



State Council

Summary Minutes

7 July 2021

NOTICE OF MEETING

Meeting No. 4 of 2021 of the Western Australian Local Government Association (WALGA) State Council was held at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville and via MS Teams on Wednesday, **7 July 2021** beginning at 12:30pm.

1. ATTENDANCE, APOLOGIES AND 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 | President Cr Ken Seymour |
| | Central Country Zone | President Cr Phillip Blight |
| | Central Metropolitan Zone | Cr Paul Kelly |
| | East Metropolitan Zone | Cr Catherine Ehrhardt |
| | East Metropolitan Zone | Cr Cate McCullough |
| | Goldfields Esperance Country Zone | President Cr Malcolm Cullen |
| | 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 Cliff Collinson – Deputy |
| | South Metropolitan Zone | Mayor Carol Adams OAM |
| | South Metropolitan Zone | Mayor Logan Howlett JP |
| | South West Country Zone | President Cr Tony Dean |

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| Ex Officio | Local Government Professionals WA | Mr Jamie Parry |
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| Secretariat | Chief Executive Officer | Mr Nick Sloan |
| | EM Commercial & Communications | Mr Zac Donovan |
| | EM Governance & Organisational Services | Mr Tony Brown |
| | Policy Manager Transport & Roads | Mr Mark Bondietti |
| | Acting EM Strategy, Policy & Planning | Ms Nicole Matthews |
| | Manager Strategy & Association Governance | Mr Tim Lane |
| | Chief Financial Officer | Mr Rick Murray |
| | Manager Governance | Mr James McGovern |
| | Executive Officer Governance | Ms Katherine Robertson |

1.2 Apologies

| | |
|------------------------------------|----------------------------|
| Central Metropolitan Zone | Cr Jenna Ledgerwood |
| Gascoyne Country Zone | President Cr Cheryl Cowell |
| South Metropolitan Zone | Cr Doug Thompson |
| Lord Mayor – City of Perth | Lord Mayor Basil Zempilas |
| EM Infrastructure | Mr Ian Duncan |
| Intergovernmental Relations & Risk | Ms Joanne Burges |

ORDER OF PROCEEDINGS

OPEN and WELCOME

The Chair declared the meeting open at **12:40pm**.

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 and present.

WELCOME

Welcome to:

- State Councillors and WALGA secretariat
- Deputy State Councillor Cliff Collinson, South Metropolitan Zone

APOLOGIES

- | | |
|------------------------------|---|
| • Cr Doug Thompson | South Metropolitan Zone |
| • Cr Jenna Ledgerwood | Central Metropolitan Zone |
| • President Cr Cheryl Cowell | Gascoyne Country Zone |
| • Lord Mayor Basil Zempilas | Lord Mayor, City of Perth |
| • Mr Ian Duncan | WALGA, EM Infrastructure |
| • Ms Joanne Burges | WALGA, Intergovernmental Relations & Risk |

OBSERVERS

Nil

ANNOUNCEMENTS

Nil

PAPERS

State Councillors have been distributed the following papers under separate cover:

- Item 5.3 Selection Committee Minutes;
- Item 5.4 CEO Performance Review Committee Minutes;
- Item 5.5 LGIS Board Minutes;
- Item 5.6 LGIS Risk Mitigation Services Review;
- CEO's Report to State Council for July 2021;
- President's Report for July 2021 (previously emailed to your Zone meeting).

2. MINUTES

2.1 Minutes of Meeting Held 2 June 2021

Moved: President Cr Michelle Rich
Seconded: Cr Frank Cvitan

That the Minutes of the WALGA State Council Special Meeting held on [Wednesday, 2 June 2021](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 228.4/2021

CARRIED

2.1.1 Business Arising from the Minutes of 2 June 2021

Nil

2.2 Flying Minute – 2021-22 Budget Submission Approach

Moved: President Cr Karen Chappel JP
Seconded: Cr Chris Mitchell JP

That the [Flying Minute – 2021-22 Budget Submission Approach](#), be confirmed as a true and correct record of proceedings.

