

State Council

Summary Minutes

3 May 2023



Ordinary meeting no. 2 of 2023 of the Western Australian Local Government Association (WALGA) State Council held at the City of Armadale Administration Centre, Function Room, Level 1, 7 Orchard Avenue, Armadale on Wednesday, 3 May 2023.

OPEN and WELCOME

The Chair declared the meeting open at 12:36pm.

The Chair thanked the City of Armadale for hosting the meeting.

1. ATTENDANCE & APOLOGIES

1.1 Attendance

The Chair welcomed:

- State Councillors
- Deputy State Councillor, Mayor Peter Carter, Pilbara Country Zone
- Deputy State Councillor, Cr Barry Winmar, South Metropolitan Zone
- LG Professionals WA President, Ms Annie Riordan
- WALGA secretariat
- Deputy State Councillor, Cr Melissa Northcott, South East Metropolitan Zone (observer)
- Cr Scott Mosey, City of Armadale (observer)

1.2 Apologies

- Mayor Peter Long, State Councillor, Pilbara Country Zone
- President Cr Cheryl Cowell, State Councillor, Gascoyne Country Zone
- Cr Doug Thompson, State Councillor, South Metropolitan Zone
- President Cr Eddie Smith, Deputy State Councillor, Gascoyne Country Zone
- The Rt. Hon. Lord Mayor Basil Zempilas
- Ian Duncan, WALGA Executive Manager Infrastructure

2. ACKNOWLEDGEMENT OF COUNTRY

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth), on the land of the Whadjuk Noongar People, where WALGA is located and we acknowledge and pay respect to Elders past and present.

WALGA is committed to supporting the efforts of WA Local Governments to foster respectful partnerships and strengthen relationships with local Aboriginal communities.

3. ANNOUNCEMENTS

Nil.

4. MINUTES OF THE PREVIOUS MEETINGS

4.1 Minutes of the State Council meeting held 1 March 2023

RECOMMENDATION

Moved: Mayor Logan Howlett JP

Seconded: Cr Frank Cvitan JP

That the Minutes of the WALGA State Council meeting held on [Wednesday, 1 March 2023](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 438.2/2023

CARRIED

4.1.1 Business arising from the Minutes of meeting held 1 March 2023

Nil.

4.2 Flying Minute – Submission to the Independent Review of WA's COVID-19 Management and Response

RECOMMENDATION

Moved: Mayor Logan Howlett JP

Seconded: Cr Frank Cvitan JP

That the [Flying Minute – Submission to the Independent Review of WA's COVID-19 Management and Response](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 438.2/2023

CARRIED

4.2.1 Business arising from the Flying Minute – Submission to the Independent Review of WA's COVID-19 Management and Response

Nil.

4.3 Flying Minute – Submission on the Consultation Paper – E-waste to landfill ban in Western Australia

RECOMMENDATION

Moved: Mayor Logan Howlett JP

Seconded: Cr Frank Cvitan JP

That the [Flying Minute – Submission on the Consultation Paper - E-waste to landfill ban in Western Australia](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 438.2/2023

CARRIED

4.3.1 Business arising from the Flying Minute – Submission on the Consultation Paper – E-waste to landfill ban in Western Australia

Nil.

4.4 Flying Minute – Interview Report – LGIS Independent Director – CONFIDENTIAL

RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: Cr Frank Cvitan JP

That the Flying Minute – Interview Report – LGIS Independent Director be confirmed as a true and correct records of proceedings.

RESOLUTION 438.2/2023

CARRIED

4.4.1 Business arising from the Flying Minute – Interview Report – LGIS Independent Director

Nil.

5. 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.

- Mayor Logan Howlett JP declared an impartiality interest in items 7.8 Selection Committee Minutes and 7.9 Selection Committee Interview Report – LGIS Non-Metropolitan Local Government Officer.
- Cr Paul Kelly declared an impartiality interest in items 7.7 Flying Minute: Interview Report – LGIS Independent Director, 7.8 Selection Committee Minutes, and 7.9 Selection Committee Interview Report – LGIS Non-Metropolitan Local Government Officer, and a financial interest in item 7.11 LGIS Board Remuneration.
- Annie Riordan declared an interest in item 7.9 Selection Committee Interview Report – LGIS Non-Metropolitan Local Government Officer

6. EMERGING ISSUES

Nil.

