

01-005-03-0001



North Metropolitan Zone

Minutes

1 March 2018

North Metropolitan Zone

Hosted by the City of Stirling

25 Cedric Street Stirling, phone 9205 8555

Thursday 1 March commenced at 6:00 pm

Minutes

MEMBERS

4 Voting Delegates from each Member Council

| | |
|-----------------------|---|
| City of Joondalup | Cr Russ Fishwick JP (SC) Cr Nige Jones (DSC) Mr Jamie Parry, Director Governance and Strategy – non-voting delegate |
| City of Stirling | Cr David Lagan Ms Bernadine Tucker, Manager Governance & Council Support – non-voting delegate |
| City of Wanneroo | Mayor Tracey Roberts (SC) Chair Cr Frank Cvitan(DSC) Deputy Chair Cr Samantha Fenn Cr Lewis Flood Mr Mustafa Yildiz, Manager Governance and Legal – non-voting delegate |
| WALGA Representatives | Mr Mal Shervill, Policy Officer, Road Safety Mr John Filippone, Executive Manager Business Solutions |
| DLGC Representative | Ms Julie Knight, Manager Executive Support |
| Guest Speakers | Mr Dario Bolzonella, WA Police |

APOLOGIES

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|-------------------|--|
| City of Joondalup | Cr Mike Norman Mr Garry Hunt, Chief Executive Officer – non-voting delegate Cr Christine Hamilton-Prime Cr Sophie Dwyer Cr Christopher May |
| City of Stirling | Mayor Mark Irwin Cr Giovanni Italiano Cr Suzanne Migdale Mr Stuart Jardine, Chief Executive Officer – non-voting delegate |
| City of Wanneroo | Cr Domenic Zappa Mr Daniel Simms, Chief Executive Officer – non-voting delegate |

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ANNOUNCEMENTS

Confirmation of Attendance an attendance sheet was circulated prior to the commencement of the meeting to record your name for the Minutes.

ATTACHMENTS WITHIN THE AGENDA

1. Draft Minutes of previous meeting
2. Zone Status Report
3. President's Report
4. Standing Orders

1. DEPUTATIONS

1.1 Presentation – Policing Major Events Legislation Briefing with WA Police

Superintendent Dario Bolzonella from the WA Police presented to the Zone regarding new legislation for policing major events.

In Brief

WA Police Force has adopted policies that provide a mechanism to recover costs associated with the deployment of police resources to major sporting and entertainment events in Western Australia. This practice brings WA in line with other jurisdictions including NSW, Victoria and Queensland

The authority to recover costs and relevant fee schedule comes from the Police Amendment Act 2011, which was proclaimed in January 2018.

Charity and community events managed by non-profit organisations are exempt from the policy. Events relating to Anzac Day are also exempt.

WA Police Force has a Major Events Coordination Unit and staff attached to that unit will assess each application on its merits. More information can be found on the WA Police Force website.

Noted

1.2 Presentation –Department of Premier and Cabinet - CANCELLED

Ms Sarah Woods (DPC) and Ms Nicole Lucas-Smith (DPLH) were to present in relation to the Strategic Assessment of the Perth and Peel Regions (SAPPR) currently being undertaken by the State Government, which will have implications for Local Government in Perth, Peel and surrounds.

Unfortunately they were unable to attend on this date, and would like to present at the 26 April meeting, however, there are already two requests for presentations at the April meeting in place within the Agenda, please refer to Item 8.1 and Item 8.3.

RESOLUTION

Moved Cr Russ Fishwick
Seconded Cr Frank Cvitan

That the North Metropolitan Zone invite the Department of Premier and Cabinet to present at the meeting to be held 26 April 2018.

CARRIED

2. CONFIRMATION OF MINUTES

RESOLUTION

Moved Cr Frank Cvitan
Seconded Cr Samantha Fenn

That the Minutes of the meeting of the North Metropolitan Zone held on 30 November 2017 be confirmed as a true and accurate record of the proceedings.

CARRIED

3. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Councillors must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

There were no conflicts of interest declared.

4. BUSINESS ARISING

A Status Report outlining the actions taken on the Zone's resolutions was enclosed as an attachment to the Agenda.

Noted

5. REPORTS FROM MEMBER COUNCILS

Nil

6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

RESOLUTION

Moved Cr Nige Jones
Seconded Cr Russ Fishwick

That the North Metropolitan Zone supports all recommendations within the March 2018 Western Australian Local Government Associated State Council agenda 'en-bloc'.

CARRIED

7. EXECUTIVE REPORTS

7.1 President's Report to the Zone

Mayor Tracey Roberts presented the President's Report.

Noted

7.2 State Councillor's Report to the Zone

Mayor Tracey Roberts presented on the previous State Council meeting.

Noted

7.3 Department of Local Government, Sport and Cultural Industries Representative Update Report.

Department of Local Government, Sport and Cultural Industries representative, Ms Julie Knight, Manager Executive Support updated the Zone on Department issues.

Noted

8. BUSINESS

8.1 Request for Presentation – Auditor General's Office

The Office of the Auditor General would like to present at the next meeting to be held 26 April.

The Auditor General or one of the Assistant Auditor Generals will provide an overview of what Local Governments can expect in terms of performance and financial audits.

RESOLUTION

Moved Cr Frank Cvitan

Seconded Cr Russ Fishwick

That the North Metropolitan Zone invite the Auditor General's Office to present at the meeting to be held 26 April 2018.

CARRIED

8.2 Request for Presentation – Addressing the Risk of Losing State and Federal Road Funding

Mr Geoff Eves was appointed to the role of Local Roads Program Manager in August 2016 and has been working with Local Governments and Main Roads WA to improve timely delivery of road improvement projects in the Metropolitan area.

This presentation will identify the six major issues that have been found to affect timely road project delivery and discuss actions that Councillors and Councils should consider to manage the risks.

In Brief

At the end of 2016/17 Local Governments in the metropolitan area sought to carry forward \$3.7 million of State BlackSpot funding (48% of budget), \$4.2 million of Federal BlackSpot funding (46% of budget) and \$6.2 million in State Government funded Road Project Grants (21% of funding) largely for projects that were unable to be completed in time. This is consistent with the pattern over many years. State Treasury does not support the carry-over of funds between years, meaning that these dollars are potentially lost from road improvement projects. There is also a significant reputational risk for Local Governments.

The State Road Funds to Local Government Advisory Committee established a project to identify the issues affecting timely project delivery and work with Local Governments to implement corrective actions. The analysis has found that there are long held myths about why State funded road projects cannot be delivered on time.

RESOLUTION

**Moved Cr David Lagan
Seconded Cr Russ Fishwick**

That the North Metropolitan Zone invite Mr Geoff Eves, Local Roads Program Manager, to present at the meeting to be held 26 April 2018.