RESOLUTION 229.4/2021

CARRIED

2.2.1 Business Arising from the Flying Minute – 2021-22 Budget Submission Approach

Nil

2.3 Flying Minute – Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA

Moved: Cr Julie Brown
Seconded: Cr Chris Mitchell JP

That the [Flying Minute – Managing Public Health Risks from Wastewater Conveyance Treatment and Disposal in WA](#), be confirmed as a true and correct record of proceedings.

RESOLUTION 230.4/2021

CARRIED

2.3.1 Business Arising from the Flying Minute – Managing Public Health Risks from Wastewater Conveyance Treatment and Disposal in WA

Nil

2.4 Flying Minute – Draft Submission to Ministerial Expert Committee on Electoral Reform

Moved: President Cr Karen Chappel JP
Seconded: Cr Catherine Ehrhardt

That the [Flying Minute – Draft Submission to Ministerial Expert Committee on Electoral Reform](#), be confirmed as a true and correct record of proceedings.

RESOLUTION 231.4/2021

CARRIED

2.4.1 Business Arising from the Flying Minute – Draft Submission to Ministerial Expert Committee on Electoral Reform

Nil

3. 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.

- *Cr Paul Kelly declared an interest in Item 6.9 as his work position is responsible for licensing and regulating the 19 Local Governments referred to in the paper.*
- *Cr Ronnie Fleay declared an interest in Item 6.4 as a member of the WA Planning Commission.*

4. EMERGING ISSUES

Nil

5. MATTERS FOR DECISION

5.1 Reviews of the *Cat Act 2011* and *Dog Act 1976* (05-034-01-0001 JM)

WALGA RECOMMENDATION

That WALGA seek a commitment from the State Government:

1. for the conduct of comprehensive reviews of the *Cat Act 2011* and *Dog Act 1976*; and
2. that the reviews incorporate Local Government-specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation supported |
| Central Country Zone | WALGA Recommendation supported |
| Central Metropolitan Zone | WALGA Recommendation supported |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation supported |
| Goldfields Esperance Country Zone | WALGA Recommendation supported |
| Great Eastern Country Zone | WALGA Recommendation supported |
| Great Southern Country Zone | WALGA Recommendation supported |
| Kimberley Country Zone | WALGA Recommendation supported |
| Murchison Country Zone | No meeting held |
| Northern Country Zone | WALGA Recommendation supported |
| Peel Country Zone | WALGA Recommendation supported |
| Pilbara Country Zone | WALGA Recommendation supported |
| South East Metropolitan Zone | WALGA Recommendation supported |
| South Metropolitan Zone | WALGA Recommendation supported |
| South West Country Zone | WALGA Recommendation supported |

NORTH METROPOLITAN ZONE

That the North Metropolitan Zone supports:

That WALGA seek a commitment from the State Government:

1. for the conduct of comprehensive reviews of the *Cat Act 2011* and *Dog Act 1976*;
2. that the reviews incorporate Local Government specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders;
3. any call for review includes specific outcomes rather than just consultation with the Local Government sector; and
4. any review include cost recovery permitted by Local Government through animal registrations.

SECRETARIAT COMMENT

WALGA's recommendation is for a full review of both the Cat Act and Dog Act and the purpose of seeking a Local Government-specific consultation process is to elicit from the sector key issues that should be progressed through separate Act amendments. WALGA is currently liaising with the Department of Local Government, Sport and Cultural Industries to progress the existing advocacy position that cost recovery be the basis for the setting of fees and charges in relation to both Acts. The Zones amendments are consistent with the recommendation.

