



GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS

PO BOX 6456 EAST PERTH WA 6892

Ph: (08) 9328 1204

Fax: (08) 9228 0071

Email: hwestcott@wsquared.com.au

Council Meeting

Friday 28 February 2014
Teleconference

MINUTES

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**GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS
AND
GOLDFIELDS ESPERANCE COUNTRY ZONE OF WALGA**

**Teleconference Meeting held on Friday 28 February 2014
commencing at 8.00am**

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.

3. ATTENDANCE AND APOLOGIES

3.1 Attendance

Mayor Ron Yuryevich AM RFD (Chair)
Mr Don Burnett
Cr Tracey Rathbone
Mr Paul Webb
Ms Jacquie Best
Cr Beverley Stewart
Mr Matthew Scott
Cr Patrick Hill
Cr Beatrice Fuamatu
Mr Steve Deckert
Cr Peter Craig
Mr Jim Epis
Cr Greg Dwyer
Mr Peter Crawford
Mr Pascoe Durtanovich

Mayor, City of Kalgoorlie-Boulder
CEO, City of Kalgoorlie-Boulder
Deputy President, Shire of Coolgardie
CEO, Shire of Coolgardie
President, Shire of Dundas
Councillor, Shire of Esperance
CEO, Shire of Esperance
President Shire of Laverton
Councillor, Shire of Laverton
CEO, Shire of Laverton
President, Shire of Leonora
CEO, Shire of Leonora
President, Shire of Menzies
CEO, Shire of Menzies
CEO, Shire of Ravensthorpe

Ms Helen Westcott Joint Executive Officer

3.2 Apologies

| | |
|--------------------|-------------------------------------|
| Cr Mal Cullen | President, Shire of Coolgardie |
| Mr Richard Brookes | CEO, Shire of Dundas |
| Cr Malcolm Heasman | President, Shire of Esperance |
| Cr Rob Wedge | Deputy President, Shire of Laverton |

Cr Ian Goldfinch President, Shire of Ravensthorpe
Cr Andrew Duncan Councillor, Shire of Ravensthorpe

Mr Bruce Wittber Joint Executive Officer

3.3 WALGA Representatives

Ms Ricky Burges, Chief Executive Officer
Mr Mark Batty, Executive Manager Environment and Waste

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 Interim submission to the ERA's Cost Determination for Brookfield Rail (05-006-02-0005 PS)

WALGA Recommendation

That the Association's interim submission to the ERA's Cost Determination for Brookfield Rail be endorsed.

ZONE COMMENT:

GVROC support WALGA Recommendation.

5.2 Submission to the 2014 Heavy Vehicle Charges Determination Draft Regulatory Impact Statement (05-088-03-0001 PS)

WALGA Recommendation

That the Association's interim submission to the 2014 Heavy Vehicle Charges Determination – Draft Regulatory Impact Statement be endorsed.

ZONE COMMENT:

The following is an extract from the WALGA State Council Report:

Option A of the draft RIS recommends a number of technical improvements to PAYGO but proposes that the road user charge (62%) and registration (38%) proportions remain constant. Options B and C suggest a greater proportion of revenue should be recovered by road user charge fuel charges (72% under option B and 79% under option C).

State and Territory Governments collect registration fees for the vehicles registered in their jurisdiction. In WA, the State Road Funds to Local Government Agreement 2011/12 – 2015/16 provides for 27% of vehicle registration revenue to be hypothecated to fund renewal and upgrade work on Local Government controlled roads. Therefore, options B or C, if implemented, would have implications for Local Government road funding. Relative to option A, option B would reduce WA's heavy vehicle registration charge revenue by \$46.9 million (a 25.5% decrease). Option C would reduce this revenue by \$83.0 million (a 45.1% decrease). The subsequent decrease in Local Government road funding would be \$12.6 million under option B and \$22.4 million under option C.

The Association's submission supported the proposed technical changes to PAYGO on the understanding that they would be likely to result in a more efficient and equitable structure of heavy vehicle charges and a more accurate estimate of the heavy vehicle cost base.

The Association did not support changes to the road user charge/registration split proposed in options B and C unless the impact of these options is 'fiscally neutral to all parties' – including Local Governments. In other words, if registration revenue is reduced and road user charge revenue is increased, some of the road user charge revenue should be hypothecated to WA Local Governments to match the funding that would have been received under the State Road Funds to Local Government Agreement.

