



GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS
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Council Meeting

Friday 29 August 2014
Teleconference

MINUTES

FINAL DRAFT

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FINAL DRAFT

**GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS
AND**

GOLDFIELDS ESPERANCE COUNTRY ZONE OF WALGA

**Teleconference Meeting to be held on Friday 29 August 2014
commencing at 8.04am**

MINUTES

1. DECLARATION OF INTEREST

Pursuant to the Code of Conduct, Councillors and CEOs must declare to the Chairman any potential conflict of interest they may have in a matter before the Goldfields Voluntary Regional Organisation of Councils and Goldfields Esperance Country Zone of WALGA as soon as they become aware of it. Councillors, CEOs and Deputies may be directly or indirectly associated with some recommendations of the Goldfields Voluntary Regional Organisation of Councils and the Goldfields Esperance Country Zone of WALGA and the WALGA State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

2. ANNOUNCEMENTS

The purpose of the meeting is to consider and provide advice to the WALGA State Council Representative, Mayor Ron Yuryevich AM, RFD.

The Chair, Mayor Yuryevich, opened the meeting at 8.04am welcoming all in attendance.

3. ATTENDANCE AND APOLOGIES

Mayor Ron Yuryevich AM RFD (Chair)
Mr Don Burnett
Cr Mal Cullen
Mr Paul Webb
Cr Malcolm Heasman
Cr Beverley Stewart
Mr Matthew Scott
Cr Patrick Hill
Mr Steve Deckert
Mr Jim Epis
Cr Damian Mclean
Mr Chris Paget
Mr Ian Fitzgerald

Mayor, City of Kalgoorlie-Boulder
CEO, City of Kalgoorlie-Boulder
President, Shire of Coolgardie
CEO, Shire of Coolgardie
President, Shire of Esperance (entered the meeting at 8.07am)
Councillor, Shire of Esperance
CEO, Shire of Esperance
President Shire of Laverton
CEO, Shire of Laverton
CEO, Shire of Leonora
President, Shire of Ngaanyatjarraku
CEO, Shire of Ngaanyatjarraku
CEO, Shire of Ravensthorpe

Ms Helen Westcott Joint Executive Officer
Mr Bruce Wittber Joint Executive Officer

3.1 Apologies

Cr Peter Craig, President, Shire of Leonora
Cr Ian Goldfinch President, Shire of Ravensthorpe

3.2 WALGA Representatives

Ms Ricky Burges, WALGA CEO
Mr Wayne Scheggia, Deputy CEO

4. WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) BUSINESS

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

4.1 Review of WALGA State Council Agenda - Matters for Decision

From Executive Officer

Background:

WALGA State Council meets five times each year and as part of the consultation process with Member Councils circulates the State Council Agenda for input through the Zone structure.

GVROC is able to provide comment or submit an alternate recommendation that is then presented to the State Council for consideration.

5.1 2014 Annual General Meeting Minutes (01-003-02-0003 WS)

WALGA Recommendation

That Annual General Meeting Motions:

1. 4.6B & 4.7B Part (a) be noted as in accordance with Association Policy;
2. 4.1, 4.2, 4.3, 4.4, 4.5 and 4.7B Part (b) be noted and forwarded to the relevant WALGA business unit for consideration; and,
3. 4.7B Part (c) be endorsed.

ZONE COMMENT:

GVROC support WALGA Recommendation

5.2 Metropolitan Local Government Reform (05-014-02-0018 TL)

WALGA Recommendation

That WALGA:

1. Continues to advocate for the State Government to provide adequate funding for the implementation of Metropolitan Local Government Reform; and
2. Works with affected Local Governments, following the Minister for Local Government's announcement relating to the Metropolitan Local Government Reform process, to quantify the cost of implementation of reform.

ZONE COMMENT:

GVROC support WALGA Recommendation

5.3 Interim Submission to the Department of Local Government and Communities – Review of the Local Government (Functions and General) Regulations 1996 (05-034-01-0007 JM)

WALGA Recommendation

That the Association's interim submission to the Department of Local Government and Communities on the review of the Local Government (Functions and General) Regulations 1996 be endorsed.

ZONE COMMENT:

GVROC support WALGA Recommendation

5.4 Interim Submission to the Developing Northern Australia Green Paper (05-055-03-0002 PS)

WALGA Recommendation

That the Association's interim submission in response to the Australian Government's Green Paper on Developing Northern Australia be endorsed.