Moved: Cr Julie Brown
Seconded: Cr Chris Mitchell JP

That WALGA seek a commitment from the State Government:

- 1. for the conduct of comprehensive reviews of the *Cat Act 2011* and *Dog Act 1976*;**
- 2. that the reviews incorporate Local Government-specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders;**
- 3. any call for review includes specific outcomes rather than just consultation with the Local Government sector; and**
- 4. any review include cost recovery permitted by Local Government through animal registrations.**

RESOLUTION 232.4/2021

CARRIED

5.2 Amendments to WALGA's Constitution (01-001-01-0001 TL)

WALGA RECOMMENDATION

That the WALGA Constitution be amended as follows:

1. INSERT Definition – “*Present*” means attendance in person or by electronic means deemed suitable by the Chief Executive Officer.
2. Clause 5 (10) – DELETE “and Associate Members”.
3. Clause 5 (11) – DELETE “Ordinary Member or”, REPLACE “State Council” with “Chief Executive Officer” in the first sentence, INSERT “or its delegate” after State Council in the second sentence.
4. Clause 6 (3) – REPLACE “31 May” with “30 June”.
5. Clause 7 (2) – REPLACE “30 June” with “31 July”.
6. Clause 11 (1) – after Chief Executive Officer, INSERT “in accordance with the Corporate Governance Charter”.
7. Clause 11 (2) – after Chief Executive Officer INSERT “by providing notice to State Councillors of the date, time, place and purpose of the meeting”
8. DELETE Clause 11 (3)
9. Clause 12 (1) – DELETE “as, being entitled to do so, vote in person”
10. DELETE Clause 12 (2)
11. Clause 12 (3) – DELETE “as, being entitled to do so, vote in person”
12. Clause 12 (4) – DELETE “as, being entitled to do so, vote in person”
13. Clause 16 (1) & (2) – After Any election INSERT “other than to elect the President or Deputy President”, REPLACE “generally in accordance with the provisions of the *Local Government Act 1995* as amended (2) For the purposes of the election referred to in sub-section (1)” with “as follows”.
14. Clause 16 (2) (f) – REPLACE two instances of “2” with “1”.
15. INSERT Clause 16A – Election Procedure – President and Deputy President
 - (1) An election to elect the President or Deputy President shall be conducted as follows:
 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of “first-past-the-post”;
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;
 - (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1 (d);
 - (h) if two or more candidates receive the same number of votes so that sub-section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
16. Clause 21 (4) – REPLACE “Chairman” with “Chair”.
17. Clause 22 (1) – REPLACE “in August or September of” with “prior to 31 October”.
18. Clause 22 (3) – DELETE “in person”
19. DELETE Clause 22 (4) (b).
20. Clause 23 (3) – DELETE “in person”
21. Clause 24 (2) – DELETE “and of which vote is to be exercised in person”
22. Clause 24 (4) – DELETE “as, being entitled to do so, vote in person”
23. Clause 28 (1) – DELETE “The common seal shall be held in the custody of the Chief Executive Officer at all times.”
24. Clause 29 (1) – DELETE “as, being entitled to do so, vote in person”
25. Clause 29 (2) – DELETE “as, being entitled to do so, vote in person”
26. Clause 31 (4) (c) – DELETE “and Regional Development”.

Voting Requirement: **SPECIAL MAJORITY**

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|--|---|
| Avon Midland Country Zone | WALGA Recommendation supported |
| Central Country Zone | WALGA Recommendation supported |
| Central Metropolitan Zone | WALGA Recommendation supported |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation supported |
| Goldfields Esperance Country Zone | WALGA Recommendation supported |
| Great Eastern Country Zone | WALGA Recommendation supported |
| Great Southern Country Zone | WALGA Recommendation supported |
| Kimberley Country Zone | WALGA Recommendation supported |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation supported |
| Northern Country Zone | WALGA Recommendation supported |
| Peel Country Zone | WALGA Recommendation supported |
| Pilbara Country Zone | WALGA Recommendation supported |
| South East Metropolitan Zone | WALGA Recommendation supported |
| South Metropolitan Zone | WALGA Recommendation supported |
| South West Country Zone | WALGA Recommendation supported |

Moved: President Cr Karen Chappel JP
Seconded: President Cr Michelle Rich

That the WALGA Constitution be amended as follows:

1. INSERT Definition – “*Present*” means attendance in person or by electronic means deemed suitable by the Chief Executive Officer.
2. Clause 5 (10) – DELETE “and Associate Members”.
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 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of “first-past-the-post”;
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;
 - (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1 (d);
 - (h) if two or more candidates receive the same number of votes so that sub-section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
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23. Clause 28 (1) – DELETE “The common seal shall be held in the custody of the Chief Executive Officer at all times.”
24. Clause 29 (1) – DELETE “as, being entitled to do so, vote in person”
25. Clause 29 (2) – DELETE “as, being entitled to do so, vote in person”
26. Clause 31 (4) (c) – DELETE “and Regional Development”.