CARRIED

8.3 Request for Presentation - 28 June 2018

Ms Vilma Palacios, Coordinator Health Promotion, Public Health & Ambulatory Care, North Metropolitan Health Service, would like the opportunity to present to the Zone.

The aim of the presentation will be to increase awareness of Elected Members about their local community profiles, issues and trends affecting the health and wellbeing of their local community.

In summary the presentation will include:

1. Impact of social, economic, environmental factors on the health and well-being of their local community
2. Current trends and best practice.
3. How can we better support LGAs within NMHS with the development and implementation of tailored Public Health & Wellbeing plans.

RESOLUTION

**Moved Cr Samantha Fenn
Seconded Cr Nige Jones**

That the North Metropolitan Zone invite the Ms Vilma Palacios, Public Health, to present at the meeting to be held 28 June 2018.

CARRIED

9. OTHER BUSINESS

Nil

10. DATE, TIME AND PLACE OF NEXT MEETING

The next ordinary meeting of the North Metropolitan Zone will be held at 6:00pm on Thursday 26 April 2018 at the City of Wanneroo, commencing at 6pm.

11. CLOSURE

There being no further business the Chair declared the meeting closed at 6.50pm.



Summary Minutes

STATE COUNCIL MEETING

7 March 2018

NOTICE OF MEETING

Meeting No.1 of 2018 of the Western Australian Local Government Association State Council held at WALGA, 170 Railway Parade, West Leederville on Wednesday 7 March 2018, the meeting commenced at 4:05pm.

ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

Attendance

| | | |
|-------------|--|------------------------------|
| Chair | President of WALGA | Cr Lynne Craigie |
| Members | Deputy President of WALGA, North Metropolitan Zone | Mayor Tracey Roberts |
| | Avon-Midland Country Zone | Cr Jan Court JP |
| | Central Country Zone | President Cr Phillip Blight |
| | Central Metropolitan Zone | Cr Paul Kelly |
| | Central Metropolitan Zone | Cr Roslyn Harley (Deputy) |
| | East Metropolitan Zone | Cr Brooke O'Donnell |
| | East Metropolitan Zone | Cr Kate Driver |
| | Goldfields Esperance Country Zone | President Cr Malcolm Cullen |
| | Gascoyne Country Zone | President Cr Cheryl Cowell |
| | Great Eastern Country Zone | President Cr Stephen Strange |
| | Great Southern Country Zone | President Cr Keith House JP |
| | Kimberley Country Zone | Cr Chris Mitchell |
| | Murchison Country Zone | Cr Les Price |
| | North Metropolitan Zone | Cr Giovanni Italiano JP |
| | North Metropolitan Zone | Cr Russ Fishwick JP |
| | Northern Country Zone | President Cr Karen Chappel |
| | Peel Country Zone | President Cr Michelle Rich |
| | Pilbara Country Zone | President Cr Kerry White |
| | South East Metropolitan Zone | Cr Julie Brown |
| | South East Metropolitan Zone | Cr Ruth Butterfield (Deputy) |
| | South Metropolitan Zone | Cr Doug Thompson |
| | South Metropolitan Zone | Mayor Carol Adams |
| | South Metropolitan Zone | Mayor Logan Howlett JP |
| | South West Country Zone | President Cr Tony Dean |
| Ex-Officio | Local Government Professionals (WA) | Mr Ian Cowie |
| Observer | East Metropolitan Zone | Cr Giorgia Johnson |
| Secretariat | Chief Executive Officer | Ms Ricky Burges |
| | Deputy Chief Executive Officer | Mr Wayne Scheggia |
| | EM Environment & Waste | Mr Mark Batty |
| | EM Governance & Organisational Services | Mr Tony Brown |
| | EM Finance & Marketing | Mr Zac Donovan |
| | EM Planning & Community Development | Ms Jo Burges |
| | EM Infrastructure | Mr Ian Duncan |
| | EM Business Solutions | Mr John Filippone |
| | Manager Governance | Mr James McGovern |
| | Manager Strategy & Association Governance | Mr Tim Lane |
| | Regional Capacity Building Manager | Ms Anne Banks-McAllister |
| | Executive Assistant | Mr Collins Christian |
| | Acting Executive Officer Governance | Ms Margaret Degebrodt |

Apologies

| | |
|------------------------------|-----------------|
| South East Metropolitan Zone | Cr Brian Oliver |
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MEETING ASSESSMENT

The President invited Cr Cheryl Cowell to undertake a meeting assessment at the conclusion of the meeting.

ANNOUNCEMENTS

Nil

1. ELECTION OF PRESIDENT AND DEPUTY PRESIDENT

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| 1.1 2018 WALGA Elections of President and Deputy President – Returning Officer Ricky Burges |
|--|

In accordance with Clauses 16, 17 and 18 of the Association's Constitution, an election for the position of President and Deputy President of the WALGA was held.

The election process was conducted by the Returning Officer, Ms Ricky Burges, WALGA Chief Executive Officer.

Nominations closed at 4.00pm Friday 16 February 2018 and the following nominations were received (in the order of receipt only):

President

- President Cr Lynne Craigie
- Cr Paul Kelly

Deputy President

- Mayor Carol Adams
- Mayor Tracey Roberts
- Cr Doug Thompson

Each candidate's nomination form was distributed for consideration. The term of office of both the President and Deputy President is for a two (2) year period from 7 March 2018 and expires at the first ordinary meeting of State Council in 2020.

The election was conducted by secret ballot after each candidate was afforded a maximum of two minutes to support their nomination.

DECLARATION

That Cr Lynne Craigie be elected as President of the WA Local Government Association for the term of two years, commencing 7 March 2018 and concluding at the first ordinary State Council meeting of 2020.

DECLARATION

That Mayor Tracey Roberts be elected as Deputy President of the WA Local Government Association for the term of two years, commencing 7 March 2018 and concluding at the first ordinary State Council meeting of 2020.

2. MINUTES OF THE PREVIOUS MEETINGS

2.1 Minutes of December 2017 State Council Meeting

Moved: Mayor Logan Howlett
Seconded: Cr Chris Mitchell

That the Minutes of the Western Australian Local Government Association (WALGA) State Council meeting held on 6 December 2017 be confirmed as a true and correct record of proceeding, with a correction to the resolution of Item 4.1 to change the word 'impacted' to 'impeded'.

RESOLUTION 1.1/2018

CARRIED

2.2 Flying Minute – LGIS Distribution of Surplus Funds – 14 December 2017

Moved: President Karen Chappel
Seconded: Cr Stephen Strange

That the Flying Minute of 14 December 2017 titled 'LGIS Distribution of Surplus Funds' be confirmed as a true and correct record.

