



WALGA

# M I N U T E S

Annual General Meeting

Perth Convention Exhibition Centre  
Perth

5 August 2008

1:00 pm



# WALGA

## Strategic Plan (2005 – 2010)

### Vision for Local Government

*Local Governments in Western Australia will be built on good governance, autonomy, local leadership, democracy, community engagement and diversity.*

*Local Governments will also have the capacity to provide economically, socially and environmentally sustainable services and infrastructure that meet the needs of their communities.*

### Our Vision

*We will be powerful and influential in representing, supporting and leading Local Government.*

### Our Mission

*We exist to serve our members by:*

- *Providing strong representation for Local Government*
- *Providing effective leadership for Local Government*
- *Enhancing the capacity of Local Government*
- *Building a positive public profile for Local Government*

### Key Result Areas, Objectives and Performance Indicators

#### **Strong Representation**

- *Effectively engage our Members*
- *Effectively influence Government policy*
- *Enhance working relationships with State and Federal Governments*
- *Improve the effectiveness of the Association's representational structure*

#### **Effective Leadership**

- *Effectively engage our Members*
- *Effectively influence Government policy*
- *Enhance working relationships with State and Federal Governments*
- *Improve the effectiveness of the Association's representational structure*

#### **Positive Profile**

- *Identify and evaluate emerging issues, trends and responses*
- *Unify membership to achieve the options best suited to Local Government's interests*
- *Model an effective governance structure for WALGA*

#### **Enhancing Capacity**

- *Improve the public image of Local Government*
- *Promote the profile of the Association*
- *Promote Local Government as an employer of choice*
- *Foster effective networks*
- *Increase autonomy of Local Government*
- *Increase funding to Local Government*
- *Improve Local Government's access to quality staff*
- *Provide benefits to Local Governments*
- *Enhance the capacity of the Association*
- *Improve the corporate governance of Local Government*
- *Provide Local Governments with access to contemporary information and advice*



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# ANNUAL GENERAL MEETING

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## 1. Attendance, Apologies and Announcements

### Apologies

- Mayor Lou Magro – City of Bayswater
- Cr Ian McClland – City of Bayswater
- Mayor Paddi Creevey – City of Mandurah
- Cr Frank Cvitan – City of Wanneroo
- Mayor Ron Yuryevich – City of Kalgoorlie Boulder
- President Stephen Tonkin – Shire of Menzies
- Mayor Tina Klein – City of Bassendean
- Cr Norm Trenfield – Shire of Meekatharra
- Cr Clive Robartson – City of Melville
- Ray Finlayson AM – Life Member

### Announcements:

- Nil

## 2. Adoption of Meeting Standing Orders

The Annual General Meeting (AGM) Standing Orders were contained within the Agenda.

**RESOLUTION: (Cr Henry Zelones / Cr Elizabeth Taylor) CARRIED**

That the Annual General Meeting (AGM) Standing Orders be adopted with the addition of the words “or by electronic key pad” to clause 26 of the AGM Meeting Standing Orders.

## 3. Confirmation of Minutes

Minutes of the 2007 WALGA Annual General Meeting were contained within the Agenda.

**RESOLUTION: (Cr Henry Zelones / Cr Graeme Campbell) CARRIED**

That the Minutes of the 2007 Annual General Meeting be confirmed as a true and correct record of proceedings.

**4. Adoption of President's Annual Report**

The President's Annual Report for 2007/2008 was contained within the Agenda.

**RESOLUTION (Cr Elizabeth Taylor / Mayor Troy Pickard) CARRIED**

That the President's Annual Report for 2007/2008 be received.

**5. WALGA 2007/2008 Financial Statements**

The audited 2007/2008 WALGA Financial Statements were distributed to all members prior to the meeting.

**RESOLUTION (Cr Julie Brown / Cr Elizabeth Taylor) CARRIED**

That the audited WALGA Financial Statements for 2007/2008 be received.