GVROC support WALGA Recommendation.

5.3 State Budget Submission 2014-15 (05-088-03-0001 PS)

WALGA Recommendation

That the Association's interim State Budget Submission 2014-15 be endorsed, subject to the revised swimming pool funding request detailed below.

ZONE COMMENT:

The following is an extract from the WALGA State Council Report:

Because of the State Government's challenging financial situation, the Association has focused the submission on a few key areas: Metropolitan Local Government Reform, the Country Local Government Fund and subsidies for community swimming pools. The following table summarises the rationale for these investments in the sector:

| Opportunity | Investment | Summary Rationale |
|---|---|--|
| <i>Metropolitan Local Government Reform</i> | <i>\$65m – \$100m</i> | <i>If the State is to achieve the successful implementation of its ambitions for Local Government reform, it must provide the necessary budget allocations to resource change.</i> |
| <i>Country Local Government Fund</i> | <i>\$100m per annum (ongoing)</i> | <i>The CLGF has provided vital funding for rural community infrastructure, but needs to be restored to previous levels to address the still significant infrastructure backlog faced by regional Local Governments</i> |
| <i>Swimming pool subsidy</i> | <i>\$720,000 in 2014/15, 2015/16 and 2016/17 \$4.02m per annum (ongoing) from 2017/18</i> | <i>Increasing the State's contributions to Local Government swimming pools would be an effective investment in the health and wellbeing of Western Australians.</i> |

GVROC support WALGA Recommendation.

5.4 Microeconomic Reform Inquiry Submission (05-100-03-0001 PS)

WALGA Recommendation

That the Association's interim submission and addendum to the interim submission to the ERA inquiry into microeconomic reform be endorsed.

ZONE COMMENT:

GVROC support WALGA Recommendation.

5.5 WALGA Submission – Childcare and Early Childhood Learning – Productivity Commission Issues Paper (05-065-03-0005/NP)

WALGA Recommendation

That the Association's submission on the Childcare and Early Childhood Learning – Productivity Commission Issues Paper be endorsed.

ZONE COMMENT:

GVROC support WALGA Recommendation.

5.6 Department of Planning: Planning Provisions for Affordable Housing Discussion Paper – WALGA Submission (05-036-03-0020 CG)

WALGA Recommendation

That State Council endorse the interim submission to the Department of Planning regarding the Planning Provisions for Affordable Housing Discussion Paper.

ZONE COMMENT:

GVROC support WALGA Recommendation.

ADDITIONAL ZONE COMMENT:

The CEO City of Kalgoorlie-Boulder advised that the City had some concerns with Department of Planning: Planning Provisions for Affordable Housing Discussion Paper, making the following observations:

- The amenity of any development where affordable housing was to be included as a part of the development should be maintained.
- The City is also concerned about the potential to make a developer responsible for having to make a contribution of either cash or land in any development that would have an affordable housing component as the provision of affordable housing was not the responsibility of a developer. This should be the responsibility of the State Government and should not be an attempt by the State Government to lessen its responsibility with respect to the provision of affordable housing.
- Care should also be taken to ensure that there are no indirect costs to residents in any development where there is an affordable housing component.
- The City of Kalgoorlie will be taking up this issue directly with WALGA.

GVROC's Member Councils also noted that the definition of "affordable housing" was one that could vary.

The matter of charitable institutions within the affordable housing debate was also noted.

5.7 Affordable Housing: Opportunities for Local Government Background Paper (05-036-03-0020 CG)

WALGA Recommendation

1. That the strategies and solutions outlined in WALGA's Affordable Housing: Opportunities for Local Government - Understanding the Local Context & Exploring the Solutions Paper are endorsed;
2. That the findings and solutions in the Paper be used as the basis for further policy development and future advocacy, on behalf of the sector, to the State Government; and
3. That the Association provides information and/or seminars on the potential solutions outlined in the Paper to Local Government officers and elected members so they may gain a better understanding of the opportunities for Local Government to influence the delivery of more affordable housing.

ZONE COMMENT:

GVROC support WALGA Recommendation.

5.8 Interim submission to the Productivity Commission's Geographic Labour Mobility Study (05-051-02-0001 PS)

WALGA Recommendation

That the Association's interim submission to the Productivity Commission's Geographic Labour Mobility Study be endorsed.

