

SHIRE OF JERRAMUNGUP



MINUTES

COUNCIL ORDINARY MEETING

16th SEPTEMBER 2015

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SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS,
JERRAMUNGUP ON WEDNESDAY 16th SEPTEMBER 2015, COMMENCING AT
2.00PM.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 2:00pm.

2. RECORD OF ATTENDANCE

Cr R Lester	President
Cr J Iffla	Deputy President
Cr R Parsons	Member
Cr J Leenhouders	Member
Cr W Bailey	Member
Cr C Daniel	Member
Mr B Bailey	Chief Executive Officer
Mrs C Solomon	Deputy Chief Executive Officer
Mr C Pursey	Planning Officer
Mr C Miller	Engineering Officer
Ms J Kleszewski	Works Administration

3. APOLOGIES

Cr B Trevaskis Member

4. LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8. DECLARATIONS OF FINANCIAL INTEREST

Cr Parsons declared an impartial interest in Item 10.4.1 – Leeuwin Ocean Adventure Project Scholarship. The nature of the interest is Cr Parsons is the Lions Club President.

Cr Daniel declared an impartial interest in Item 10.4.1 – Leeuwin Ocean Adventure Project Scholarship. The nature of the interest is Cr Daniel is a Lions Club member.

9. CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held 19th August 2015

OC150901 Moved Cr Leenhouders / Seconded Cr Iffla

That the Minutes of the Ordinary Meeting of Council held 19th August 2015 be confirmed.

Carried 6-0

W O R K S

SUBMISSION TO:	Works
AGENDA REFERENCE:	10.1.1
SUBJECT:	Works Report
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	
AUTHOR:	Chris Miller
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	7 th September 2015

ATTACHMENT

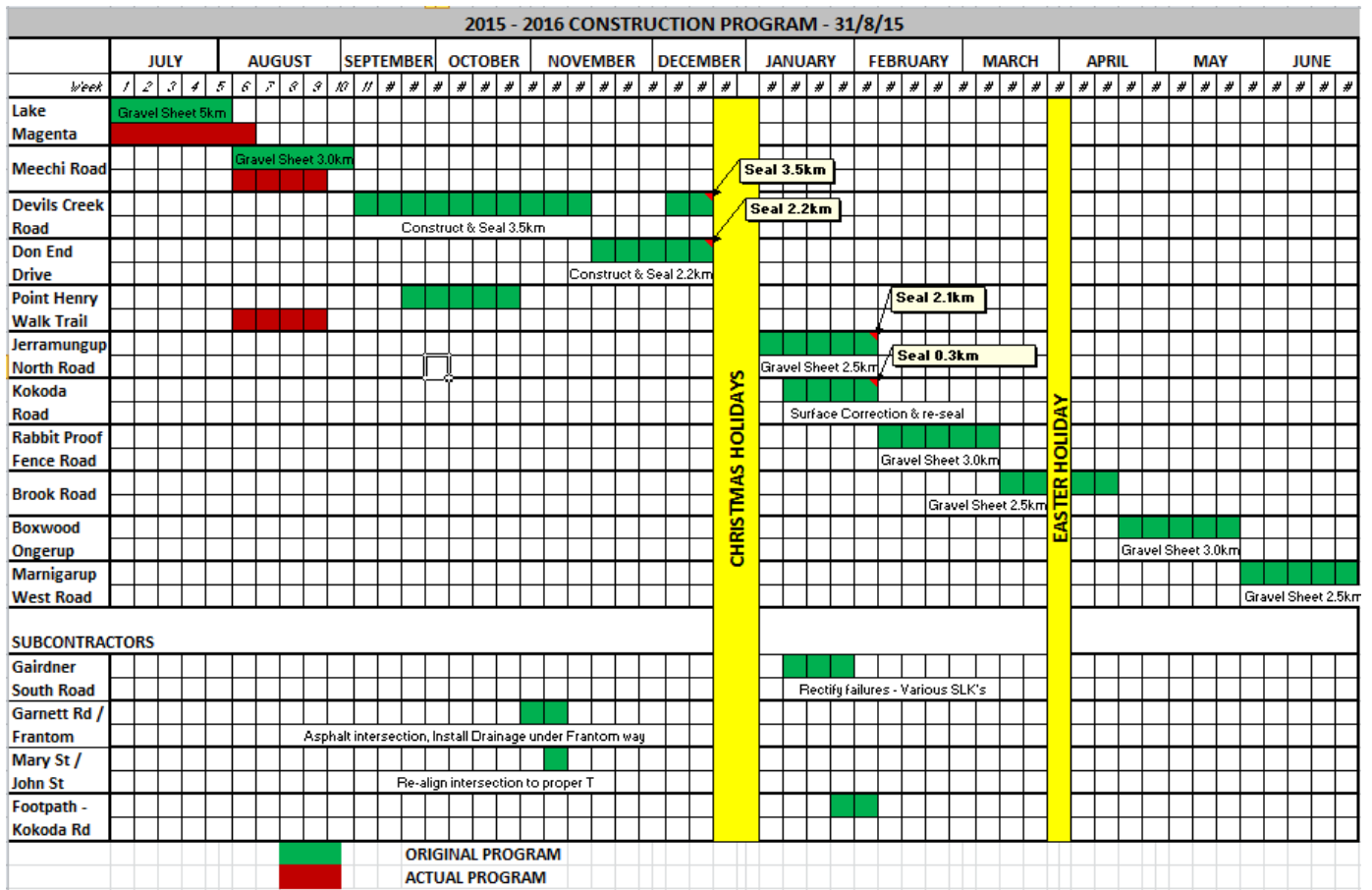
Attachment 10.1.1(a) – Jerramungup, Bremer Bay & rural road maintenance report