RESOLUTION 233.4/2021

CARRIED BY SPECIAL MAJORITY (75% MAJORITY)

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

5.3 Selection Committee Minutes (01-006-03-0011 CO)

By Chantelle O'Brien, Governance Support Officer

Moved: Cr Les Price
Seconded: President Cr Stephen Strange

That the recommendation contained in the 16 June 2021 Selection Committee minutes be endorsed.

RESOLUTION 234.4/2021

CARRIED

Executive Summary

- The Selection Committee held their meeting on 16 June to consider nominees to be put forward for appointment to the Local Government Advisory Board.
- Following the close of nominations five nominations were received.
- The Minutes containing the Selection Committee's recommendation for State Council endorsement are provided as an attachment.

Attachment

- Selection Committee Minutes – 16 June 2021

Background

Pursuant to the resolution of State Council in February 2002, the WA Local Government Association Selection Committee was established to oversee the selection process for Local Government vacancies on boards and committees.

The Selection Committee conducts a merit-based and transparent assessment process encompassing the principle of "best person for the job". Upon completion of the assessment of nominations for vacancies, the Selection Committee either endorses preferred candidates for appointment (under delegated authority) or makes advisory recommendations to State Council for ratification of preferred candidates.

Comment

The Minister for Local Government formally requested WALGA to recommend a panel of nine Local Government Elected Members for consideration to be appointed as Member and Deputy Member to the Local Government Advisory Board. The vacancy is due to the incumbent's term having expired and it was acknowledged by the Selection Committee that the position is notionally a country member position.

5.4 CEO Performance Review Committee Minutes – CONFIDENTIAL

Moved: Cr Chris Mitchell JP
Seconded: President Cr Karen Chappel JP

That the Minutes of the CEO Performance Review Committee meeting held on 16 June 2021 be endorsed.

RESOLUTION 235.4/2021

CARRIED UNANIMOUSLY

Executive Summary

- The CEO Performance Review Committee met on 16 June 2021.
- The Minutes, including the report on the CEO's progress on the 2020/2021 Key Performance Indicators and suggested Key Performance Indicators for 2021/22, are provided to members of State Council under separate cover.

Attachment

- CEO Performance Review Committee Minutes – 16 June 2021

Background

- The key functions of the CEO Performance Review Committee are to:
 - determine Key Performance Indicators (KPIs) for the CEO in conjunction with the CEO;
 - undertake the formal review process of the performance of the CEO against the agreed KPIs; and
 - make recommendations to State Council relevant to the employment and performance of the CEO.
- The Committee met with the CEO on 16 June 2021 to measure performance against the 2020/2021 KPIs and discuss setting the new KPIs for 2021/2022.
- Minutes of the CEO Performance Review Committee meeting held on 16 June 2021 have been distributed to members of State Council under separate cover.

Comment

Members of the CEO Performance Review Committee will be in attendance at the State Council meeting to respond to questions from members and provide any further explanation that may be sought.

5.5 LGIS Board Minutes

By Craig Hansom, LGIS Contract Manager, Commercial and Communications

Moved: Cr Julie Brown
Seconded: Cr Chris Mitchell JP

That State Council note the following summary of the LGISWA Scheme Board meeting held on 13 May 2021.

RESOLUTION 236.4/2021

CARRIED

Executive Summary

- The Board adopted the LGISWA budget for 2021-22.
- The Board approved the distribution back to Members of \$2.5M for 2021/22.
- The Board received the Scheme quarterly financial report for the period ended 31 March 2021.

Attachment

- LGISWA Scheme Board Minutes 13 May 2021

Background

Minutes of the LGIS Board meeting held on 13 May have been distributed to the members of the State Council under separate cover.

