell  
**Seconded:** Cr Frank Cvitan

**That State Council:**

1. Approve the Scheme Management fee annual adjustment payable to JLT/Marsh be adjusted to increase by 2% for the 2021/22 financial year.
2. Approve a reciprocal 2% adjustment to remuneration to WALGA from the LGIS scheme.
3. Recognise that the contracted remuneration adjustments for both the Scheme Manager and WALGA may be subject to change during the period dependant on the outcomes of the review of the Agreement and subsequent negotiations.
4. Approve that remuneration for LGIS Board members be increased by 3.5% for the 2021/22 financial year as per the LGIS Corporate Governance Charter guidance.
5. Note the minutes of the LGIS Board meetings held on 4 December and 4 February.

### **AMENDMENT**

**Moved:** Cr Jenna Ledgerwood  
**Seconded:** Cr Phillip Blight

**That point 4 be amended to read:**

4. Approve that remuneration for LGIS Board members be increased by 2.0% for the 2021/22 financial year as per the LGIS Corporate Governance Charter guidance

**CARRIED**

### **THE AMENDED MOTION NOW READS**

**That State Council:**

1. Approve the Scheme Management fee annual adjustment payable to JLT/Marsh be adjusted to increase by 2% for the 2021/22 financial year.
2. Approve a reciprocal 2% adjustment to remuneration to WALGA from the LGIS scheme.
3. Recognise that the contracted remuneration adjustments for both the Scheme Manager and WALGA may be subject to change during the period dependant on the outcomes of the review of the Agreement and subsequent negotiations.
4. Approve that remuneration for LGIS Board members be increased by 2.0% for the 2021/22 financial year as per the LGIS Corporate Governance Charter guidance.
5. Note the minutes of the LGIS Board meetings held on 4 December and 4 February.

### **RESOLUTION 184.1/2021**

**CARRIED**

*Mayor Tracey Roberts and Cr Paul Kelly returned to the meeting at 5.15pm*

**5.8 LGIS Marketing Function Review – CONFIDENTIAL**

Moved: Cr Chris Mitchell  
Seconded: Mayor Mark Irwin

That State Council note the completion of the review of the LGIS marketing function and expenditure.

RESOLUTION 185.1/2021

CARRIED

## **6. MATTERS FOR NOTING / INFORMATION**

### **6.1 Local Government Car Parking Guideline – Western Australia (05-036-03-0063 AR)**

#### **WALGA RECOMMENDATION**

That That State Council note the *Local Government Car Parking Guideline – Western Australia*.

<b>Avon Midland Country Zone</b>	WALGA Recommendation noted
<b>Central Country Zone</b>	WALGA Recommendation noted
<b>Central Metropolitan Zone</b>	WALGA Recommendation noted
<b>East Metropolitan Zone</b>	WALGA Recommendation noted
<b>Gascoyne Zone</b>	WALGA Recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA Recommendation noted
<b>Great Eastern Country Zone</b>	WALGA Recommendation noted
<b>Great Southern Country Zone</b>	WALGA Recommendation noted
<b>Kimberley Zone</b>	WALGA Recommendation noted
<b>Murchison Country Zone</b>	WALGA Recommendation noted
<b>North Metropolitan Zone</b>	WALGA Recommendation noted
<b>Northern Country Zone</b>	WALGA Recommendation noted
<b>Peel Zone</b>	WALGA Recommendation noted
<b>Pilbara Zone</b>	WALGA Recommendation noted
<b>South East Metropolitan Zone</b>	WALGA Recommendation noted
<b>South Metropolitan Zone</b>	WALGA Recommendation noted
<b>South West Country Zone</b>	WALGA Recommendation noted

**Moved: Cr Karen Chappel**  
**Seconded: Cr Chris Mitchell**

That That State Council note the *Local Government Car Parking Guideline – Western Australia*.

**RESOLUTION 186.1/2021**

**CARRIED**

**6.2 Submission – Draft Local Government Regulations Amendment  
(Employee Code of Conduct) Regulations 2020 (05-034-01-0104 TB)**

**WALGA RECOMMENDATION**

That the submission to the Draft Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2020 be noted.