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7. MATTERS FOR DECISION

7.1 Best Practice Governance Review – Feedback on Governance Model

By Tony Brown, Executive Director Member Services and Tim Lane, Manager Corporate and Association Governance

WALGA RECOMMENDATION

That:

1. This report summarising feedback from Members on the Best Practice Governance Review Final Report be received; and
2. Two sets of constitutional changes be developed for consideration by State Council at the July 2023 meeting to be put to the 2023 Annual General Meeting, that:
 - a. Give effect to the revised Model 1, as per the Best Practice Governance Review Final Report; and
 - b. Refine the constitution to address inconsistencies and other issues while maintaining the current governance model.

COMPOSITE RECOMMENDATION

That:

1. This report summarising feedback from Members on the Best Practice Governance Review Final Report be received;
2. Two sets of constitutional changes be developed for consideration by State Council at the July 2023 meeting to be put to the 2023 Annual General Meeting, that:
 - a. Give effect to the revised Model 1, as per the Best Practice Governance Review Final Report; and
 - b. Refine the current constitution to address inconsistencies and other issues while maintaining the current governance model; and
3. An item on which model is supported by the membership be considered prior to any constitutional amendments being put to the Annual General Meeting.

ALTERNATE MOTION

Moved: Cr Les Price

Seconded: President Cr Phil Blight

That:

1. This report summarising feedback from Members on the Best Practice Governance Review Final Report be received;
2. Two sets of constitutional changes be developed for consideration by State Council at the July 2023 meeting to be put to the 2023 Annual General Meeting, that:
 - a. Give effect to the revised Model 1, as per the Best Practice Governance Review Final Report; and
 - b. Refine the current constitution to address inconsistencies and other issues while maintaining the current governance model.

RESOLUTION 439.2/2023

CARRIED

7.2 Department of Local Government, Sport and Cultural Industries' Child Safe Awareness Policy Template

By Susie Moir, Policy Manager Resilient Communities

WALGA RECOMMENDATION

Moved: President Cr Tony Dean
Seconded: Cr Chris Mitchell

That State Council:

1. Supports the draft Child Safe Awareness Policy Template being provided to Local Governments to assist with their implementation of Recommendation 6.12 of the Royal Commission (Child Safety Officers in Local Government); and
2. Notes the Department of Local Government, Sport and Cultural Industries' commitment to providing ongoing support and resourcing assistance to Local Governments to assist with implementation of the draft Child Safe Awareness Policy Template and other relevant actions relating to child safeguarding, through the Child Safeguarding Implementation Unit.

RESOLUTION 440.2/2023

CARRIED

7.3 Abandoned Shopping Trolleys Advocacy Position

By Lyn Fogg, Governance Specialist

WALGA RECOMMENDATION

Moved: Cr Russ Fishwick JP
Seconded: Cr Catherine Ehrhardt

That State Council endorse the following position on Abandoned Shopping Trolleys:

The Local Government Sector advocates for State Government to consult with the Sector and prioritise legislative reforms that require retailers to contain shopping trolleys within shopping centre property boundaries, inclusive of enforcement and modified penalty mechanisms that are a realistic economic imperative for retailers to comply with containment requirements.