ZONE COMMENT:

GVROC support WALGA Recommendation

5.5 Housing for the Aged: Understanding the Issues (05-036-03-0020 CG)

WALGA Recommendation

- a. That State Council endorse the discussion paper 'Aged Housing: Understanding the Issues' and;
- b. Support the development of Local Government guidance and tools to assist in the preparation of local housing strategies as part of the Association's Planning Improvement Program; and
- c. Investigate potential residential property tax reforms that may improve the efficiency of the housing market.

ZONE COMMENT:

GVROC support WALGA Recommendation

The City of Kalgoorlie-Boulder has made comment on the matter of aged housing on previous occasions the matter has come before State Council. It may wish to make further comment.

RECOMMENDATION:

That the Goldfields Voluntary Regional Organisation of Councils endorses all recommendations contained in the WALGA State Council Agenda other than those recommendations separately considered.

RESOLUTION:

Moved: Cr Cullen

Seconded: Cr Stewart

That the Goldfields Voluntary Regional Organisation of Councils endorses all recommendations contained in the WALGA State Council Agenda other than those recommendations separately considered.

CARRIED

4.2 Review of WALGA State Council Agenda - Matters for Noting

- 6.1 Local Road Crash Report 2012 and Local Road Crash Map Book 2008-2012 (06-057-01-0001 MWS)
- 6.2 Release of Microeconomic Reform Inquiry Final Report (05-100-03-0001 PS)
- 6.3 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

4.3 Review of WALGA State Council Agenda - Organisational Reports

7.1 Key Activity Reports

- 7.1.1 Report on Key Activities, Environment and Waste Unit (01-006-03-0017 MJB)
- 7.1.2 Report on Key Activities, Governance and Strategy (01-006-03-0007 TB)
- 7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)

7.1.4 Report on Key Activities, Planning and Community Development (01-006-03-0014 AH)

4.4 Review of WALGA State Council Agenda - Policy Forum Reports

7.2 Policy Forum Reports

7.2.1 Metropolitan Reform Implementation Policy Forum

7.2.2 Country Reform Policy Forum

7.2.3 Mining Community Policy Forum

Cr Cullen noted that the issue of GRV rating on mining infrastructure remained an issue of concern for the Shire of Coolgardie. Mayor Yuryevich undertook to have the matter listed for discussion at the Forum when it met next week.

7.2.4 Container Deposit Legislation Policy Forum

7.2.5 Metropolitan Mayors Policy Forum

RECOMMENDATION:

That the Goldfields Voluntary Regional Organisation of Councils note the following reports contained in the WALGA State Council Agenda:

- Matters for Noting;
- Organisational Reports; and
- Policy Forum Reports;

RESOLUTION: **Moved: Cr Hill** **Seconded: Cr Cullen**

That the Goldfields Voluntary Regional Organisation of Councils note the following reports contained in the WALGA State Council Agenda:

- **Matters for Noting;**
- **Organisational Reports; and**
- **Policy Forum Reports;**

CARRIED

4.5 WALGA President's Report

The WALGA President, State Councillor or WALGA Officer will deliver this report.

4.6 WALGA Status Report (Attachment)

From *Executive Officer*

BACKGROUND:

Presenting the Status Report for August 2014 which contains WALGA's responses to the resolutions of previous Meetings

GVROC COMMENT:

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

4.7 State Councillor / Goldfield Esperance Zone President's Report

Mayor Ron Yuryevich, AM RFD

Information to note from the State Councillor / Goldfield Esperance Zone President's Report included:

- An update on efforts to overturn the decision to reduce the level of services provided by the Department of Transport across the Goldfields Esperance region; and
- The City's correspondence to the Premier seeking reassurance that a gold tax will not be introduced.

RECOMMENDATION:

That the Goldfields Voluntary Regional Organisation of Councils note the following reports:

- WALGA President's Report for August 2014;
- WALGA Status Report for August 2014; and
- State Councillor / Goldfield Esperance Zone President's Report for August 2014.

RESOLUTION: **Moved: Cr Hill** **Seconded: Cr Cullen**

That the Goldfields Voluntary Regional Organisation of Councils note the following reports:

- **WALGA President's Report for August 2014;**
- **WALGA Status Report for August 2014; and**
- **State Councillor / Goldfield Esperance Zone President's Report for August 2014.**

CARRIED

5. REPRESENTATIVE REPORTS**5.1 Department of Local Government and Communities (Attachments)**

Issue 7 of the Department's Governance Bulletin and the Director General's Report for August 2014 form attachments to the meeting agenda.

RECOMMENDATION:

That the Department of Local Government and Communities August 2014 Update be noted.