ROAD CONSTRUCTION

After completing the re-sheeting works on Lake Magenta Road the Construction Crew has mobilised and carried out re-sheeting works on Meechi Road. Despite some delays from inclement weather works on the job are progressing well with most earthworks and gravel carting completed. After this project is complete the Construction Crew will shift to commence the next seal stage of Devils Creek Road.

Works on the walk trail in Bremer Bay have progressed well with the alignment slashed and preliminary earthworks proceeding well. The final alignment at the Southern End of the trail is under review to ensure that a trafficable slope is maintained through the sand hill sections. Two options are currently under consideration either requiring some cut and fill works on the identified route or realignment of the trail to Wellstead Road for the final 350m leading up to the caravan park.

Refer below for the progress update of the 2015 / 2016 construction program:



ROAD MAINTENANCE

The Road Maintenance team has continued maintenance grading activities, completing works in the Gairdner and Boxwood areas including works in the Boxwood townsite and at the Sports Complex.

Inclement weather did delay works for a short period in August and roads were closed to heavy vehicles on two separate occasions after heavy rains. The delivery of the new maintenance grader was also received and the new John Deere 14 foot blade machine has proven to be a valuable investment delivering productivity improvements for the maintenance team.

The Cat 12M grader will continue to be utilised for the remainder of the winter grading season before being sold at auction.

TOWN SERVICES

The Town Services team has been undertaking various maintenance tasks throughout August including verge and weed control, drainage reinstatement and constructing the new walk trail. In addition the Point Henry firebreaks and road slashing has been finalised. Road verge widening has been carried out along Wellstead Road and Point Henry Road to Short Beach Road.

The Town Services team will spend a significant portion of September completing earthworks and pavement laying on the walk trail.

STATUTORY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

This item relates to the following component from the Shire of Jerramungup Strategic Community Plan 2012 – 2025;

Aspiration 10: A community where transport infrastructure is constructed and maintained using best practice principals.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

WORKFORCE IMPLICATIONS

This report provides an overview of the outside workforce operations for the month.

VOTING REQUIREMENTS

Simple Majority

COMMENTS

Nil

RECOMMENDATION

That Council adopt the August works report.

OC150902 Moved Cr Daniel / Seconded Cr Parsons

That Council adopt the August works report.

Carried 7-0

FINANCE

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.1
SUBJECT:	Accounts Payable
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	
AUTHOR:	Kiara Leeson
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	1 st September 2015

ATTACHMENT

Attachment 10.2.1 - List of Accounts Paid to 31st August 2015

BACKGROUND

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	27911	
	EFT 10983 – 11075	\$ 643,521.98
	EFT 11077 – 11077	\$ 86.82
	Cheque 27912 – 27915	\$ 4584.42
	Cheque 27917 – 27919	\$ 4051.60
	Direct Deposit	\$ 22,178.00
Municipal Account Total		\$ 674,422.82
Trust Account		
	EFT 11076 – 11076	\$ 2,000.00
Trust Account Total		\$ 2,000.00
<u>Grand Total</u>		<u>\$676,422.82</u>

CERTIFICATE

This schedule of accounts as presented, which was submitted to each member of the Council, has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costings and the amounts shown have been paid.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the schedule of direct debits and accounts payable, totalling submitted \$676,422.82 to the Full Council on 16th September 2015 be endorsed.

SIGNATURES

Author

Chief Executive Officer

OC150903 Moved Cr Parsons / Seconded Cr Daniel

That the schedule of direct debits and accounts payable, totalling submitted \$676,422.82 to the Full Council on 16th September 2015 be endorsed.

SIGNATURES

Author

Chief Executive Officer

Carried 6-0

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.2
SUBJECT:	Monthly Financial Report
LOCATION/ADDRESS:	Shire of Jerramungup
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	10 th August 2015

SUMMARY

This report presents the monthly financial report to Council which is provided as an attachment to the agenda. The recommendation is to receive the monthly financial report.

ATTACHMENT

Attachment 10.2.2 - Monthly Financial Report – Period Ending 31st August 2015

BACKGROUND

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

CONSULTATION

Council financial records.

COMMENT

This report contains annual budget estimates, actual amounts of expenditure, revenue and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council abreast of the current financial position.

STATUTORY REQUIREMENTS

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that financial activity statement reports are provided each month reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month.

The report is to be presented at either the next Ordinary meeting after the end of the month, or if not prepared in time to the next Ordinary meeting after that meeting.