**6. Consideration of Executive and Member Motions**

As per motions listed.

**7. Closure**

There being no further business, the Chair declared the meeting closed at 5:02 pm.



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## TABLE OF CONTENTS

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### 3. Consideration of Executive and Member Motions

3.1	Endorsement of “The Journey”- Sustainability into the Future – Draft Paper (05-034-01-0009 TB) .....	5
3.2	Systemic Sustainability Study Report - SSS (05-034-01-0009 TB) .....	6
3.3	Closing of Regional Partnerships and the Area Consultative Committees (05-055-03-0001 ID) .....	6
3.4	Australian Bureau of Statistics (ABS) – Census 2011 Fly-In, Fly-Out (05-088-03-0002 ID).....	7
3.5	Wheatbelt Drainage Council (05-064-03-0023 MB) .....	7
3.6	Binding the Crown–Risk Prevention and Mitigation (05-024-03-0016 JL).....	7
3.7	Enquiry into Fire and Emergency Services Legislation (05-024-01-0002 JL) .....	8
3.8	Funding to the Royal Flying Doctor Service (05-030-03-0006 JH).....	8
3.9	Withdrawal State Government Services (05-055-02-0003 JH).....	8
3.10	Private Members Bill to secure Third Party Review Rights (05-073-01-0002 BF).....	8
3.11	Third Party Appeal Rights for the City of Albany (05-073-01-0002 BF) .....	9
3.12	Elected Member Allowances (05-034-01-0001 TB) .....	9
3.13	Local Government (Official Conduct) Amendment Act 2007 (05-034-01-0006 TB).....	9
3.14	Elected Member Legal Representation (05-034-01-0003 TB) .....	10
3.15	Rate Exemption Charitable Bodies (05-034-01-0007 TB).....	10
3.16	Capital Improved Value – Basis of Rating (05-061-03-0001 TB).....	10



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## Consideration of Executive and Member Motions

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3.1 Endorsement of “The Journey”- Sustainability into the Future – Draft Paper (05-034-01-0009 TB)
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**RESOLUTION: (Cr John Gardiner / Cr Carmel Boyce)**

**CARRIED**

1. That the State Council be directed not to endorse the amended SSS Report “The Journey” until the membership has had the opportunity to review and respond to the amended report, and has had the opportunity to collectively debate the report at a state-wide forum specifically convened for this purpose and;
2. That State Council also be directed to advise the membership of the precise process that is intended to be followed to ensure that the membership supports the Report as the platform for structural reform of Local Government in Western Australia, before it is presented to government as WALGA policy.

**MOTION: (Cr Bill Atkinson / Cr Beth Walton)**

That the question of endorsing the final draft paper on “The Journey - Sustainability into the Future”, be a matter for voting delegates of all member Local Governments to decide, at a specially convened State-wide forum, rather than the decision being made by the State Council of WALGA.

**RESOLUTION (Mr Roy McClymont / Cr Elizabeth Taylor)**

**CARRIED**

That the meeting proceed with the next item of business.

### 3.2 Systemic Sustainability Study Report - SSS (05-034-01-0009 TB)

#### **WITHDRAWN**

1. That the convention debate the suitability of the SSS Report; "The Journey – Sustainability into the Future" as a planning tool to drive structural reform of Local Government in Western Australia.
2. That members acknowledge the rights of individual Local Governments to determine their own future where they have the support of their electors to either remain in their present form, become involved in Regional Councils of their choosing for the provision of services of their choosing or merger with adjoining Local Governments.
3. That WALGA with or without the support of the State Government provide members with a comprehensive qualitative assessment of the post structural reform of other States in Australia identifying how the reforms have provided economic, environmental and social sustainability, measured against their pre reform sustainability. That is; are the Local Governments, the people and the environment demonstrably better off having gone through structural reform?

