



MINUTES

SPECIAL COUNCIL MEETING

30 MAY 2011

TIME – 8.00AM

CITY OF STIRLING

Managing waste and recovering resources responsibly

Constituent Members: Cities of Perth, Joondalup, Stirling, and Wanneroo. Towns of Cambridge, Victoria Park and Vincent



MINUTES OF THE SPECIAL COUNCIL MEETING OF THE MINDARIE REGIONAL COUNCIL HELD IN THE COUNCIL CHAMBERS OF THE CITY OF STIRLING, 25 CEDRIC STREET, STIRLING, WESTERN AUSTRALIA ON MONDAY 30 MAY 2011 COMMENCING AT 8.00AM.

PRESENT: Chairman

Cr L Gray JP (Deputy Chair)
Cr J Bissett
Cr D Boothman
Cr R Butler
Cr S Cooke
Cr S Farrell
Cr K Hollywood
Cr D Newton JP
Cr T Pickard
Cr S Withers

APOLOGIES:

Cr R Fishwick (Chair)
Cr C MacRae
Cr J Robbins
Cr B Stewart

ABSENT:

Nil

IN ATTENDANCE:

Mindarie Regional Council Officers

K F Poynton
K Dhillon
K D'Sa
L Nyssen
M Tolson

Chief Executive Officer

Member Council Officers

J Buckley
K Caple
C Colyer
G Eves
D Forster
J Giorgi
M Glover
S Kyron
R Lotznicker
G Patrick
D Simms
S Spinks
M Tidy
A Vuleta

Consultants

I Watkins
G Synnott

VISITORS:

Nil

MEDIA:

Michael Gill – Community Newspapers

PUBLIC:

Nil

Confirmed by resolution of the Council on 7 July 2011

.....Chairman.

CONTENTS

ITEM	SUBJECT	FILE NO	PAGE NO
1	OATHS/AFFIRMATIONS OF ALLEGIANCE OF OFFICE	N/A	P4
2	QUESTION TIME	N/A	P4
3	ATTENDANCE AND APOLOGIES	N/A	P4
4	ANNOUNCEMENTS	N/A	P4
5	DEPUTATIONS	N/A	P4
6	BUSINESS FROM A PREVIOUS MEETING TREATED AS AN ORDER OF THE DAY	N/A	P4
7	REPORTS <i>(Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item)</i>	N/A	P4
7.1	BUDGET PLANNING FINANCIAL YEAR 2011/12	FIN/52	P4
8	NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING	N/A	P9
9	NEXT MEETING	N/A	P9
10	CLOSURE	N/A	P9

1	OATHS/AFFIRMATIONS OF ALLEGIANCE AND DECLARATIONS OF OFFICE
----------	--

Cr Pickard completed Form 7 Declaration by Elected Member of Council.

2	QUESTION TIME
----------	----------------------

Nil

3	ATTENDANCE AND APOLOGIES
----------	---------------------------------

Refer page 2.

The Chairman welcomed Cr Pickard and Cr Withers to the meeting.

4	ANNOUNCEMENTS
----------	----------------------

Nil

5	DEPUTATIONS
----------	--------------------

Nil

6	BUSINESS FROM A PREVIOUS MEETING TREATED AS AN ORDER OF THE DAY
----------	--

Nil

7	REPORTS
----------	----------------

Mr Watkins declared a financial interest in Item 7.1

Dr Gae Synnott declared a financial interest in Item 7.1

7.1	BUDGET PLANNING FINANCIAL YEAR 2011/12
------------	---

The Chairman invited CEO MRC to address the meeting.

CEO MRC advised Council as follows:

- Email received from Mr Buckley CEO Town of Cambridge was sent via email to MRC Councillors
- Supplementary Brief provided to Councillors
- Additional papers provided regarding City of Stirling continuing to bring waste beyond 30 June 2011
- Member Council Finance Officer Budget Planning meetings held were very productive

The Chairman then invited Mr Jason Buckley, CEO Town of Cambridge, and leader of the Budget Planning Group, to address the meeting.

Mr Buckley advised as follows:

- That the group had conducted four meetings.
- That the group had been ably assisted by members of the MRC administration, particularly Messrs Dhillon, Higo, D'Sa, Tolson and Ms Cherico
- That the group had conducted its work in three phases as follows:
 - Phase One : Validation
 - Phase Two : Presentation
 - Phase Three : Funding options
- That the group, in conjunction with the MRC administration had identified a number of adjustments to the initial work, and this had resulted in a recommended members' fee for 2011/2012 of \$123 per tonne.