<b>Avon Midland Country Zone</b>	WALGA Recommendation noted
<b>Central Country Zone</b>	WALGA Recommendation noted – see additional Zone resolutions
<b>Central Metropolitan Zone</b>	WALGA Recommendation noted
<b>East Metropolitan Zone</b>	WALGA Recommendation noted
<b>Gascoyne Zone</b>	WALGA Recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA Recommendation noted
<b>Great Eastern Country Zone</b>	WALGA Recommendation noted
<b>Great Southern Country Zone</b>	WALGA Recommendation noted
<b>Kimberley Zone</b>	WALGA Recommendation noted
<b>Murchison Country Zone</b>	WALGA Recommendation noted
<b>North Metropolitan Zone</b>	WALGA Recommendation noted
<b>Northern Country Zone</b>	WALGA Recommendation noted
<b>Peel Zone</b>	WALGA Recommendation noted
<b>Pilbara Zone</b>	WALGA Recommendation noted
<b>South East Metropolitan Zone</b>	WALGA Recommendation noted
<b>South Metropolitan Zone</b>	WALGA Recommendation noted
<b>South West Country Zone</b>	WALGA Recommendation noted

**Moved: Cr Karen Chappel**  
**Seconded: Cr Chris Mitchell**

That the submission to the Draft Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2020 be noted.

**RESOLUTION 187.1/2021**

**CARRIED**

**6.3 Submission – Proposed Reportable Conduct Scheme for Western Australia (05-034-01-0104 TB)**

**WALGA RECOMMENDATION**

That the submission to the Ombudsman, Western Australia in respect to the Draft Reportable Conduct Scheme for Western Australia be noted.

<b>Avon Midland Country Zone</b>	WALGA Recommendation noted
<b>Central Country Zone</b>	WALGA Recommendation noted – see additional Zone resolutions
<b>Central Metropolitan Zone</b>	WALGA Recommendation noted
<b>East Metropolitan Zone</b>	WALGA Recommendation noted
<b>Gascoyne Zone</b>	WALGA Recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA Recommendation noted
<b>Great Eastern Country Zone</b>	WALGA Recommendation noted
<b>Great Southern Country Zone</b>	WALGA Recommendation noted
<b>Kimberley Zone</b>	WALGA Recommendation noted
<b>Murchison Country Zone</b>	WALGA Recommendation noted
<b>North Metropolitan Zone</b>	WALGA Recommendation noted
<b>Northern Country Zone</b>	WALGA Recommendation noted
<b>Peel Zone</b>	WALGA Recommendation noted
<b>Pilbara Zone</b>	WALGA Recommendation noted
<b>South East Metropolitan Zone</b>	WALGA Recommendation noted
<b>South Metropolitan Zone</b>	WALGA Recommendation noted
<b>South West Country Zone</b>	WALGA Recommendation noted

**Moved: Cr Karen Chappel**  
**Seconded: Cr Chris Mitchell**

That the submission to the Ombudsman, Western Australia in respect to the Draft Reportable Conduct Scheme for Western Australia be noted.

**RESOLUTION 188.1/2021**

**CARRIED**

**6.4 Submission – Draft State Planning Policy 4.2: Activity Centre (05-036-03-0020 CH)**

*Cr Ronnie Fleay declared an interest in item 6.4 and left the meeting at 5.17pm*

**WALGA RECOMMENDATION**

**That the endorsed submission on the draft State Planning Policy 4.2: Activity Centres be noted.**

<b>Avon Midland Country Zone</b>	WALGA Recommendation noted
<b>Central Country Zone</b>	WALGA Recommendation noted
<b>Central Metropolitan Zone</b>	WALGA Recommendation noted
<b>East Metropolitan Zone</b>	WALGA Recommendation noted
<b>Gascoyne Zone</b>	WALGA Recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA Recommendation noted
<b>Great Eastern Country Zone</b>	WALGA Recommendation noted
<b>Great Southern Country Zone</b>	WALGA Recommendation noted
<b>Kimberley Zone</b>	WALGA Recommendation noted
<b>Murchison Country Zone</b>	WALGA Recommendation noted
<b>North Metropolitan Zone</b>	WALGA Recommendation noted
<b>Northern Country Zone</b>	WALGA Recommendation noted
<b>Peel Zone</b>	WALGA Recommendation noted
<b>Pilbara Zone</b>	WALGA Recommendation noted
<b>South East Metropolitan Zone</b>	WALGA Recommendation noted
<b>South Metropolitan Zone</b>	WALGA Recommendation noted
<b>South West Country Zone</b>	WALGA Recommendation noted