ZONE COMMENT:

GVROC support WALGA Recommendation.

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 Hill

Seconded: Cr Fuamatu

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 Metropolitan Local Government Reform (05-034-01-0018 TL)
- 6.2 Report of the Independent Review Committee - Liquor Control Act 1988 (05-047-01-0007 VJ)
- 6.3 Review of the Western Australian Community Resource Network (05-039-03-0001 EF)
- 6.4 Community Pool Revitalisation Fund (CPRF) Update (05-019-02-0004 EF)
- 6.5 Water Resource Management Reform (05-064-01-0006MJB)
- 6.6 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

4.3 Review of WALGA State Council Agenda - Organisational 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

- 7.2.1 Metropolitan Reform Implementation Policy Forum
- 7.2.2 Country Reform Policy Forum
- 7.2.3 Mining Community Policy Forum
- 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 Craig** **Seconded: Cr Best**

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

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| 4.5 WALGA President's Report |
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The WALGA President, State Councillor or WALGA Officer will deliver this report.

RECOMMENDATION:

That the WALGA President's Report be noted.

Refer to Item 4.7

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| 4.6 WALGA Status Report (Attachment) |
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From Executive Officer

BACKGROUND:

Presenting the Status Report for February 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.

RECOMMENDATION:

That the WALGA Status Report for February 2014 be noted.

Refer to Item 4.7

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| 4.7 State Councillor / Goldfield Esperance Zone President's Report |
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Mayor Ron Yuryevich, AM RFD

Mayor Yuryevich provided an update on his attendance at the first meeting of the Goldfields Esperance Revitalisation Advisory Group, noting that all members were required to sign a confidentiality agreement.

The Mayor was able to advise that the Group would meet monthly rather than bimonthly as had originally been planned, with flying minutes to be used in the consideration of Expressions of Interest for business cases.

Recent Changes within the Goldfields Esperance Development Commission (GEDC) were also highlighted, with the Mayor noting that Mr Norman Baker had been appointed the Acting CEO of the GEDC.

The Mayor also raised the election of new GEDC Board Members.

RESOLUTION: **Moved: Cr Hill** **Seconded: Cr Stewart**

That the WALGA President's Report and WALGA Status Report for February 2014 and the State Councillor / Goldfield Esperance Zone President's Report be noted.

CARRIED

5. REPRESENTATIVE REPORTS

5.1 Department of Local Government and Communities (Attachment)

The Department of Local Government and Communities has provided an update of its recent activities for Member Councils information.

RECOMMENDATION:

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

Noted

6 OTHER BUSINESS

6.1 Forced Local Government Reform – Shire of Wagin (Attachments)

| | |
|--------------------------------|--|
| Reporting Officer: | Peter Webster, CEO Shire of Wagin Helen Westcott, Executive Officer |
| Disclosure of Interest: | Nil |
| Date: | 17 February 2014 |
| Attachments: | Shire of Wagin Comment Copy of the Central Country Zone SSS Actions Report Email City of Subiaco dated 21 January 2014 McLeods, Barrister and Solicitors legal opinion on the Poll Provisions |

Background:

The Shire of Wagin has submitted an item on the issue of forced local government reform for consideration by the Central Country Zone when it meets on Friday 28 February 2014.

It has also written to all local governments for their support. Additionally it has written to the Executive Officers of all WALGA Zones seeking their support for the actions proposed. The Shire of Wagin's commentary forms an attachment to the meeting agenda as a copy of the Central Country Zone SSS Actions Report. This is provided as additional background information for Member Councils.

Executive Officer Comment:

The Shire of Wagin submitted the following motion to the Central Country Zone for consideration and support:

1. That WALGA reject any moves by the State Government to force the amalgamation of local governments.
2. That amalgamations, mergers and boundary changes be supported by WALGA only if introduced and supported by the affected Local Governments.
3. That each Local Government community be entitled to hold a poll if structural change is proposed.
4. That this resolution be submitted to the Central Country Zone of WALGA for consideration by the zone.
5. That the Shire President circulates this resolution to ALL WA Local Governments via email and letter seeking their support and requesting that they submit this motion to their next Zone meeting for consideration.

Similarly it seeks supports from GVROC.