STRATEGIC IMPLICATIONS

This item relates to the following component from the Shire of Jerramungup Strategic Community Plan 2012 – 2025;

Aspiration 11: A community where revenue is maximised and rating methodology is fair, equitable and transparent.

FINANCIAL IMPLICATIONS

As detailed within the Monthly Financial Report

POLICY IMPLICATIONS

Accounting policies as detailed within the Monthly Financial Report

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receive the Monthly Financial Report for the period ending 31st August 2015 in accordance with Section 6.4 of the Local Government Act 1995.

OC150904 Moved Cr Iffla / Seconded Cr Leenhouders

That Council receive the Monthly Financial Report for the period ending 31st August 2015 in accordance with Section 6.4 of the Local Government Act 1995.

Carried 6-0

2.19pm Cr Parsons and Cr Daniel left the meeting after declaring an interest Item 10.4.1 – Leeuwin Ocean Adventure Project Scholarship.

A D M I N

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.1
SUBJECT:	Leeuwin Ocean Adventure Project Scholarship
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	Lions Club
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Cr Parsons, Cr Daniel
DATE OF REPORT:	7 th September 2015

SUMMARY

This item addresses a proposal from the local Lions Club to establish a scholarship partnership to allow local youth participation in the Leeuwin Ocean Adventure Project.

The item was raised at the August Ordinary Meeting of Council it was resolved:

**That Council lay Item 10.4.5 - Leeuwin Ocean Adventure Project
Scholarship on the table pending further information.**

Further information has been provided.

ATTACHMENT

Correspondence from Lions Club

BACKGROUND

In July 2015 the Jerramungup Lions Club approached the Shire with a proposal to co-invest in an annual scholarship for a locally based high school student to participate in the Leeuwin Ocean Adventure Project. The Jerramungup District High School will also participate in the scholarship if endorsed by Council and each party will contribute around \$1,000 towards the costs of registration, travel and in-kind administrative support.

It is proposed that the scholarship be established on a three year trial then reviewed subsequently thereafter. If the scholarship is endorsed the first participant will be selected for the Leeuwin Ocean Adventure Project which departs in December 2015.

CONSULTATION

Jerramungup Lions Club
Jerramungup District High School

COMMENT

The current proposal provides that the selection of the scholarship winner will be based on the same principals as the existing Leeuwin scholarship programs and awarded based on the following:

- 1) Actively engaged in school studies at Jerramungup District High School
- 2) Age groups from years 8-10
- 3) Applicants to provide a written submission for the scholarship
- 4) Winner to be selected by a committee formed from the scholarship providers

There are a number of other Local Governments and Lions Clubs who also provide scholarships to participate in the Leeuwin programs. A full list of these providers can be found at <http://www.sailleeuwin.com/content/scholarships> but include the Shire's of Esperance, Albany, Harvey, Dardanup and Katanning.

A number of positive outcomes have been identified in the planning of this scholarship centred on supporting the local District High School enrolment numbers, building values and aspirations in local youths and providing unique opportunities to geographically disadvantaged individuals in the Shire.

It is recommended that Council support the proposal and allow the Chief Executive Officer to finalise and sign a memorandum of understanding with the other parties to commence the scholarship in 2015.

STATUTORY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

Aspiration 8: A community that embraces lifelong learning where education is accessible to people of all ages.

FINANCIAL IMPLICATIONS

The proposal requires a \$1,000 contribution from the Shire of Jerramungup. If approved and awarded this financial year sufficient funds are contained in Council's donations allocation to meet the expense. Alternatively it may be drawn from the budgeted end of year surplus.

WORKFORCE IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council authorise the Chief Executive Officer to enter into a memorandum of understanding with the Jerramungup Lions Club and the Jerramungup District High

School to provide \$1,000 annually towards a Leeuwin Ocean Adventure Project Scholarship for 3 years commencing in 2015.

OC150905 Moved Cr Iffla / Seconded Cr Bailey

That Council authorise the Chief Executive Officer to enter into a memorandum of understanding with the Jerramungup Lions Club and the Jerramungup District High School to provide \$1,000 annually towards a Leeuwin Ocean Adventure Project Scholarship for 3 years commencing in 2015.

Carried 4-0

2.22pm Cr Daniel and Cr Parsons returned to the meeting.

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.2
SUBJECT:	Bremer Bay Draft Airport Masterplan
LOCATION/ADDRESS:	Bremer Bay Airport
NAME OF APPLICANT:	Shire of Jerramungup
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th September 2015

SUMMARY

This item seeks to receive the draft Airfield Masterplan for Bremer Bay and advertise it for public submissions.

ATTACHMENT

Bremer Bay Draft Airfield Masterplan

BACKGROUND

In June 2015 the Shire commissioned Slavin Architects to develop an Airport Masterplan for the Bremer Bay Airport. This project was undertaken using funding from the Department of Transport's Regional Airport Development Scheme. This Masterplan was commissioned with the aim of reviewing the current infrastructure and planning for the infrastructure which will be required in the future to service a larger population and local economy.