### 3.3 Closing of Regional Partnerships and the Area Consultative Committees (05-055-03-0001 ID)

#### **RESOLUTION (Cr Ken Pech / Cr Kerry Stone)**

**CARRIED**

WALGA be requested to work with Australian Local Government Association (ALGA) to voice the following concerns and request the Federal Government to address the issues raised.

1. The closure of the Regional Partnerships program has removed the only avenue available to regional communities to access Commonwealth funds for Local Government or community projects (acknowledging the Roads to Recovery and FAGS funding which is available to Local Governments only).
2. The criteria for funding the Regional Development Australia projects needs to be clarified.
3. The closure of state offices of the Department of Infrastructure, Transport, Regional Development and Local Government has removed a level of state assessment and monitoring of future projects, will centralise all assessments in Canberra, removing significant local knowledge.
4. The reduction in the number of Regional Development Australia committees from the current 54 Area Consultative Committees will reduce local representation on these committees and will further reduce the local knowledge available in the assessment process.
5. Budget figures for the continuation of local administrative staff needs to be finalised.
6. Make available retrospective funding to those projects previously approved.

**3.4 Australian Bureau of Statistics (ABS) – Census 2011 Fly-In, Fly-Out (05-088-03-0002 ID)**

**RESOLUTION (Cr Esther Roadnight / Cr David Bergmeier)**

**CARRIED**

That WALGA liaises with the Australian Local Government Association (ALGA) to lobby the Australian Bureau of Statistics and the Federal Government to include a section of questions in the 2011 Census relating to Fly-in Fly-out and Drive in Drive out workers and their living arrangements, to enable an accurate assessment of the Estimated Residential Population to be achieved.

**3.5 Wheatbelt Drainage Council (05-064-03-0023 MB)**

**RESOLUTION (Cr Garry Shadbolt / Cr Paul Jones)**

**CARRIED**

That WALGA lobby the State Government (Ministers and/or Departments as appropriate) to request that with reference to the recommendations from the Wheatbelt Drainage Council:

1. That Local Government, either individually or as Regional Councils, have no compulsory initial or ongoing governance, administrative or technical role in deep drainage;
2. That Local Government's compulsory involvement in deep drainage be limited to that a referral body when proposals impact on Local Government infrastructure;
3. That deep drainage is administered on a catchment wide basis; and
4. That (with reference to part 3) appropriate legislation is passed to give "Catchment Management Authorities" the power and financial ability to administer deep drainage and all other catchment management issues.

**3.6 Binding the Crown–Risk Prevention and Mitigation (05-024-03-0016 JL)**

**RESOLUTION (Cr John Price / Cr Denyse Needham)**

**CARRIED**

WALGA actively pursue the State Government to provide the necessary legislative and policy framework, funding and resources to ensure risk prevention and mitigation activities in relation to fire hazards, removal and management of Federal, State and locally declared pest weeds and animals are prioritised and undertaken with regularity and consistency by State Government agencies.



3.7 Enquiry into Fire and Emergency Services Legislation (05-024-01-0002 JL)

**RESOLUTION (Mayor Milton Evans / Cr Elizabeth Re)**

**CARRIED**

That the Western Australian Local Government Association seek an urgent amendment to section 7(2) of the *Bush Fires Act 1954* to exclude Local Authorities as owners or occupiers of land for the purposes of the Act.

3.8 Funding to the Royal Flying Doctor Service (05-030-03-0006 JH)

**RESOLUTION (Cr Alex Syme / Cr Ken Pech)**

**CARRIED**

That we, the democratically elected Councils of WA comprising 141 Councils, and on behalf of the State's entire population, petition the Premier of Western Australia, the Hon Alan Carpenter, through and represented collectively by the WA Local Government Association, to urgently provide additional much-needed funding to the Royal Flying Doctor Service to enable it to adequately service this vast State and its regions.