MOTION: (Moved: Cr Butler Seconded: Cr Farrell)

MRC OFFICER RECOMMENDATION

That Council:

- (i) note and approve the Business Plan 2011/2012
- (ii) approve and adopt Members' Gate Fee of \$123.00 (ex GST) effective 1 July 2011
- (iii) approve and adopt the Budgeted Schedule of Fees and Charges relating to commercial and casual users, at Attachment Four effective 1 July 2011. The approved fees will be advertised in accordance with Section 6.19 of the Local Government Act
- (iv) authorise the funding of the additional cost of \$1,065,366 pertaining to the permanent repairs of RRF Composters from the Reserve for RRF Operational Requirements. \$476,500 of this amount is to be funded from the interest earned on this Reserve Account and the balance of \$588,865 from the Reserve balance of \$5,000,000
- (v) approve the establishment of a Reserve for Members' Revenue Equalisation Account and transfer \$1.93 million pertaining to the Members' Under/Over Account relating to the previous years to 30 June 2010 (forms part of the Retained Surplus of \$24.3 million at 30 June 2010) to this Reserve Account

The purpose of the Reserve for Members' Revenue Equalisation Account would be as follows:

- recover any under-recovery in the Members' Tipping Fees arising from lower revenue, increased expenditure and related matters
- fund any exceptional or extra-ordinary expenditure
- (vi) approve the establishment of the Reserve for Capital Expenditure and transfer \$1.1 million from the Operating Surplus projected for 2011/2012 and arising from Non-Members to this Reserve Account

The purpose of this Reserve would be to fund the Capital Expenditure of the Regional Council

- (vii) authorise the closure of the Reserve for Site Monitoring and transfer the balance of \$141,663 on this Reserve Account to the Provision for Post Closure Management (Site Monitoring)
-

-
- (viii) note the Administration's intention to review the existing 20 year Financial Plan in conjunction with the review of the Strategic Plan in the second half of 2011

Cr Butler and Cr Farrell acknowledged work done by the member Council Finance Officers and thanked Mr Buckley for an informative and thorough explanation.

AMENDMENT TO THE MOTION

Moved: Cr Hollywood

Seconded: Cr Pickard

That Council approve the following amendments to MRC's Annual Business Plan Objective One (Agenda p.16 refers) as follows:

- (i) Objective One, first dot point
 - 1. delete : existing waste processing projects
 - 2. insert : efficient and low cost facilities
- (ii) Objective One, second dot point
 - 1. delete : Optimise
 - 2. insert : Maximise

(Carried: 10/0)

For: Crs Gray, Bissett, Boothman, Butler, Cooke, Farrell, Hollywood, Newton, Pickard and Withers

Cr Pickard addressed the meeting as follows:

- That he was concerned at the need for member Council officers to be involved in such a detailed process, and hoped that this would be a 'one off' exercise.
 - That further information be provided for the Budget Workshop 16 June 2011 on the following line items:
 - Travel
 - Conference Attendance
 - Corporate Clothing
 - Meals and Entertainment
 - Office Expenses (Finance and Business)
 - Computer Replacement
 - Covers for Playground
 - Vehicle Replacement
 - Landscaping – RRF
 - RRF Vehicle Washdown
 - Communications Programme
 - Contract Labour
 - That the position of Chief Financial Officer be re-designated as a Senior Officer
-

The CEO MRC responded as follows:

- That Council had resolved, at its Ordinary Council Meeting April 2011, on the resources mix of internal/external personnel, for at least Financial Year 2011/2012.
- That the matter of a Council position with respect to senior officers had been investigated, and the report was with the Chairman, Cr Fishwick, for discussion, upon his return from leave.

AMENDMENT TO THE MOTION

That:

- (i) a Process Review Committee be formed in accordance with Section 5.8 of the Local Government Act 1995 to appoint a firm of process consultants to review and make recommendation on the appropriate size, scope and structure of the Council's operations;
- (ii) the Process Review Committee comprise the following members in accordance with Section 5.9(2)(d) of the Local Government Act 1995 :
 - Chairman, Cr Russ Fishwick
 - Deputy Chairman, Cr Laura Gray
 - Cr Bissett
 - Director City Businesses City of Wanneroo, Karen Caple (Chair of Strategic Projects Committee)
 - Chief Executive Officer Town of Cambridge, Jason Buckley (Chair Budget Working Group)
- (iii) the Process Review Committee terms of reference be authorised in accordance with Section 5.16 of the Local Government 1995 as follows:
 - To approve the terms of reference for the appointment of a process consultant;
 - To advertise and review applications for the assignment
 - To recommend to Council the preferred consultant;
 - To recommend to Council the appropriate budget allocation for the assignment;
 - To receive reports from the consultant and give directions where required; and
 - To review the findings of the consultant and make recommendations to the Council.
- (iv) this work be funded from within the 2011/12 budget.

Moved: Cr Withers

Seconded Cr Pickard

Cr Withers addressed the meeting, with respect to the proposed amendment, with comments as follows:

- That a 'specialist investigation' into an appropriate business structure, in the wake of City of Stirling departure, was now warranted.
 - That such a project, if commenced now, could be completed by December 2011, in order to inform the budget process for Financial Year 2012/2013.
-

(Carried: 9/1)

For: Crs Gray, Bissett, Boothman, Cooke, Farrell, Hollywood, Newton, Pickard and Withers

Against: Cr Butler

SUBSTANTIVE MOTION

The substantive motion was put to the vote.