The Bremer Bay Airfield consists of a 1200m gravel runway which is 20m wide and a taxiway which leads to the vehicle entrance and site for hangers. Located to the North west of the Bremer Bay townsite the airfield is on reserve land which is vested in the Shire of Jerramungup. The Shire is sealing Don Ende Drive which services the airfield in 2015 to improve reliability of access for emergency services vehicles. In addition to the existing pilot activated lights there are also plans to install a St. John Ambulance/ RFDS patient transfer shed and a DFES amenities room to provide shelter for personnel supporting water bombers.

During the formation of the draft Masterplan the consultants undertook a number of public consultation sessions including on-site fly ins at the existing airport and a public workshop at the Bremer Bay Resort. The public consultation was widely supported which recognises the value of the Bremer Bay Airfield as an economic and community asset.

CONSULTATION

Public consultation has occurred in the development of the Bremer Bay Airfield Masterplan. A further public submission period is now proposed to allow interested members to comment on the draft Masterplan.

COMMENT

There are a number of recommendations within the plan which are summarised below:

1. The Master Plan reflects the unique circumstances of the Bremer Bay region and ensures that safety and security is uppermost in its development.
2. The Shire of Jerramungup as the managing entity of the airfield, promptly seek to place the Airfield in the ERSA publication and provide an update for the Country Airfields Guide. (www.flightace.com)
3. Training in Airfield Management, which is offered by private providers is undertaken by a Shire of Jerramungup staff member.
4. It is not recommended that Registration or Certification of the Bremer Bay Airfield is pursued until such stage that there is a regular and substantial increase in aviation traffic. However planned upgrades should meet CASA's Manual of Standards (which align with the RFDS standards).
5. New titles for the Farmlands and Rural Residential zone should reflect that they may be subject to aircraft noise.
6. As the safety, preservation of natural resources and wellbeing of the community is of primary importance to all, upgrades to the Bremer Bay Airfield will ensure that the needs of emergency services are addressed in works to the airfield.
7. The Shire of Jerramungup will update its website to contain all relevant information regarding a contact person. It should also contain correct airfield information, including the common traffic advisory frequency (CTAF). This information should also include a current plan of the airfield similar in format, but correct in scale, to that used in the Country Airstrip Guide.
8. The Shire provides regular updates to the Country Airfields Guide to ensure that pilots have up to date information.
9. The Airfield is listed with ERSA as an unregistered aerodrome. Application is made to CASA / Air Services Australia to designate a code of YBBY to the airfield.
10. Windsock visibility is improved by ensuring compliance with Subregulation 89(S) of the Civil Aviation Regulations (1998).
11. There is a need for a cross runway to the 06/24 runway to provide the most advantageous landing options at Bremer Bay Airfield. This runway is initially conduited in preparation for retrofitting lighting.
12. Future runway planning is to include larger paved turn-around/pre-flight areas at runway ends.
13. A noticeboard at the airfield provides information for assistance, pick-ups to and from town. Toilets and drinking water also needs to be provided.
14. Suitable aircraft tie-downs at a hardstand area are provided.
15. An arrangement be made for a local fuel supplier, or mechanic, to supply Avgas or Mogas. This could either be stored at the airfield or delivered by trailer.
16. The ongoing problem with animals on the runway needs to be addressed.
17. The Shire identify an annual weekend for a fly-in with an identifying theme. The fly-in should be advertised on the Shire website and through other aviation calendar sources, such as www.aeroclub.com.au

18. The Shire of Jerramungup notes that an extension of runway will require land acquisition to ensure that a runway length of 1800 metres can be achieved.
19. The airfield fence is adjusted to ensure that airside security standards are met. A realigned fence which roughly follows contours will offer better vermin protection.
20. The provision of lettable hangars to provide storage for aircraft for visitors and locals. In an emergency, the hangars may be co-opted for Emergency Services as requested by the Department of Parks and Wildlife.
21. The Shire of Jerramungup identifies key personnel to monitor and drive the emerging grant and tourism opportunities for the area, including liaison with other local governments to further development of the Southern Aerial Circuit and other opportunities.

As can be seen above the consultants have recommended a wide array of improvement projects to cater for the long term planning, usability and future of the airstrip. The most significant upgrade is the installation of a second runway to improve the landing abilities for the site in cross winds. Other improvements to the taxiway and aircraft parking facilities have also been included to meet the needs of the airport when growth in its use eventuates.

To progress the development of this project it is recommended that Council adopt the Bremer Bay Draft Airfield Masterplan for the purposes of advertising for public comment. Once a public submission period has been completed the Masterplan will be brought back to Council to endorse and consider any submissions which are made.

STATUTORY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

Aspiration 10: A community where transport infrastructure is constructed and maintained using best practice principals.

FINANCIAL IMPLICATIONS

There will be costs in advertising the plan for public comment.

Once adopted in its final version detailed design will be required as funding becomes available and the resultant infrastructure will need to be maintained and depreciated over time.

WORKFORCE IMPLICATIONS

Future expansion in use and of infrastructure at the Bremer Bay Airfield will require appropriate personnel to maintain and manage the infrastructure.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receive the Bremer Bay Draft Airfield Masterplan plan prepared by Slavin Architects for the purposes of advertising for public comment.

