



**WALGA**

# **North Metropolitan Zone Minutes**

**29 September 2011**



# North Metropolitan Zone WALGA

Hosted by the City of Stirling  
25 Cedric Street Stirling – Phone: 9345 8555  
Thursday 29 September 2011 - Commenced at 6:00 pm

## Minutes

### ATTENDANCE

#### 4 Voting Delegates from each Member Council

City of Joondalup	Cr Geoff Amphlett JP (SC) Cr John Chester (DSC) Cr Russ Fishwick Cr Tom McLean Mr Jamie Parry, Director Governance and Strategy - non voting delegate
City of Stirling	Mayor David Boothman (Chair) Cr Giovanni Italiano JP (DSC) Cr Bill Stewart Cr David Michael (SC) Mr Stuart Jardine, Chief Executive Officer – non voting delegate
City of Wanneroo	Mr John Paton, Director Corporate Strategy & Performance – non voting delegate
WALGA Representatives	Mayor Troy Pickard, WALGA President Mr John Phillips, Executive Manager Workplace Business Solutions
DLG Representative	Mr Troy Daniels
Guest Speakers	Ms Kerry Stopher, Manager Community Development Disability Services Commission (from 6.25pm)

### APOLOGIES

City of Wanneroo	Mayor Jon Kelly (Deputy Chair) Cr Glynis Monks Cr Brett Treby (SC) Cr Bob Smithson (Deputy Delegate) Mr Daniel Simms, Chief Executive Officer – non voting delegate Cr Dot Newton
City of Joondalup	Cr Tracey Roberts (DSC) Mr Garry Hunt, Chief Executive Officer – non voting delegate

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## **1. DEPUTATIONS**

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### **1.1 Presentation by the Disability Services Commission**

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Ms Kerry Stopher, Manager Community Development Disability Services Commission presented to the meeting on 'Count Me In', the DSC's Strategic Plan.

The presentation addressed the opportunities Count Me In can provide for Local Government's Disability Access and Inclusion Plans (DAIP's).

**Noted**

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## **2. CONFIRMATION OF MINUTES**

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### **RESOLVED**

**That the Minutes of the meeting of the North Metropolitan Zone held on 28 July 2011 be confirmed as a true and accurate record of the proceedings.**

**Moved Cr Geoff Amphlett / Seconded Cr Tom McLean**

**CARRIED**

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## **3. DECLARATION OF INTEREST**

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Nil

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## **4. BUSINESS ARISING**

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Nil

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## **5. REPORTS FROM MEMBER COUNCILS**

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### **5.1 Western Power – Power New Upgrade Requirements – Sports Reserves**

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*From: City of Stirling*

#### **Background**

In conjunction with the sporting clubs and the Department of Sport and Recreation the City of Stirling has for a number of years been undertaking a program of upgrading sports flood lighting at major reserves across the City. Due to the additional power upgraded floodlighting requires as well as other incremental increases in power use on major reserves, an upgrade to the associated power supply is often required.

During the 10/11 round of sports flood lighting upgrades the City became aware of significant Western Power price increases for power upgrades. These unannounced price increases from Western Power prevented the completion of the 10/11 flood lighting upgrade program. Of the six reserves identified for flood lighting upgrades in 10/11 two, specifically Birralea and Karrinyup Reserves, could not be completed in that financial year. Some required upgrades

were purportedly going to increase costs of a normal reserve upgrade by up to \$300,000 in some instances.

The City met with Western Power concerning the increases in power upgrade costs and were advised that the increases were due to changes in policy regarding the recovery of costs associated with power upgrades. Given these price increases the City of Stirling Parks and Reserve and Recreation and Leisure Services business units are having to re-think the approach to the provision and replacement of floodlighting assets on the Cities reserves and how this will be delivered for future users.

### **Comment**

The key issues in this matter relate to a lack of notification in change to policy but more importantly and reasoning or justification to change policy except statements that the change relates to cost recovery. Formal notification has never been received, at least by the City of Stirling and discussions with Western Power officers would suggest that this change in policy was also a "surprise" to them as well.

The impact of significant upgrades to power infrastructure has a down-stream effect as follows:

- Less reserves can afford to be replaced or upgraded.
- Less floodlit grounds means increased pressure and use on others meaning increased costs for damage and maintenance.
- Lessening floodlight use is highly likely to add to reduced physical activity, many people can only use reserves at a certain time and.
- The Department of Sport and Recreations current policy through the Community Sport and Recreation Facilities Fund (CSRFF) is that they will not fund power upgrades.

WALGA's assistance in initiating discussions at a political level would be appreciated to:

- Obtain a clear articulated position from Western Power on the reasoning for a policy change in relation to significant upgrades to power supplies and their expectation that Local Government will be responsible for the full cost of such upgrades.
- Request that the Minister for Sport and Recreation provide comment on funding assistance options to Local Government in light of Western Powers change to policy regarding the requirement for Local Government to provide funds for the full upgrade costs to power supplies to sports reserves.

### **RESOLVED**

**That the North Metropolitan Zone of Councils recommends that WALGA lobby the State Government in relation to the change of policy and funding of power upgrades to community sporting reserves.**

**Moved Cr David Michael / Seconded Cr Bill Stewart**

**CARRIED**

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**6. STATE COUNCIL AGENDA - MATTERS FOR DECISION**

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**Item 5.4 Prostitution Bill 2011 – Draft Green Bill**

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**RESOLVED**

That an additional point 4 be added to the Recommendation:

4. **WALGA to support the removal within the proposed legislation of the opportunity for any Local Government to include prostitution as a ‘prohibited use’ within its own Scheme.**

**Moved Cr Bill Stewart / Seconded Cr David Michael**

**CARRIED**

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**Item 5.6 Submission on the Exposure Draft Legislation to Establish an Australian Carbon Pricing Mechanism**

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**RESOLVED**

That the submission include a request for a delayed phase in period for application to land Fill sites for two (2) years.

**Moved Cr Michael / Seconded Cr Stewart**

**CARRIED**

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**Item 5.13 2011 AGM Resolutions**

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**RESOLVED**

That the following words be added to the text at the end of item 3 (III):

**Is noted as being consistent with existing WALGA policies and practices.**

**Moved Cr David Michael / Seconded Cr Tom McLean**

**CARRIED**

**RESOLVED**

That the North Metropolitan Zone endorses all items within the October 2011 State Council Agenda ‘En-Bloc’ with the exception of Zone recommendations made for items 5.4, 5.6 and 5.13.

**Moved Cr Russ Fishwick / Seconded Cr Bill Stewart**

**CARRIED**

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**7. EXECUTIVE REPORTS**

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The WALGA President, Mayor Troy Pickard, presented his President’s Report. Mayor Pickard also highlighted the quality of the August 2011 Local Convention, in particular the high calibre of the speakers, and advised of proposed changes for the 2012 LGC including timing and structure.

**Noted**

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## **7.1 State Councillor's report to the Zone**

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WALGA State Councillor David Michael updated Zone members on the previous State Council meeting, 7 August 2011. Cr Michael highlighted deliberations and decisions on matters including LGH at the Metro Governance Review, the review of Caring For Country and the Climate Change Declaration.

**Noted**

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## **7.2 Department of Local Government Representative Update Report.**

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Mr Troy Daniels from the Department of Local Government presented the DG Update Report to the meeting.

**Noted**

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## **8. BUSINESS**

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### **8.1 Proposed Meeting Dates for 2012 –North Metropolitan Zone**

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*By Margaret Degebrodt Zone Executive Officer*

A schedule of the proposed meeting dates for the North Metropolitan Zone 2012 has been prepared and is set out below. The dates have been set to coincide with the WALGA State Council meetings.

The proposed meeting dates for the North Metropolitan Zone for 2012 require adoption by delegates. As with previous years, the venue for each meeting has been rotated amongst Member Local Governments.

PROPOSED NOTICE OF MEETINGS  
NORTH METROPOLITAN ZONE MEETING  
2012

<b>Meeting Dates Thursday</b>	<b>Time</b>	<b>HOST COUNCIL</b>	<b>State Council Meeting Date 2011</b>
<b>1 March</b>	Thursday 6.00 pm	Wanneroo	7 March
<b>26 April</b>	Thursday 6.00 pm	Stirling	2 May
<b>28 June</b>	Thursday 6.00 pm	Joondalup	4 July
<b>30 August</b>	Thursday 6.00 pm	Wanneroo	5 September
<b>29 November</b>	Thursday 6.00 pm	Stirling	5 December

## RESOLVED

That the 2012 proposed schedule of meetings for the North Metropolitan Zone be adopted.

Moved Cr Bill Stewart / Seconded Cr Geoff Amphlett

CARRIED

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### 8.2 2011 Local Government Elections – Zone Office Bearer Elections

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*By Margaret Degebrodt, Zone Executive Officer*

A Chronological overview of the process is detailed below:

- Local Government elections occur on 15 October 2011.
- Member Councils to elect/appoint their Zone Delegates and to advise the Zone Executive Officer, who intern advises WALGA by 15 November 2011.
- For the purpose of electing their representatives and deputy representatives to the WALGA State Council, it is suggested that zones hold these elections at their November 2011 meeting.
- Zones to advise WALGA, in writing, of their elected State Council representative and deputy representative no later than **7 February 2012**.
- WALGA to run a formal nominations process with newly elected State Councillors for the offices of WALGA President and Deputy President.
- State Councillor Induction Session – morning of **7 March 2012**.
- New State Council will take office at the Ordinary Meeting of State Council on **7 March 2012**. The first item of business for State Council will be to conduct an election for the offices of WALGA President and Deputy President.

In relation to the nominations and election process to be followed by each Zone in electing a representative and deputy representative to the WALGA State Council, the below process has been instituted by State Council:

1. *Zone Executive Officer to write to all Member Councils no later than 1 month prior to the Zone meeting at which the election is to be held calling for nominations from delegates to the Zone for the positions of representative and deputy representative to State Council. The correspondence is to state that all nominations are to be made in writing to the Zone*

*Executive Officer, and only elected members who are a nominated Zone delegates are eligible to nominate. The time period for the receipt of nominations is to be two (2) weeks prior to the Zone meeting at which the election will be held.*

2. *Zone Executive Officer to receive written nominations from Zone delegates for the positions of representative and deputy representative to State Council and then provide written confirmation to Member Councils of the nominations received.*
3. *Elections are to be held at the next Zone meeting as the first item of business. Where there is more than one nomination for each vacant position, an election will be conducted using a secret ballot, with the Zone Executive Officer to represent WALGA as the returning officer for the election. Prior to the ballot, nominees for each position are to be extended the opportunity to provide a 2 minute election bid to delegates.*
4. *All voting delegates to the Zone are entitled to cast one (1) vote in the ballot process. The candidate with the greater or greatest number of votes is elected to the office.*
5. *Zone Executive Officer to advise WALGA in writing by **7 February 2012** of the outcome of their elections.*

If you have any questions or require further information in relation to the abovementioned process, please contact Tony Brown, Executive Manager Governance and Strategy on 9213 2051 or email at [tbrown@walga.asn.au](mailto:tbrown@walga.asn.au).

## **RESOLVED**

**That Elections for Zone representative and deputy representative to the WALGA State Council for the North Metropolitan Zone be held at the 1 December 2011 meeting.**

**Moved Cr David Michael / Seconded Cr Giovanni Italiano**

**CARRIED**

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### **8.3 Submission to the Draft Public Transport Plan for Perth**

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A late agenda item on the Submission to the Draft Public Transport Plan for Perth was forwarded prior to the meeting.