Items of note from the minutes include:

- The Board adopted the LGISWA budget for 2021-22, noting that the JLT and WALGA fees are subject to the new Agreements with WALGA and State Council approval. The budget includes in-house claims management for Motor Fleet cover.

- The Board approved the remaining provisions previously set aside for distribution back to Members (\$2.5M) be credited off Members Scheme membership contributions for 2021/22.
- The Board approved commutation of the AIG primary layer for the LGIS Liability indemnity of \$1.96M for the 2011/12 and 2012/13 fund years back to Scheme. This has runoff cover by QBE to protect the Scheme against the costs of any future claims for those fund years.
- The Board approved of the application of Reserve Funds, including a Pilot Fleet Risk Management Project of \$130,000 for the new Motor Fleet cover.
- The Board received the Scheme quarterly financial report for the period ended 31 March 2021.

Comment

LGIS Board members include WALGA President Mayor Tracey Roberts, Cr Paul Kelly and WALGA CEO Nick Sloan. All intend to be in attendance at the State Council meeting to respond to questions and provide any further explanation that may be sought.

5.6 LGIS Risk Mitigation Services Review

By Craig Hansom, LGIS Contract Manager, Commercial and Communications

Moved: President Cr Karen Chappel JP
Seconded: Cr Julie Brown

That State Council note the completion of the LGIS Risk Mitigation Services Review.

RESOLUTION 237.4/2021

CARRIED UNANIMOUSLY

Executive Summary

As directed by State Council in September 2019, WALGA engaged a consultant to review the efficacy and value for money of the LGIS Risk Mitigation Services.

The review:

- Found that the programs are generally effective and deliver value for money.
- Identified some recommendations that may enhance the LGIS risk mitigation services.

The report was presented to the LGIS Board on 1 July. WALGA and LGIS Management are tasked with identifying actions for each of the review recommendations.

Background

This item reports to the following State Council review option for the LGISWA Scheme arrangement.

State Council Resolution 108.6/2019, 6 September 2019:

Item 5.16 Option 3 - Undertake Review of Risk Mitigation Services

SUPPORT allocate WALGA budget 2020/21 for an independent review of the appropriateness of the scope; alternative delivery models; and effectiveness of the risk mitigation services.

Comment

The key findings of the review are that:

- The claim trends support that the risk mitigation programs are effective;
- The LGIS claim number and costs trends have similar or more favourable outcomes than data from APRA and WorkCover WA;
- A substantial increase in program hours in one year leads to a net decline in claim costs in the follow year, however this does not hold true over a 2-4 year period (suggesting other issues are influencing long-term claim trends);

- The allocation of program hours, in general, appears to be allocated appropriately across members based on their respective claim numbers and claim value;
- The spend for risk mitigation services across the WA population bands is appropriate;
- The spend for risk mitigation services is appropriately allocated in a greater proportion to those Local Governments with larger claim values;
- The spend on risk mitigation services as a proportion of total contributions is appropriate when compared against LGASA;
- The reinsurers underscored the importance of the Regional Risk Coordination program in their decision to offer reinsurance to the scheme.

The review identified recommendations that, if implemented, might enhance the risk mitigation services and improve the ability to track and measure the performance of those services.

The review also identified some service delivery recommendations that would further support Members.

An executive summary of the report was presented to the LGIS Board on 1 July with a supporting presentation by the consultant. The Board tasked WALGA and LGIS Management to report back to the Board with actions for each of the review recommendations.

LGIS Board members include WALGA President Mayor Tracey Roberts, Cr Paul Kelly and WALGA CEO Nick Sloan. All intend to be in attendance at the State Council meeting to respond to questions and provide any further explanation that may be sought.

6. MATTERS FOR NOTING / INFORMATION

6.1 Submission to Ministerial Expert Committee on Electoral Reform (01-006-02-0010 TL)

WALGA RECOMMENDATION

That the Submission to the Ministerial Expert Committee on Electoral Reform be noted.

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|--|---|
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

AVON MIDLAND COUNTRY ZONE

That the WALGA Policy Forum be congratulated on its recommendations to State Council and reiterating the need to maintain political representation for rural and remote Western Australia.