RESOLUTION 2.1/2018

CARRIED

3.1 Confidential – Chief Executive Officer Performance Review – Item 6.3 of Executive Committee Minutes 21 February 2018

President Lynne Craigie

Please refer to page 6 of the Executive Committee Minutes.

Moved: Mayor Carol Adams
Seconded: Cr Giovanni Italiano

That the CEO Performance Review Item 6.3 of the Executive Committee Minutes be extracted for consideration behind closed doors.

CARRIED

Staff and observers left the room at 4:31pm.

Moved: Cr Doug Thompson
Seconded: Mayor Tracey Roberts

That the Executive Committee recommendation relating to Item 6.3 be endorsed.

RESOLUTION 3.1/2018

CARRIED

Staff and observers returned to the room at 5:07pm.

3.2 DECLARATION OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

The President noted that there were several State Councillors and deputies that were directly or indirectly associated with the recommendations of the Selection Committee and asked that if they were affected by these recommendations, that State Councillors excuse themselves from the meeting and do not participate in deliberations.

Cr Roslyn Harley declared an interest in Item 4.1.

Cr Phillip Blight and Cr Chris Mitchell declared an interest in Item 5.11.

PAPERS

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

- President's Report (previously emailed to your Zone meeting)
- Item 5.10 – Executive Committee Minutes (01-006-03-0006 TB)
- Item 5.11 - Selection Committee Minutes (01-006-03-0011 MD)
- Item 5.12 – LGISWA Scheme Board Report
- Item 5.13 - Use of the Association's Common Seal (01-004-07-0001 RB)
- CEO' s report to State Council

4. EMERGING ISSUES

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|-------------------------------------|
| 4.1 City of Perth Suspension |
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President Lynne Craigie

Cr Harley declared an interest and left the room at 5:08pm.

Moved: Cr Jan Court

Seconded: Cr Chris Mitchell

That the emerging issue on the City of Perth Suspension be considered by the meeting.

CARRIED

BACKGROUND

The Minister for Local Government, Hon David Templeman announced on Friday 2 March 2018 the suspension of the City of Perth Council and his intention to establish an inquiry panel to investigate the City's governance issues.

The suspension order is as per section 8.19 of the Local Government Act and will see three commissioners fill the role of the suspended council and ensure continuity of service to ratepayers while the inquiry is underway. The commissioners are Eric Lumsden, retiring Chairperson of the Western Australian Planning Commission; Gaye McMath, former Executive Director of Perth Education City; and Andrew Hammond, retiring Chief Executive Officer of the City of Rockingham.

WALGA has a long standing protocol of not commenting on individual Local Governments, instead focussing on sector wide implications and supporting the importance of the democratic process.

The President requested an Emerging Issue on this item to enable all State Councillors to express their views on this matter, in particularly the protocols that we observe in these situations.

Noted

Cr Harley returned at 5:24pm.

4.2 Education Department Spending Cuts

Central Country Zone, Cr Phillip Blight

Moved: Cr Kerry White

Seconded: Cr Chris Mitchell

That the emerging issue on the Education Department Spending Cuts be considered by the meeting.

CARRIED

BACKGROUND

The Zone puts forward as an emerging issue this item concerning the State Government decision to cut funding to a number of education programs and projects.

On 13 December 2017 Minister for Education Hon Sue Ellery announced a range of budget measures in an “effort to fix the State’s finances”.

On 11 January 2018 the Premier Hon Mark McGowan and Minister for Education issued a further media statement reversing some of the decisions made in respect to the cuts.

Zone Comment:

The expenditure cuts contained a number of important programs and whilst some high-profile cuts, such as School of the Air, have received considerable media attention and were the subject of being reversed it is not totally clear, what the full extent of the impact the education cuts (as amended) may have on the Wheatbelt region.

It was also reported in the media that Hon Peter Watson MLA (Member for Albany) together with other MPs had tried to “*persuade the Education Minister to reverse her closure of Moora Residential College, the raiding of the Agricultural Education Farm Provisions Trust and the abolition of five regional camp school*” seemingly without success.

In view of the uncertainty of what cuts are included in the amended expenditure costs of \$41 million the Zone requests State Council to consider the issue.

The Zone resolved as follows:

That the Central Country Zone:

- 1. acknowledge the decision by the State Government to keep Schools of the Air open, however expresses to the Minister for Education its strong concern at the loss of education facilities, particularly the closure of Moora Residential College, the “raiding” of the Agricultural Education Farm Provisions Trust and the abolition of five regional camp schools and calls on the State Government for these decisions to be reversed;*
- 2. write to all Country Labor MPs reiterating the community concern at the closure of Moora Residential College, the “raiding” of the Agricultural Education Farm Provisions Trust and the abolition of five regional camp schools and supporting their efforts to reverse the cuts;*
- 3. request WALGA consider developing, a lobbying strategy for a reversal of the education cuts affecting regional Western Australia, as an emerging issue at the State Council meeting on 7 March 2018 and suggest that any strategy include working with other community groups, such as the Country Women’s Association; and*
- 4. extend an invitation to the Regional Director of Education to the next Zone Meeting to discuss the impact of all education cuts on the Wheatbelt Region.*

Mayor Carol Adams left the room at 5:26pm and returned at 5:30pm.

Moved: Cr Phillip Blight
Seconded: Cr Les Price

That WALGA lobby for a reversal of the education cuts affecting regional Western Australia and suggest that any strategy includes working with other community groups etc.

AMENDMENT

Moved: Cr Karen Chappel
Seconded: Mayor Carol Adams

That WALGA lobby for a reconsideration of the education cuts affecting regional Western Australia.

THE AMENDMENT WAS PUT AND CARRIED

The motion as amended now reads:

That WALGA lobby for a reconsideration of the education cuts affecting regional Western Australia.

RESOLUTION 4.1/2018

CARRIED

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| 4.3 Emerging Issue – WALGA Constitution – Equal Metropolitan and Country Representation at the President/Deputy Level of WALGA |
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Northern Country Zone, Cr Karen Chappel

Moved: Cr Phillip Blight
Seconded: Cr Kerry White

That the emerging issue on Equal Metropolitan and Country Representation at the President/Deputy Level of WALGA be considered by the meeting.

CARRIED

BACKGROUND

The Northern Country Zone at their February Zone meeting considered the issue of representation of WALGA at the President/Deputy President level.

The March 2018 State Council meeting includes the election of President and Deputy President. The nominations have highlighted that there is a gap in WALGA's constitution around equal Metropolitan and Country representation at the President and Deputy President level.

The current situation is based on what happened historically when WALGA was formed and is in essence a 'gentleman's' agreement.