1. That Council:

- (i) note and approve the Business Plan 2011/2012 with the following amendments:**

 - Objective One, first dot point**

 - 1. delete : existing waste processing projects**
 - 2. insert : efficient and low cost facilities**
 - Objective One, second dot point**

 - 1. delete : Optimise**
 - 2. insert : Maximise**
 - (ii) approve and adopt Members' Gate Fee of \$123.00 (ex GST) effective 1 July 2011**
 - (iii) approve and adopt the Budgeted Schedule of Fees and Charges relating to commercial and casual users, at Attachment Four effective 1 July 2011. The approved fees will be advertised in accordance with Section 6.19 of the Local Government Act**
 - (iv) authorise the funding of the additional cost of \$1,065,366 pertaining to the permanent repairs of RRF Composters from the Reserve for RRF Operational Requirements. \$476,500 of this amount is to be funded from the interest earned on this Reserve Account and the balance of \$588,865 from the Reserve balance of \$5,000,000**
 - (v) approve the establishment of a Reserve for Members' Revenue Equalisation Account and transfer \$1.93 million pertaining to the Members' Under/Over Account relating to the previous years to 30 June 2010 (forms part of the Retained Surplus of \$24.3 million at 30 June 2010) to this Reserve Account**

The purpose of the Reserve for Members' Revenue Equalisation Account would be as follows:

 - recover any under-recovery in the Members' Tipping Fees arising from lower revenue, increased expenditure and related matters**
 - fund any exceptional or extra-ordinary expenditure**
 - (vi) approve the establishment of the Reserve for Capital Expenditure and transfer \$1.1 million from the Operating Surplus projected for 2011/2012 and arising from Non-Members to this Reserve Account**

The purpose of this Reserve would be to fund the Capital Expenditure of the Regional Council
 - (vii) authorise the closure of the Reserve for Site Monitoring and transfer the balance of \$141,663 on this Reserve Account to the Provision for Post Closure Management (Site Monitoring)**
-

-
- (viii) note the Administration's intention to review the existing 20 year Financial Plan in conjunction with the review of the Strategic Plan in the second half of 2011

2. That:

- (i) a Process Review Committee be formed in accordance with Section 5.8 of the Local Government Act 1995 to appoint a firm of process consultants to review and make recommendation on the appropriate size, scope and structure of the Council's operations;
- (ii) the Process Review Committee comprise the following members in accordance with Section 5.9(2)(d) of the Local Government Act 1995 :
- Chairman, Cr Russ Fishwick
 - Deputy Chairman, Cr Laura Gray
 - Cr Bissett
 - Director City Businesses City of Wanneroo, Karen Caple (Chair of Strategic Projects Committee)
 - Chief Executive Officer Town of Cambridge, Jason Buckley (Chair Budget Working Group)
- (iii) the Process Review Committee terms of reference be authorised in accordance with Section 5.16 of the Local Government 1995 as follows:
- To approve the terms of reference for the appointment of a process consultant;
 - To advertise and review applications for the assignment
 - To recommend to Council the preferred consultant;
 - To recommend to Council the appropriate budget allocation for the assignment;
 - To receive reports from the consultant and give directions where required; and
 - To review the findings of the consultant and make recommendations to the Council.
- (iv) this work be funded from within the 2011/12 budget.

(Carried: 10/0)

For: Crs Gray, Bissett, Boothman, Butler, Cooke, Farrell, Hollywood, Newton, Pickard and Withers

(Voting by Absolute Majority)

8	NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING
----------	---

Nil

9	NEXT MEETING
----------	---------------------

- 9.1 Ordinary Council Meeting**
- 7 July 2011
 - 5.30pm
 - City of Stirling

10	CLOSURE – MEETING DECLARED CLOSED 8.55AM
-----------	---

JUNE 2011

**STATE COUNCIL SUMMARY
MINUTES**



W A L G A

NOTICE OF MEETING

Meeting No. 3 of 2011 of the Western Australian Local Government Association State Council held at WALGA, 15 Altona St, West Perth on **Wednesday 1 June 2011** commencing 5:01pm.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

Chairman	President of WALGA	Mayor Troy Pickard
Members	Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone Northern Country Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South Metropolitan Zone South West Country Zone	Cr Lawrie Short President Cr Steve Martin JP (Deputy President) Mayor Sheryl Froese (Deputy) Cr Paul Kelly Mayor Cr Glenys Godfrey Mayor Cr Terence Kenyon (FROM 5.25pm) Mayor Ron Yuryevich AM RFD President Cr Ronnie Fleay Cr Eileen O'Connell President Cr Barry Webster President Cr Fred Mills President Cr Simon Broad Cr David Michael Cr Brett Treby Cr Geoff Amphlett JP President Cr Moira Girando JP Cr Wally Barrett President Cr Lynne Craigie Mayor James Best Cr Henry Zelones JP Mayor Carol Adams Cr Brian Warner Cr Doug Thompson Cr John Gardiner
Ex-Officio	Local Government Managers Australia	Mr Andrew Hammond
Associate	The Rt Hon Lord Mayor of the City of Perth	Ms Lisa Scaffidi
Secretariat	Chief Executive Officer Deputy Chief Executive Officer Exec Manager Environment & Waste Exec Manager Governance & Strategy Exec Manager Marketing & Communications Exec Manager Planning & Community Development Exec Manager Infrastructure Exec Manager Workplace Solutions Exec Manager Corporate Business Solutions Executive Officer Governance and Strategy	Ms Ricky Burges Mr Wayne Scheggia Mr Mark Batty Mr Tony Brown Mr Zac Donovan Ms Allison Hailes Ms Michelle Mackenzie Mr John Phillips Mr Nick Wood Ms Janet Done
Observers	Ms Tina Mossdrop Ms Emma Gillespie	A/Finance Manager Manager Contracts