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## **9. OTHER BUSINESS**

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### **9.1 Mindarie Regional Council**

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Cr Fishwick advised members that, as Chair of the Mindarie Regional Council (MRC), he requested consideration by member Councils of the timing of nominations for Regional Council positions. Due to the change to October elections, the timing of filling of Regional Council vacancies has become somewhat problematic and in order to alleviate issues associated with timing of meetings that Councils consider appointment to the MRC at their Special Council Meetings convened to swear in new Councillors.

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### **9.2 School Crossing Guards**

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## **RESOLVED**

**That WALGA reiterates its position to the Minister for Police that Local Government should not be asked to take over the provision of school crossing guards.**

**Moved Cr David Michael / Seconded Cr Bill Stewart**

**CARRIED**

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## **10. DATE, TIME AND PLACE OF NEXT MEETING**

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## **RESOLVED**

**That the next meeting of the North Metropolitan Zone to be held 6:00pm, Thursday 1 December 2011 at the City of Joondalup.**

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## **11. CLOSURE**

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There being no further business the Chair declared the meeting closed at 7.17pm



## MINUTES

### NORTH WESTERN METROPOLITAN REGIONAL ROAD SUB-GROUP (NWRRSG)

City of Joondalup  
Conference Room 2, Civic Centre  
Wednesday 5 October 2011 Commencing at 4.00pm

#### 1 ATTENDANCES AND APOLOGIES

Cr Christine Hamilton-Prime	City of Joondalup	
Cr Brett Treby	City of Wanneroo	(Arrived at 4.25pm)
Martyn Glover	City of Joondalup	
Graham Withers	City of Joondalup	
Rob Korenhof	City of Wanneroo	
Rainer Wolker	City of Stirling	
Tony Pyke	City of Joondalup	

Apologies from Mayor David Boothman, Terence Pailing, Dennis Blair and Glenn Shaw.

The meeting was opened at 4.15pm.

#### 2 ELECTION OF CHAIRPERSON

Cr Christine Hamilton-Prime was elected Chairperson of the NWRRSG and assumed the chair.

**Moved** Martyn Glover **Seconded** Rainer Wolker

#### 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 6 OCTOBER 2010

The minutes of the meeting held on 6 October 2010 were confirmed as a true and correct record.

**Moved** Martyn Glover **Seconded** Rainer Wolker

#### 4 ELECTION OF COUNCILLOR REPRESENTATIVE

Cr Treby was elected as the Councillor Representative for the NWRRSG to attend the Metropolitan Regional Road Group (MRRG) meetings as the elected regional representative.

**Moved** Martyn Glover **Seconded** Rainer Wolker

#### 5 ELECTION OF OFFICER REPRESENTATIVE

Martyn Glover was elected as the Officer Representative of NWRRSG to attend the MRRG Technical Officer meetings and Tony Pyke was elected as his deputy.

**Moved** Graham Withers **Seconded** Rob Korenhof

**6 2012/2013 Road Improvement Projects**

The Sub Group:

- 6.1 Noted that the first nine projects had been audited and included Lenore Road for the City of Wanneroo and Hodges Drive for the City of Joondalup. Both submissions from the Cities of Wanneroo and Joondalup scored well and it is anticipated that funding will be received.
- 6.2 Endorsed the submissions

**7 2012/2013 Rehabilitation Projects Audit**

The Sub Group:

- 7.1 Endorsed the submissions
- 7.2 Noted that the funding may be a variable amount. It is anticipated that the Cities of Wanneroo and Stirling will receive funding for their top four and the City of Joondalup will receive funding for five projects, with the fifth project being partly funded.
- 7.3 The Sub-Group noted that there was an error in the example for the rehabilitation guidelines for 2011 and recommended the following:
- Main Roads WA to ensure that the Rehabilitation Guidelines and examples are updated to reflect the percentage limit of 100% on the pavement condition rating.

**Moved** Martyn Glover **Seconded** Rob Korenhof

**8 2012/2013 Black Spot Audit**

The Sub Group:

- 8.1 Endorsed the Blackspot Audit

**Moved** Rob Korenhof **Seconded** Cr Brett Treby

**9 2011/2012 Local Roads Payment Summary**

Main Roads WA has instructed that grant funding should be claimed as soon as possible. The City of Wanneroo and the City of Stirling disputed the percentage provided by Main Roads WA and will clarify.

Discussion followed in relation to the final 20% recoups and delays due to line marking and provision of as-constructed drawings from Main Roads contractors. The Sub-Group recommended the following:

- Main Roads WA review the criteria for the final 20% recoup of grants to excise the line marking and as-constructed requirements before payment may be claimed.

**Moved** Cr Brett Treby **Seconded** Tony Pyke

**10 General Business**

Nil

**11 CLOSURE**

The Chair thanked everyone for attending and closed the meeting at 4.42pm.

THE **VOICE** OF **LOCAL** GOVERNMENT

**OCTOBER 2011**

**STATE COUNCIL SUMMARY  
MINUTES**



**W A L G A**

## MINUTES OF MEETING

Meeting No. 5 of 2011 of the Western Australian Local Government Association State Council held at WALGA, 15 Altona St, West Perth on **Wednesday, 5 October 2011** commencing at 5:00pm.

### 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 Kimberley 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 Mayor Don Ennis Cr Janet Davidson JP Mayor Cr Terence Kenyon from 5.06pm Mayor Ron Yuryevich AM RFD President Cr Ronnie Fleay President Cr Eileen O'Connell President Cr Fred Mills Cr David Michael Cr Geoff Amphlett JP President Cr Moira Girando JP Cr Wally Barrett President Cr Lynne Craigie Mayor James Best Cr Henry Zelones JP Mayor Cr Carol Adams Cr Brian Warner Cr Doug Thompson Cr John Gardiner
Ex-Officio Secretariat	Local Government Managers Australia 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 Manager Governance Executive Officer Governance and Strategy Finance Manager	Mr Andrew Hammond Ms Ricky Burges Mr Mark Batty Mr Tony Brown Mr Zac Donovan  Ms Allison Hailes  Ms Ian Duncan Mr John Phillips Mr Nick Wood  Mr James McGovern Ms Janet Done Mrs Tina Moss crop

#### 1.2 Apologies

	President Cr Barry Webster President Cr Doug Forrest (Deputy) President Cr Simon Broad President Cr Terry Iturbide (Deputy) President Cr Steve Martin JP (Deputy President) Cr Paul Kelly Mayor Cr Glenys Godfrey Cr Brett Treby Mr Wayne Scheggia	Great Southern Country Zone Great Southern Country Zone Murchison Country Zone Murchison Country Zone Central Country Zone  Central Metropolitan Zone East Metropolitan Zone North Metropolitan Zone Deputy Chief Executive Officer
Associate	The Rt Hon Lord Mayor of the City of Perth	Ms Lisa Scaffidi

### **1.3 Announcements**

Nil

## **2. MINUTES OF THE PREVIOUS MEETINGS**

### **2.1 Minutes of 7 August 2011 State Council Meeting**

#### **RECOMMENDATION:**

**Moved:** Cr J Davidson

**Seconded:** President Cr L Craigie

**That the Minutes of the Western Australian Local Government Association (WALGA) State Council Meeting held on 7 August 2011 be confirmed as a true and correct record of proceedings.**

**RESOLUTION 103.5/2011**

**CARRIED**

#### **2.1.1 Business Arising from the Minutes of August 2011**

There was no business arising from the Minutes.

## **3. DECLARATION OF INTEREST**

Mayor Ron Yuryevich declared an interest in Item 5.16 (Selection Committee) and left the meeting during this deliberation.

### **PAPERS**

State Councillors were distributed the following papers under separate cover:

- President's Report (previously emailed to your Zone meeting)
- Item Selection Committee Minutes;
- CEO's report to State Council
- Emerging Issue Item 4.1 Update on the Metropolitan Redevelopment Authority Act 2011
- Emerging Issue Item 4.2 Increased Bushfire Risk Assessment, Mitigation and Operations in Local Government

Mayor Yuryevich left meeting at 5.05pm

## **4. EMERGING ISSUES**

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### **4.1 Update on the Metropolitan Redevelopment Authority Act 2011 (05-047-03-0007 VJ)**

*Allison Hailes, Executive Manager Planning and Community*

**Moved:** Cr H Zelones  
**Seconded:** Cr L Short

**That:**

1. State Council notes the Minister for Planning's clarification and commitments in relation to Local Government on the Metropolitan Redevelopment Authority Act 2011; and
2. The President write to the Minister for Planning acknowledging the Minister's response to the sectors concerns and confirming the Association's appreciation and commitment to working constructively with the Government on the development of regulations.

**RESOLUTION 104.5/2011**

**CARRIED UNANIMOUSLY**

Mayor Yuryevich returned to the Meeting at 5.11pm

### **4.2 Increased Bushfire Risk Assessment, Mitigation and Operations in Local Government (AH)**

*Allison Hailes, Executive Manager Planning and Community*

**Moved:** Cr J Gardiner  
**Seconded:** President Cr F Mills

**That:**

1. State Council endorses the development of a submission to the State Government outlining the funding and resources required by Local Governments in WA to meet the increased bushfire risk assessment, mitigation and operational burdens imposed by the recommendations in the Keelty Report; and
2. Financial support to develop the submission be sought from the Department of Premier and Cabinet and Local Government Insurance Services.

**RESOLUTION 105.5/2011**

**CARRIED UNANIMOUSLY**

## 5. MATTERS FOR DECISION

### 5.1 Metropolitan Redevelopment Authority Bill 2011 (05-047-03-0007 VJ)

#### WALGA RECOMMENDATION

That:

1. The submission to the Minister for Planning on the Metropolitan Redevelopment Authority Bill 2011, be endorsed, and
2. WALGA reiterate its disappointment with the Minister for Planning that significant legislation has been considered and endorsed by the State Government without formal consultation being undertaken with Local Government.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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: Mayor C Adams

Seconded: Cr W Barrett

That:

1. The submission to the Minister for Planning on the Metropolitan Redevelopment Authority Bill 2011, be endorsed, and
2. WALGA reiterate its disappointment with the Minister for Planning that significant legislation has been considered and endorsed by the State Government without formal consultation being undertaken with Local Government.

**RESOLUTION 106.5/2011**

**CARRIED UNANIMOUSLY**

## 5.2 Wheatbelt Land Use Planning Strategy (05-047-03-0005 VJ)

### WALGA RECOMMENDATION

That:

1. The interim submission made to the Western Australian Planning Commission (WAPC) on the 'Wheatbelt Land Use Planning Strategy' be endorsed; and
2. As part of the ongoing annual work program, the development of further strategies or policies required to implement the 'Wheatbelt Land Use Planning Strategy' is supported.

Avon Midland Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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

### GOLDFIELDS ESPERANCE ZONE

Item 5.2 was accepted conditionally with Mayor Yuryevich as the Zone's State Council representative being given authority to amend the Zone's vote following consideration of the Great Eastern Country Zone request for amendment to the WALGA recommendation for this item.

### GREAT EASTERN COUNTRY ZONE

That:

1. The interim submission made to the Western Australian Planning Commission (WAPC) on the 'Wheatbelt Land Use Planning Strategy' be endorsed subject to noting the following comments under Recommendations in the interim submission:
  - Comments raised in all submissions indicated a lack of spatial information to assist in mapping the environmental, cultural and infrastructure assets within the Wheatbelt area. Any assistance that can be provided to obtain this base level of information will assist in the preparation of comprehensive local planning strategies for each Local Government area.
  - To progress the development of this Strategy, it is recommended that the WAPC/ Department of Planning continue to work with individual Local Governments to address specific opportunities and constraints.
  - It is also recommended that the comments outlined within the submissions from the Shire of Gingin and Dandaragan, Great Eastern Country Zone and PlanWest be considered by the Western Australian Planning Commission, prior to the finalisation of the *Wheatbelt land use planning strategy*;
2. The inclusion of a comment that Member Councils within the Wheatbelt were very disappointed at the inadequacy of consultation by the WAPC and the Department of Planning during the development of the Strategy; and
3. As part of the ongoing annual work program, the development of further strategies or policies required to implement the "Wheatbelt Land Use Planning Strategy" is supported subject to adequate and timely consultation with local government in the Wheatbelt, in advance of implementation of annual programs.