SECRETARIAT COMMENT

Nil

Moved: President Cr Stephen Strange
Seconded: President Cr Karen Chappel JP

That the Submission to the Ministerial Expert Committee on Electoral Reform be noted.

RESOLUTION 238.4/2021

CARRIED UNANIMOUSLY

6.2 Legal Response to the Coastal Hazard Planning Issues Paper (05-036-03-0065 AR)

The confidential attachment related to this item has been distributed to State Councillors.

WALGA RECOMMENDATION

That the update on the *Legal Response to the Local Government Coastal Hazard Planning Issues Paper (2021)* be noted.

| | |
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| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

Moved: Cr Catherine Ehrhardt
Seconded: Cr Chris Mitchell JP

That the update on the *Legal Response to the Local Government Coastal Hazard Planning Issues Paper (2021)* be noted.

RESOLUTION 239.4/2021

CARRIED

6.3 WALGA Submission: Child Safety Officer (05-065-03-006 BW)

WALGA RECOMMENDATION

That the submission to the Department of Local Government, Sport and Cultural Industries and the Department of Communities in response to the *Discussion Paper On The Implementation Of Child Safety Officers In Local Governments* be noted.

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|-----------------------------------|---|
| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

CENTRAL COUNTRY ZONE

That the Central Country Zone reaffirms its view that it is not the function of local government to undertake the role and functions of Child Safety Officer.

SECRETARIAT COMMENT

WALGA's submission states that it will be necessary for the State or Commonwealth to provide funding for the delivery of the child safety function within smaller, less well resourced (Tier 3 and Tier 4) Local Governments, as they do not have the current capacity to fulfil the child safety function. The submission also states that '*Consideration should be given to an alternative model for delivery of the child safety function in regional and remote areas, utilising existing State Government agencies such as DLGSC/ Department of Communities outreach officers attached to the independent oversight body.*'

The submission also recommends that State Government and Local Government form a Working Group to guide further consultation and policy development on child safety.

Moved: Cr Les Price
 Seconded: Cr Julie Brown

That the submission to the Department of Local Government, Sport and Cultural Industries and the Department of Communities in response to the *Discussion Paper On The Implementation Of Child Safety Officers In Local Governments* be noted.

RESOLUTION 240.4/2021

CARRIED UNANIMOUSLY

6.4 State Planning Policy 3.1 Residential Design Codes Volume 1 – Medium Density Code (05-015-02-002 CH)

Cr Ronnie Fleay declared an interest in this item as a member of the WA Planning Commission.

WALGA RECOMMENDATION

That the endorsed submission on the interim review of State Planning Policy 3.1 Residential Design Codes Volume 1 Medium Density Code be noted.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

Moved: Cr Frank Cvitan
Seconded: President Cr Karen Chappel JP

That the endorsed submission on the interim review of State Planning Policy 3.1 Residential Design Codes Volume 1 Medium Density Code be noted.

RESOLUTION 241.4/2021

CARRIED

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| 6.5 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB) |
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WALGA RECOMMENDATION

That State Council note the resolutions of the Municipal Waste Advisory Council at its 28 April 2021 meeting.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

Moved: President Cr Karen Chappel JP
Seconded: Cr Catherine Ehrhardt

That State Council note the resolutions of the Municipal Waste Advisory Council at its 28 April 2021 meeting.

RESOLUTION 242.4/2021

CARRIED

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| 6.6 Local Government Performance Monitoring Project (05-047-01-0011 CH) |
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WALGA RECOMMENDATION

That the results of the *Local Government Performance Monitoring Report (2019/2020)* be noted.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

Moved: President Cr Karen Chappel JP

Seconded: Cr Catherine Ehrhardt

That the results of the *Local Government Performance Monitoring Report (2019/2020)* be noted.

RESOLUTION 243.4/2021

CARRIED

6.7 Review of Fire Weather Districts (05-024-03-0004 SM)

WALGA RECOMMENDATION

That State Council note information regarding the consultation on the review of the Western Australian Fire Weather Districts (FWD) being conducted by the Department of Fire and Emergency Services (DFES) and the Bureau of Meteorology (BoM).