OC150906 Moved Cr Iffla / Seconded Cr Leenhouders

That Council receive the Bremer Bay Draft Airfield Masterplan plan prepared by Slavin Architects for the purposes of advertising for public comment.

Carried 6-0

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.3
SUBJECT:	WALGA Governance Review
LOCATION/ADDRESS:	n/a
NAME OF APPLICANT:	WALGA
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th September 2015

SUMMARY

WALGA is currently undertaking a review of the governance systems in place and have released a discussion paper for comment.

ATTACHMENT

WALGA Governance Review Discussion Paper

<http://www.walga.asn.au/MemberResources/GovernanceStrategy/GovernanceReviewDiscussionPaper.aspx>

BACKGROUND

WALGA State Council is sponsoring a review to be carried out on the governance arrangements for State Council and Zones. A review of the Association's governance structure was undertaken in 2011. This 2015 review focused on the structure and effectiveness of State Council and the Zones. It is proposed that the primary focus of this review will be the governance processes of WALGA and the effectiveness of the relationship with Zones rather than a focus on structure.

The discussion paper is arranged in three parts focussing on:

- Part 1: WALGA's constitution, Corporate Governance Charter and Standing Orders;
- Part 2: Technical wording and alignment of issues in the three governance documents; and
- Part 3: Exploration of State Council and Zone Processes including their inter-relationship and effectiveness.

CONSULTATION

This submission formulates part of the consultation period of the discussion paper.

COMMENT

In consideration a position on each of the discussion notes the following commentary is provided for Council to consider.

2.1.1 Clause 9 – State Council Ex-Officio Members

Issue: Inconsistency between the Association's Constitution and Corporate Governance Charter in relation to two versus three ex-officio members.

Comment: The current Constitution only allows WALGA and LGMA's Presidents where the Corporate Governance Charter also permits the Lord Mayor of City of Perth to sit as ex-officio to State Council. It is considered that WALGA and LGMA's Presidents represent the collective of Western Australian Local Government interests adequately and a separate individual Local Government is not required further as an ex-officio representative.

Recommendation: Support two ex-officio members to State Council being the WALGA and LGMA's Presidents.

2.1.2 Clause 10 - Meetings of State Council

Issue: The Constitution does not reference standing orders or meeting procedures for State Council.

Comment: The Corporate Governance Charter and Code of Conduct currently provides framework for meeting process and Standing Orders. Having operated sufficiently in the past there doesn't appear to be an immediate need to make changes to the Constitution. The discussion paper doesn't provide a significant case for making changes to the Constitution in this area however should meaningful improvements to governance systems stem from inclusion of Standing Orders in the Constitution then it would be worth supporting.

Recommendation: Supports changing the Constitution to include standing and meeting procedures only if it provides meaningful improvements to governance systems.

2.1.3 Clause 14 – Zones

Issue: Whether a Zone delegate should be ineligible whilst peremptorily suspended under the Local Government Act (where the Council is suspended).

Comment: Good governance practice would suggest that if an elected member is suspended from undertaking duties as a Councillor in a local government that should then flow to any representational duties on behalf of local government including being the Zone delegate.

Recommendation: Supports ineligibility as a Zone delegate in the event that a Councillor is peremptorily suspended under the Local Government Act.

2.1.4 Clauses 17 and 18 – President and Deputy President

Issue: The State Council President does not have a maximum term applied however the State Council Deputy President can only serve for a maximum of two, two year terms.

Comment: To develop consistency it is suggested that there is sound grounds for supporting the same term of the President or Deputy President whether there be a restriction on this length of term or not.

Recommendation: Supports the same length of term for the Deputy President as is applied to the President.

2.1.5 Clause 19 - Vacancy President and Deputy President

Issue: Clarity in provisions for filling the office of President or Deputy President.

Comment: The current provisions appear that they are open to some interpretation. Provisions could be made more specific to apply additional clarity.

Recommendation: Supports reviewing the process for filling vacant positions of President and Deputy President is reviewed and refined to remove interpretation or ambiguity where possible.

CORPORATE GOVERNANCE CHARTER

2.2.1 Clause 7 – Role of State Councillor

Issue: Does the role of a State Councillor adequately capture requisites and expectations of the position.

Comment: The role of a State Councillor is shown on pages 8 to 10 of the Discussion Paper. It is considered that the role outlined adequately describes the role of a State Councillor.

Recommendation: Supports no change being made to the role of a State Councillor.

2.2.2 Clause 7- Role of State Councillor – Zone Meetings

Issue: Whether State Councillors should be required to convey the collegiate views of State Council in relation to matters determined.

Comment: The principle of representing the majority decision applies to elected members of local government and it is considered to be a good governance approach to reflect, support and convey the majority decision of an organisation.

Recommendation: Supports that Zone delegates be governed by a Code of Conduct in relation to appropriately representing the decisions of State Council.

2.2.3 Clause 8 - Role of President

Issue: Does the description of the current Presidents role capture contemporary requisites and expectations, and should a clause be added for the Deputy President to assume the President's role in their absence.