1.2 Apologies

Cr Janet Davidson	Central Metropolitan Zone
Mr James McGovern	Manager Governance

1.3 Announcements

Refer to Item 4.1 Emerging Issues

2. MINUTES

2.1 Minutes of April 2011 State Council Meeting

RECOMMENDATION:

Moved: Cr H Zelones

Seconded: Cr W Barrett

That the Minutes of the Western Australian Local Government Association (WALGA) State Council Meeting held on 6 April 2011 be confirmed as a true and correct record of proceedings.

RESOLUTION 62.3/2011

CARRIED

2.1.1 Business Arising from the Minutes of 6 April 2011

There was no business arising.

3. DECLARATIONS OF INTEREST

There were no declarations of Interest.

PAPERS

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

- President's Report (previously emailed to your Zone meeting)
- Item LGISWA Trust Deed (white)
- Item Constitutional Review (white)
- Item Governance Charter (white)
- Item and Selection Committee Minutes (pink);
- Item and Finance & Services Minutes (green);
- CEO's report to State Council (yellow)

4. EMERGING ISSUES

4.1 Local Government House Building Project (01-007-04-0001 NW)

By Nick Wood, Executive Manager Corporate Business Solutions

RECOMMENDATION

Pursuant to the WALGA Corporate Governance Charter, Part 10 (iii), sections of the following recommendation will remain confidential given that the disclosure of information could prejudice the commercial position of the State Council and would on balance be contrary to the public interest

Moved: Cr H Zelones

Seconded: Cr L Short

1. That the resolution of the Board of Management, Local Government House Trust, dated 1 June 2011 be noted.
2. ***“Confidential Resolution”***
3. ***“Confidential Resolution”***
4. ***“Confidential Resolution”***
5. That borrowings relating to the new Local Government House building be reviewed once the project is completed, including discussions with WA Treasury Corporation as to the potential for taking over the mortgage.
6. That a pre-commitment be given to the Trust for a minimum fifteen (15) year lease of up to 1,500 sqm of floor space in the new Local Government House building on the basis of an agreed annual contribution to the Trust (indexed to CPI for Perth).

AMENDMENT

Moved: Mayor Yuryevich

Seconded: Cr Girando

7. That, prior to the offer being made unconditional and the Joint Venture Agreement being executed, that an independent review be undertaken of the Business Plan and associated financials to ensure that the assumptions made in the business plan and financials are verified.

THE AMENDMENT WAS PUT AND

CARRIED

THE AMENDMENT BECAME THE MOTION

Moved: Cr H Zelones

Seconded: Cr L Short

1. That the resolution of the Board of Management, Local Government House Trust, dated 1 June 2011 be noted.
2. ***“Confidential Resolution”***.

3. "Confidential Resolution"

4. "Confidential Resolution"

5. That borrowings relating to the new Local Government House building be reviewed once the project is completed, including discussions with WA Treasury Corporation as to the potential for taking over the mortgage.
6. That a pre-commitment be given to the Trust for a minimum fifteen (15) year lease of up to 1,500 sqm of floor space in the new Local Government House building on the basis of an agreed annual contribution to the Trust (indexed to CPI for Perth).
7. That, prior to the offer being made unconditional and the Joint Venture Agreement being executed, that an independent review be undertaken of the Business Plan and associated financials to ensure that the assumptions made in the business plan and financials are verified.

RESOLUTION 63.3/2011

CARRIED UNANIMOUSLY

The President, on behalf of the Local Government House Trust, extended his sincere appreciation to Mr Nick Woods on his extensive work on this project.

5. MATTERS FOR DECISION

5.1 National Heavy Vehicle Regulator Interim Submission (05-006-03-0001 MM)

WALGA RECOMMENDATION

That the interim submission to the National Transport Commission on the New National Heavy Vehicle Regulator be endorsed.

Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	No quorum for meeting
Gascoyne 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
Kimberly Zone	No Meeting
Murchison Country Zone	Meeting held prior to agenda distribution
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
Pilbara Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

EAST METROPOLITAN ZONE

That reference to concessional loading scheme in the report be rephrased to be considered as a risk management scheme.

AVON MIDLAND COUNTRY ZONE

That the consideration of this item be deferred pending full clarification of the relationship between the National Heavy Vehicle Regulator, Main Roads and Local Government, in particular on the split responsibility between decisions on what vehicles can operate and what roads are available to those vehicles.

Moved: Mayor R Yuryevich
Seconded: Cr L Short

That, the interim submission to the National Transport Commission on the New National Heavy Vehicle Regulator be endorsed, subject to the reference to concessional loading scheme in the report be rephrased to being considered as a risk management scheme.