**Moved: Cr Thompson**  
**Seconded: Mayor Howlett**

**That the endorsed submission on the draft State Planning Policy 4.2: Activity Centre be noted.**

**RESOLUTION 189.1/2021**

**CARRIED**

*Cr Ronnie Fleay returned to the meeting at 5.18pm*

<b>6.5 Submission – Registration of Builders (and Related Occupations) Reforms (05-015-02-0010 CL)</b>
--

**WALGA RECOMMENDATION**

That the endorsed submission on the Registration of builders (and related occupations) reforms be noted.

<b>Avon Midland Country Zone</b>	WALGA Recommendation noted
<b>Central Country Zone</b>	WALGA Recommendation noted
<b>Central Metropolitan Zone</b>	WALGA Recommendation noted
<b>East Metropolitan Zone</b>	WALGA Recommendation noted
<b>Gascoyne Zone</b>	WALGA Recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA Recommendation noted
<b>Great Eastern Country Zone</b>	WALGA Recommendation noted
<b>Great Southern Country Zone</b>	WALGA Recommendation noted
<b>Kimberley Zone</b>	WALGA Recommendation noted
<b>Murchison Country Zone</b>	WALGA Recommendation noted
<b>North Metropolitan Zone</b>	WALGA Recommendation noted
<b>Northern Country Zone</b>	WALGA Recommendation noted
<b>Peel Zone</b>	WALGA Recommendation noted
<b>Pilbara Zone</b>	WALGA Recommendation noted
<b>South East Metropolitan Zone</b>	WALGA Recommendation noted
<b>South Metropolitan Zone</b>	WALGA Recommendation noted
<b>South West Country Zone</b>	WALGA Recommendation noted

**Moved: Cr Karen Chappel**  
**Seconded: Cr Chris Mitchell**

That the endorsed submission on the Registration of builders (and related occupations) reforms be noted.

**RESOLUTION 190.1/2021**

**CARRIED**

<b>6.6 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)</b>
--

**WALGA RECOMMENDATION**

That State Council note the resolutions of the Municipal Waste Advisory Council at its 26 August, 28 October and 9 December 2020 meetings.

<b>Avon Midland Country Zone</b>	WALGA Recommendation noted
<b>Central Country Zone</b>	WALGA Recommendation noted
<b>Central Metropolitan Zone</b>	WALGA Recommendation noted
<b>East Metropolitan Zone</b>	WALGA Recommendation noted
<b>Gascoyne Zone</b>	WALGA Recommendation noted
<b>Goldfields Esperance Zone</b>	WALGA Recommendation noted – see additional Zone resolutions
<b>Great Eastern Country Zone</b>	WALGA Recommendation noted
<b>Great Southern Country Zone</b>	WALGA Recommendation noted
<b>Kimberley Zone</b>	WALGA Recommendation noted
<b>Murchison Country Zone</b>	WALGA Recommendation noted
<b>North Metropolitan Zone</b>	WALGA Recommendation noted
<b>Northern Country Zone</b>	WALGA Recommendation noted
<b>Peel Zone</b>	WALGA Recommendation noted
<b>Pilbara Zone</b>	WALGA Recommendation noted
<b>South East Metropolitan Zone</b>	WALGA Recommendation noted
<b>South Metropolitan Zone</b>	WALGA Recommendation noted
<b>South West Country Zone</b>	WALGA Recommendation noted

**Moved: Cr Karen Chappel**  
**Seconded: Cr Chris Mitchell**

That State Council note the resolutions of the Municipal Waste Advisory Council at its 26 August, 28 October and 9 December 2020 meetings.

**RESOLUTION 191.1/2021**

**CARRIED**

## **7. ORGANISATIONAL REPORTS**

---

### **7.1 Key Activity Reports**

#### **7.1.1 Report on Key Activities, Commercial and Communications (01-006-03-0017 ZD)**

Moved: Cr Chris Mitchell  
Seconded: Cr Les Price

That the Key Activities Report from the Commercial and Communications Unit to the March 2021 State Council meeting be noted.