The Northern Country resolved to request State Council to formalise the current convention to ensure equal metropolitan and country representation at the President and Deputy President Level.

Cr Butterfield, Cr Driver and Cr Cullen left the room at 5:55pm.

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| Moved: Cr Karen Chappel Seconded: Cr Stephen Strange |
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| That an item for decision be prepared for the May 2018 State Council agenda to provide consideration to proposed amendments to the WALGA Constitution and Corporate Governance Charter to ensure representation from both Metropolitan and Country constituencies for the President and Deputy President positions. |
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| <u>RESOLUTION 5.1/2018</u> |
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| <u>CARRIED</u> |
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5. MATTERS FOR DECISION

5.1 Local Government Act Review (05-034-01-0001 TB)

By Tony Brown, Executive Manager Governance and Organisational Services

WALGA RECOMMENDATION

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report;
2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department service its capacity building role through the utilisation of third party service providers.

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|------------------------------|--------------------------------|
| Avon Midland Country Zone | WALGA Recommendation Supported |
| East Metropolitan Zone | WALGA Recommendation Supported |
| Great Eastern Country Zone | WALGA Recommendation Supported |
| Great Southern Country 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

KIMBERLEY ZONE

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report process with the following additions;
 - a. Amendment of the Act to further define the framework for assessment of Rate Exemption Applications under sections 6.26(2) (d) and 6.26 (2) (g); and,
 - b. A review of the ability of Elected Members to dial into Council meetings.
2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department service its capacity building role through the utilisation of third party service providers.

CENTRAL METROPOLITAN ZONE

That the Central Metropolitan Zone seek to rescind State Council's Policy Position in relation to the review of the *Local Government Act 1995* by deleting Item (f) Part (a) of resolution 123.6/2017 as adopted by State Council on 6 December 2017 and to maintain the status quo.

GASCOYNE COUNTRY ZONE

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report;
2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process with an amendment to ensure the tender threshold is time or per contract limited to prevent Local Governments from breaching the regulations based on cumulative purchasing from a single supplier;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department service its capacity building role through the utilisation of third party service providers.

GOLDFIELD ESPERANCE COUNTRY ZONE

That WALGA:

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report;
2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review;
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department service its capacity building role through the utilisation of third party service providers; and
5. Advocate for the broadening of the minimum training required by elected members to include training related to the appointment of and appraisals for CEOs.

CENTRAL COUNTRY ZONE

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report;
2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department service its capacity building role through the utilisation of third party service providers.
5. Amend the Policy Positions below as follows:

A. Elected Member Training.

The Zone position, for appropriate reflection in revised legislation, is as follows:

1. Supports and encourages all Elected Members to carry out the Elected Member Skillset, as a minimum, that comprises;
 - i. Understanding Local Government;
 - ii Serving on Council;
 - iii Understanding Financial Reports and Budgets;
 - iv Conflicts of Interest; and,
 - v Meeting Procedures and Debating.
2. Requests the State Government through the Minister for Local Government to provide funding assistance to Local Governments to enable all Elected Members to receive training;
3. Supports Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members;
4. Supports Local Government election candidates being required to attend a Candidates information session, either in person or on-line, as an eligibility criteria for nomination as an Elected Member; and
5. Promote more on line training opportunities for elected members.

B. Recruitment of Chief Executive Officers.

The Zone position is

1. That Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review.
2. That the legislation include requirements for the following:
 - Local government CEO to have some form of certificate of competency;
 - Local governments be encouraged to obtain independent support for any CEO recruitment process, however the Zone does not support the Public Sector Commissioner being mandated as the independent support; and
 - The matter of an Acting CEO be clarified in the legislation.

SECRETARIAT COMMENT

Point 1 (a) of the Kimberley Zone's resolution is in accordance with WALGA's established policy position for WALGA to:

Request that a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act.

Point 1 (b) of the Kimberley Zone's resolution has been incorporated into the composite recommendation.

The issue raised by the Central Metropolitan Zone was endorsed by State Council at the 6 December 2017 State Council meeting following approval by all Zones.

In relation to the Gascoyne Zone's addition, this is WALGA's current policy position as follows:

WALGA supports an increase in the tender threshold to align with the State Government tender threshold, with a timeframe of one financial year for individual vendors.

The Goldfield Esperance Country Zone's suggestion to include the Chief Executive Officer Performance Appraisals module in the Elected Member Skillset will be included in the next review of the Elected Member Skillset.

Regarding online training, as per point 5 (A.) of the Central Country Zone's resolution, WALGA's training unit is actively providing increased eLearning for Elected Members. The goal is for every in-person course to also be available as an eLearning course.

The amendment, as per point 5 (B.) of the Central Country Zone's resolution to encourage, rather than require, use of independent expertise in the recruitment of Chief Executive Officers has been incorporated into the composite recommendation.

Cr Kerry White left the room at 5:56 and returned at 6:04pm.

Cr Russ Fishwick at 5:57pm and returned at 6:04pm.

Cr Malcolm Cullen returned to the room at 5:58pm.

Cr Kate Driver and Cr Ruth Butterfield returned to the room at 5.59pm.

Cr Tony Dean left the room at 6:16pm and returned at 6:19pm.

Moved: Cr Chris Mitchell
Seconded: Cr Cheryl Cowell

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report, subject to;
 - a. A review of the ability of Elected Members to dial into Council meetings.
 - b. Local Governments should be encouraged (not required) to seek third party assistance in the recruitment and performance management of a CEO, whether this be by the Public Sector Commission or registered consultants.
2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department service its capacity building role through the utilisation of third party service providers.

AMENDMENT

Moved: Cr Paul Kelly
Seconded: Cr Doug Thompson

That point 4 be amended to read:

Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers.

CARRIED

AMENDMENT

Moved: Cr Phillip Blight
Seconded: Cr Michelle Rich

That an additional point (1) (c) be added to read:

- c. Local Government CEOs being required to have some form of certificate of competency;

LOST

The motion as amended now reads:

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report, subject to;
 - a. A review of the ability of Elected Members to dial into Council meetings.
 - b. Local Governments should be encouraged (not required) to seek third party assistance in the recruitment and performance management of a CEO, whether this be by the Public Sector Commission or registered consultants.

2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers.