RESOLUTION 64.3/2011

CARRIED UNANIMOUSLY

5.2 National Heavy Vehicle Road User Pricing and Road Funding Reform Interim Submission (05-001-03-0013 ID)

WALGA RECOMMENDATION

That the interim submission to the COAG Road Reform Plan Feasibility Study and Local Government Consultation Paper be endorsed.

Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	No quorum for meeting
Gascoyne 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
Kimberly Zone	No Meeting
Murchison Country Zone	Meeting held prior to agenda distribution
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
Pilbara Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

EAST METROPOLITAN ZONE

That reference to concessional loading scheme in the report be rephrased to be considered as a risk management scheme.

AVON MIDLAND COUNTRY ZONE

That the consideration of this item be deferred pending more information on the proposed user pricing arrangements in particular indicative figures on road user charges (it was noted that these had not been included in the latest consultation paper), the continuation of the primary producers concession, the continuation of arrangements for licensing a vehicle with multi bodies and the continuation of seasonal only licensing.

Moved: Mayor G Godfrey
Seconded: Cr G Amphlett

That, the interim submission to the COAG Road Reform Plan Feasibility Study and Local Government Consultation Paper be endorsed, subject to the reference to concessional loading scheme in the report being rephrased to be considered as a risk management scheme.

RESOLUTION 65.3/2011

CARRIED UNANIMOUSLY

5.3 National Land Freight Strategy Interim Submission (05-006-03-0001MM/RW)

WALGA RECOMMENDATION

That the interim submission to Infrastructure Australia's National Land Freight Strategy Discussion Paper be endorsed.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	No quorum for meeting
East Metropolitan Zone	WALGA recommendation supported
Gascoyne 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
Kimberly Zone	No Meeting
Murchison Country Zone	Meeting held prior to agenda distribution
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
Pilbara 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 S Martin
Seconded: Cr B Treby

That the interim submission to Infrastructure Australia's National Land Freight Strategy Discussion Paper be endorsed.

RESOLUTION 66.3/2011

CARRIED UNANIMOUSLY

5.4 Western Australian Ports Review Issues Paper (MM 05-006-03-0009)

WALGA RECOMMENDATION

That the response to the Western Australian Ports Review Issues Paper be endorsed.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	No quorum for meeting
East Metropolitan Zone	WALGA recommendation supported
Gascoyne 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
Kimberly Zone	No Meeting
Murchison Country Zone	Meeting held prior to agenda distribution
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
Pilbara Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

SOUTH WEST COUNTRY ZONE

That the WALGA be requested to add to their submission that as far as practical the membership of the Board of Directors be drawn from the local community.

Moved: Cr P Kelly
Seconded: Cr J Gardiner

That, the response to the Western Australian Ports Review Issues Paper be endorsed, subject to the addition to the submission that, as far as practical, the membership of the Board of Directors be drawn from the local community.

RESOLUTION 67.3/2011

CARRIED

**MATTERS FOR CONSIDERATION BY STATE COUNCILLORS
(UNDER SEPARATE COVER)**

5.5 Local Government Self Insurance Scheme – Revision of Trust Deed (07-007-02-0007 JP)

By John Phillips, Executive Manager Workplace Business solutions

WALGA RECOMMENDATION

**Moved: Mayor R Yuryevich
Seconded: Cr G Amphlett**

That the LGIS Scheme Trust Deed, under which the WA Local Government group self-insurance schemes are established, be amended by the revision of Clause 22 as follows:

22.1 WALGA may, at the request and on the recommendation of the Board, ~~borrow moneys~~ incur any Debt for purposes directly related to the objects and purpose of the Scheme and ~~for that purpose secure the repayment of such loans by granting security over the assets of the Scheme and the Fund~~ may grant any Security Interest over any of the present and future property, assets and undertaking of the Scheme and the Fund in favour of any person in order to secure such Debt..

22.2 Despite clause 22.1, WALGA must not borrow moneys or further moneys if the borrowing would result in the total amount of borrowings (excluding any amounts in the nature of interest (including any discount or acceptance fee in relation to a Bill), fees and costs accrued or accruing but including any amounts in the nature of interest (including any discount or acceptance fee in relation to a Bill), fees and costs which has been capitalised and added to the principal) exceeding the total amount of Member contributions received in the last completed Annual Fund prior to the proposed Debt being incurred.

and the insertion of corresponding legal definitions for “Bill”, “Debt”, “Guarantee”, “Personal Property Securities Law” and “Security Interest” in the Deed.