## **CENTRAL COUNTRY ZONE**

That:

1. the interim submission made to the Western Australian Planning Commission (WAPC) by the WA Local Government Association (WALGA) on the 'Wheatbelt Land Use Planning Strategy' be noted;
2. the Minister for Planning, the WAPC and WALGA be advised that the Central Country Zone does not support the strategies and actions proposed in the Wheatbelt Land Use Planning Strategy and is disappointed at the inadequacy of consultation by the WAPC and the Department of Planning during the development of the Wheatbelt Land Use Planning Strategy.
3. the Central Country Zone also seeks further consultation on planning strategies for the Wheatbelt before the adoption of any land use planning strategy.

### **SECRETARIAT COMMENT**

*The WALGA Recommendation has been amended to reflect sector comment.*

**Moved: Mayor R Yuryevich**  
**Seconded: President Cr R Fleay**

That:

1. The interim submission made to the Western Australian Planning Commission (WAPC) on the 'Wheatbelt Land Use Planning Strategy' be endorsed subject to noting the following comments under Recommendations in the interim submission:
  - Comments raised in all submissions indicated a lack of spatial information to assist in mapping the environmental, cultural and infrastructure assets within the Wheatbelt area. Any assistance that can be provided to obtain this base level of information will assist in the preparation of comprehensive local planning strategies for each Local Government area.
  - To progress the development of this Strategy, it is recommended that the WAPC/ Department of Planning continue to work with individual Local Governments to address specific opportunities and constraints.
  - That the WAPC also give due regard to comments outlined within the submissions made by individual Local Governments, Zones and Local Government consultants, prior to the finalisation of the *Wheatbelt land use planning strategy*; and
2. As part of the ongoing annual work program, the development of further strategies or policies required to implement the "Wheatbelt Land Use Planning Strategy" is supported subject to adequate and timely consultation with local government in the Wheatbelt, in advance of implementation of annual programs.

**RESOLUTION 107.5/2011**

**CARRIED**

### 5.3 Draft State Planning Policy 2.5 – Land Use Planning in Rural Areas and Draft Development Control Policy 3.4 – Subdivision of Rural Land (05-055-03-003 VJ)

#### WALGA RECOMMENDATION

That:

1. The interim submission made to the WA Planning Commission on the draft State Planning Policy 2.5 – Land Use Planning in Rural Areas and Draft Development Control Policy 3.4 – Subdivision of Rural Land be endorsed;
2. The Agriculture and Rural Land Use Planning Advisory Group be reconvened by the Association, in partnership with the Department of Planning, to consider the outstanding matters raised in the WALGA interim submission; and
3. Membership of the Agriculture and Rural Land Use Planning Advisory Group is extended to include other relevant stakeholders, including the Department of Regional Development and Lands and Department of Agriculture and the Great Eastern Country Zone.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country 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

#### GREAT EASTERN COUNTRY ZONE

That:

1. The interim submission made to the WA Planning Commission on the draft State Planning Policy 2.5 – Land Use Planning in Rural Areas and Draft Development Control Policy 3.4 – Subdivision of Rural Land be endorsed;
2. The Agriculture and Rural Land Use Planning Advisory Group be reconvened by the Association, in partnership with the Department of Planning, to consider the outstanding matters raised in the WALGA interim submission; and
3. Membership of the Agriculture and Rural Land Use Planning Advisory Group is extended to include other relevant stakeholders, including the Department of Regional Development and Lands and Department of Agriculture and an appropriate level of representation from the Wheatbelt.

#### PEEL ZONE

That:

1. The *Draft State Planning Policy 2.5 – Land Use Planning in rural Areas and Draft Development Control Policy 3.4 – Subdivision of Rural Land* be flexible enough to consider changing circumstances in farming.
2. Clause 2 of the State Council Recommendation be amended to refer the Zone's concerns to the *Agriculture and Rural Land Use Planning Advisory Group* for further discussion.

## **CENTRAL COUNTRY ZONE**

That:

1. the Central Country Zone seek the formal appointment of a delegate on the Agriculture and Rural Land Use Planning Advisory Group; and
2. Mr Gary Clark, CEO Shire of Brookton be endorsed as the Central Country Zone representative.

## **SECRETARIAT COMMENT**

*The WALGA Recommendation has been amended to reflect sector comment.*

**Moved: Cr L Short**  
**Seconded: Cr J Gardiner**

**That:**

1. The interim submission made to the WA Planning Commission on the draft State Planning Policy 2.5 – Land Use Planning in Rural Areas and Draft Development Control Policy 3.4 – Subdivision of Rural Land be endorsed;
2. The Agriculture and Rural Land Use Planning Advisory Group be reconvened by the Association, in partnership with the Department of Planning, to consider the outstanding matters raised in the WALGA interim submission, including changing circumstances in farming; and
3. Membership of the Agriculture and Rural Land Use Planning Advisory Group be reviewed and extended to include other relevant stakeholders, including the Department of Regional Development and Lands and Department of Agriculture and representatives from Zones particularly affected by the Policy.

**RESOLUTION 108.5/2011**

**CARRIED UNANIMOUSLY**

## 5.4 Prostitution Bill 2011 – Draft Green Bill (05-089-01-0001 VJ)

### WALGA RECOMMENDATION

That:

1. The interim submission made to the Department of the Attorney General on the Prostitution Bill 2011 be endorsed;
2. Further consultation with the Local Government sector be undertaken by the State Government in regard to the land use and zoning provisions of the Bill, as the current terminology is ambiguous and may result in poor implementation of the Bill's objectives through Local Government planning schemes; and
3. The Local Government sector is engaged during the drafting of the proposed *Regulations*, to ensure that the proposed provisions provide clarity in the role and responsibility of Local Government.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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

### NORTH METROPOLITAN ZONE

That an additional point 4 be added to the Recommendation:

4. WALGA to support the removal within the proposed legislation of the opportunity for any Local Government to include prostitution as a 'prohibited use' within its own Scheme.

Moved: Mayor R Yuryevich

Seconded: Mayor T Kenyon

That:

1. The interim submission made to the Department of the Attorney General on the Prostitution Bill 2011 be endorsed;
2. Further consultation with the Local Government sector be undertaken by the State Government in regard to the land use and zoning provisions of the Bill, as the current terminology is ambiguous and may result in poor implementation of the Bill's objectives through Local Government planning schemes; and
3. The Local Government sector is engaged during the drafting of the proposed *Regulations*, to ensure that the proposed provisions provide clarity in the role and responsibility of Local Government.

**RESOLUTION 109.5/2011**

**CARRIED UNANIMOUSLY**

## 5.5 Submission for the Inquiry into Australia's Biodiversity in a Changing Climate (05-014-03-0006 JS)

### WALGA RECOMMENDATION

That the submission for the Inquiry into Australia's Biodiversity in a Changing Climate be endorsed.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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: Mayor J Best  
Seconded: Cr H Zelones

That the submission for the Inquiry into Australia's Biodiversity in a Changing Climate be endorsed.

**RESOLUTION 110.5/2011**

**CARRIED UNANIMOUSLY**

## 5.6 Submission on the Exposure Draft Legislation to Establish an Australian Carbon Pricing Mechanism (05-028-01-0004 MB)

### WALGA RECOMMENDATION

That the Interim submission on the Exposure Draft Legislation to Establish an Australian Carbon Pricing Mechanism, entitled Western Australian Local Government Association Submission to the Department of Climate Change and Energy Efficiency on the Clean Energy Bill August 2011, be endorsed by State Council.

Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
Pilbara Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

### SOUTH METROPOLITAN ZONE

That the final line of the recommendation should read “strongly endorsed by State Council” rather than “endorsed by State Council”.

### NORTH METROPOLITAN ZONE

That the submission includes a request for a delayed phase in period for application to landfill sites for two (2) years.

### AVON MIDLAND COUNTRY ZONE

Support the recommendation subject to the following –

- Recommendation 4 – Amend to clarify that the adjustment to funding provided by the Commonwealth Government to local government is for the full increase in costs of delivering services.
- Recommendation 5 – Amend by replacing ‘adequately compensated’ with ‘fully compensated’.

### SECRETARIAT COMMENT

*Amended to reflect sector comment.*

**Moved: Cr D Thompson**  
**Seconded: President Cr F Mills**

**That the Interim submission on the Exposure Draft Legislation to Establish an Australian Carbon Pricing Mechanism, entitled Western Australian Local Government Association Submission to the Department of Climate Change and Energy Efficiency on the Clean Energy Bill August 2011, be strongly endorsed by State Council, subject to:**

- 1. a delayed phase-in period for application to landfill sites for two (2) years; and**
- 2. Recommendation 4 – Amend to clarify that the adjustment to funding provided by the Commonwealth Government to local government is for the full increase in costs of delivering services.**
- 3. Recommendation 5 – Amend by replacing ‘adequately compensated’ with ‘fully compensated’.**

**RESOLUTION 111.5/2011**

**CARRIED UNANIMOUSLY**

## 5.7 Declaration for Road Safety (06-049-01-0004 RW)

### WALGA RECOMMENDATION

That the Local Government Declaration for Road Safety be endorsed.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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: Mayor C Adams  
Seconded: Mayor D Ennes

That the Local Government Declaration for Road Safety be endorsed.

**RESOLUTION 112.5/2011**

**CARRIED UNANIMOUSLY**



## 5.8 Enhanced Speed Enforcement Project (06-052-01-0001 MS)

### WALGA RECOMMENDATION

That negotiations be held with the WA Police to secure their support for the development of a partnership model to facilitate the formal provision of monthly vehicle travel speed data to inform road policing strategies.

Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
Pilbara Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

### GREAT EASTERN COUNTRY ZONE

That negotiations be held with the WA Police to secure their support for the development of a voluntary partnership model to facilitate the formal provision of monthly vehicle travel speed data to inform road policing strategies.

### SOUTH EAST METROPOLITAN ZONE

That a second recommendation be added so that the recommendation reads as follows:

1. Negotiations be held with the WA police to secure their support for the development of a partnership model to facilitate the formal provision of vehicle travel speed data to inform road policing strategies; and
2. Vehicle travel data be provided to the WA police on a quarterly basis.

### AVON MIDLAND COUNTRY ZONE

Support the recommendation, but note the need for discussions with Main Roads WA. The meeting noted that Main Roads has a significant role in regional road data collection and in particular sets the standards as to the location, timing and length of road data collection under road project funding arrangements. These requirements generally determine the location and frequency of traffic counts.

### SECRETARIAT COMMENT

*Amended to reflect sector comment.*

Moved: Cr D Michael  
Seconded: President Cr E O'Connell

That negotiations be held with the WA Police to secure their support for the development of a voluntary partnership model to facilitate the formal provision of monthly vehicle travel speed data to inform road policing strategies.

**RESOLUTION 113.5/2011**

**CARRIED UNANIMOUSLY**

## 5.9 Draft Funding Arrangement for the Delivery of Public Library Services (05-012-03-0001 JH)

### WALGA RECOMMENDATION

That State Council endorses the “Funding Arrangement between the Minister for Culture and the Arts and WALGA Regarding Funding for Public Libraries (Funding Arrangement)” and “Local Level Agreement for the delivery of Public Library Services”.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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

### KIMBERLEY ZONE

That the WALGA Kimberley Zone supports the raising of the following issues at State Council:

- Inclusion of a dispute resolution clause
- An Agreement to be undertaken by Local Governments to provide services which are now subsidised by the State Library, without any commitment by the State Library to continue these subsidies
- After the initial review the agreement will be for five years with the subsidies negotiated annually, thereby committing Local Governments without providing State funding
- Lack of clear assessment criteria for evaluating activity plans
- Lack of consultation in the developing of a timeline for Regional Librarians to complete activity plans and communicate with affected local governments

Moved: Mayor D Ennis  
Seconded: President Cr R Fleay

That State Council endorses the “Funding Arrangement between the Minister for Culture and the Arts and WALGA Regarding Funding for Public Libraries (Funding Arrangement)” and “Local Level Agreement for the delivery of Public Library Services”.