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|-----------------------------------|---|
| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

Moved: President Cr Stephen Strange

Seconded: Cr Les Price

That State Council note information regarding the consultation on the review of the Western Australian Fire Weather Districts (FWD) being conducted by the Department of Fire and Emergency Services (DFES) and the Bureau of Meteorology (BoM).

RESOLUTION 244.4/2021

CARRIED

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| 6.8 2021-22 State Budget Submission Approach (05-001-03-0006 DM) |
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WALGA RECOMMENDATION

That the approach for the 2021-22 State Budget Submission, which was endorsed via flying minute be noted.

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|--|---|
| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| North Metropolitan Zone | WALGA Recommendation noted |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

Moved: President Cr Karen Chappel JP

Seconded: Cr Catherine Ehrhardt

That the approach for the 2021-22 State Budget Submission, which was endorsed via flying minute be noted.

RESOLUTION 245.4/2021

CARRIED

6.9 Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA (05-031-01-0001 MM)

Cr Paul Kelly declared an interest in this Item as his work position is responsible for licensing and regulating the 19 Local Governments referred to in the paper.

WALGA RECOMMENDATION

That the submission to the Department of Health in response to the Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA consultation be noted.

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|--|---|
| Avon Midland Country Zone | WALGA Recommendation noted |
| Central Country Zone | WALGA Recommendation noted |
| Central Metropolitan Zone | WALGA Recommendation noted |
| East Metropolitan Zone | Meeting held – No Quorum – supported by those in attendance |
| Gascoyne Country Zone | WALGA Recommendation noted |
| Goldfields Esperance Country Zone | WALGA Recommendation noted |
| Great Eastern Country Zone | WALGA Recommendation noted |
| Great Southern Country Zone | WALGA Recommendation noted |
| Kimberley Country Zone | WALGA Recommendation noted |
| Murchison Country Zone | No meeting held |
| Northern Country Zone | WALGA Recommendation noted |
| Peel Country Zone | WALGA Recommendation noted |
| Pilbara Country Zone | WALGA Recommendation noted |
| South East Metropolitan Zone | WALGA Recommendation noted |
| South Metropolitan Zone | WALGA Recommendation noted |
| South West Country Zone | WALGA Recommendation noted |

NORTH METROPOLITAN ZONE

That the North Metropolitan Zone recommends to the WALGA State Council that option 3 for the development of new public health regulations and supporting documentation for wastewater management under the *Public Health Act 2016* be supported.

SECRETARIAT COMMENT

It is noted that the Zone's position aligns with the Submission which states that 'the majority of Local Government responses received by WALGA support Option 3 - the development of new regulations largely based on the existing regulations with minor amendments, including training requirements and accreditation of Site and Soil Evaluators'.

Moved: President Cr Karen Chappel JP
Seconded: Cr Catherine Ehrhardt

That the submission to the Department of Health in response to the Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA consultation be noted.

RESOLUTION 246.4/2021

CARRIED

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

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

Moved: Cr Chris Mitchell JP
Seconded: Cr Julie Brown

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

RESOLUTION 247.4/2021

CARRIED

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

Moved: Cr Chris Mitchell JP
Seconded: Cr Julie Brown

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

RESOLUTION 248.4/2021

CARRIED

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

Moved: Cr Chris Mitchell JP
Seconded: Cr Julie Brown

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

RESOLUTION 249.4/2021

CARRIED

7.1.4 Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)

Moved: Cr Chris Mitchell JP
Seconded: Cr Julie Brown

That the Key Activities Report from the Strategy, Policy and Planning Unit to the July 2021 State Council meeting be noted.

RESOLUTION 250.4/2021

CARRIED

7.2 President's Report

Moved: President Cr Karen Chappel JP
Seconded: Cr Cvitan

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

RESOLUTION 251.4/2021

CARRIED

7.3 CEO's Report

Moved: Cr Chris Mitchell JP
Seconded: Cr Ken Seymour

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

RESOLUTION 252.4/2021

CARRIED

7.4 Ex-Officio Reports

7.4.1 LG Professionals Report

Mr Jamie Parry, President, LG Professionals, will provide an update to the meeting.