RESOLUTION 441.2/2023

CARRIED

7.4 Speed Management Reform Advocacy Position

By Terri-Anne Pettet, Manager Road Safety

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: President Cr Chris Pavlovich

That the Speed Management Advocacy Position as follows, be endorsed:

- 1. That WALGA supports Local Governments wishing to manage travel speeds, including speed limit changes, as a means of achieving the many health, social and environmental benefits for communities.**
- 2. That Main Roads WA (MRWA) retain the overarching authority for speed limit setting/zoning.**
- 3. That Main Roads WA speed zoning policies and processes be reformed so that Local Governments are more influential in the determination of speed limit decreases or increases for local roads.**
 - a. This will include applications that are deemed to be approved when the application:**
 - i. is based on assessments by competent Local Government practitioners,**
 - ii. contains evidence-based identification of the benefits,**
 - iii. contains preliminary designs for infrastructure safety upgrades associated with applications to increase speed limits, and**
 - iv. includes an engagement strategy for managing community and stakeholder expectations.**
 - b. Allows for Main Roads WA to decline an application, within a mutually agreed timeframe, on the basis that it:**
 - i. does not meet the above criteria, and**
 - ii. provides specific evidence for declining the application.**
- 4. That WALGA seeks to work with Main Roads WA and other stakeholders, to develop a speed management guide for Local Governments.**

RESOLUTION 442.2/2023

CARRIED

7.5 State Road Funds to Local Government Agreement 2023/24 to 2027/28

By Ian Duncan, Executive Manager, Infrastructure

WALGA RECOMMENDATION

Moved: President Cr Chris Pavlovich
Seconded: President Cr Michelle Rich

That the State Roads Funds to Local Government Agreement 2023/24 – 2027/28 be endorsed.

RESOLUTION 443.2/2023

CARRIED

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

7.6 Finance and Services Committee Minutes 19 April 2023 – CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett
Seconded: Cr Chris Mitchell

That the Minutes of the Finance and Services Committee meeting held on 19 April 2023 be endorsed.

RESOLUTION 444.2/2023

CARRIED

7.7 Flying Minute: Interview Report – LGIS Independent Director – CONFIDENTIAL

By Craig Hansom, Manager Commercial Contract Services, Member Services

Cr Paul Kelly declared an interest in this item and left the meeting at 12:44pm.

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Phil Blight

That the appointment of Ms Kelly Hick to the LGIS Board as an Independent Director for a term of 3 years, endorsed by State Council by way of Flying Minute, be noted.

RESOLUTION 445.2/2023

CARRIED

7.8 Selection Committee Minutes 24 April 2023 – CONFIDENTIAL

By Tim Lane, Manager Association and Corporate Governance and Chantelle O'Brien, Governance Support Officer

Mayor Logan Howlett and Annie Riordan both declared an interest in this item and left the meeting at 12:45pm. Cr Paul Kelly also declared an interest in this item.

WALGA RECOMMENDATION

Moved: Cr Les Price
Seconded: President Cr Moira Girando JP

That the resolutions contained in the 24 April 2023 Selection Committee Minutes be noted.

RESOLUTION 446.2/2023

CARRIED

7.9 Selection Committee Interview Report – LGIS Non-Metropolitan Local Government Officer – CONFIDENTIAL

By Tim Lane, Manager Corporate and Association Governance

Cr Paul Kelly, Mayor Logan Howlett and Annie Riordan all declared an interest in this item.

WALGA RECOMMENDATION

Moved: President Cr Moira Girando
Seconded: Cr Chris Mitchell

That:

- 1. the Selection Committee Interview Report be noted; and**
- 2. Mr Ben Rose, Chief Executive Officer of the Shire of Donnybrook Balingup be appointed to the LGISWA Board in the Non-Metropolitan Local Government Officer position, for a three-year term commencing on 1 July 2023.**

RESOLUTION 447.2/2023

CARRIED

Cr Paul Kelly, Mayor Logan Howlett and Annie Riordan returned to the meeting at 12:48pm.

7.10 LGIS Board Minutes 2 March 2023 – CONFIDENTIAL

By Craig Hansom, Manager Commercial Contract Services, Member Services

WALGA RECOMMENDATION

Moved: President Cr Stephen Strange

Seconded: Cr Helen Sadler

That the Minutes of the LGISWA Scheme Board meeting held on 2 March 2023 be noted.

RESOLUTION 448.2/2023

CARRIED

7.11 LGIS Board Remuneration – CONFIDENTIAL

By Craig Hansom, Manager Commercial Contract Services, Member Services

Cr Paul Kelly declared an interest in this item and left the meeting at 12:52pm.