**RESOLUTION 114.5/2011**

**CARRIED UNANIMOUSLY**

## 5.10 State Community Crime Prevention Plan 2011-2014 (05-019-03-0006 RS)

### WALGA RECOMMENDATION

That State Council endorse the 2011-2014 State Community Crime Prevention Plan.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country 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: Cr G Amphlett  
Seconded: Cr J Davidson

That State Council endorse the 2011-2014 State Community Crime Prevention Plan.

**RESOLUTION 115.5/2011**

**CARRIED UNANIMOUSLY**

## 5.11 GRV Rating of Resource Projects (05-051-02-001 WS)

### WALGA RECOMMENDATION

That the proposed State Government policy on the application of GRV based rating to resource projects be supported.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported

### PILBARA ZONE

It is recommended that the Council endorse the Pilbara Country Zone Delegate to pass on the Zone's endorsements and comments relating to GRV Rating for the State Council to consider at its meeting on Wednesday, 5 October 2011.

### SOUTH WEST COUNTRY ZONE

That the Zone supports the comments of the Shire of Collie and recommends to WALGA that these be taken into consideration of the item - Rating of Resource Projects;

1. Section 2.1 of the policy focuses specifically on mining tenements etc – this leave me unclear where an Industry such as Worsley Alumina (refinery) who is currently under a state agreement which limits the rating to UV and established that the UV is set at \$1- would like it extended to all Industry under State Agreement
2. Section 2.3 (2 a ii) workshops within 100m. This appears somewhat impractical as the expansive nature of these Industry may mean they have a series of workshops spread over their refinery or mine site – I think we should be pushing to remove the 100m component initially (have the 100m as the fall back as it is better than what we currently have).

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

That the proposed State Government policy on the application of GRV based rating to resource projects be supported.

**RESOLUTION 116.5/2011**

**CARRIED UNANIMOUSLY**

President acknowledged the work undertaken by the Deputy CEO on this issue.

## 5.12 Rates and Charges (Rebates and Deferments) Act 1992 – Pensioner Discount on Waste Charges (05-034-01-0006 JMcG)

### WALGA RECOMMENDATION

That State Council reiterate its support for the extension of the Pensioner/Senior Concession discount under the Rates and Charges (Rebates and Deferments) Act 1992 to apply to residential waste collection charges.

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
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
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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 M Girando

Seconded: Mayor D Ennis

That State Council reiterate its support for the extension of the Pensioner/Senior Concession discount under the Rates and Charges (Rebates and Deferments) Act 1992 to apply to residential waste collection charges.

**RESOLUTION 117.5/2011**

**CARRIED UNANIMOUSLY**

## 5.13 2011 Annual General Meeting Resolutions (01-003-02-0003 WS)

### WALGA RECOMMENDATION

That;

1. AGM Motions 3.2, 3.3, 3.5 and 3.6 be noted;
2. AGM Motion 3.4 be supported and referred to the Planning and Community Development Policy Unit for action; and
3. AGM Motion 4.1 be amended and adopted as follows:

That:

- I. WALGA expresses its concern to the State and Federal Government about the detrimental impact the ban on live cattle exports to Indonesia has had and continues to have on rural and remote communities;
- II. WALGA notes that live animal exports should be linked to OIE (World Organisation for Animal Health) animal welfare standards; and
- III. The development of appropriate policies and strategies relative to the live animal export trade and consideration of alternate shipping locations be referred to the appropriate WALGA Policy Units.

Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
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

### GREAT EASTERN COUNTRY ZONE

That:

1. the WALGA State Council be advised that the Great Eastern Country Zone request it implement the decision from the 2011 Annual General Meeting in respect to AGM Motion 4.1; and
2. WALGA be requested to provide background information on what permits WALGA to amend the resolution and the reasons for the amended motion.

### NORTH METROPOLITAN ZONE

That the following words be added to the text at the end of item 3 (III):

“Is noted as being consistent with existing WALGA policies and practices”.

### AVON MIDLAND COUNTRY ZONE

That the Zone recommends that recommendation 3(II) be replaced with wording to conform with AGM motion 4.1 part 2: “WALGA expresses its support for the continuation of all live animal exports linked to OIE animal welfare standards”.

### **CENTRAL COUNTRY ZONE**

That Part 3 of the WALGA Recommendation be altered to read:

That:

1. WALGA expresses its concern to the State and Federal Government about the detrimental impact the ban on live cattle exports to Indonesia has had and continues to have on rural and remote communities;
2. WALGA supports live animal exports only when they comply with OIE (World Organisation for Animal Health) animal welfare standards;
3. The development of appropriate policies and strategies relative to the live animal export trade and consideration of alternate shipping locations be referred to the appropriate WALGA Policy Units; and
4. The Annual General Meeting Motion 4.1 be implemented by WALGA as a matter of urgency.

**Moved: Mayor D Ennis**

**Seconded: Cr J Gardiner**

**That;**

1. **AGM Motions 3.2, 3.3, 3.5 and 3.6 are noted as being consistent with existing WALGA policies and practices;**
2. **AGM Motion 3.4 be supported and referred to the Planning and Community Development Policy Unit for action; and**
3. **AGM Motion 4.1 be amended and adopted as follows:**

**That:**

- I. **WALGA expresses its concern to the State and Federal Government about the detrimental impact the ban on live cattle exports to Indonesia has had and continues to have on rural and remote communities;**
- II. **WALGA expresses its support for the continuation of all live animal exports linked to OIE animal welfare standards; and**
- III. **The development of appropriate policies and strategies relative to the live animal export trade and consideration of alternate shipping locations be referred to the appropriate WALGA Policy Units;**

**RESOLUTION 118.5/2011**

**CARRIED UNANIMOUSLY**



## 5.14 Special Inquiry Report by Mr Mick Keelty – Perth Hills Bushfires (05-024-01-0001 AH)

### WALGA RECOMMENDATION

That:

1. The State Government be advised that Local Government supports, in principle, the majority of the recommendations contained in the Special Inquiry Report (the Report) on the Perth Hills Bushfires prepared by Mr Mick Keelty APM AO;
2. The interim representative Local Government response prepared by WALGA on the recommendations contained in the Report be endorsed for submission to the State Government through the Implementation Committee established by the Department of Premier and Cabinet; and
3. The representative response be further developed and refined as more detailed information becomes available.

Central Metropolitan Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Pilbara Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported

### EAST METROPOLITAN ZONE

The East Metropolitan Zone supports the report recommendations with the additional recommendation:

That the Zone requests that WALGA seek approval for effected Local Government representation directly on the working groups established to provide to the Implementation Committees.

### GASCOYNE COUNTRY ZONE

That WALGA advocate for Local Governments to be able to negotiate with FESA to transfer fire management responsibilities to FESA where the Local Government does not have the capacity to undertake the responsibilities.

### AVON MIDLAND COUNTRY ZONE

That the Zone supports WALGA's position with the following exceptions:

- Recommendations 48 – oppose
- Recommendation 40 – oppose
- Recommendation 9 - oppose

#### Supporting Comments:

No 48 - FESA must continue to maintain responsibility for the management and distribution of the Emergency Services Levy. The Zone is totally opposed to the ESL being handed over to the Department of Finance. FESA is doing an excellent job and must continue to do so. Department of Finance is too bureaucratic and exudes itself into too much red tape.

No 40 - Not supported otherwise all Rural Properties with or near hills of remnant vegetation that could be susceptible to lightning strikes would receive a receive Title Impost. This action would ensure necessity to receive clearance for all actions on titles like financial arrangements from an authority that has no understanding of the farming and resultant involved financial arrangements pre seeding or as in the case of Rangeland Leases pre muster or shearing



No 9 - Not Supported. Information process in conjunction with Rural Bushfire Brigades advice only not as an intent of dire situation that may occur which would impact on market success.

#### **PEEL ZONE**

Members were totally dissatisfied with the operation of FESA and with the distribution of funds collected through the ESL. Local Governments were not receiving the benefit of the ESL. They wanted to know where the accountability lies for the use of the Levy and wish to see it thoroughly investigated. Bushfire brigades do not have input into where the funding is spent and have to bear the cost of their own firefighting equipment. Members requested that WALGA strongly pursue the matter.

#### **SOUTH WEST COUNTRY ZONE**

That WALGA be asked to extend the period of consultation on this matter to enable full consideration to be given to this item.

#### **SECRETARIAT COMMENT**

*Central Country, Great Southern Country and South Metropolitan Zones advised of insufficient time to consider the item. Additional Recommendation 4 included to reflect sector comment.*

**Moved: Cr H Zelones**  
**Seconded: President Cr R Fleay**

**That:**

- 1. The State Government be advised that Local Government supports, in principle, the majority of the recommendations contained in the Special Inquiry Report (the Report) on the Perth Hills Bushfires prepared by Mr Mick Keelty APM AO;**
- 2. The interim representative Local Government response prepared by WALGA on the recommendations contained in the Report be endorsed for submission to the State Government through the Implementation Committee established by the Department of Premier and Cabinet;**
- 3. The representative response be further developed and refined as more detailed information becomes available; and**
- 4. Zone resolutions be used to inform the future development of Local Governments' representative response.**

**RESOLUTION 119.5/2011**

**CARRIED UNANIMOUSLY**

## 5.15 Public Transport for Perth in 2031 (05-0005-02-0005-1 ID)

### WALGA RECOMMENDATION

That:

1. The comments contained in the attached draft submission to the Department of Transport on the Draft Public Transport Plan for Perth in 2031 be endorsed; and
2. WALGA seek to establish alliances with stakeholders sharing common interests in the development of public transport in the Perth region; and
3. A mechanism for on-going engagement between Local and State Government for the implementation of public transport strategy is developed.

Avon Midland Country Zone	Late Item distributed to Metro Zones only
Central Country Zone	Late Item distributed to Metro Zones only
Central Metropolitan Zone	WALGA recommendation supported
Gascoyne Zone	Late Item distributed to Metro Zones only
Goldfields Esperance Country Zone	Late Item distributed to Metro Zones only
Great Eastern Country Zone	Late Item distributed to Metro Zones only
Kimberley Zone	Late Item distributed to Metro Zones only
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	Late Item distributed to Metro Zones only
Peel Zone	Late Item distributed to Metro Zones only
Pilbara Zone	Late Item distributed to Metro Zones only
South West Country Zone	Late Item distributed to Metro Zones only

### EAST METROPOLITAN ZONE

The Shire of Kalamunda put forward an alternative motion as follows;

1. The comments contained in the attached draft submission to the Department of Transport on the Draft Public Transport Plan for Perth in 2031 are endorsed subject to the following amendments being made to the following recommendations within the submission:
  2. That public transport corridors be identified and protected, particularly in redeveloping and newly developing outer metro urban growth corridors in line with Local Government District Planning Strategies.
  4. The PTP should identify and specifically seek to service future employment centres identified in the Industrial Lands Strategy, as well as the Activity Centres identified in Directions 2031, with priority planning to occur in the short term in and around the Specialized Centre of Perth Airport and adjoining industrial areas.
  1. Ensure that required corridors for rail links to the airport and beyond into the Perth Foothills are identified in the short term and included in the PTP.
  15. Use Public Transport to drive urban form outcome investments including density, local employment, use of active transport, private sector investment, decentralisation of services, equitable access to opportunities and services taking into account future demographic changes. Such an opportunity exists with the development of the Forrestfield Industrial land on the east boundary of Perth Airport.
  19. Infrastructure investment should be centred around TODS, activity centres and areas of growth and density and where high employment potential can be achieved.
2. WALGA seek to establish alliances with stakeholders sharing common interests in the development of public transport in the Perth region; and
3. A mechanism for on-going engagement between Local and State Government for the implementation of public transport strategy is developed.