3.9 Withdrawal State Government Services (05-055-02-0003 JH)

**RESOLUTION (Cr Patrick Hill / Cr Peter Wilson)**

**CARRIED**

That WALGA seek a firm commitment from the Premier and State Government to acknowledge its lead role in the provision of services to rural and remote Western Australia and that the State Government immediately discontinue the practice of withdrawal of services solely on the basis of cost efficiency.

3.10 Private Members Bill to secure Third Party Review Rights (05-073-01-0002 BF)

**MOTION (Cr John Walker / Mayor Milton Evans)**

**LOST**

That the Western Australian Local Government Association actively support Dr Woollard's attempt through a Private Members Bill to secure a Third Party Review (Appeal) Right for Western Australians under the *Planning and Development Act 2005*.

### 3.11 Third Party Appeal Rights for the City of Albany (05-073-01-0002 BF)

#### **MOTION (Cr John Walker / Mayor Milton Evans)**

That the Western Australian Local Government Association make representation to the Hon Alannah MacTiernan, Minister for Planning and Infrastructure, supporting the City of Albany's request to incorporate Third Party Appeal Rights into the text of its new Community Planning Scheme, on the grounds that these rights have existed in the Shire of Albany Town Planning Scheme for three decades and the City of Albany has resolved to extend them to the former Town of Albany.

#### **RESOLUTION (Cr George Gifford / Cr Anita Jarvis)**

**CARRIED**

That the question be now put.

**THE ORIGINAL MOTION WAS PUT AND LOST**

### 3.12 Elected Member Allowances (05-034-01-0001 TB)

#### **RESOLUTION (Cr Kevin Trent / Cr Elizabeth Re)**

**CARRIED**

That the Western Australian Local Government Association:

1. at the Annual General Meeting in August 2008 support a review of the allowances paid to elected members;
2. continue to support the principal of the Western Australian Salary and Allowances Tribunal determining on an ongoing basis fees and allowances paid to Elected Members pursuant to Part 5, Division 8 of the *Local Government Act 1995*; and
3. advocate to the Minister for Local Government to give effect to these changes by amending regulations 30 to 34(a) (b) inclusive of the *Local Government (Administration) Regulations 1996*.

### 3.13 Local Government (Official Conduct) Amendment Act 2007 (05-034-01-0006 TB)

#### **RESOLUTION (Cr John Walker / Mayor Milton Evans)**

**CARRIED**

That the Western Australian Local Government Association request the Minister for Local Government and Regional Development to immediately review the *Local Government (Official Conduct) Amendment Act 2007* and the *Local Government (Rules of Conduct) Regulations 2007*, and give effect to changes that better reflect the principles of natural justice in the prescribed complaint process.

### 3.14 Elected Member Legal Representation (05-034-01-0003 TB)

**MOTION (Cr Elizabeth Re / Cr Sally Lake)**

**LOST**

That the Western Australian Local Government Association LOBBY for an inclusion of independent legal representation for elected members issues in the *Local Government Act 1995* and associated legislation.

### 3.15 Rate Exemption Charitable Bodies (05-034-01-0007 TB)

**RESOLUTION (Cr John Gardiner / Cr Carmel Boyce)**

**CARRIED**

That the Western Australian Local Government Association lobby the State and Federal Governments for Local Governments to be compensated for loss of revenue associated with the area of land used for independent living units on estates operated by registered charities and religious bodies, and that the compensation be an annual direct payment to the Local Governments on the production of an invoice to the State Revenue Department and Federal Treasury.

### 3.16 Capital Improved Value – Basis of Rating (05-061-03-0001 TB)

**RESOLUTION (Cr George Gifford / Cr Pat Hooper)**

**CARRIED**

That the Western Australian Local Government Association acknowledge the merits of introducing a single basis of rating for those Local Governments experiencing rapidly escalating property values and make political representations to the State Government with a view to having the *Local Government Act 1995*, amended to accommodate the discretionary application of a single basis of rating across land used for rural and non-rural purposes.