Comment: The description of the role of the President is contained on pages 10-11. It is considered that the role definition is broad enough to capture the purpose of the position without specifically delving into small detail. In relation to the Deputy President acting as President in the absence of the President, it is considered the inclusion of a clause to this effect in the Corporate Governance Charter is desirable.

Recommendation: That the current description of the President's role is satisfactory however a clause should be included to enable the Deputy President to act in the role of President in the absence of the President.

2.2.4 Clause 9 – Role of the Chief Executive Officer

Issue: Does the WALGA CEO role description adequately describe the expectation of members in the management of the WALGA?

Comment: Details of the WALGA CEO's role can be found on pages 11-12. Whilst the components of the role are considered relatively general, it would be expected that specific performance measures within the CEO's contract would enable more detailed scrutiny of performance against generalised role statements.

Recommendation: Supports the current description of the Chief Executive Officer role.

2.2.5 Clause 11 – State Council Meetings

Issue: Recommended review of State Council meeting objectives to ensure they represent contemporary expectations.

Comment: The information regarding State Council meeting objectives is stated on Page 12. The information provided is relatively generic and is considered to be suitable practice when holding meetings.

Recommendation: Supports the current State Council meeting guidelines.

2.2.6 Clause 13 – State Council Meeting Agenda

Issue: The ex-officio LGMA member of State Council is not allocated an opportunity to provide a report.

Comment: LGMA (Local Government Managers Association) is the peak representative body of local government employees, and in particular senior employees. It is considered that a report from LGMA about current issues would add benefit to local government sector considerations of State Council.

Recommendation: Supports the LGMA being provided with an opportunity to report to all State Council meetings.

2.2.7 Clause 13(iv) – Emerging Issues

Issue: Does the current process for the inclusion of emerging issues require review?

Comment: The process for bring emerging issues to State Council is a good one on the basis that often issues will arise very quickly and the current process will allow them to be dealt with in a timely manner. This process includes a 24 hour period of notification to State Council members.

Recommendation: Supports the current arrangements for the emerging issues component of the State Council agenda.

2.2.8 – Clause 16 - LGIS Board and Local Government House Trust

Issue: Minimal detail is included in the Corporate Governance Charter relating to the LGIS Board and the Local Government House Trust.

Comment: Information relating to this topic is covered on page 14. From the discussion points it appears that small modification to reflect both areas more appropriately in the Corporate Governance Charter would be useful in clarifying the purpose and structure of both subsidiaries.

Recommendation: Supports a review of the Corporate Governance Charter to clarify the purpose and structure of the LGIS Board and Local Government House Trust.

2.2.9 Clause 17 – Committees with Delegated Powers

Issue: Suggestion to include Terms of Reference, Membership and Term, and Appointment process for State Councillors and non-WALGA members to the Corporate Governance Charter for the State Council Finance and Services Committee, Municipal Waste Advisory Committee, and Selection Committee and Honours Panel.

Comment: Supported as will lead to higher levels of accountability and governance.

Recommendation: Supports a formal process being developed to appoint members to committees and establish adequate terms of reference for WALGA committees and the Honours Panel.

2.2.10 Clause 20 – Monitoring

Issue: Financial and non-financial KPI's are monitored by State Council through the Finance and Services Committee. A question has been raised as to whether the Clause captures all relevant KPI's that are currently monitored and whether State Council should have a more structured role in monitoring financial KPI's.

Comment: This matter is difficult to comment on given the limited understanding of current practice. It is suggested that WALGA via the Finance and Services Committee produce a separate report containing more detailed information for consideration of members.

Recommendation: Supports a review of the evaluation process for State Council's KPIs.

2.2.11 Clause 33 – Relationship between State Council, Zones and Local Governments

Issue: A suggestion has been made to form an executive committee with delegated authority to make some decisions on behalf of State Council. In addition to this the utilisation of Co-Chairs and Forums is being discussed.

Comment: Detailed information on this matter can be found in pages 16-19. Whilst it is considered that the delegation of some powers to an executive committee may be beneficial from an efficiency point of view, further information would need to be provided to understand the framework and decision making capacity of any executive committee.

Recommendation: Supports the use of an executive committee to improve effectiveness and efficiency provided Local Governments are provided with the opportunity to have input into the scope of the decision making powers of the executive committee.

2.2.12 Proposed New Clause – Recommendations to Representative Bodies

Issue: WALGA provides representatives to approximately 120 State and Local Government Committees and Boards. There may be a need to capture in the Governance Charter the reporting requirements of the selected representatives

Comment: It is important that WALGA representatives are reporting relevant information from external committees and boards back to WALGA. It is suggested that a basic reporting structure be established to ensure consistency of reporting.

Recommendation: Supports the Corporate Governance Charter being amended to provide a reporting framework for WALGA representatives.

2.2.14 Code of Conduct and Confidentiality Agreement

Issue: A review is to be carried out to make the documents more contemporary and with general consistency with Local Government Codes of Conduct

Comment: Further comment can be made once the outcome of the review is provided.

Recommendation: That no comment is made in relation to the Code of Conduct and Confidentiality agreement at this stage.