RESOLUTION 6.1/2018

CARRIED

| |
|---|
| 5.2 Local Government Act – Audit and Financial Management Regulations Amendment - (05-034-01-001 LF) |
|---|

WALGA RECOMMENDATION

That WALGA endorse the following response to the Department of Local Government, Sport and Cultural Industries, regarding proposed regulatory amendments to facilitate introduction of Local Government auditing by the Auditor General:

- (1) *Local Government (Audit) Regulations 1996* proposed amendments are supported, subject to the following:
 - (a) Proposed amendment of Regulation 9 – supported subject to:
 - (i) The definition of Australian Accounting Standards being consistent between this Regulation and Financial Management Regulation 3.
 - (b) Proposed new Regulation 9A – Not Supported:
 - (i) Section 7.10 of the Act already sufficiently provides for the Auditor’s right of access to documents.
 - (ii) If proposed new Regulation 9A is retained, then subject to:
 - Changing requirement for CEO to provide documentation from 14-days to 30-days; or alternatively,
 - Ensuring audit planning under Audit Regulation 7 includes identification and agreement on documentation required to be provided.
 - Re-sequencing the definitions for Strategic Community Plan and Corporate Business Plan to align with the sequence of Sub-regulations 9(A)(1)(a) and (b).
 - (c) Proposed amendment of Regulation 13 – supported subject to:
 - (i) Consideration of changing the Compliance Return period from a calendar year to a financial year to be consistent with other audits. Noting that this change would require consequential changes to Audit Reg.15.
 - (d) Proposed amendment of Regulation 16 - Supported subject to:
 - (i) Sub-regulation 16(a) being deleted as Audit Committee involvement in ‘guiding and assisting’ Local Government to prepare budgets, financial reports, rates, etc. compromises the Committee’s objectivity / impartiality when undertaking the audit role.
 - (ii) Redrafting Sub-regulation 16(d) to prescribe the Audit Committee’s function as being ‘to monitor and advise the CEO in regard to the outcome of any review undertaken in accordance with Audit Regulation 17(1) and Financial Management Regulation 5(2)(c)’. The redraft is proposed to avoid any confusion between the Audit Committee function and the CEO’s responsibilities for the administration of the Local Government.

- (iii) Amendment of Sub-regulation 16(d) to include a requirement for the Audit Committee to report to Council.
- (2) **Local Government (Financial Management) Regulations 1996** proposed amendments are supported, subject to the following:
 - (a) Proposed amendment of Regulation 5 - supported subject to:
 - (i) Including a requirement for the outcome of a review to be reported to Council via the Audit Committee, consistent with other similar reporting requirements.
 - (b) Proposed amendment of Regulation 17A – supported subject to:
 - (i) Resolution of the conflict between the proposed 3-5 year review cycle and AASB 116 clause 34 which requires annual review of asset valuations in some circumstances.
 - (ii) Deletion of Sub-regulation 17A(4) as it replicates the requirements of AASB 116 clause 34 and may become inconsistent with the AAS should the AAS be amended in future.
 - (iii) Redrafting of Sub-regulation 17A(6) to enable Local Governments to determine the \$value threshold through their accounting policy, enabling Local Governments to apply an effective size and scale regime.
 - (iv) Inserting a new sub-regulation excluding Local Governments from compliance with AASB 166, clause 36, so to avoid requirements for revaluation of a whole class of assets, on the basis that revaluation within the 3-5 year cycle is sufficient.
 - (c) Regulation 17B is not supported on the basis that:
 - (i) Regulation 17B is contrary to the intent of Regulation 17A which expenses assets valued less than \$5000.
 - (ii) “Attractive” assets is not defined.
 - (iii) Regulation 17B’s purpose is unclear if the asset is written off and therefore active audit is not required.
 - (iv) Theft of portable assets is not considered a widespread problem and where concerns arise regarding theft Local Governments will address those risks, therefore additional red-tape should not be created for the whole sector.
 - (v) If Regulation 17B is proposed to retained, then its retention should be justified by a cost benefit analysis evidencing that sector wide benefit will be achieved i.e. the actual cost of implementing proposed Regulation 17B versus the actual cost of ‘lost’ portable assets. If no such benefit is evidenced, then Regulation 17B should not be implemented.

| | |
|--|--------------------------------|
| 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 | No Minutes Received |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

SOUTH EAST METROPOLITAN ZONE

WALGA recommendation supported subject to amendment of recommendation 1(d) by inserting:

- (iv) Sub-regulation 16(f) being deleted as the Audit Committee's role is not to 'oversee' the implementation of actions by the local government.

SECRETARIAT COMMENT

The Zone position has been included in the Composite Recommendation.

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That item 5.2, 5.3, 5.5, 5.6, 5.7, 5.8, 5.10 and 5.13 within the March 2018 State Council Agenda be endorsed 'en bloc'.

CARRIED

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That WALGA endorse the following response to the Department of Local Government, Sport and Cultural Industries, regarding proposed regulatory amendments to facilitate introduction of Local Government auditing by the Auditor General:

- (1) *Local Government (Audit) Regulations 1996* proposed amendments are supported, subject to the following:**
 - (a) Proposed amendment of Regulation 9 – supported subject to:**
 - (i) The definition of Australian Accounting Standards being consistent between this Regulation and Financial Management Regulation 3.**
 - (b) Proposed new Regulation 9A – Not Supported:**
 - (i) Section 7.10 of the Act already sufficiently provides for the Auditor’s right of access to documents.**
 - (ii) If proposed new Regulation 9A is retained, then subject to:**
 - Changing requirement for CEO to provide documentation from 14-days to 30-days; or alternatively,
 - Ensuring audit planning under Audit Regulation 7 includes identification and agreement on documentation required to be provided.
 - Re-sequencing the definitions for Strategic Community Plan and Corporate Business Plan to align with the sequence of Sub-regulations 9(A)(1)(a) and (b).
 - (c) Proposed amendment of Regulation 13 – supported subject to:**
 - (i) Consideration of changing the Compliance Return period from a calendar year to a financial year to be consistent with other audits. Noting that this change would require consequential changes to Audit Reg.15.**
 - (d) Proposed amendment of Regulation 16 - Supported subject to:**
 - (i) Sub-regulation 16(a) being deleted as Audit Committee involvement in ‘guiding and assisting’ Local Government to prepare budgets, financial reports, rates, etc. compromises the Committee’s objectivity / impartiality when undertaking the audit role.**
 - (ii) Redrafting Sub-regulation 16(d) to prescribe the Audit Committee’s function as being ‘to monitor and advise the CEO in regard to the outcome of any review undertaken in accordance with Audit Regulation 17(1) and Financial Management Regulation 5(2)(c)’. The redraft is proposed to avoid any confusion between the Audit Committee function and the CEO’s responsibilities for the administration of the Local Government.**
 - (iii) Amendment of Sub-regulation 16(d) to include a requirement for the Audit Committee to report to Council.**