### **SOUTH METROPOLITAN ZONE**

That Recommendation 1 reads "the attached response to the Department of Transport on the Draft Public Transport Plan for Perth in 2031 be endorsed"; and that Recommendation 3 reads "A mechanism for on-going engagement between Local and State Government for the further development and implementation of the public transport strategy be developed".

### **SOUTH EAST METROPOLITAN ZONE**

That the Zone endorse Item 5.15 with the following additions:

Recommendation 18 to include point 2 as follows;

2. "Also, that development of that connectivity, and the centres themselves be undertaken to achieve equity of access and mobility to all sectors of greater metropolitan Perth. Note that the Public Transport for Perth 2031 report appears to have inherited the population errors identified in Directions 2031"; and

Recommendation 8 to include point 2 as follows;

2. "That it be noted that the significant under-estimates in population growth in the South East sector of Perth evident in Directions 2031 are again reflected in this Strategy. These figures, and impact on the outcomes, should be urgently remodelled before completion of the final report."

### **GREAT SOUTHERN COUNTRY ZONE**

Item noted because of insufficient time to consider.

### **PEEL ZONE**

Members noted that Shire of Murray was not mentioned in the planning for the next 20 years.

### **SECRETARIAT COMMENT**

*The Proposed amendments to recommendations 1, 2, 5 and 19 add clarity and are supported.*

*Proposed amendments to recommendation 4 provide a good illustration of a situation where timely planning is likely to lead to much more effective public transport and land use planning outcomes. The Policy Forum did not attempt to prioritise similar situations across the metropolitan area although the airport precinct was identified as being of significance to the State.*

*Proposed amendment to recommendation 15 is one example of many situations across the metropolitan area where effective public transport planning could drive urban form outcomes. Delegates may consider whether a comprehensive list of situations, a range of examples or a single example best communicates the outcomes sought by the sector.*

*Existing Recommendation 8 refers primarily to timing of project delivery within the PTP. It is suggested that a new recommendation (referred to as Recommendation 8a until re-numbered) is included to call for the base data to be amended in the planning models prior to finalisation of the PTP.*

*Support amendment to recommendation 18 to refer to equity of access and mobility in all parts of greater metropolitan Perth. It is suggested that errors in population estimates and growth projections be comprehensively covered in recommendations 8 and (new) 8a.*

**Moved: Cr D Thompson**  
**Seconded: Mayor J Best**

1. The attached response to the Department of Transport on the Draft Public Transport Plan for Perth in 2031 is endorsed subject to the following amendments being made to the following recommendations within the submission:

**Recommendation 2:** That public transport corridors be identified and protected, particularly in redeveloping inner metropolitan urban growth corridors and newly developing outer metropolitan urban growth corridors in line with Local Government District Planning Strategies.

**Recommendation 4:** The PTP should identify and specifically seek to service future employment centres identified in the Industrial Lands Strategy, as well as the Activity Centres identified in Directions 2031, with priority planning to occur in the short term in and around the Specialized Centre of Perth Airport and adjoining industrial areas because of it's significance to the State.

**Recommendation 5:** Ensure that required corridors for rail links to the airport and beyond are identified in the short term and included in the PTP.

**Recommendation 8a:** That the significant, acknowledged under-estimates in population growth included in Directions 2031, particularly in the South East corridor of Perth, be corrected and the transport demands remodelled prior to completion of the final report.

**Recommendation 18:** The formation of partnerships between State and Local Governments to detail a clear plan for connections between centres, being as important in network connectivity as the centres themselves, to achieve equity of access and mobility to all parts of greater metropolitan Perth.

**Recommendation 19:** Infrastructure investment should be centred around TODs, activity centres and areas of growth, population density and where high employment potential can be achieved.

2. WALGA seek to establish alliances with stakeholders sharing common interests in the development of public transport in the Perth region; and
3. A mechanism for on-going engagement between Local and State Government for the further development and implementation of public transport strategy is developed.

**RESOLUTION 120.5/2011**

**CARRIED UNANIMOUSLY**

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

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<b>5.16 Selection Committee Update September 2011 (01-006-03-0011 JD)</b>
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*By Janet Done, Executive Officer Governance and Strategy*

Mayor Yuryevich declared an interest in the following item as he has nominated for the Regional Development Council and left the room at 6.05pm

**Moved: President Cr M Girando**

**Seconded: President Cr F Mills**

**That:**

- 1. the advisory recommendation detailed in the Selection Committee Minutes dated 28 September 2011 be endorsed; and,**
- 2. the resolutions made under delegated authority in the Selection Committee Minutes dated 28 September 2011 be noted.**

**RESOLUTION 121.5/2011**

**CARRIED UNANIMOUSLY**

Mayor Yuryevich returned to the meeting at 6.06pm

## 6. MATTERS FOR NOTING / INFORMATION

### 6.1 Review of Country Local Government Fund (05-055-03-0005 TB)

#### WALGA RECOMMENDATION

That State Council notes the Review of the Country Local Government Fund.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
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
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
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 H Zelones  
Seconded: Cr G Amphlett

That State Council notes the Review of the Country Local Government Fund.

**RESOLUTION 122.5/2011**

**CARRIED UNANIMOUSLY**

## 6.2 Reform of the Australian Federation (05-034-01-0006 JMcG)

### WALGA RECOMMENDATION

That the report on Reform of the Australian Federation be noted.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
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
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
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 H Zelones  
Seconded: Cr G Amphlett

That the report on Reform of the Australian Federation be noted.

**RESOLUTION 123.5/2011**

**CARRIED UNANIMOUSLY**

### 6.3 Regional Climate Alliance Program (06-059-01-001 MB)

#### WALGA RECOMMENDATION

That State Council notes the Towards Climate Resilient Communities: The Western Australian Local Government Association / Regional Development Australia Regional Low Carbon Future Framework.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
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
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
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 H Zelones  
Seconded: Cr G Amphlett

That State Council notes the Towards Climate Resilient Communities: The Western Australian Local Government Association / Regional Development Australia Regional Low Carbon Future Framework.

**RESOLUTION 124.5/2011**

**CARRIED UNANIMOUSLY**



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

### WALGA RECOMMENDATION

That the resolutions of the Municipal Waste Advisory Council at its 17 August 2011 meeting be noted.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
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
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
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 H Zelones  
Seconded: Cr G Amphlett

That the resolutions of the Municipal Waste Advisory Council at its 17 August 2011 meeting be noted.

**RESOLUTION 125.5/2011**

**CARRIED UNANIMOUSLY**

## 6.5 Disability Services Commission – Count Me In: Disability Futures Direction (05-021-03-0001 RS)

### WALGA RECOMMENDATION

That State Council notes the progress made to support and engage the sector with Access and Inclusion matters through the Count Me In: Disability Future Directions plan.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
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
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
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 H Zelones  
Seconded: Cr G Amphlett

That State Council notes the progress made to support and engage the sector with Access and Inclusion matters through the Count Me In: Disability Future Directions plan.

**RESOLUTION 126.5/2011**

**CARRIED UNANIMOUSLY**

## 6.6 Public Library Exchange Consultancy (05-012-03-0001 JH)

### WALGA RECOMMENDATION

That State Council notes the Public Library Exchange Consultancy.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
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
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
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 H Zelones  
Seconded: Cr G Amphlett

That State Council notes the Public Library Exchange Consultancy.

**RESOLUTION 127.5/2011**

**CARRIED UNANIMOUSLY**

## 6.7 Funding and Contracting Reforms for Not-for-Profit Community Service Providers – Implications for Local Government (05-018-03-0005 RS)

### WALGA RECOMMENDATION

That State Council notes the actions undertaken by WALGA with regards to the Funding and Contracting Reforms for Not- for-Profit Community Service Provision.

Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
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
Kimberley Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
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 H Zelones  
Seconded: Cr G Amphlett

That State Council notes the actions undertaken by WALGA with regards to the Funding and Contracting Reforms for Not- for-Profit Community Service Provision.

**RESOLUTION 128.5/2011**

**CARRIED UNANIMOUSLY**

## **7. ORGANISATIONAL REPORTS**

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### **7.1 Key Activity Reports**

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

Moved: Cr H Zelones  
Seconded: President Cr E O'Connell

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

**RESOLUTION 129.5/2011**

**CARRIED UNANIMOUSLY**

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

Moved: Cr H Zelones  
Seconded: President Cr E O'Connell

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

**RESOLUTION 130.5/2011**

**CARRIED UNANIMOUSLY**

<b>7.1.3. Report on Key Activities, Infrastructure (05-001-02-0003 ID)</b>
--

Moved: Cr H Zelones  
Seconded: President Cr E O'Connell

That the Key Activities Report from the Infrastructure Unit to the October 2011 State Council meeting be noted.

**RESOLUTION 131.5/2011**

**CARRIED UNANIMOUSLY**

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

Moved: Cr H Zelones  
Seconded: President Cr E O'Connell

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

**RESOLUTION 132.5/2011**

**CARRIED UNANIMOUSLY**

<b>7.2 Policy Forum Report (01-006-03-0007 TB)</b>
--

Moved: Cr H Zelones  
Seconded: President Cr E O'Connell

That the report on the key activities of the Association's Policy Forums to the October 2011 State Council meeting be noted.

**RESOLUTION 133.5/2011**

**CARRIED UNANIMOUSLY**

<b>7.3 President's Report</b>
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Moved: Cr H Zelones  
Seconded: President Cr E O'Connell

That the President's Report be received.

**RESOLUTION 134.5/2011**

**CARRIED UNANIMOUSLY**

<b>7.4 CEO's Report</b>
-------------------------

Moved: Cr H Zelones  
Seconded: President Cr E O'Connell

That the CEO's report be received.

**RESOLUTION 135.5/2011**

**CARRIED UNANIMOUSLY**

## **8. ADDITIONAL ZONE RESOLUTIONS**

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**Moved:** Mayor R Yuryevich  
**Seconded:** Cr J Davidson

That the additional Zone Resolutions from the October 2011 round of Zones meetings as follows be referred to the appropriate policy area for consideration.

### **RESOLUTION 136.5/2011**

**CARRIED UNANIMOUSLY**

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#### **NORTH METROPOLITAN ZONE**

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##### ***Western Power – Power New Upgrade Requirements – Sports Reserves***

That the North Metropolitan Zone of Councils recommends that WALGA lobby the State Government in relation to the change of policy and funding of power upgrades to community sporting reserves.

##### ***School Crossing Guards***

That WALGA reiterates its position to the Minister for Police that Local Government should not be asked to take over the provision of school crossing guards.

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#### **GASCOYNE ZONE**

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##### ***Dogger Program***

That WALGA lobby the State Government to seek funding for a Gascoyne Regional Dogger Program and to develop a strategy to address the problem state-wide.

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#### **CENTRAL METROPOLITAN ZONE**

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##### ***Perth Metropolitan Homeless Response Workshop 2011***

That the WALGA's Central Metropolitan Zone:

1. receives the Perth Metropolitan Homeless Response Workshop Report;
2. requests support for the report's recommendations from the remaining Zones of the Western Australian Local Government Association to lobby Government for:
  - a. financial resources for night shelters to be established in appropriate locations;
  - b. better coordination among services;
  - c. to expand assertive outreach services; and
  - d. to develop visitor (short term) accommodation;
3. submits a report to the State Council for consideration; and
4. requests State Government to have Local Government representation on the Minister's Homeless Advisory Council.