MOTION

[Refer Confidential Minutes]

RESOLUTION 449.2/2023

CARRIED

Cr Paul Kelly returned to the meeting at 1:01pm.

7.12 Use of the Association's Common Seal

WALGA RECOMMENDATION

Moved: President Cr Moira Girando

Seconded: Mayor Carol Adams

That the use of the Association's Common Seal be noted.

RESOLUTION 450.2/2023

CARRIED

8. POLICY TEAM REPORTS

8.1 Environment and Waste Policy Team Report

Presented by Policy Team Chair, Cr Les Price

WALGA RECOMMENDATION

Moved: President Cr Michelle Rich
Seconded: Mayor Logan Howlett JP

That the matters considered by the Environment and Waste Policy Team be noted.

RESOLUTION 451.2/2023

CARRIED

8.2 Governance and Organisational Services Policy Team Report

Presented by Policy Team Chair, Cr Russ Fishwick

WALGA RECOMMENDATION

Moved: Cr Russ Fishwick JP
Seconded: Mayor Carol Adams OAM

That State Council:

- 1. Retain, without amendment, Advocacy Positions:**
 - (a) 2.1.14 Financial Assistance Grants**
 - (b) 2.4.4 Remote Area Tax**
 - (c) 2.5.21 Conduct of Postal Elections**
 - (d) 2.5.39 Exemption from ASSB124**
- 2. Delete Advocacy Positions:**
 - (a) 2.5.14 Tender Threshold**
 - (b) 2.5.26 Simple and Absolute Majority**
- 3. Notes the GOS Policy Team's consideration of WALGA AGM 2022 Item 3.12.1 Abandoned Shopping Trolleys.**

RESOLUTION 452.2/2023

CARRIED

8.3 Infrastructure Policy Team Report

Presented by Policy Team Chair, President Cr Chris Pavlovich

WALGA RECOMMENDATION

Moved: President Cr Chris Pavlovich

Seconded: Cr Helen Sadler

That the matters considered by the Infrastructure Policy Team be noted.

RESOLUTION 453.2/2023

CARRIED

8.4 People and Place Policy Team Report

Presented by Policy Team Chair, President Cr Tony Dean

WALGA RECOMMENDATION

Moved: President Cr Tony Dean

Seconded: Cr Frank Cvitan JP

That the matters considered by the People and Place Policy Team be noted.

RESOLUTION 454.2/2023

CARRIED

9. MATTERS FOR NOTING / INFORMATION

9.1 2023 Policy Priorities

By Dana Mason, Manager Economics

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Moira Girando JP

That the update on WALGA's 2023 Policy Priorities be noted.

RESOLUTION 455.2/2023

CARRIED

9.2 Local Government Management Arrangements (LEMA) Review Project

By Simone Ruane, LEMA Review Project Lead

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Moira Girando JP

That the update on the Local Emergency Management Arrangements (LEMA) Review Project be noted.

RESOLUTION 455.2/2023

CARRIED

9.3 Submission to the Independent Review of WA's COVID-19 Management and Response

By Nicole Matthews, Executive Manager, Policy

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Moira Girando JP

That the Submission to the Independent Review of Western Australia's COVID-19 Management and Response, endorsed via Flying Minute on 15 March 2023, be noted.

RESOLUTION 455.2/2023

CARRIED

9.4 Submission to the DWER E-waste to Landfill Ban Consultation Paper

By Rebecca Brown, Manager, Waste and Environment

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Moira Girando JP

That the Submission to the Department of Water and Environmental Regulation's E-Waste to Landfill Ban Consultation paper, endorsed via Flying Minute on 30 March 2023, be noted.

RESOLUTION 455.2/2023

CARRIED

9.5 Report Municipal Waste Advisory Council (MWAC)

By Rebecca Brown, Manager, Waste and Environment

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Moira Girando JP

That the resolutions of the 22 February 2023 Municipal Waste Advisory Council meeting be noted.