RESOLUTION: **Moved: Cr Hill** **Seconded: Mr Epis**

That the Department of Local Government and Communities August 2014 Update be noted.

CARRIED

6.2 Local Government Structural Reform - Proposed WALGA Review – City of Subiaco (Attachment)

Reporting Officer: Stephen Tindale, CEO City of Subiaco

Disclosure of Interest: Nil

Date: 21 August 2014

Attachments: Attachment Agenda Item 6.2 – Local Government Structural Reform

Background:

The following item has been received from Stephen Tindale CEO, City of Subiaco and has been presented as provided to the Executive Officer including the WALGA Secretariat Comment.

City of Subiaco Comment:

Recommendation 8 of the final report of the Metropolitan Local Government Review panel (Robson Report) was that "A forum of mayors be formed to facilitate regional collaboration and effective lobbying for the needs of the metropolitan area and to provide a voice for Perth."

The State Government supports the panel's recommendation. It has said that membership of the forum of mayors "...will also include the Directors General of Premier and Cabinet, Transport, Planning, and Local Government and Communities to ensure an appropriate strategic focus" and that the forum "...will be progressed once the local governments are in place."

WALGA's response to the recommendation was to oppose it on the grounds that "The WALGA 'Policy Forum of Metropolitan Mayors' is a more appropriate governance structure."

However State Council minutes indicate that WALGA's Metropolitan Mayors Policy Forum is not as effective as it might be. It appears to have met on only one occasion in the last year to discuss matters relating to aged housing and red tape reduction.

In the meantime WALGA has convened two forums of metropolitan Mayors and CEOs to discuss the failure of the State Government to make good on its promise to fully fund the metropolitan local government amalgamation process. These forums have not achieved any useful outcome in terms of changing the government's position.

All the while, the State Government has been pushing on with its metropolitan structural reform agenda.

While the Premier has stated that it is his intention to visit structural reform on regional and country local governments at some point in time, the Minister for Local Government and Communities has said that he is currently preoccupied with the metropolitan area and that it will not happen in the short term.

Significant concerns with the State Government's structural reform agenda and the way it has been implemented have also been expressed through country and metropolitan zones to WALGA State Council but the response time to these concerns has been found wanting as demonstrated by the examples shown at Attachment 1.

It seems that WALGA will face further governance challenges as the metropolitan structural reform agenda continues to be implemented.

The creation of 14 or 15 large local governments in the metropolitan area, each with a population of at least 100,000, is likely to result in less reliance by metropolitan local governments on the strategic role that WALGA currently plays in policy setting, lobbying and the provision of membership services to metropolitan local governments.

The State Government's preference for a forum of metropolitan mayors to be formed "...to facilitate regional collaboration and effective lobbying for the needs of the metropolitan area and to provide a voice for Perth..." may well come at the expense of WALGA and undermine its sustainability as an ongoing and effective organisation.

While WALGA has championed WALGA's Metropolitan Mayors Policy Forum as an alternative to the State Government's model, it has been missing in action during which time the State Government has:-

- back-flipped on voluntary amalgamations,
- intimidated local governments by way of Ministerial proposals to the LGAB,
- failed to pass amending legislation intended to facilitate structural reform,
- attempted to avoid the Dadour poll provisions through "boundary adjustment" proposals, and
- promised and then reneged on an undertaking to provide comprehensive financial assistance to amalgamating local governments.

The unfortunate reality is that the State Government has severely damaged the relationship between the local government sector and the State Government. The rules of the game have undeniably changed. Having championed structural reform in the metropolitan area, WALGA now seems to have been politically sidelined by the State Government as it pushes on regardless.

Member local governments are now questioning WALGA's continued collaboration with the State Government. A smaller number of Councils are questioning their continued membership of WALGA as they feel that they are not being heard and properly represented by WALGA to the State Government.

There is also concern that;

1. the intent of resolutions passed at the AGM's of WALGA are being diverted or subdued within the ranks of WALGA State Council,
2. zone motions are being sent off to policy forums out of sight of the broader membership of WALGA as no minutes are tabled of the deliberations of these forums, and
3. zone motions are taking upwards of four months to be dealt with by WALGA State Council.

The experience of metropolitan local governments does not bode well for regional and country local governments.

Inevitably, questions around the governance, principles, timeliness and processes of WALGA will arise as member local governments feel less than empowered in dealing with what is rapidly becoming one of the worst local government reform experiences in Australian history.

One strategy to make sure that WALGA's resilience in testing times is enhanced, is to ensure that its governance systems and processes are beyond reproach. A review of WALGA's governance process will make this more, rather than less, likely.