**RESOLUTION 192.1/2021**

**CARRIED**

#### **7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)**

Moved: Cr Chris Mitchell  
Seconded: Cr Les Price

That the Key Activities Report from the Governance and Organisational Services Unit to the March 2021 State Council meeting be noted.

**RESOLUTION 193.1/2021**

**CARRIED**

#### **7.1.3. Report on Key Activities, Infrastructure (05-001-02-0003 ID)**

Moved: Cr Chris Mitchell  
Seconded: Cr Les Price

That the Key Activities Report from the Infrastructure Unit to the March 2021 State Council meeting be noted.

**RESOLUTION 194.1/2021**

**CARRIED**

#### **7.1.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0014 NC)**

Moved: Cr Michelle Rich  
Seconded: Cr Julie Brown

That the Key Activities Report from the Strategy, Policy and Planning Unit to March 2021 State Council meeting be noted and request the Department of Local Government, Sport and Cultural Industries for an extension on the consultation process on the Child Safety Officers issue from 2 April to 30 June 2021.

**RESOLUTION 195.1/2021**

**CARRIED**

### **7.2 Policy Forum Reports (01-006-03-0007 TB)**

Moved: Cr Chris Mitchell  
Seconded: Cr Les price

That the report on the key activities of the Association's Policy Forums to the March 2021 State Council meeting be noted.

**RESOLUTION 196.1/2021**

**CARRIED**

**7.3 President's Report**

Moved: Cr Chris Mitchell  
Seconded: Cr Les price

That the President's Report for March 2021 be received.

**RESOLUTION197.1/2021**

**CARRIED**

*Mayor Ruth Butterfield left the meeting at 5.40pm and did not return.*

**7.4 CEO's Report**

Moved: Cr Chris Mitchell  
Seconded: Cr Les Price

That the CEO's Report for March 2021 be received.

**RESOLUTION 198.1/2021**

**CARRIED**

**7.5 Ex-Officio Reports**

**7.5.1 LG Professionals Report**

Mr Jamie Parry, President, LG Professionals, was an apology for the meeting.

## **8. ADDITIONAL ZONE RESOLUTIONS**

---

**Moved:** Mayor Logan Howlett  
**Seconded:** Cr Catherine Ehrhardt

That the additional Zone Resolutions from the March 2021 round of Zones meetings as follows be referred to the appropriate policy area for consideration and appropriate action.

### **RESOLUTION 199.1/2021**

**CARRIED**

---

#### **GOLDFIELDS ESPERNACE COUNTRY ZONE**

---

##### **Review of WALGA State Council Agenda - Policy Forum Reports – (Governance and Organisational Services)**

That the GVROC:

1. Notes the Policy Forum Reports update.
2. Requests that WALGA as a matter of urgency progress with holding a Mining Communities Forum and an Economic Development Policy Forum, with dates set for these, based on the WA economy and mining industry now rapidly expanding post the major effect of the COVID-19 downturn.
3. Note that the Shire of Coolgardie, through its CEO, offer to host, support and help WALGA in holding the next Mining Communities Forum.

##### **Municipal Waste Advisory Council – (Strategy, Policy and Planning)**

That the GVROC:

1. Note the resolutions of the WALGA Municipal Waste Advisory Council at its 26 August, 28 October and 9 December 2020 meetings.
2. Request that the WALGA Municipal Waste Advisory Council consider, address and drive not only items within the greater metropolitan area but also focus on waste issues and solutions in regional WA offered by regional LGAs.

---

#### **SOUTH WEST COUNTRY ZONE (Strategy, Policy and Planning)**

---

##### **Lobbying For State Government Policy Alignment With Respect to Development**

That WALGA writes to relevant Ministers and Directors General to request the current lack of policy alignment be addressed with respect to planning and development matters.

---

#### **GASCOYNE ZONE (Strategy, Policy and Planning)**

---

##### **Issues with the Disaster Recovery Funding Arrangements Western Australia (DRFAWA) Claims and Approvals Process**

That the Gascoyne Country Zone recommend WALGA request DFES to form a working group of participants from affected Shires to review the current process and report back on outcomes and solutions.