- (iv) Sub-regulation 16(f) being deleted as the Audit Committee's role is not to 'oversee' the implementation of actions by the Local Government
- (2) **Local Government (Financial Management) Regulations 1996** proposed amendments are supported, subject to the following:
 - (a) Proposed amendment of Regulation 5 - supported subject to:
 - (i) Including a requirement for the outcome of a review to be reported to Council via the Audit Committee, consistent with other similar reporting requirements.
 - (b) Proposed amendment of Regulation 17A – supported subject to:
 - (i) Resolution of the conflict between the proposed 3-5 year review cycle and AASB 116 clause 34 which requires annual review of asset valuations in some circumstances.
 - (ii) Deletion of Sub-regulation 17A(4) as it replicates the requirements of AASB 116 clause 34 and may become inconsistent with the AAS should the AAS be amended in future.
 - (iii) Redrafting of Sub-regulation 17A(6) to enable Local Governments to determine the \$value threshold through their accounting policy, enabling Local Governments to apply an effective size and scale regime.
 - (iv) Inserting a new sub-regulation excluding Local Governments from compliance with AASB 166, clause 36, so to avoid requirements for revaluation of a whole class of assets, on the basis that revaluation within the 3-5 year cycle is sufficient.
 - (c) Regulation 17B is not supported on the basis that:
 - (i) Regulation 17B is contrary to the intent of Regulation 17A which expenses assets valued less than \$5000.
 - (ii) "Attractive" assets is not defined.
 - (iii) Regulation 17B's purpose is unclear if the asset is written off and therefore active audit is not required.
 - (iv) Theft of portable assets is not considered a widespread problem and where concerns arise regarding theft Local Governments will address those risks, therefore additional red-tape should not be created for the whole sector.
 - (v) If Regulation 17B is proposed to retained, then its retention should be justified by a cost benefit analysis evidencing that sector wide benefit will be achieved i.e. the actual cost of implementing proposed Regulation 17B versus the actual cost of 'lost' portable assets. If no such benefit is evidenced, then Regulation 17B should not be implemented.

RESOLUTION 7.1/2018

CARRIED

5.3 Interim Submission – Review of the State Industrial Relations System (05-034-01-001 KP)

By Kate Pillai, Employee Relations Service Manager

WALGA RECOMMENDATION

That the interim submission in response to the Review of the State Industrial Relations System 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That the interim submission in response to the Review of the State Industrial Relations System be endorsed.

RESOLUTION 8.1/2018

CARRIED

5.4 Interim Submission – State Planning Policy 5.4 Road and Rail Noise – Residential Subdivision (05-036-03-0060 CH)

By Christopher Hossen, Senior Planner – People & Place

WALGA RECOMMENDATION

That the interim submission to the WA Planning Commission on State Planning Policy 5.4 Road and Rail Noise 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

Mayor Logan Howlett left the room at 6:23pm.

Moved: Cr Julie Brown
Seconded: Cr Chris Mitchell

That the interim submission to the WA Planning Commission on State Planning Policy 5.4 Road and Rail Noise be endorsed.

RESOLUTION 9.1/2018

CARRIED

5.5 Interim Submission – Planned or Managed Retreat Guidelines (05-01-0703-0002 CH)

WALGA RECOMMENDATION

That the interim submission to the WA Planning Commission on State Planning Policy 5.4 Road and Rail Noise 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That the interim submission to the WA Planning Commission on State Planning Policy 5.4 Road and Rail Noise be endorsed.

RESOLUTION 10.1/2018

CARRIED

5.6 Clearance of Subdivision Conditions Relating to Bushfire Management Plans (05-024-02-0056 VJ)

WALGA RECOMMENDATION

That WALGA request that the State Government formally consult with the sector in regard to:

1. The Department of Fire and Emergency Services' (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES.
2. Any possible review of the model subdivision condition relating to clearance of Bush Fire Management Plans.

| | |
|-------------------------------------|--------------------------------|
| 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

CENTRAL COUNTRY ZONE

That WALGA advise the State Government the Local Government sector:

1. will not agree to the Department of Fire and Emergency Services' (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES;
2. requires adequate and effective consultation on any review of the model subdivision condition relating to clearance, including relating to Bush Fire Management Plans that would result in the transfer of responsibility from any agency for the clearance of a subdivision condition, when that condition has been requested by that agency.

CENTRAL METROPOLITAN ZONE

That WALGA request that the State Government formally consult with the sector in regard to:

1. The Department of Fire and Emergency Services' (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES.
2. Any possible review of the model subdivision condition relating to clearance of Bush Fire Management Plans.
3. That WALGA write as a matter of urgency to the Minister for Emergency Services to inform that the Sector does not support at this state the matter of clearance of subdivision conditions relating to Bushfire Management Plans being dealt with by Local Governments.

AVON-MIDLAND COUNTRY ZONE

That the Zone urges the WA Local Government Association not to shelve its efforts to ensure the implementation by the State Government of the recommendations from the Special Inquiry into the January 2016 Waroona Fire.

GREAT EASTERN COUNTRY ZONE

That WALGA advise the State Government the Local Government sector:

1. will not agree to the Department of Fire and Emergency Services' (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES;
2. requires adequate and effective consultation on any review of the model subdivision condition relating to clearance, including relating to Bush Fire Management Plans that would result in the transfer of responsibility from any agency for the clearance of a subdivision condition, when that condition has been requested by that agency.

GOLDFIELDS ESPERANCE COUNTRY ZONE

That WALGA advise the State Government the Local Government sector:

1. will not agree to the Department of Fire and Emergency Services' (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES;
2. requires adequate and effective consultation on any review of the model subdivision condition relating to clearance, including relating to Bush Fire Management Plans that would result in the transfer of responsibility from any agency for the clearance of a subdivision condition, when that condition has been requested by that agency.

Moved: Cr Doug Thompson

Seconded: Mayor Carol Adams

That WALGA advise the State Government the Local Government sector:

1. **Will not agree to the Department of Fire and Emergency Services' (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES;**
2. **Requires adequate and effective consultation on any review of the model subdivision condition relating to clearance, including relating to Bush Fire Management Plans that would result in the transfer of responsibility from any agency for the clearance of a subdivision condition, when that condition has been requested by that agency.**

RESOLUTION 11.1/2018

CARRIED

5.7 Review of the Administrative Road Classification Methodology (05-001-03-0033 MM)

WALGA RECOMMENDATION

That WALGA supports the revised Administrative Road Classification methodology used to designate whether a road should be managed by Main Roads WA or Local Governments.

| | |
|--|--------------------------------|
| 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

AVON-MIDLAND COUNTRY ZONE

That the Zone support the recommendation to State Council but recommends that for clarity the recommendation be amended by adding the work 'metropolitan' before the words 'road managed by Main Roads', as follows:

That WALGA supports the revised Administrative Road Classification methodology used to designate whether a metropolitan road should be managed by Main Roads WA or Local Governments.

SOUTH METROPOLITAN ZONE

That the South Metropolitan Zone advises that it does not support the phasing in of the Road Classification System by Main Roads.