WALGA Secretariat Comment

The following provides some clarification on the issues raised;

The Metropolitan Mayors Policy Forum has been established with the following objectives;

1. Advise the WALGA President on emerging policy issues and the development and implementation of significant metropolitan initiatives;
2. Identify innovative approaches to metropolitan issues;
3. Facilitate metropolitan-wide consultation, collaboration and partnerships to address metropolitan-wide policy and project initiatives; and
4. Serve as a stakeholder forum to effectively support and complement the broader work of the Western Australian Local Government Association

The focus of the Metropolitan Mayors Policy Forum has not been on Metropolitan Reform as there has been a separate Policy Forum established for Metropolitan Reform implementation.

The Metropolitan Reform Implementation Policy Forum has been established with the following objectives;

- Provide guidance and direction to the President in his role as a Member of the Metropolitan Reform Implementation Committee (MetRIC).

- Facilitate appropriate Local Government engagement allowing for a wide range of Local Government Elected Member and Officer input and contribution as necessary.
- Develop recommendations for State Council consideration on issues relating to the implementation of the Metropolitan Local Government Reform.
- Endorsement of a Communication Plan that will be prepared to keep the sector informed of any developments and information during the implementation of the Metropolitan Local Government Reform.
- Ensure adequate support and assistance for member Local Governments during the transition and implementation process.

The Policy Forum has representation from a range of metropolitan Local Governments including Fremantle, South Perth, Armadale, Kwinana, Mundaring and Perth

In respect to the two forum of Mayors meetings held specifically to discuss the inadequate funding provided by the Government; these forums were effective in highlighting the lack of funding and received heightened media coverage on the issue. The forums did highlight the diversity of views in the sector as there were mixed views on issues put forward for discussion. The reform process has been extremely challenging for all in the sector and has presented a dilemma for the Association as it is simultaneously seeking to represent the views of its members and also attempting to ensure the reform process achieves positive outcomes for the sector.

In respect to the attachment highlighting issues in the Association's Governance processes, the following information is provided.

General

The Association governance processes are governed by three documents;

- Constitution
- Corporate Governance Charter
- Standing Orders

Regular reviews of the documents and processes are carried out. The following demonstrates amendment dates;

- Constitution – Adopted August 2001
 - Amended – at Annual General Meetings of August 2004, 2006, 2007, 2011, 2013
- Corporate Governance Charter – Endorsed December 2002
 - Amended – State Council meetings of October 2004, June 2010, June 2011, December 2012
- Standing Orders – Endorsed in 2001 and currently under review.

The Corporate Governance Charter and Standing Orders are currently being reviewed as part of the Association's normal review process.

Example 2

The item by the Central Country Zone was received by State Council at its 5 March 2014 meeting; State Council made a decision to refer the item to both the Metropolitan and Country Policy Forums for input. An item for noting on the progress of the issue was prepared for the May State Council meeting and then an item for decision was prepared for the July State Council meeting where all Zones had the ability to have input.

The matter was delayed by one State Council meeting to ensure input from the Country Reform Policy Forum, which did not meet until the day before the May State Council meeting.

Example 3

Again to make sure an item was prepared for all Zones to consider; a report has been prepared for the September State Council meeting. Please refer to item 5.2 of the State Council agenda. The Association is always reviewing its systems to ensure best practice processes are undertaken.

RECOMMENDATION:

That given the impact of the metropolitan local government inquiries process, WALGA undertake an independent review of its constitution, political structure, responsibility and accountability to its members and, in particular, how members have the opportunity to influence policy and advocacy in a meaningful and timely manner.

RESOLUTION:

Moved: Mr Epis

Seconded: Cr Hill

That the matter not be considered at this point.

CARRIED

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7 URGENT BUSINESS as permitted by the Chair

Nil

8 DATE, TIME AND PLACE OF NEXT MEETING

Friday 5 September 2014 An in-person meeting of the GVROC Technical Officers Working Group to be held in Kalgoorlie

The Chair advised that neither he nor the City of Kalgoorlie-Boulder's CEO would be able to attend the meeting currently planned for Friday 24 October 2014.

Alternative meeting dates were considered but no decision made as to when the GVROC Council would next meet.

It was agreed that the Executive Office would canvas an alternative meeting date via email with a decision to be made at the Technical Officers Working Group Meeting to be held on Friday 5 September 2014.

9. CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 8.49am

DECLARATION

These minutes were confirmed by the Goldfields Voluntary Regional Organisation of Councils at the meeting held _____

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

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