---

#### **PEEL ZONE**

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That WALGA through its representation on the Crime Prevention Council, lobby the State Government for an injection of \$50 million into the State Budget for local governments to fund the installation of CCTV.

**9. MEETING ASSESSMENT**

Mayor James Best 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 in the Boardroom at WALGA, 15 Altona Street West Perth, on Wednesday 7 December 2011 commencing 5pm.

In noting that this was the last State Council Meeting prior to the Local Government elections later this month the President acknowledged Cr Henry Zelones and President Cr Simon Broad who have been returned unopposed. He also extended his best wishes to those Councillors who are contesting their seats and to Mr Andrew Hammond who is retiring as LGMA President at their next AGM.

Finally, he acknowledged those Councillors who are retiring from Local Government and thanked them for their services and commitment as State Councillors. He presented Certificates of Recognition of Service to President Ronnie Fleay, President Fred Mills, President Moira Girando and Mayor James Best, and wished them all the best for their futures.

**11. CLOSURE**

There being no further business, the President closed the meeting at 7.17pm





# MINUTES

## ORDINARY COUNCIL MEETING

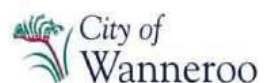
TIME: 5.30PM

13 OCTOBER 2011

CITY OF PERTH

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*Managing waste and recovering resources*  
*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo*  
*Towns of Cambridge and Victoria Park*



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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

*Chairman declared meeting open at 5.31pm.*

**2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

**PRESENT: Chairman**

Cr R Fishwick  
Cr J Bissett  
Cr D Boothman  
Cr R Butler  
Cr S Cooke  
Cr S Farrell  
Cr L Gray JP  
Cr K Hollywood  
Cr D Newton JP  
Cr C MacRae  
Cr B Stewart (*arrived 5.37pm*)

**APOLOGIES:**

Cr J Robbins

**IN ATTENDANCE:**

Mindarie Regional Council Officers

J Bonker  
K Dhillon  
L Nyssen  
M Tolson  
K vanSon

A/Chief Executive Officer

Member Council Officers

K Caple  
G Eves  
D Forster  
C Reynolds  
S Spinks  
G Eves

City of Wanneroo  
City of Stirling  
City of Perth  
City of Joondalup  
City of Wanneroo  
City of Stirling

Consultants

Ian Watkins

**VISITORS:**

Peg Davies

**MEDIA:**

Nil

**PUBLIC:**

Nil

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**3 DECLARATION OF INTERESTS**

*Mr Watkins declared a financial interest for Consultant fees in Item 9.1, 9.2 and 9.3.*

**4 PUBLIC QUESTION TIME**

Nil

**5 ANNOUNCEMENTS BY THE PRESIDING PERSON**

*The Chairman congratulated the A/CEO on the new format of the Agenda and the publication of the MRC Member Information Bulletin.*

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*The Chairman thanked all Councillors for the professional and committed contribution to the Mindarie Regional Council business over the last two years and the courtesy shown to each other and the Chair in the meetings. A thank you was also extended to Cr Farrell as this would be his last meeting.*

*The Chairman wished the Councillors all the best with the elections and future appointments.*

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<b>6 APPLICATIONS FOR LEAVE OF ABSENCE</b>
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Nil

<b>7 PETITIONS / DEPUTATIONS / PRESENTATIONS</b>
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Nil

<b>8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>
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**ITEM 8.1 ORDINARY COUNCIL MEETING – 25 AUGUST 2011**

The Minutes of the Ordinary Council Meeting held on 25 August 2011 have been printed and circulated to members of the Council.

**RESOLVED**

**Cr J Bissett moved, Cr R Butler seconded**

**That the Minutes of the Ordinary Council Meeting of Council held on 25 August 2011 be confirmed as a true record of the proceedings.**

*CARRIED UNANIMOUSLY (10/0)*

**ITEM 8.2 SPECIAL COUNCIL MEETING – 28 SEPTEMBER 2011**

The Minutes of the Special Council Meeting held on 28 September 2011 have been printed and circulated to members of the Council.

**RESOLVED**

**Cr D Newton moved, Cr D Boothman seconded**

**That the Minutes of the Special Council Meeting of Council held on 28 September 2011 be confirmed as a true record of the proceedings.**

*CARRIED UNANIMOUSLY (10/0)*

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<b>9</b>	<b>REPORTS – PROJECT MANAGER</b>
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ITEM 9.1		RESOURCE RECOVERY FACILITY UPDATE REPORT
File No:		WST/13-02 (D/11/5799)
Appendix(s):		Appendix 1 (page 2)
Date:		28 September 2011
Project Manager:		Ian Watkins

Summary of activities during the reporting period 28 July 2011 to 12 September 2011. For additional information refer to Appendix 1.

Composter Structural Issues.

BioVision is yet to determine whether to repair or replace the composters.

Standstill Deed

The ANZ Bank has requested some minor changes to the Standstill Deed. This is the subject of a separate Item to Council.

Waste Delivery

Waste delivery Summary for Reporting Period

MONTH	SCHEDULED TONNES	DELIVERED TONNES	DIFFERENCE TONNES
July 2011	4,000	4,484	+484
August 2011	9,200	10,028	+828
Total	13,200	14,521	+1,314

Waste Diversion

Waste Diversion for the past six months (March 2011 to August 2011) has been 49.7%.

Project Insurance

The MRC and BioVision are working closely to ensure that the Industrial Special Risks (ISR) policy is renewed (expires 30/09/2011) in accordance with the requirements of the RRFA.

Vehicle Washdown Facilities

A revised construction estimate for the vehicle washdown facility at the Resource Recovery Facility (RRF) has come in at \$800,000. This is \$150,000 above the budget provision of \$650,000.

The Strategic Projects Committee (SPC) is currently dealing with this matter including an assessment of available options. An SPC recommendation will be presented to Council in due course.

**RESPONSIBLE OFFICER RECOMMENDATION**

**The information on the RRF project for the period 28 July 2011 to 12 August 2011 be received.**

---

**RESOLVED**

**Cr L Gray moved, Cr S Farrell seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (10/0)*

***Cr Stewart arrived at 5.37pm***

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<b>ITEM 9.2</b>		<b>AMENDMENTS TO THE SECOND STANDSTILL DEED</b>
<b>File No:</b>		<b>WST/119 (D/11/5800)</b>
<b>Appendix(s):</b>		<b>Appendix 2 (page 10)</b>
<b>Date:</b>		<b>14 September 2011</b>
<b>Project Manager:</b>		<b>Ian Watkins</b>

## **SUMMARY**

The purpose of this report is to obtain Councils recommendation on the amended Second Standstill Deed.

## **BACKGROUND**

At the Ordinary Council Meeting on 7 July 2011, Report 8.3.1, Council resolved to approve the Second Standstill Deed and authorise the Chairperson and the CEO to sign the document. The Resolution did not include ability for the CEO to approve minor changes to the document as the MRC had been advised that the ANZ Bank was happy with the Standstill Deed and would soon be signing it.

Subsequent to the Ordinary Council Meeting, the ANZ Bank has now advised that it wishes to make three minor changes to the document and hence the amended document now requires further Council consideration.

## **DETAIL**

### Amended Second Standstill Deed (SDD)

The ANZ Bank has requested three changes to the SSD that was presented to Council at the Ordinary Council Meeting 7 July 2011. These changes include:

1. Provided a definition of the RRFA.
2. Amended the clause dealing with Payments to clarify the payment mechanism (not change the payment mechanism).
3. Amended the clause dealing with Default Notice. Again, not changing the meaning, but simply changing the wording.

BioVision and the MRC Administration have reviewed the proposed changes with the MRC (Freehills) further refining the Payment clause wording.

The amended SSD has once again been sent to the ANZ Bank for signoff.

At the time of writing this Item (14/09/2011), no feedback has been received from ANZ Bank on the proposed changes to their amendments.

A copy of the amended SSD with tracked changes is at Appendix 2.

### Legal Opinion

Freehills, on behalf of the MRC has confirmed that the ANZ Bank proposed changes are minor in nature and simply clarify the content of the SSD and do not change the

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interpretation of the document. Freehills, in conjunction with the MRC Administration has also made some minor amendments to the ANZ Bank proposed wording.

#### MRC Administration Opinion

It is the MRC Administration opinion that amendments to the SSD are acceptable and that the document sets out the intent of the standstill arrangements as agreed between the MRC and BioVision.

### **CONSULTATION**

Consultation was carried out with the following parties:

- Freehills
- BioVision
- Bakers (BioVision legal advisors)

### **STATUTORY ENVIRONMENT**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

There are no financial implications to the MRC associated with the proposed amendments to the SSD.

### **STRATEGIC IMPLICATIONS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **RESPONSIBLE OFFICER AMENDED RECOMMENDATION**

**That:**

- The amended Second Standstill Deed as at Appendix 2 be approved subject to ANZ Bank prior sign off thereof on condition that BioVision and ANZ Bank agree to a change to the RRFA to allow the MRC to request a change to the Waste Diversion Target.**
- The MRC Chairperson and the MRC CEO be authorised to sign the amended Second Standstill Deed.**

### **RESOLVED**

**Cr J Bissett moved, Cr K Hollywood seconded  
That the recommendation, as amended, be adopted**

*CARRIED UNANIMOUSLY (11/0)*

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## **CONSULTATION**

Consultation was carried out with the following parties:

- Shire of Gingin

## **STATUTORY ENVIRONMENT**

Major land transaction to comply with the Local Government Act, section 3.59.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Once (if) the Business Plan has been adopted by Council and negotiations with a landowner concluded, if land is available, a separate Item will be presented to Council on the option and land purchase costs.

## **VOTING REQUIREMENT**

Absolute Majority

*The A/CEO reported that no submissions had been received during the advertising period.*

## **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Business Plan for possible purchase of land in the Shire of Gingin (as attached to Item 8.3.2 of the Ordinary Council Meeting of 25 August 2011) be adopted.**

## **RESOLVED**

**Cr K Hollywood moved, Cr R Butler seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (11/0)*

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<b>10</b>	<b>REPORTS – CHIEF EXECUTIVE OFFICER</b>
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ITEM 10.1 BUSINESS INFORMATION REPORT	
File No:	COR/8/02
Appendix(s):	Nil
Date:	28 September 2011
Responsible Officer:	CEO

#### **New CEO Recruitment**

Anne Lake Consultancy was appointed to assist with the recruitment process and the position advertised in the Professional Appointments section of the West Australian on Saturday, 17 September 2011 and repeated the following Saturday. Applications close on 7 October 2011 and are to be submitted to Ms Lake.

The Recruitment Committee is scheduled to meet with Ms Lake on 13 October 2011 to decide the shortlist for interview.

#### **City of Stirling Withdrawal**

A withdrawal "Offer" from the City of Stirling has been received and will be referred to a meeting of member Council officers and CEOs on 6 October 2011.

#### **New Establishment Agreement**

Woodhouse Legal has incorporated the changes requested at a meeting on 1 September 2011 at which officers from Wanneroo and Joondalup were in attendance. The revised draft will be referred to a meeting of member Council officers and CEOs on 6 October 2011.

#### **Landfill Gas Sublease Update**

The MRC Administration is waiting on its member Councils to sign off on the landfill gas management sublease before Landfill Gas & Power and the MRC are able to sign off on the document.

As at 28 September 2011 six member Councils have provided their consent to the proposed sub lease. City of Stirling will be taking this matter to its October 2011 council meeting.

Due to the delay in obtaining member Council signoff of the Sublease, the MRC Administration has requested that member Councils resolve to extend the holding over period of the current lease agreement until 31 October 2011.