STANDING ORDERS

2.3.1 Clause 7 – Order of Business

Issue: Alignment with Corporate Governance Charter is required.

Comment: Supported.

Recommendation: Supports the aligning the Corporate Governance Charter with the current Standing Orders.

2.3.2 Proposed New Provision – Alleged Breach of Standing Orders

Issue: Alleged breaches of Standing orders are not adequately dealt with.

Comment: It appears that the simplest way to deal with alleged breaches of Standing Orders is to align the issue with the existing processes in the Code of Conduct.

Recommendation: Supports the Code of Conduct being modified to be used as the mechanism to deal with alleged breaches of Standing Orders.

TECHNICAL DRAFTING

3.1.1 Constitution Clause 5 – Membership of the Association

Issue: Typographical error in clause 5(7)(b).

Comment: Amendment to correct supported.

Recommendation: Support the typographical error being corrected in the Constitution clause 5(7)(b) where referring to subclause 5(9) to now read 5(11).

3.2.1 Corporate Governance Charter Clause 7 – Role of State Councillor: Review of Annual General Meeting Decisions

Issue: Change location of information to be incorporated in role of State Council to provide clarity.

Comment: Supported.

Recommendation: Supports Corporate Governance Charter Clause 7(iv) to be relocated and included in Clause 1 - Role of State Council.

3.2.2 Corporate Governance Charter Clause 15 – Annual Meeting Calendar

Issue: Calendar to be reviewed to reflect current practice.

Comment: Supported.

Recommendation: Supports Corporate Governance Charter Clause 15 to be reviewed to reflect current practice.

REVIEW OF STATE COUNCIL AND ZONE EFFECTIVENESS

4.1.1 Inclusiveness vs Timeliness of State Council Decisions

Issue: Does the State Council decision making process strike the right balance between timeliness and inclusiveness, and should the method of State Council consideration of Zone resolutions be changed.

Comment: There have not been any significant instances of the Shire of Jerramungup requiring State Council decisions as most of our issues are generally carried out at Zone level. Generally our resolutions at zone level are voted en bloc by the State Council and referred to the various business units within WALGA. This process has worked well to date.

Recommendation: Provides no comment on review item 4.1.1

4.1.2 Zone Motions – Consistency with Council Policy

Issue: Zone motions have been moved by elected members who do not have the support of their individual Council to move the motion.

Comment: A recommendation in the review to require the support of the individual Council before the elected member moves a particular motion in the Zone has been made. It is considered that individual processes within a local government will control

what a Zone member moves during a Zone meeting. It is considered an infrequent and rare event in which this happens and adding red tape will only reduce the effectiveness of the zone system.

Recommendation: Supports the status quo for zone motions being raised by delegates.

4.2 Zone Autonomy

Issue: Comment on Zone Autonomy is invited.

Comment: The current arrangements where each Zone is able to determine the level of autonomy should be left to the Zone to determine. If Zones wish to be more active than others that is entirely up to them.

Recommendation: Supports the status quo for current zone autonomy.

4.3 Zone Presentations and Delegations

Issue: Comment on Zone Presentations and Delegations is invited.

Comment: Presentations and delegation are key to the successful functioning of Zone meetings. The current level of autonomy is supported as it allows each zone to operate in the manner they best see fit.

Recommendation: Supports the status quo for current zone presentations and delegations.

4.4.1 Timeliness of State Council Agenda

Issue: Is the State Council agenda timetable appropriate?

Comment: Whilst there is often a lack of time to consider State Council items through Council's agenda it is generally considered to be adequately dealt with through existing zone systems.

Recommendation: Supports the status quo for the timeliness of the State Council agenda.

4.4.2 State Council Agenda Format

Issue: Hardcopy vs electronic copy?

Comment: Electronic copies are an acceptable method of receiving the State Council agenda however it is acknowledged that some members may prefer a hard copy and should have the opportunity to read it in this format if requested.

Recommendation: Supports the State Council agenda being provided electronically or in hard copy only when requested.

STATUTORY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

WORKFORCE IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1) Support two ex-officio members to State Council being the WALGA and LGMA's Presidents.
- 2) Supports changing the Constitution to include standing and meeting procedures only if it provides meaningful improvements to governance systems.
- 3) Supports ineligibility as a zone delegate in the event that a Councillor is peremptorily suspended under the Local Government Act.
- 4) Supports the same length of term for the Deputy President as is applied to the President.
- 5) Supports reviewing the process for filling vacant positions of President and Deputy President is reviewed and refined to remove interpretation or ambiguity where possible.
- 6) Supports no change being made to the role of a State Councillor.
- 7) Supports that Zone delegates be governed by a Code of Conduct in relation to appropriately representing the decisions of State Council.
- 8) Supports the current description of the President's role is satisfactory however a clause should be included to enable the Deputy President to act in the role of President in the absence of the President.
- 9) Supports the current description of the Chief Executive Officer role.
- 10) Supports the current State Council meeting guidelines.
- 11) Supports the LGMA being provided with an opportunity to report to all State Council meetings.