RESOLUTION 455.2/2023

CARRIED

9.6 March 2023 Economic Briefing

By Rebecca Brown, Manager, Waste and Environment

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Moira Girando JP

That the update on the March 2023 Economic Briefing be noted.

RESOLUTION 455.2/2023

CARRIED

10. ORGANISATIONAL REPORTS

10.1 Key Activity Reports

10.1.1 Report on Key Activities, Advocacy Portfolio

By Narelle Cant, Executive Manager Advocacy

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Stephen Strange

That the Key Activities Report from the Advocacy Portfolio to the May 2023 State Council meeting be noted.

RESOLUTION 456.2/2023

CARRIED

10.1.2 Report on Key Activities, Infrastructure Portfolio

By Terri-Anne Pettet, Acting Executive Manager Infrastructure

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Stephen Strange

That the Key Activities Report from the Infrastructure Portfolio to the May 2023 State Council meeting be noted.

RESOLUTION 456.2/2023

CARRIED

10.1.3 Report on Key Activities, Member Services Portfolio

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Stephen Strange

That the Key Activities Report from the Member Services Portfolio to the May 2023 State Council meeting be noted.

RESOLUTION 456.2/2023

CARRIED

10.1.4 Report on Key Activities, Policy Portfolio

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Stephen Strange

That the Key Activities Report from the Policy Portfolio to the May 2023 State Council meeting be noted.

RESOLUTION 456.2/2023

CARRIED

Cr Catherine Ehrhardt left the meeting at 1:29pm.

10.2 President's Report

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Les Price

That the President's Report for May 2023 be received.

RESOLUTION 457.2/2023

CARRIED

10.3 CEO's Report

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Les Price

That the CEO's Report for May 2023 be received.

RESOLUTION 457.2/2023

CARRIED

10.4 Ex-Officio Reports

10.4.1 City of Perth Report

The Rt. Hon. Lord Mayor Basil Zempilas is an apology.

10.4.2 LG Professional's Report

Ms Annie Riordan, President, LG Professionals WA, provided a report to the meeting.

Cr Catherine Ehrhardt returned to the meeting at 1:36pm.

11. ADDITIONAL ZONE RESOLUTIONS

WALGA RECOMMENDATION

Moved: Cr Les Price
Seconded: President Cr Phil Blight

That the additional Zone Resolutions from the April 2023 round of Zone meetings as follows be referred to the appropriate policy area for consideration and appropriate action, noting that some may have already been referred.

RESOLUTION 458.2/2023

CARRIED

CENTRAL COUNTRY ZONE (Governance and Organisational Services Policy Team)

Financial Burden to Local Governments of Optional Preferential Voting

That WALGA forms a policy position and advocates that:

1. any Western Australian Electoral Commission fee increases for the 2023 Local Government elections are capped at 10% when compared with the 2021 rates; and
2. the CountWA software from Western Australian Electoral Commission is provided to Local Governments free of charge for the 2023 and subsequent Local Government elections.

MURCHISON COUNTRY ZONE (Policy Portfolio)

Natural Disaster Relief Funding for Flood Damage Road Restoration Works

That with regard to natural disaster relief, specifically for flood damage road restoration works, WALGA continue to lobby DFES for:

1. improved efficiencies in the assessment, processing, and acquittal payments; or
2. a systemic change in the way claims are managed that improves the whole process.

NORTH METROPOLITAN ZONE (Environment and Waste Policy Team)

Community Batteries Report Request

That the North Metropolitan Zone requests WALGA to prepare a report for the June North Metropolitan Zone meeting on:

1. commitment and progress of Community batteries under the 'Power to the People' Federal Government initiative showing targeted suburbs and completion timelines; and
2. outline synergies with household solar panels within targeted suburbs and cheaper power via the Community batteries from households feeding solar generated power into the community battery and using stored power during agreed usage timeframe; and
3. include the issue of cost to homeowners who seek to get power back from the community battery.

12. DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be held in the Boardroom at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 5 July commencing at 4:15pm.

13. CLOSURE

There being no further business the Chair declared the meeting closed at 1:43pm.