#### **Communications and Education Report – August 2011**

August was another busy month in the world of waste education. The following are some of the key activities and happenings that occurred:

##### Tours and school Visits

Eighteen tours of the facilities took place and four school visits were made.

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### Roaming Recycler Display

Although the Roaming Recycler waste education display didn't attend any events this month the MRC took delivery of a new triangle display (matching the existing ones) with three new display panels: The Waste Hierarchy; a summary of how people dispose of their waste and how the 'Reduce, reuse, recycle and dispose wisely' message applies; and, waste education.

Two new games were also developed: one, a recycling 'memory' game using yellow top bin lids; and, two, a dice game, the waste pathway, using ice cream container lids and players learn about waste.

### Dry Celled Battery Recycling Program

2 New battery bins were delivered to schools and a steady stream of dry celled batteries continued to be collected from community and school bins. Collection statistics for the various member council areas can be made available on request. (GAtkinson@mrc.wa.gov.au)

### Earth Carers

Earth Carers had a well attended winter get together 'waste themed' movie night.

Two new Talking Rubbish blogs posted: 'What should we do with food we don't eat?' and 'Destroy to rebuild'.

### Events

To assist at future events the MRC took delivery of:

- Two costumes, a gas bottle and a paint tin, to be used at events to raise awareness of problems products and HHW in general.
- Aluminium can costume, to promote a recycling message.
- Ten x 3m "Recycle Here" banners for use by Councils at events.

### Other

- Monthly WESSG meeting was held at RRF Visitors Centre to show members the facility with the view of promoting its use.
- CEAG meeting took place 10<sup>th</sup> August.
- At the Waste Awards held during the Waste and Recycling Conference in September, the Waste Authority acknowledged the excellent work Peg Davies has been doing in the waste industry over many years by awarding her the title of Waste Champion 2011.

## **Waste to Landfill Tonnages Report**

### Processable

The Member Councils' Processable waste for the 2 months to 31 August 2011 is marginally lower than the pro-rata year to date budget, which is based on the previous year's trend.

The tonnages delivered by all Member Councils with the exception of City of Perth are lower than budgeted, in particular Towns of Victoria Park and Cambridge and the City of Vincent.

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### Non-Processable

The Member Councils' total Non-processable waste for the 2 months to 31 August 2011 is on target when compared to the pro-rata year to date budget, which is based on the previous year's trend.

The lower tonnages from the Member Councils, with the exception of City of Perth, is offset by City of Stirling's continued delivery of non-processable waste to Tamala Park post 30 June 2011.

### Other

The total Bales and Residues tonnages for this period are about 26% above target. This is mainly due to higher tonnages of Residues from the RRF and Wanneroo WRC.

The Casuals/Commercial tonnages for the 2 months to 31 August 2011 are approximately 16% higher than the pro-rata budget, which is based on the previous years' trend.

2,348 tonnes of waste from City of Stirling were processed at the commercial rates following the approval of the exemption, of delivery of waste by City of Stirling to Tamala Park, at the 7 July 2011 Council meeting.

A summary table of tonnages and revenue for the year to date is attached. The table shows the member Council's combined tonnages of processable and non-processable waste to landfill, as well as the tonnages delivered to the RRF.

Landfill, resource recovery & recycling tonnages year to date 2011/12						Month: Aug-11		
						YTD (%): 16.67%		
	TONNAGE					REVENUE		
<u>MEMBERS</u> <u>Processable &amp; Non-</u> <u>processable</u>	RRF Actual	Landfill Actual	Total Tonnage	Y-T-D previous year	Estimated Budget 2011/12	Actual G/L \$	Estimated Budget 2011/12	Actual % Year to Date
Cambridge	1,235	342	1,577	1,474	10,400	\$ 193,993	\$ 1,279,200	15.2%
Joondalup	7,833	2,279	10,112	11,407	64,800	\$ 1,245,523	\$ 7,970,400	15.6%
Perth	-	2,466	2,466	2,367	14,250	\$ 303,257	\$ 1,752,750	17.3%
Stirling	-	1,260	1,260	13,587	-	\$ 156,096	\$ -	
Victoria Park	1,108	884	1,992	1,969	13,200	\$ 245,051	\$ 1,623,600	15.1%
Vincent	1,387	816	2,203	2,142	14,516	\$ 270,960	\$ 1,785,468	15.2%
Wanneroo	7,403	3,644	11,047	10,728	68,115	\$ 1,359,830	\$ 8,378,145	16.2%
Sub Total	18,967	11,691	30,657	43,673	185,281	\$ 3,774,711	\$ 22,789,563	16.6%
<u>Other</u>								
Sita Biovision Residues		7,956	7,956	7,890	37,791	\$ 978,627	\$ 4,648,293	21.1%
Stirling Bales		-	-	2,839	-	\$ -	\$ -	
Wanneroo WRC		2,718	2,718	1,665	15,000	\$ 334,329	\$ 1,845,000	18.1%
Sub Total Other		10,674	10,674	12,393	52,791	\$ 1,312,956	\$ 6,493,293	20.2%
<u>Member charged as Trade</u>								
City of Stirling		2,348	2,348	-	-	\$ 328,728	\$ -	
SUB TOTAL MEMBERS	18,967	24,713	43,680	56,067	238,072	\$ 5,416,396	\$ 29,282,856	18.5%
<u>CASUALS</u>								
South Perth		6	-	6.63	-	\$ 895	\$ -	
Trade & Cash		8,414	8,414	8,228	50,000	\$ 1,200,653	\$ 7,000,000	17.2%
Sub Total Casuals		8,421	8,414	8,234	50,000	\$ 1,201,547	\$ 7,000,000	17.2%
TOTAL	18,967	33,134	52,094	64,301	288,072	\$6,617,943	\$ 36,282,856	18.2%
Recycling centre sales						\$ 26,277	\$ 340,000	7.73%

## RESPONSIBLE OFFICER RECOMMENDATION

The Business Information Report be received.

*The CEO gave an undertaking to provide statistics on collection of dry cell batteries by member Councils.*

**RESOLVED**

**Cr D Newton moved, Cr L Gray seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (11/0)*

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<b>ITEM 10.2 REVIEW OF DELEGATIONS REGISTER - CEO</b>	
<b>File No:</b>	<b>COR/1 (D/11/5813)</b>
<b>Appendix(s):</b>	<b>Nil</b>
<b>Date:</b>	<b>13 September 2011</b>
<b>Responsible Officer:</b>	<b>CEO</b>

## BACKGROUND

Section 5.42 of the Local Government Act 1995 provides for Council to delegate its powers and duties to the Chief Executive Officer and at least once in every financial year the delegations made are to be reviewed by the Council (s.5.46). They were last reviewed in December 2010 where 1 item, the authority to approve requisitions and purchase orders, to approve payments and make budget variations was deferred to the February 2011 meeting.

## DETAIL

The Acting CEO has checked each delegation in the current register against the Local Government Act 1995 and associated Regulations and took the liberty in re-wording them for clarity and compliance. Some of the delegations comprised several parts which it was felt would be better being separated as standalone delegations. The revised register of delegations is set out in the table below. The 'Assignee(s)' column sets out which items will, or will not, be sub-delegated to other MRC officers.

### MINDARIE REGIONAL COUNCIL – Delegations of Authority Register – Sept 2011 COUNCIL TO CHIEF EXECUTIVE OFFICER

<b>1. GOVERNANCE</b>				
No.	Reference	Delegation	Condition(s)	Assignee(s)?
1.1	LGAct 1995 s.9.10	Appoint persons or classes of persons to be authorised for the purposes of performing particular functions	Each authorised person to be issued with a certificate of authorisation	NO
1.2	LGAct 1995 s.5.42	Appoint an employee of the MRC to the position of Acting CEO where the CEO is unable, or expected to be unable by reason of illness, temporary absence from WA, or any other reason, to perform the functions of the position	Not exceeding 3 months in any period of 12 months	NO
<b>2. FINANCE</b>				
2.1		Approve requisitions and purchase orders for the supply of goods and services	Requisitions and purchase orders to be within the budget allocation as reviewed from time to time	YES
2.2	LG(Financial Management Regulations) 1996 Reg.8	Open and close bank accounts, access accounts electronically and transfer funds electronically		YES

No.	Reference	Delegation	Condition(s)	Assignee(s)?
2.3	LG(Financial Management Regulations) 1996 Reg.12	Approve and make payment of accounts	1. In accordance with approved procedure set out in Reg.11; 2. Where funds have been provided in the budget and the accounts are acquitted prior to payment; 3. List of accounts paid to be reported to Council as required by Reg.13	YES
2.4	LG(Financial Management Regulations) 1996 Reg.34(1)(a)	Prepare monthly financial reports	In accordance with Reg.34	YES
2.5	LGAct s.6.14	Invest funds surplus to the immediate needs of the Council	Subject to the internal control procedures set out in Reg.19	YES
2.6	LGAct s.6.12	Waive Fees and Write Off Debts	1. Not exceeding a total of \$10,000 for any one debtor in any financial year; 2. Ensure all reasonable effort has been made to recover the debt; 3. Where fees or debts have been waived, or concessions granted, they are to be reported in the mid-year budget review	NO
2.7	LGAct s.3.57	Seek Expressions of Interest and/or call tenders for goods or services	For items listed on the budget and subsequently approved for proceeding by Council	YES
2.8	LG(Functions & General) Regs.14(2a) and 20	Vary contracts up to \$50,000 or 10% of the contract value, whichever is the lesser	1. For the RRFA only if it incurs no additional risk or liability to the MRC; 2. Variations approved for significant contracts, including all contracts awarded following public tenders, to be reported to the next following council meeting	NO
2.9	LGAct s.3.58(5) and LG(Functions & General) Regs.30(3)	Dispose of items or material arising from the waste management activities	1. The value of the item or material is less than \$20,000; 2. Ensure all reasonable effort has been made to secure current market prices for the item or material	NO

## COMMENT

1. It has been customary to request A specific 'Christmas/New Year recess' delegation every year to empower the CEO - subject to conditions – to assume all powers and duties of the Council in the period between the December and February meetings. The Acting CEO considers this unnecessary given that the interval between those meetings is only marginally greater than the normal bi-monthly interval. Should a matter of urgency arise during the festive period, the Acting CEO prefers the calling of a Special meeting of Council to deal with it.
2. It is also noted that the existing number of delegations is perhaps not as extensive as it could or should be. This review has been limited to those on the current register.
3. The Act requires all delegations to be in writing and it is proposed that this be as per an Instrument of Delegation signed by the Chairman. The draft instrument proposed is as follows:



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**INSTRUMENT OF DELEGATION**  
**Local Government Act 1995**

I, RUSSEL FISHWICK, Chairman of the MRC, acting in accordance with a resolution of Council made on 13 October 2011 and Section 5.42. of the Local Government Act 1995, hereby delegates to the Chief Executive Officer all the powers and duties of the Council of the MRC as set out in the Register of Delegations – 2011/2012 numbered:

- |     |     |
|-----|-----|
| 1.1 | 2.1 |
| 1.2 | 2.2 |
|     | 2.3 |
|     | 2.4 |
|     | 2.5 |
|     | 2.6 |
|     | 2.7 |
|     | 2.8 |
|     | 2.9 |

subject to any associated conditions set out in that Register.

The period of the delegation is indefinite and subject to such amendments as Council may make from time to time, or may make in association with the annual review of the Register as required under Section 5.46(2) of the Local Government Act 1995.

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R Fishwick  
Chairman

Signed: 13 October 2011

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The approval of the revised Register of Delegations (MRC to CEO) will enable the operations of the Council's business to continue to proceed effectively and efficiently.