##### **Rainfall Monitoring**

That the Gascoyne Country Zone recommend that WALGA advocate to the Bureau of Meteorology to increase the density of automatic rain gauges towards a 50km grid coverage.

---

## **GREAT EASTERN COUNTRY ZONE (Governance and Organisational Services)**

---

### **State Councillor Report**

That WALGA note the Zone comments that some Local Governments have experienced delays with the finalization of the 19/20 financial year audits and enquire from the sector on their satisfaction or otherwise to the audit process.

---

## **PEEL COUNTRY ZONE (Governance and Organisational Services)**

---

### **CEO Employment Standards, Council Member and Employee Codes of Conduct Regulations**

The Peel Zone:

1. Expresses its strong disappointment that the feedback provided by the sector and WALGA on the CEO Employment Standards and Council Member and Employee Codes of Conduct Regulations was substantially ignored; and this puts into question the commitment to the principles of the Partnership Agreement.
2. Requests the WALGA Secretariat provide a detailed outline of the misalignment between the feedback provided by the sector and WALGA on the CEO Employment Standards and Council Member and Employee Codes of Conduct Regulations and the Regulations as gazetted (the State's policy).

---

## **GREAT SOUTHERN COUNTRY ZONE**

---

### **Dog Attacks on Stock – (Governance and Organisational Services)**

That the Great Southern Zone of WALGA requests that WALGA raise the issue of dog attacks on stock with the State Government to look at ways and means of reducing such attacks through such measures as substantially increasing the penalty to owners for dogs found roaming on farms, adding an additional penalty for owners of dogs which are proven to have attacked stock, and having some avenue for Police to be involved in the investigation.

### **Low Risk Clearing Proposals – (Strategy, Policy and Planning/Infrastructure)**

WALGA to advise the Great Southern Zone with what specific criteria the CEO of DWER would determine that a proposed clearing could be considered trivial, and what is considered to be a low risk clearing proposal.

---

## **CENTRAL COUNTRY ZONE (Governance and Organisational Services)**

---

### **Submission – Draft Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2020**

That the Central Country Zone express its concern at the implementation of the Local Government (Administration) Amendment Regulations 2021 and in particular the regulations requiring the need for Councils to advertise CEO positions after a period of 10 years and request WALGA to pursue all avenues to remove this requirement.

## Submission – Proposed Reportable Conduct Scheme for Western Australia

That:

1. The submission to the Ombudsman, Western Australia in respect to the Draft Reportable Conduct Scheme for Western Australia be noted; and
2. Given the significance of the proposed legislation and its likely impact on small and medium sized Councils, WALGA express concern to the Ombudsman that the time constraint imposed for a submission meant it was unable to consult with the Local Government sector and request the opportunity for the submission period to be reopened to enable adequate consultation.
3. The Central Country Zone acknowledges the importance of the Royal Commission Recommendations but it is of the view that it is not the function of local government to undertake the role and functions of Child Safety Officer.

### Local Government Audits

That the Central Country Zone request that WALGA investigate with the sector how Local Government audits may be expedited and completed within a shorter time frame and it is expected that this will include discussions with the OAG

### Disposition of Plant and Machinery over \$75,000 – Inability to Offer Plant and Machinery as Trade-in

That the Central Country Zone write to WALGA seeking for it to advocate to initiate an amendment to Regulation 30(3)(b) of the *Local Government Functions and General Regulations* as follows:

- (b) *The entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75,000*

---

## ASSET PRESERVATION MODEL (Infrastructure)

---

### GASCOYNE COUNTRY ZONE

That the Gascoyne Country Zone recommend the implementation of options 1 to 4 sequentially with report back at the conclusion of each phase for direction to proceed further.

### CENTRAL METROPOLITAN ZONE

That the Central Metropolitan Zone supports WALGA advocate:

1. For option 4 “Full model review and rebuild” of the Asset Preservation Model (APM) and;
2. That motor vehicle, bicycle and pedestrian transport infrastructure be included in the scope of a rebuilt APM.