RESOLUTION 68.3/2011

CARRIED UNANIMOUSLY

5.6 Constitutional Review (01-001-01-0001TB)

By Tony Brown, Executive Manager Governance and Strategy

WALGA RECOMMENDATION

Moved: Cr H Zelones
Seconded: President Cr L Craigie

1. That from 1 January 2012, the Ordinary Meetings of State Council shall be held on the first Wednesday of March, May, July, September and December each year;
2. That the Constitution be amended as follows:
 - a. In clause 9(3):

DELETE:

“two (2) year terms, commencing from the Ordinary Meeting of State Council in April and concluding at the Ordinary Meeting of State Council in April two (2) years later” and;

INSERT:

“for a term commencing from the first Ordinary Meeting of State Council of an even numbered year and concluding at the first Ordinary Meeting of State Council of the following even numbered year”
 - b. In clause 17(2):

DELETE:

“for a two (2) year term by the State Council at the Ordinary Meeting of State Council in April.” and;

INSERT:

“by the State Council at the first Ordinary Meeting of State Council of an even numbered year. The President’s term shall commence from the date of election and shall conclude on the day of the first Ordinary Meeting of State Council of the following even numbered year.”
 - c. In clause 18(2):

DELETE:

“for a two (2) year term by the State Council at the Ordinary Meeting of State Council in April.” and;

INSERT:

“by the State Council at the first Ordinary Meeting of State Council of an even numbered year. The Deputy President’s term shall commence from the date of election and shall conclude on the day of the first Ordinary Meeting of State Council of the following even numbered year.”
3. That the Constitution be amended as follows:
 - a. In clause 9(1):
 - i. In paragraph (a) delete “by” and insert “from amongst the delegates to”; and
 - ii. In paragraph (b) delete “by” and insert “from amongst the delegates to”
 - b. In clause 9(3) after “constituencies” INSERT “from amongst the delegates to the Zones”; and

- c. In clause 14, after clause 14(4) INSERT the following:
“(4a) The term of a person who is a delegate of a member of a Zone expires when the person:
- a) dies;
 - b) ceases to be a Councillor of the Ordinary Member who elected or appointed the person as its delegate;
 - c) resigns the position by notice in writing given to the Ordinary Member who elected or appointed the person as its delegate and the resignation is accepted;
 - d) becomes a member of State or Federal Parliament;
 - e) is convicted of an offence under the *Local Government Act 1995*;
 - f) is permanently incapacitated by mental or physical ill-health; or
 - g) is the subject of a resolution passed by the Ordinary Member who appointed the person as its delegate terminating their appointment as the delegate of that Ordinary Member.”
- d. In clause 14(6)(a) after “deputy representatives” INSERT “from amongst the delegates to that Zone”; and
- e. In clause 20(b) after “Councillor” INSERT “of the Ordinary Member who elected or appointed the person as its delegate”
4. That the Constitution be amended as follows:
- a. In clause 6(2) before the first three occurrences of “Member” INSERT “Ordinary”
 - b. In clause 30(1) before “Member” INSERT “Ordinary”
 - c. In clause 30(2) before “Member” INSERT “Ordinary”, and
 - d. INSERT clause 30(3) “An Associate Member may be expelled by resolution of State Council”
5. That the Constitution be amended to DELETE clause 33 (Transition) and all previous references to “Subject to the provisions of clause 33 (Transition)...” in clauses 9(3), 17(2), 18(2) and 19(1);
6. That a motion be submitted to the 2011 Annual General Meeting seeking to amend the Constitution as per State Council’s resolution; and
7. That, subject to the Constitution being amended at the 2011 Annual General Meeting for State Council to meet in March 2012, the terms of current State Councillors and Deputy State Councillors be shortened by one month to conclude at the commencement of the March 2012 Ordinary Meeting of State Council.

RESOLUTION 69.3/2011

CARRIED UNANIMOUSLY

Voting Requirement:

SPECIAL MAJORITY (75%) REQUIRED FOR THE CONSTITUTION TO BE AMENDED

5.7 Governance Charter (01-004-07-0001TB)

By Tony Brown, Executive Manager Governance and Strategy

Moved: Mayor J Best
Seconded: Mayor G Godfrey

That

- 1. The amendments to the Corporate Governance Charter, as per the “marked-up” version (attached), be endorsed; and**
- 2. The amendments to the Register of Delegated Powers, Authorities, Discretions and Duties (Schedule 2 of the Association Constitution), as per the “marked-up” version (attached), be endorsed.**

RESOLUTION 70.3/2011

CARRIED

5.8 Selection Committee Minutes (Under Separate Cover) (01-006-03-0011 TL)

By Tim Lane, Governance Policy Officer

Moved: President Cr S Martin
Seconded: Mayor C Adams

That:

- 1. The advisory recommendation detailed in the Selection Committee Minutes held by Flying Minute be endorsed; and**
- 2. The resolutions made under delegated authority in the Selection Committee Minutes be noted.**

RESOLUTION 71.3/2011

CARRIED UNANIMOUSLY

5.9 Finance & Services Committee Minutes (Attached) (01-006-03-0006 NW)

By Nick Wood, Executive Manager, Corporate Business Solutions

Moved: President Cr M Girando
Seconded: Cr B Treby

That the Minutes of the Finance and Services Committee meeting of 18 May 2011 be received.

RESOLUTION 72.3/2011

CARRIED UNANIMOUSLY

Moved: Mayor G Godfrey
Seconded: President Cr F Mills

That:

- 1. The 2011/2012 Governance Budget for the Association be adopted by State Council; and**
- 2. Membership subscriptions totalling \$1,843,709 be recommended as the appropriate charge for 2011/2012 by application of the adopted subscriptions formula.**

RESOLUTION 73.3/2011

CARRIED UNANIMOUSLY

Voting Requirement: **ABSOLUTE MAJORITY**

The President extended his thanks and complimented the Finance staff on their efforts to produce a very good budget with all the supporting documentation.