Not all parts of the motion are relevant to GVROC and as such the motion included in the recommendation has been amended accordingly.

GVROC may also wish to take into account in its consideration of this matter an email received by Member Councils from the CEO, City of Subiaco, Stephen Tindale, on 21 January 2014.

The City of Subiaco sent an email to all non-metropolitan local governments updating local government "on developments in relation to legislative changes to the Local Government Act within the context of the State Government's metropolitan local government reform agenda". A copy of the email is attached to this agenda.

The City of Subiaco is seeking the political support of local government to remain "as is".

Included with the email was a legal opinion provided by McLeods, Barrister and Solicitors, on the Poll Provisions under Schedule 2.1 of the *Local Government Act 1995* which forms an attachment to the Agenda.

In the email Mr Tindale makes the comment in relation to the "Dadour Provisions. *"... the dilution or removal of the poll provisions has not gone away as an issue. If anything, the alarm bells should be ringing for all local governments who subscribe to voluntary amalgamations and that is because of identified weaknesses in the existing poll provisions"*.

The issue of the poll provisions is addressed in Part 3 of the Recommendation. Delegates, however, may wish to add further comments or views to the issue.

Consultation: Nil

Voting Requirement: Simple majority

RECOMMENDATION:

1. That GVROC request that WALGA:
 - (a) reject any moves by the State Government to force the amalgamation of local governments; and
 - (b) adopt as a matter of policy that amalgamations, mergers and boundary changes be supported but only if introduced and supported by the affected Local Governments.
2. That GVROC write to the Premier seeking assurance that that each Local Government community retains the right to hold a poll, as prescribed under Schedule 2.1 of the *Local Government Act 1995* if structural change of any form is proposed.

RESOLUTION: **Moved: Cr Dwyer** **Seconded: Cr Rathbone**

1. That GVROC request that WALGA:
 - (c) reject any moves by the State Government to force the amalgamation of local governments; and
 - (d) adopt as a matter of policy that amalgamations, mergers and boundary changes be supported but only if introduced and supported by the affected Local Governments.
2. That GVROC write to the Premier seeking assurance that that each Local Government community retains the right to hold a poll, as prescribed under Schedule 2.1 of the *Local Government Act 1995* if structural change of any form is proposed.

CARRIED UNANIMOUSLY

6.2 Lack of "Regional" Venues for the 2014 Building Commission Information Seminars (Attachment)

Reporting Officer: Matthew Scott, CEO Shire of Esperance
Helen Westcott, Executive Officer

Disclosure of Interest: Nil

Date: 18 February 2014

Attachments: Email from Matthew Scott, CEO Shire of Esperance

Background:

On Tuesday 18 February 2014 the Executive Officer received an email from the Shire of Esperance's CEO regarding the lack of regional seminars for the 2014 Building Commission information seminars.

A copy of the email forms an attachment to the meeting agenda.

Executive Officer Comment:

No further comment

Consultation: Nil

Voting Requirement: Simple majority

The matter is presented for consideration by GVROC.

RESOLUTION: Moved: Cr Stewart Seconded: Cr Dwyer

That:

1. GVROC write to Mr Peter Gow, Building Commissioner, expressing its concern at the lack of "regional" venues for the Australian Building Codes Board seminars on upcoming changes to the Building Code of Australia (BCA) for 2014, requesting that regional seminars be reinstated; and
2. GVROC write to WALGA seeking its support for the reinstatement of the Australian Building Codes Board seminars on upcoming changes to the Building Code of Australia (BCA) for 2014.

CARRIED

7 URGENT BUSINESS as permitted by the Chair

Nil

8 DATE, TIME AND PLACE OF NEXT MEETING

| Date | Meeting | Venue |
|----------------------|--|--------------------|
| Friday 7 March 2014 | An in-person meeting of the GVROC Technical Officers Working Group to be held in Kalgoorlie commencing at 8.00am | Kalgoorlie-Boulder |
| Friday 28 March 2014 | An in-person meeting of the GVROC Council/GERCG Board | Kalgoorlie-Boulder |

9. CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 8.47 am

DECLARATION

These minutes were confirmed by the Goldfields Voluntary Regional Organisation of Councils at the meeting held 28 March 2014

Signed _____

Person presiding at the meeting at which these minutes were confirmed