**VOTING REQUIREMENT**

Absolute Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That:**

- 1. The delegations to the CEO as set out in the Delegations of Authority Register of this report, numbers 1.1, 1.2, 2.1 to 2.9, be adopted.**

*(Absolute Majority required)*

- 2. The Instrument of Delegation be approved and issued by the MRC Chairman.**
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**RESOLVED**

**Cr B Stewart moved, Cr D Boothman seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (11/0)*

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ITEM 10.3 PROCESS REVIEW COMMITTEE REPORT (LATE ITEM)	
File No:	COR/43 (D/11/6053)
Appendix(s):	Nil
Date:	10 October 2011
Responsible Officer:	CEO

## BACKGROUND

At its meeting of 30<sup>th</sup> May 2011 the Council appointed a Process Review Committee comprising the Chairman, Deputy Chairman, Cr Bissett, Mr Jason Buckley and Ms Karen Caple, with the following Terms of Reference:

- 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.

## DETAIL

The Terms of Reference for the appointment of a consultant was drafted by Integral Development and approved subsequent to the committee meeting held on 25 August 2011.

The procurement process was passed on to WALGA who prepared the advertising and documentation for the consultancy.

After the close of submissions, WALGA staff, the Acting CEO and members of the Committee participated in a web-based evaluation of the six proposals received.

The Committee met on 6 October 2011 and discussed the results of the evaluation with WALGA procurement staff.

The recommendation Report produced by WALGA is being sent to all MRC members by email and a hard copy will be tabled at the meeting.

## COMMENT

On the basis of a Value-For-Money assessment, the committee was unanimous in recommending the third lowest priced tenderer.

## FINANCIAL IMPLICATIONS

There is no specific provision in the current budget for this consultancy however the Committee proposes the required funding be provided in the mid-year budget review.

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## **VOTING REQUIREMENT**

Absolute Majority required.

## **RESPONSIBLE OFFICER RECOMMENDATION**

**That:**

- 1. The Process/Organisation Review proposal submitted by Morrison Low Consultants be accepted.**
- 2. Funding for the Review be sourced in the mid-year budget review.**

## **RESOLVED**

**Cr R Fishwick moved, Cr L Gray seconded**

**That the recommendation be adopted with the inclusion of 'at a cost of \$88,640' after the word 'Consultants' in recommendation 1.**

*CARRIED UNANIMOUSLY (11/0)*

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<b>ITEM 10.4</b>	<b>FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 JULY 2011 AND 31 AUGUST 2011</b>
<b>File No:</b>	<b>FIN/5-02 (D/11/6042)</b>
<b>Appendix(s):</b>	<b>Appendix 3 (page 19) Appendix 4 (page 31)</b>
<b>Date:</b>	<b>28 September 2011</b>
<b>Responsible Officer:</b>	<b>Kalwant Dhillon</b>

## **SUMMARY**

*The purpose of this report is to provide financial reporting to meet statutory requirements and to provide useful information to stakeholders of the Council.*

## **BACKGROUND**

Financial Statements as at 31 July 2011 and 31 August 2011 are attached.

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings

## **DETAIL**

The Financial Statements attached are for the months ended 31 July 2011 and 31 August 2011 and are at Appendix 3 and 4 to this Item.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

These Statements includes:

- Accruals
- Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure

to provide meaningful reporting to Stakeholders.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on a survey carried out to assess the “air space” remaining and other relevant information.

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## **VOTING REQUIREMENT**

Simple Majority

## **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Financial Statements as attached at Appendix 3 and 4 for the months ended 31 July 2011 and 31 August 2011 be noted.**

## **RESOLVED**

**Cr D Boothman moved, Cr S Farrell seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (11/0)*

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<b>ITEM 10.5</b>	<b>LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 JULY 2011 AND 31 AUGUST 2011</b>
<b>File No:</b>	<b>FIN/5-02 (D/11/6044)</b>
<b>Appendix(s):</b>	<b>Appendix 5 (page 43) Appendix 6 (page 49)</b>
<b>Date:</b>	<b>28 September 2011</b>
<b>Responsible Officer:</b>	<b>Kalwant Dhillon</b>

## **SUMMARY**

The purpose of this report is to provide details of payments made during the periods identified. It is also a requirement under delegated authority to the Chief Executive Officer, that a list of payments made from the Municipal Fund, since the last Ordinary Council meeting be presented to Council.

## **COMMENT**

The lists of payments for the months ended 31 July 2011 and 31 August 2011 are at Appendix 5 and 6 to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to CEO that allow payments between meetings. At the Ordinary Council Meeting held on 9 December 2010, the Council delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and Mindarie Regional Council is able to claim this tax as an input credit when remittance of GST collected is made each month to the ATO.

Months Ended	Account	Vouchers	Amount
31 July 2011	General Municipal	Cheques 8267 - 8439 EFT 334 - 342 DP 588 – 595	\$5,512,269.42
31 August 2011	General Municipal	Cheques 8440 - 8627 EFT 343 - 354 DP 596 – 604	\$3,859,952.89

## **VOTING REQUIREMENT**

Simple Majority

## **RESPONSIBLE OFFICER RECOMMENDATION**

**That Council note the list of payments made under the delegated authority to the Chief Executive Officer, for the months ended 31 July 2011 and 31 August 2011.**

## **RESOLVED**

**Cr L Gray moved, Cr K Hollywood seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (11/0)*

ITEM 10.6 MRC STANDING ORDERS LOCAL LAW 2010	
File No:	LAW/1/01 (D/11/6122)
Appendix(s):	Nil
Date:	29 September 2011
Responsible Officer:	CEO

## BACKGROUND

The Joint Standing Committee on Delegated Legislation has reviewed Council's Standing Orders Local Law gazetted in July 2011.

The Committee has written expressing its preliminary concerns regarding clause 5.9(3) which presently reads as follows:

### ***“5.9 Questions during debate***

- (3) *Where the presiding person considers a question asked is not succinct and to the point, but is prefaced by comment or other information, the presiding person may rule that the member has spoken on the matter and, in that event, the member must not speak again on the matter.”*

The committee cites examples of other Councils where a clause of this nature has been disallowed. The Committee is of the view that:

- it is not authorised or contemplated by, and inconsistent with, the empowering Act;
- inoperative under Section 3.7 of the Act to the extent of the inconsistency; and
- void under section 43(1) of the Interpretation Act 1984 to the extent of the inconsistency.

Due to its concerns, the “Committee resolved to give notice of motion to disallow the MRC Standing Orders Local Law 2010 in the Legislative Council on 27 September 2011. However this is not to be taken that the Committee has resolved to recommend disallowance at this stage.”

The Committee requests the Council undertake to:

- delete clause 5.9(3) of the Local Law,
- and that
- all consequential undertakings arising from the undertaking will be made;
  - clause 5.9(3) will not be enforced in a manner contrary to the undertakings that the Council gives;
  - the undertaking will be completed within six months of the date of the Mindarie Regional Council's letter given the undertaking;
  - the Mindarie Regional Council will provide a copy of the minutes of the meeting at which the Council resolves to provide the undertaking; and
  - where the Local Law is made publicly available, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings.

The Committee requests the undertaking be provided by 5pm Monday 17 October 2011.



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Steps will need to be taken under s3.12 of the Local Government Act 1995 for the Council to amend the Local Law by deleting clause 5.9(3).

The first step is the giving of Statewide public notice.

The purpose and effect of the proposed amendment to the Local Law is as follows:

- (1) Clause 5.9(3) is to be deleted;
- (2) The deletion will remove the power of the presiding person to rule that a member must not speak again on a matter;
- (3) The deletion is made to satisfy an undertaking given to the Joint Standing Committee on Delegated Legislation.

### **COMMENT**

The deletion of clause 5.9(3) is not considered to significantly adversely impact on the proceedings of a Council meeting. It will remove the potential for conflict arising from a possible improper application of this rule by the Presiding Person and it should be supported.

### **VOTING REQUIREMENT**

Absolute Majority

### **RESPONSIBLE OFFICER RECOMMENDATION**

**That:**

- (i) **The Council gives the undertakings requested by the Joint Standing Committee on Delegated Legislation as set out in this report and in the Committee's letter of 27 September 2011;**
- (ii) **The Joint Standing Committee on Delegated Legislation be advised accordingly;**
- (iii) **The Council authorises the giving of Statewide public notice, in accordance with section 3.12 of the Local Government Act 1995, of its proposal to amend the MRC Standing Orders Local Law 2010 by deleting clause 5.9(3).**

### **RESOLVED**

**Cr D Newton moved, Cr L Gray seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (11/0)*

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<b>11</b>	<b>REPORTS – STRATEGIC PROJECTS COMMITTEE</b>
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<b>ITEM 11.1</b>	<b>MINUTES - STRATEGIC PROJECTS COMMITTEE – 29 AUGUST 2011</b>
<b>File No:</b>	<b>GOV/28/05 (D/11/6055)</b>
<b>Appendix(s):</b>	<b>Appendix 7 (page 56)</b>
<b>Date:</b>	<b>28 September 2011</b>
<b>Responsible Officer:</b>	<b>CEO</b>

## **BACKGROUND**

The Strategic Projects Committee (SPC) was established by absolute majority decision at Ordinary Council Meeting 25 February 2010.

The primary objective of the Strategic Project Committee is to undertake planning, research and development of strategic projects for recommendation to and consideration by the Mindarie Regional Council (MRC).

As the Strategic Projects Committee is an appointed committee of MRC reports from the Strategic Projects Committee will be formally presented to the MRC at each meeting of the MRC. The reports will contain recommendations, progress reports on matters under consideration and such other matters relevant to the Strategic Projects Committee's terms of reference.

Reports and recommendations of each Strategic Projects Committee meeting shall be presented to the next ordinary meeting of the Council.

Minutes of Strategic Projects Committee meeting held on 29 August 2011 at Appendix 7.

### **1. RESPONSIBLE OFFICER RECOMMENDATION**

#### **1.1 MINUTES – 29 August 2011 (Appendix 7)**

**The Unconfirmed Minutes of the Strategic Projects Committee meeting held on 29 August 2011 be received.**

### **2. RECOMMENDATIONS FROM SPC MEETING**

#### **2.1 WMRC Request for MRC to Supply Waste**

**The Western Metropolitan Regional Council (WMRC) be advised that MRC is not in a position to provide waste to the WMRC facility at present and into the foreseeable future.**

## **RESOLVED**

**Cr D Boothman moved, Cr K Hollywood seconded  
That the recommendation be adopted with the following amendment:  
Delete 'and into the foreseeable future' at Recommendation 2.1.**

*CARRIED UNANIMOUSLY (11/0)*

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<b>12</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
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Nil

<b>13</b>	<b>URGENT BUSINESS</b>
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Nil

<b>14</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</b>
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Nil

<b>15</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC</b>
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Nil

<b>16</b>	<b>NEXT MEETING</b>
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A SPECIAL COUNCIL MEETING WILL BE HELD AT TOWN OF CAMBRIDGE  
WEDNESDAY 26 OCTOBER 2011 COMMENCING AT 5.30PM TO:

- Swear in new or renewed Councillors
- Elect the Chairman and Deputy Chairman
- Appoint Committees:
  - CEO Recruitment Committee
  - CEO Performance Review Committee
  - Process Review Committee
  - Audit Committee
  - RRF Project Advisory Group Representative
  - MWAC Representative

Ordinary Council Meeting to be held on Thursday 8 December 2011 at Town of Victoria Park commencing at 5.30pm.

<b>17</b>	<b>CLOSURE</b>
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*Cr S Cooke congratulated the MRC Waste Education Officer Peg Davies on receiving from Waste Authority the '2011 Waste Champion Award'.*

*The Chairman closed the meeting at 5.50pm and thanked the City of Perth for their hospitality and the use of their meeting facilities.*

*These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 13 October 2011.*

*Signed ..... Chairman*

*Dated this ..... day of ..... 2011*

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