7.4.2 City of Perth Report

Lord Mayor Basil Zempilas is an apology for the meeting.

Mayor Mark Irwin left the meeting at 1:50pm and did not return.

8. ADDITIONAL ZONE RESOLUTIONS

Moved: President Cr Karen Chappel JP
Seconded: Cr Les Price

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

RESOLUTION 253.4/2021

CARRIED UNANIMOUSLY

CENTRAL COUNTRY ZONE

Discussion on Electoral Reform (Commercial and Communications/Governance & Organisational Services)

That the Central Country Zone request WALGA undertake a social media campaign to emphasise the importance of regional, rural and remote political representation as detailed in its submission to the Ministerial Expert Committee on Electoral Reform.

Template Noongar Heritage Agreement for Local Government and the Aboriginal Cultural Heritage Bill (Draft) 2020 (People and Place)

That the Central Country Zone seeks ongoing consultation with the State Government, WALGA and SWALSC about the management of, resourcing and implications for local government of the Noongar Native Title Settlement.

Report on Key Activities, Commercial and Communications Team - "Meet the Minister Breakfast" (Commercial and Communications)

That the Central Country Zone request that WALGA look to coordinate a "Meet the Minister Breakfast" at a suitable location within the region.

CENTRAL METROPOLITAN ZONE

Planning Policy for Building Height (People and Place)

That the Central Metropolitan Zone seek the support of WALGA in developing a position for the issue of the Department of Planning, Lands and Heritage 'Planning Policy for Building Height' to be addressed state-wide to support local communities, local government planning departments, developers and Councils in forming better assessment guidance, in particular relating to views of significance.

GASCOYNE COUNTRY ZONE

Road Closures (Governance & Organisational Services/Infrastructure)

That WALGA be tasked to compile a guidance note on the drafting of a local law to apply fines to drivers ignoring road closure signage and on the use of the *Traffic Administration Act* to recover compensation for road damage.

KIMBERLEY ZONE

Rating of Aboriginal Lands (Governance & Organisational Services)

That the Kimberley Regional Group writes to WALGA to:

1. Highlight the emerging issue of the rating process on Aboriginal lands, and
2. Request that WALGA write to the State Government to seek clarification about how land uses on Aboriginal Lands should be treated across a range of contexts and tenures.

NORTH COUNTRY ZONE

LGIS Cyclone Insurance Excess (Commercial and Communications)

That WALGA advocates to LGIS to reduce the Insurance Policy Excess amount for LGA's affected by TC Seroja as a way to contribute to helping those communities in the recovery from the event.

NORTH METROPOLITAN ZONE

Proposal for the Amendment to the WALGA Meeting Procedures Template Local Law (Governance & Organisational Services)

That the WALGA North Metropolitan Zone requests that the proposal from the City of Wanneroo regarding a Meeting Procedures Local Law Template mechanism to deal with complaints received under the Local Government (Rules of Conduct) Regulations 2021, Schedule 1, Division 3, Section 12 and 13 be considered by WALGA in its investigation of alternative mechanisms for the independent management of local level complaints.

PILBARA COUNTRY ZONE

Tropical Cyclone Design and Construction (People and Place)

That the Pilbara Zone Recommends the issue of appropriate cyclone design and construction of housing be considered by WALGA, particularly with respect to the Local Government responsibilities of housing inspection during construction.

SOUTH EAST METROPOLITAN ZONE

Accounting for Cash in Lieu of Public Open Spaces (Governance & Organisational Services)

That the South East Metropolitan Zone asks WALGA to advocate for the Department of Local Government to change its guidance in relation to accounting for cash in lieu of public open space as the current guidance introduces significant red tape and bureaucracy.

9. DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be hosted by the Shire of Broome at The Continental Hotel, Broome on **Friday, 3 September** commencing at 10:00am.

10. CLOSURE

There being no further business the Chair declared the meeting closed at **1:57pm**.