6. MATTERS FOR NOTING / INFORMATION

6.1 Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

WALGA RECOMMENDATION

That the resolutions of the Municipal Waste Advisory Council at its 20 April 2011 meeting be noted.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	No quorum for meeting
East Metropolitan Zone	WALGA recommendation noted
Gascoyne 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
Kimberly Zone	No Meeting
Murchison Country Zone	Meeting held prior to agenda distribution
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation supported
Pilbara 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 D Thompson

Seconded: Cr L Short

That the resolutions of the Municipal Waste Advisory Council at its 20 April 2011 meeting be noted.

RESOLUTION 74.3/2011

CARRIED UNANIMOUSLY

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Environment and Waste (01-006-03-0017 MJB)

Recommendation

That the Key Activity Report from the Environment and Waste Unit to the June 2011 State Council meeting be noted.

SOUTH WEST COUNTRY ZONE

That the Zone supports the WALGA proposal to urgently effect changes to Water Corp policy particularly to provide enhanced infrastructure for recycled water supply.

PEEL COUNTRY ZONE

That WALGA take up with the Department of Planning the issue of subdivision conditions related to entry statements and water allocation.

Mayor Yuryevich left the Boardroom at 6.23pm

Moved: Cr W Barrett
Seconded: President Cr F Mills

That

- 1. The Key Activity Report from the Environment and Waste Unit to the June 2011 State Council meeting be noted; and**
- 2. WALGA take up with the Department of Planning the issue of subdivision conditions related to entry statements and water allocation.**

RESOLUTION 75.3/2011

CARRIED UNANIMOUSLY

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

Recommendation

That the Key Activity Report from the Governance and Strategy Unit to the June 2011 State Council meeting be noted.

PEEL COUNTRY ZONE

That WALGA write to the Department of Local Government requesting that Local Governments be given a transitory period prior to amending Regulations to avoid a situation where people could be put in breach of the Regulations.

Moved: Cr W Barrett
Seconded: President Cr F Mills

That

- 1. The Key Activity Report from the Governance and Strategy Unit to the June 2011 State Council meeting be noted; and**
- 2. That WALGA request the Department of Local Government to provide for a transitional period, when amending Regulations.**

RESOLUTION 76.3/2011

CARRIED UNANIMOUSLY

Mayor Yuryevich returned to the Boardroom at 6.25pm

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

Recommendation

That the Key Activity Report from the Infrastructure Unit to the June 2011 State Council meeting be noted.

SOUTH WEST COUNTRY ZONE

Droving Stock Policy

The Zone would like this item referred to country Local Governments for comment.

Moved: Cr W Barrett
Seconded: President Cr F Mills

That

- 1. The Key Activity Report from the Infrastructure Unit to the June 2011 State Council meeting be noted; and**
- 2. The Droving Stock Policy is referred to country Local Governments for comment.**

RESOLUTION 77.3/2011

CARRIED UNANIMOUSLY

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

Moved: Cr W Barrett
Seconded: President Cr F Mills

That the Key Activity Report from the Planning and Community Development Unit to the June 2011 State Council meeting be noted.

RESOLUTION 78.3/2011

CARRIED UNANIMOUSLY

7.2 Policy Forum Report (01-006-03-0007 TB)

Moved: President Cr M Girando
Seconded: President Cr L Craigie

That the report on the Key Activities of the Association's Policy forums to the June 2011 State Council meeting be noted.

RESOLUTION 79.3/2011

CARRIED UNANIMOUSLY

7.3 President's Report

Moved: Mayor R Yuryevich
Seconded: Cr B Treby

That the President's Report for June 2011 be received.

RESOLUTION 80.3/2011

CARRIED UNANIMOUSLY

7.4 CEO's Report

Moved: President Cr S Broad
Seconded: Cr P Kelly

That the CEO's Report for June 2011 be received.

RESOLUTION 81.3/2011

CARRIED UNANIMOUSLY

8. ADDITIONAL ZONE RESOLUTIONS

Moved: Mayor R Yuryevich
Seconded: President Cr F Mills

That the additional Zone Resolutions from the May/June round of Zones meetings as follows be referred to the appropriate policy area for consideration.

RESOLUTION 82.3/2011

CARRIED UNANIMOUSLY

GREAT EASTERN COUNTRY ZONE

Review of Functions and Responsibilities of Regional Development Commissions (Governance and Strategy)

That:

1. The Minister for Regional Development's correspondence to the Central Country Zone be noted; and
2. WALGA's continued advocacy on the Review of the Regional Development Commissions be endorsed.

CENTRAL COUNTRY ZONE

Local Government Amendment (Regional Subsidiaries) Bill 2010 (Governance and Strategy)

That:

1. the report and WALGA correspondence on the *Local Government Amendment (Regional Subsidiaries) Bill 2010* be noted; and
2. WALGA's continued advocacy on the *Local Government Amendment (Regional Subsidiaries) Bill 2010* be supported.