SECRETARIAT COMMENT

The amendment passed by the Avon-Midland Zone has been incorporated into the composite recommendation.

It is understood that the implied intent of the South Metropolitan Zone's resolution is that the changes to Administrative Classification are implemented more quickly. To that end, point 2 has been added to the composite recommendation, as follows:

2. *That the phase in period is reviewed with the intent that changes to Administrative Classification are implemented more quickly.*

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

1. That WALGA supports the revised Administrative Road Classification methodology used to designate whether a metropolitan road should be managed by Main Roads WA or Local Governments.
2. That the phase in period is reviewed with the intent that changes to Administrative Classification are implemented more quickly.

RESOLUTION 12.1/2018

CARRIED

5.8 Interim Submission – Inquiry into Progress under the National Road Safety Strategy 2011-2020 (05-009-03-0014 TAP)

By Terri-Anne Pettet, Manager RoadWise Program

WALGA RECOMMENDATION

That the Interim Submission to the Inquiry into progress under the *National Road Safety Strategy 2011-2020* 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That the Interim Submission to the Inquiry into progress under the *National Road Safety Strategy 2011-2020* be endorsed.

RESOLUTION 13.1/2018

CARRIED

5.9 Interim Submission – Proposed Listing of the ‘Tuart Woodlands and Forest of the Swan Coastal Plain’ as a Threatened Ecological Community (05-038-01-001 MD)

By Melanie Davies, Biodiversity and Sustainability Project Officer

WALGA RECOMMENDATION

That the Interim Submission to the Department of the Environment and Energy supporting the listing of the ‘Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain’ as a Threatened Ecological Community 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

Mayor Logan Howlett returned to the room at 6:26pm.

**Moved: Cr Julie Brown
Seconded: Cr Phillip Blight**

That the Interim Submission to the Department of the Environment and Energy supporting the listing of the ‘Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain’ as a Threatened Ecological Community be endorsed.

RESOLUTION 14.1/2018

CARRIED

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

5.10 Executive Committee Minutes (01-006-03-0006 TB)

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That the Minutes of the Executive Committee meeting held 21 February 2018 including the Financial Statements for the period ending 31 January 2018 be endorsed.

RESOLUTION 15.1/2018

CARRIED

5.11 Selection Committee Minutes (01-006-03-0011 MD)

Cr Phillip Blight declared an interest in Item 5.11 and left the room at 6:28pm.

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

- 1. That the recommendations from the Selection Committee Minutes of 21 February 2018 be endorsed by State Council.**
- 2. The resolutions from the Selection Committee Minutes of 21 February 2018 be noted by State Council.**

RESOLUTION 16.1/2018

CARRIED

Cr Phillip Blight returned to the room at 6:29pm.

5.12 LGISWA Scheme Board Report (ZD)

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That the LGISWA November 2017 Board Report be noted.

RESOLUTION 17.1/2018

CARRIED

5.13 Use of the Association's Common Seal (01-004-07-0001 RB)

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That the use of the Association's Common Seal for the following purpose be noted

| Document | Document Description | Signatories | State Council prior approval |
|---------------------------|---|----------------------------------|------------------------------|
| Confidentiality Agreement | Confidentiality agreement between Mary Woodford & WALGA as an LGIS Board Member | Cr Lynne Craigie Ricky Burges | No |

RESOLUTION 18.1/2018

CARRIED

6. MATTERS FOR NOTING / INFORMATION

6.1 Heritage Bill 2017 (05-036-03-022 NH)

By Nina Hewson, Senior Policy Advisor, Community

WALGA RECOMMENDATION

That State Council notes that WALGA has sent a letter to The Hon David Templeman MLA, Minister for Local Government; Heritage; Culture and the Arts to address sector concerns on parts of the *Heritage Bill 2017*.

| | |
|-----------------------------------|----------------------------|
| 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Noted |
| South Metropolitan Zone | WALGA Recommendation Noted |
| South West Country Zone | WALGA Recommendation Noted |

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That State Council notes that WALGA has sent a letter to The Hon David Templeman MLA, Minister for Local Government; Heritage; Culture and the Arts to address sector concerns on parts of the *Heritage Bill 2017*.

RESOLUTION 19.1/2018

CARRIED

**6.2 2016-17 Fuel Reduction Activities in Western Australia
(05-024-03-0035 MP)**

WALGA RECOMMENDATION

That State Council notes the Summary of 2016-17 Fuel Reduction Activities in Western Australia.

| | |
|--|----------------------------|
| 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Noted |
| South Metropolitan Zone | WALGA Recommendation Noted |
| South West Country Zone | WALGA Recommendation Noted |

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That State Council notes the Summary of 2016-17 Fuel Reduction Activities in Western Australia.

RESOLUTION 20.1/2018

CARRIED

6.3 Proposed State Road Funds to Local Government Agreement 2017/18 – 2022/23 (05-001-03-0001 MB)

By Mark Bondietti (Policy Manager Transport and Roads)

WALGA RECOMMENDATION

That State Council note the current status of negotiations for a new State Road Funds to Local Government Agreement.

| | |
|-----------------------------------|----------------------------|
| 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Noted |
| South Metropolitan Zone | WALGA Recommendation Noted |
| South West Country Zone | WALGA Recommendation Noted |

Moved: Cr Doug Thompson
Seconded: Mayor Carol Adams

That State Council note the current status of negotiations for a new State Road Funds to Local Government Agreement.

RESOLUTION 21.1/2018

CARRIED

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

By Rebecca Brown, (Manager, Waste & Recycling)

WALGA RECOMMENDATION

That State Council note the resolutions of the Municipal Waste Advisory Council at its 13 December 2017 meeting.

| | |
|-----------------------------------|----------------------------|
| 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 | No Minutes Received |
| South East Metropolitan Zone | WALGA Recommendation Noted |
| South Metropolitan Zone | WALGA Recommendation Noted |
| South West Country Zone | WALGA Recommendation Noted |

Cr Paul Kelly left the room at 6:32 pm.

WALGA RECOMMENDATION

Moved: Cr Doug Thompson

Seconded: Mayor Carol Adams

That State Council note the resolutions of the Municipal Waste Advisory Council at its 13 December 2017 meeting.

RESOLUTION 22.1/2018

CARRIED

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

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

Moved: Cr Julie Brown
Seconded: Cr Giovanni Italiano

That the Key Activities Report from the Environment and Waste Unit to the March 2018 State Council meeting be noted

RESOLUTION 23.1/2018

CARRIED

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

Moved: Cr Julie Brown
Seconded: Cr Giovanni Italiano

That the Key Activities Report from the Governance and Organisational Services Unit to the March 2018 State Council meeting be noted.