### KIMBERLEY COUNTRY ZONE

That the Kimberley Regional Group:

1. Supports Option 4, which is to undertake an appropriately resourced process to review and rebuild the APM.
2. Notes the methodology to distribute costs above grant funding across local governments as well as the total contribution per shire will need to be considered in any final decision making, pending the outcomes of WALGA advocacy.

## **SOUTH EAST METROPOLITAN ZONE**

That the South East Metropolitan Zone supports Option 5, accept the status quo with no further action.

## **NORTH METROPOLITAN ZONE**

That the WALGA State Council defer the matter to enable details be sought from the Grants Commission as to how the funding allocations are made to Local Governments and what are the criteria, logic and rationale that support the model.

## **NORTHERN COUNTRY ZONE**

That the Northern Country Zone retain Status Quo (Option 5) and request further information to explain the current model at a future meeting.

## **SOUTH METROPOLITAN ZONE**

That the South Metropolitan Zone supports WALGA advocate:

1. For option 4 “Full model review and rebuild” of the Asset Preservation Model (APM) and;
2. That motor vehicle, bicycle and pedestrian transport infrastructure be included in the scope of a rebuilt APM.

## **PILBARA COUNTRY ZONE**

That the Pilbara Country Zone considers WALGA should proceed with Option 1, but in addition, lobby to increase the size of the fund, rather than how it is administered.

## **GREAT EASTERN COUNTRY ZONE**

That the Great Eastern Country Zone retain Status Quo (Option 5) and request further information to explain the current model at a future meeting.

## **EAST METROPOLITAN ZONE**

That the East Metropolitan Zone:

1. Defers a decision on any review of the Road Asset Preservation Model until the next East Metropolitan Zone meeting; and
2. Requests that each member Council seeks further advice from staff regarding a review of the Road Asset Preservation Model.

## **SOUTH WEST COUNTRY ZONE**

That the South West Country Zone of WALGA:

1. Supports option one of the options presented
2. Requests that discussion on this issue be referred to Regional Road Groups
3. Request Chris Berry, or an appropriate officer from the WA Local Government Grants Commission, to present to the Zone on the Asset Preservation Model methodology

## **PEEL COUNTRY ZONE**

That the Peel Country Zone supports Option 4, subject to the Zone requesting the opportunity to consider the parameters for the review of the model, such as:

- Funding levels
- Vehicle size and loads, and resulting impact on asset consumption
- Changing transport corridor / network loads and uses; current and future
- Impact of changed construction standards
- Other factors that contribute to inequity

## **GREAT SOUTHERN COUNTRY ZONE**

That WALGA defers the matter of the preferred advocacy approach to any review of the Road Asset Preservation Model (AMP) until further information is provided and the issue becomes clearer, as this matter has significant implications.

## **AVON MIDLAND COUNTRY ZONE**

The Avon Midland Country Zone supports Option 5.

## **CENTRAL COUNTRY ZONE**

That the Central Country Zone:

1. Endorses the approach outlined in Option 1 of the Infrastructure Policy Team's Options Paper on a proposed review of the Road Asset Preservation Model used by the WA Local Governments Grants Commission; and
2. Requests WALGA include a session on the Asset Preservation Model in 2021 Local Government Transport and Roads Forum scheduled to be held Friday 14 May 2021 and that if that is not possible for a session to be included in the program of the 2021 WALGA Convention.

## **GOLDFIELDS ESPERANCE ZONE**

That the GVROC:

1. Request that the GVROC Executive Officer, with assistance from the CEO – Shire of Dundas, compile a combined regional response to the WALGA Infrastructure Policy Team regarding a preferred advocacy approach to any review of the Road Asset Preservation Model (APM) for sign off by the GVROC Chair.
2. Request that each GVROC LGA CEO provide their LGA's views and input to the combined regional response to the GVROC Executive Officer by 16 April 2021 so that the response can be completed in time for the next WALGA State Council meeting to be held on 5 May 2021.

## **10. DATE OF NEXT MEETING**

That the next meeting of the Western Australia Local Government Association State Council be held at the **City of Cockburn, on Wednesday 5 May 2021.**

## **11. CLOSURE**

There being no further business the Chair declared the meeting closed at 5.55pm