Review of Functions and Responsibilities of Regional Development Commissions (Governance and Strategy)

That:

1. The Minister for Regional Development's correspondence to the Central Country Zone be noted; and
2. WALGA's continued advocacy on the Review of the Regional Development Commissions be endorsed.

SOUTH METROPOLITAN ZONE

Local Government Amendment (Regional Subsidiaries) Bill 2010 – WALGA's Ongoing Advocacy (Governance and Strategy)

That a Briefing Paper be prepared by WALGA for the next Zone meeting outlining the implications of the Hon Max Trenorden's legislative change on Local Government and how this relates to WALGA's advocacy position on the establishment of Local Government Enterprises.

SOUTH EAST METROPOLITAN ZONE

Clarification of Proposed Changes by FESA (Planning and Community Development)

That the South East Metropolitan Zone request that WALGA clarify with FESA, and then make it widely known and publicised, the accepted timelines for consultation with Local Government and communities in regard to proposed FESA changes. These changes include:

- a) Proposed changes in borders relating to FESA activity and responsibilities.
- b) Proposed changes to boundaries relating to FESA fees, specifically ESL levies, and the consequent changes to their responsibilities for those communities.
- c) Proposed changes in state alignments for Emergency Services committees such as DEMC's.

PEEL COUNTRY ZONE

Clarification of Proposed Changes by FESA (Planning and Community Development)

That the Peel Zone proposes that WALGA clarify with FESA, and then make it widely known and publicised, the accepted timelines for true consultation with Local Government and communities in regard to proposed FESA changes. These changes may relate to:

- a) Proposed changes to borders relating to FESA activity and responsibilities
- b) Proposed changes to boundaries relating to FESA fees, specifically ESL levies and the consequent changes to their responsibilities for those communities
- c) Proposed changes in State alignments for Emergency Services Committees such as DEMCs.

SOUTH WEST COUNTRY ZONE

Country Local Government Fund (Governance and Strategy)

That, in relation to the Country Local Government Fund, the Western Australian Local Government Association lobby the Minister and Department for Regional Development and Lands to have a clearer and less bureaucratic process for Councils in future years.

Yaragadee Aquifer (Environment and Waste)

The Zone recommends to the Premier the Minister for Water and WALGA that:

1. The use of the Yaragadee aquifer for supply of water to Perth and surrounds be prohibited and that the use remain exclusively for the south west region, and
2. The water efficiency measure in infrastructure and recycling and restrictions be utilized for Perth and its surrounds.

PILBARA ZONE

Regional Issues on Airports (Infrastructure)

That Council request WALGA to work with the affected zones to develop a discussion paper in relation to the potential proliferation of private resource sector airports and the implications for the existing distribution and maintenance of road networks and for the development of the Pilbara as a tourism destination of choice..

GREAT SOUTHERN ZONE

Total Fire Ban Legislation – Bush Fires Act 1954 (Planning and Community Development)

That the Great Southern Zone of WALGA requests the West Australian Local Government Association, the Fire and Emergency Services Authority, Government Ministers and Opposition members to support changes to the Total Fire Ban legislation, specifically:

1. That Total Fire Bans should be limited to the more populous areas of the State, so that Total Fire Bans are limited in their application to metropolitan or major provincial Local Governments and specifically excluded from rural Local Government areas where existing Harvest and Vehicle Movement Ban provisions apply.
2. That should Total Fire Bans continue in rural areas, Local Governments affected be empowered to impose and lift Total Fire Bans based on prevailing weather conditions within their designated Fire Weather Zones.

Community Entertainment and Performing Arts Centres Funding (Planning and Community Development)

That given the regional significance of vibrant, sustainable Community Entertainment and Performing Arts Centres in areas outside of metropolitan Perth, and balanced with the need for Councils' fiscal responsibility and stewardship in the management of ratepayer funds, the Great Southern Zone of the Western Australian Local Government Association (WALGA) seeks the support of WALGA in writing to the Minister for Regional Development, the Hon. Brendon Grylls MLA, requesting that the State Government:

1. Assumes responsibility for the ownership, management and / or control of Regional Entertainment and Performing Arts Centres across the State, where Local Governments identify they do not have the resources to manager such centres; and
2. Provide funding to support Regional Entertainment Centres and Arts Programmes on the same basis as that provided to Metropolitan Entertainment Centres and venues.

AVON MIDLAND ZONE

No 3 State Barrier Fence *(Governance and Strategy)*

That the Zone express concern to the Minister for Agriculture and Food, Minister for Environment, Minister for Regional Development and the WA Local Government Association that, while the upgrade of the No 3 State Barrier Fence is an important issue, it represents yet another example of cost shifting to local government and requests that the State Government take back full responsibility for upgrade and maintenance of all State Barrier Fences.

9. MEETING ASSESSMENT

Cr Geoff Amphlett provided feedback as to the effectiveness of the meeting.

10. DATE OF NEXT MEETING

The next meeting of the Western Australia Local Government Association State Council will be held at the Perth Convention Centre, on Sunday 7 August 2011 commencing 10.30am.

11. CLOSURE

There being no further business, the President closed the meeting at 6.54pm