RESOLUTION 24.1/2018

CARRIED

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

Moved: Cr Julie Brown
Seconded: Cr Giovanni Italiano

That the Key Activities Report from the Infrastructure Unit to the March 2018 State Council meeting be noted.

RESOLUTION 25.1/2018

CARRIED

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

Moved: Cr Julie Brown
Seconded: Cr Giovanni Italiano

That the Key Activities Report from the Planning and Community Development Unit to March 2018 State Council meeting be noted.

RESOLUTION 26.1/2018

CARRIED

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

Moved: Cr Julie Brown
Seconded: Cr Giovanni Italiano

That the report on the key activities of the Association's Policy Forums to the March 2018 State Council meeting be noted.

RESOLUTION 27.1/2018

CARRIED

7.3 President's Report

Moved: Cr Julie Brown
Seconded: Cr Karen Chappel

That the President's Report for March 2018 be received.

RESOLUTION 28.1/2018

CARRIED

7.4 CEO's Report

Moved: Mayor Logan Howlett
Seconded: Cr Roslyn Harley

That the CEO's Report for March 2018 be received.

RESOLUTION 29.1/2018

CARRIED

7.5 LG Professionals Report

Mr Ian Cowie, President, Local Government Professionals provided an update on the activities of Local Government Professionals.

Moved: Mayor Logan Howlett
Seconded: Cr Doug Thompson

That the LG Professionals Report be received.

RESOLUTION 30.1/2018

CARRIED

Cr Paul Kelly returned to the room at 6:33pm.

8. ADDITIONAL ZONE RESOLUTIONS

Moved: Mayor Logan Howlett

Seconded: Cr Jan Court

That the additional Zone Resolutions from the March 2018 round of Zones meetings as follows be referred to the appropriate policy area for consideration.

RESOLUTION 31.1/2018

CARRIED

SOUTH WEST COUNTRY ZONE

Regional Waste Facility – CLGF Funding Update (Environment and Waste)

That the South West Zone

1. Notes the correspondence from the Department of Planning infrastructure and Regional Development to the Bunbury Wellington Group of Councils requesting the return all of the Country Local Government Funds obtained for progressing the South West Regional Waste Site.
2. Agree to continue to collectively work together to identify long term future suitable waste solutions include alternative waste options (eg: Waste to Energy)
3. Request that WALGA advocate on behalf of the South West Zone to the Western Australian State Government in seeking to address long-term waste solutions for the South West.

Proposed Changes to Commonwealth Funding Arrangements for Environmental Groups (Environment and Waste)

That the SWZ request WALGA enter into negotiations with the relevant Commonwealth departments to address:

1. The negative impacts of the proposed conditions that will attaché to payments of funds to voluntary environmental management groups particularly, retrospectivity of post project reimbursement and insufficiency of project administrative costs, and;
2. The need to ensure that any biosecurity projects avoid duplication, work collaboratively and are consistent with the provisions of the Biosecurity and Agricultural Management Act 2007.

CENTRAL COUNTRY ZONE

Restructure Department of Fire and Emergency Services (People and Place)

That the Central Country Zone in noting the Media statement by the Minister for Emergency Services Hon Francis Logan in relation to the restructure of the Department of Fire and Emergency Services including the integration of the Office of Emergency Management into a “new command structure”, expresses its concern that the integration of the Office of Emergency Management (the Office) into a “new command structure” may diminish the independence the of the Office and WALGA be requested to monitor any impact on the Local Government sector of the changes once implemented.

AVON-MIDLAND COUNTRY ZONE

Equitable Access to State Funding for Rural Communities (Governance and Organisational Services)

That the Zone seek the endorsement of Country Zones and the WA Local Government Association to the reinstatement of the original 25% allocation (no spending cap) to regional Western Australia under the Royalties for Regions program.

SOUTH METROPOLITAN ZONE

WA Municipal Dog Pounds – Guidelines and Standards (Governance and Organisational Services)

That the South Metropolitan Zone request WALGA to advocate for uniform standards and guidelines for dog pound facilities in WA.

Local Government Engagement with the Smart Cities Program (People and Place)

That the South Metropolitan Zone of WALGA;

1. Notes the report on the Smart Cities; and
2. Requests WALGA to encourage Local Governments across Western Australia to familiarise themselves with, and actively participate in, the Smart Cities Program and associated funding opportunities.

GASCOYNE COUNTRY ZONE

Community Cyber Bullying (Governance and Organisational Services)

That the Gascoyne Zone:

1. Note the development of the model policies;
2. Request WALGA to liaise with LGIS about insurance coverage or an assistance package or cyber bullying issues; and,
3. Request WALGA to continue to advocate for stronger defamation laws and assistance from the State Government to pursue defamation cases where appropriate.

PEEL ZONE

***Building Act 2011* and the Liquor Licensing Control Requirements (Section 39) (People and Place)**

That the Zone recommends

1. That the Legislation be changed so that the certifier responsible for the issuance of the Certificate of Construction Compliance (BA17) is required to sign a declaration that the building is safe and fit for purpose for an application to be made for a liquor licence.
2. That the Department of Local Government and Communities representative provide the information to the Department of Liquor Licensing for consideration.

SOUTH EAST METROPOLITAN ZONE

China Waste Import Reductions – Impact for Local Government (Environment and Waste)

That the matter of China's change of policy on receipt of recyclables from WA and its potential effect on the Perth recycling industry be taken up as a matter of urgency by MWAC and WALGA with the relevant Minister.

Infrastructure WA Strategy (Infrastructure)

That WALGA include in its submission in response to the Infrastructure WA State Government Policy, a request that Local Government be represented in the Infrastructure WA model and stakeholder reference groups.

GREAT EASTERN COUNTRY ZONE

Restructure Department of Fire and Emergency Services (People and Place)

That the Media statement by the Minister for Emergency Services, Hon Francis Logan MLA, in relation to the restructure of the Department of Fire and Emergency Services (DFES) including the integration of the Office of Emergency Management into a “new command structure” be noted and WALGA be asked to monitor any impact on the local government sector of the changes once implemented.

Cr Brown left the meeting at 6:35pm and did not return.

Declaration of Interest – Item 5.11 Selection Committee Minutes

Cr Chris Mitchel advised that he had an interest in Item 5.11 as a Nominee for a position and should have declared an interest and left the room during deliberation.

NOTED

9. MEETING ASSESSMENT

Cr Cheryl Cowell provided feedback as to the effectiveness of the meeting.

10. DATE OF NEXT MEETING

That the next meeting of the Western Australia Local Government Association State Council meeting be held at the City of Kalamunda, on Friday 4 May 2018 commencing at 11:00am.

11. CLOSURE

There being no further business the Chair declared the meeting closed at 6:38pm.