- 12) Supports the current arrangements for the emerging issues component of the State Council agenda.
- 13) Supports a review of the Corporate Governance Charter to clarify the purpose and structure of the LGIS Board and Local Government House Trust.
- 14) Supports a formal process being developed to appoint members to committees and establish adequate terms of reference for WALGA committees and the Honours Panel.
- 15) Supports a review of the evaluation process for State Council's KPIs.
- 16) Supports the use of an executive committee to improve effectiveness and efficiency provided Local Governments are provided with the opportunity to have input into the scope of the decision making powers of the executive committee.
- 17) Supports the Corporate Governance Charter being amended to provide a reporting framework for WALGA representatives.
- 18) That no comment is made in relation to the Code of Conduct and Confidentiality agreement at this stage.
- 19) Supports the aligning the Corporate Governance Charter with the current Standing Orders.
- 20) Supports the Code of Conduct being modified to be used as the mechanism to deal with alleged breaches of Standing Orders.
- 21) Support the typographical error being corrected in the Constitution clause 5(7)(b) where referring to subclause 5(9) to now read 5(11).
- 22) Supports Corporate Governance Charter Clause 7(iv) to be relocated and included in Clause 1 - Role of State Council.
- 23) Supports Corporate Governance Charter Clause 15 to be reviewed to reflect current practice.
- 24) Provides no comment on review item 4.1.1
- 25) Supports the status quo for zone motions being raised by delegates.
- 26) Supports the status quo for current zone autonomy.
- 27) Supports the status quo for current zone presentations and delegations.
- 28) Supports the status quo for the timeliness of the State Council agenda.
- 29) Supports the State Council agenda being provided electronically or in hard copy only when requested.

OC150907 Moved Cr Daniel / Seconded Cr Iffla

That Council:

- 1) Support two ex-officio members to State Council being the WALGA and LGMA's Presidents.**
- 2) Supports changing the Constitution to include standing and meeting procedures only if it provides meaningful improvements to governance systems.**
- 3) Supports ineligibility as a zone delegate in the event that a Councillor is peremptorily suspended under the Local Government Act.**
- 4) Supports the same length of term for the Deputy President as is applied to the President.**
- 5) Supports reviewing the process for filling vacant positions of President and Deputy President is reviewed and refined to remove interpretation or ambiguity where possible.**

- 6) Supports no change being made to the role of a State Councillor.
- 7) Supports that Zone delegates be governed by a Code of Conduct in relation to appropriately representing the decisions of State Council.
- 8) Supports the current description of the President's role is satisfactory however a clause should be included to enable the Deputy President to act in the role of President in the absence of the President.
- 9) Supports the current description of the Chief Executive Officer role.
- 10) Supports the current State Council meeting guidelines.
- 11) Supports the LGMA being provided with an opportunity to report to all State Council meetings.
- 12) Supports the current arrangements for the emerging issues component of the State Council agenda.
- 13) Supports a review of the Corporate Governance Charter to clarify the purpose and structure of the LGIS Board and Local Government House Trust.
- 14) Supports a formal process being developed to appoint members to committees and establish adequate terms of reference for WALGA committees and the Honours Panel.
- 15) Supports a review of the evaluation process for State Council's KPIs.
- 16) Supports the use of an executive committee to improve effectiveness and efficiency provided Local Governments are provided with the opportunity to have input into the scope of the decision making powers of the executive committee.
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- 18) That no comment is made in relation to the Code of Conduct and Confidentiality agreement at this stage.
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- 20) Supports the Code of Conduct being modified to be used as the mechanism to deal with alleged breaches of Standing Orders.
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- 25) Supports the status quo for zone motions being raised by delegates.
- 26) Supports the status quo for current zone autonomy.
- 27) Supports the status quo for current zone presentations and delegations.
- 28) Supports the status quo for the timeliness of the State Council agenda.
- 29) Supports the State Council agenda being provided electronically or in hard copy only when requested.

Carried 6-0

COUNCILLOR REPORTS

11. COUNCILLOR REPORTS

Cr Parsons

Attended a Fitzgerald Biosphere Group meeting

Cr Daniel

Attended a South Coast Management Group meeting

Attended the Needilup Shed Opening

Cr Iffla

Attended a meeting with Rick Wilson

Attended a WALGA Zone meeting

Attended a GSDC meeting

Cr Bailey

Attended the Needilup Shed Opening

Cr Leenhouders

Attended a South Coast Management Group meeting

Cr Lester

Attended a meeting with Rick Wilson

Attended a WALGA Zone meeting

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY LEAVE OF THE PRESIDING MEMBER

12.1 From Officers

Nil

12.2 From Elected Members

Cr Daniel advised Council that South Coast NRM, Chief Executive Officer Carl Beck will be leaving his position with South Coast NRM on the 2nd October to take up an opportunity with the City of Albany. South Coast NRM's Board has decided to install Justin Bellanger as the Acting CEO until June 2016.

13. NEXT MEETING/S

13.1 Ordinary Meeting – to be held Wednesday 21st October 2015 commencing 8.30am at the Town Hall, Bremer Bay.

14. CLOSURE

The President declared the meeting closed at 3.08pm.