



Shire of  
Serpentine  
Jarrahdale

# Special Council Meeting Confirmed Minutes

## 6pm

## Monday, 11 September 2023

**Purpose:** Consideration of the following report:

- Western Australian Local Government Association – Annual General Meeting 2023 – Appointment of Voting Delegates (SJ1369)

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### Contact Us

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#### In Person

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6 Paterson Street, Mundijong WA 6123  
Open Monday to Friday 8.30am-5pm (closed public holidays)



[www.sjshire.wa.gov.au](http://www.sjshire.wa.gov.au)



### Councillor Attendance Register

In accordance with the 11 April 2022 Ordinary Council Meeting, Council Resolution OCM067/04/22, clause 1 – “That Council requests the Chief Executive Officer maintain a Councillor Attendance Register recording Councillor Attendances at Ordinary Council Meetings, Special Council Meetings, Q & A briefings for Ordinary Council Meetings, Q & A briefings for Special Council Meetings, Councillor Workshops held for Project Briefings, Councillor Workshops held for Budget Preparations and Policy Concept Forums”.

In accordance with the 12 December 2022 Ordinary Council Meeting, Council Resolution OCM313/12/22, clause 6 – “That Council requests that the Councillor Attendance Register published in the Agenda and Minutes displays attendances for the calendar year and notes that the full Councillor Attendance Register, including previous calendar years, will continue to be published on the Shire’s website.”

### Council 1 January 2023 –

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Duggin	Cr Mack	Cr Strange	Cr Strautins
04/09/23	PCF	✓	✓	✓	A	A	✓	✓	✓	A
28/08/23	PCF	✓	A	A	✓	A	✓	✓	✓	✓
23/08/23	OCM reconvened	✓	✓	✓	✓	✓	✓	✓	✓	A
21/08/23	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
14/08/23	PCF cont. (from 07/08/23)	✓	✓	✓	A	✓	✓	✓	A	✓
14/08/23	Q & A (OCM)	✓	✓	✓	A	✓	✓	✓	✓	✓
07/08/23	PCF	✓	✓	A	A	✓	✓	✓	✓	✓
02/08/23	WORKSHOP (CEO Employment - Presentation of self- assessment report against criteria)	✓	✓	✓	✓	A	✓	✓	A	✓
31/07/23	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
24/07/23	PCF	✓	✓	A	✓	A	✓	A	✓	✓
19/07/23	WORKSHOP (Budget)	✓	✓	A	✓	✓	✓	A	✓	✓
17/07/23	OCM	✓	✓	A	✓	A	✓	A	✓	✓
10/07/23	Q & A (OCM)	✓	✓	A	A	A	A	A	✓	✓
03/07/23	PCF	✓	✓	✓	A	A	A	✓	A	✓
26/06/23	PCF	✓	✓	A	✓	A	✓	✓	A	✓
21/06/23	OCM reconvened	✓	✓	A	✓	✓	✓	✓	✓	A



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Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Duggin	Cr Mack	Cr Strange	Cr Strautins
19/06/23	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
15/06/23	WORKSHOP (Budget)	✓	✓	A	✓	✓	✓	✓	✓	A
12/06/23	Q & A (OCM)	✓	✓	✓	✓	A	✓	A	A	A
07/06/23	WORKSHOP (Budget)	✓	A	A	✓	✓	✓	✓	✓	A
01/06/23	WORKSHOP (Budget)	✓	A	✓	A	✓	✓	✓	✓	A
29/05/23	PCF	✓	A	A	A	A	✓	✓	✓	A
25/05/23	WORKSHOP (Budget)	✓	✓	✓	✓	✓	✓	✓	A	✓
22/05/23	PCF	✓	✓	✓	✓	A	✓	✓	✓	A
15/05/23	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
08/05/23	Q & A (OCM)	✓	✓	A	✓	A	✓	✓	✓	A
08/05/23	WORKSHOP (Strategic Community Plan Major Review)	✓	✓	✓	✓	A	✓	✓	✓	A
01/05/23	PCF	✓	A	✓	✓	✓	✓	✓	✓	A
26/04/23	PCF	✓	A	✓	✓	A	✓	✓	A	A
17/04/23	OCM	✓	✓	A	✓	✓	✓	✓	A	✓
17/04/23	Q & A cont. (OCM)	✓	✓	A	✓	✓	✓	✓	A	✓
11/04/23	Q & A (OCM)	✓	✓	✓	A	A	✓	✓	A	A
03/04/23	PCF	✓	✓	A	✓	A	✓	✓	✓	✓
27/03/23	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
20/03/23	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
20/03/23	Q & A cont. (OCM)	✓	✓	✓	✓	✓	✓	✓	✓	✓
13/03/23	Q & A (OCM)	✓	A	✓	✓	✓	✓	✓	✓	A
08/03/23	WORKSHOP (Status update /	✓	A	A	A	A	A	✓	✓	A



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Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Duggin	Cr Mack	Cr Strange	Cr Strautins
	report on 2022-23 CEO KPIs)									
02/03/23	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
27/02/23	SCM	✓	✓	✓	✓	✓	✓	✓	A	✓
27/02/23	PCF	✓	✓	✓	✓	✓	✓	✓	A	✓
20/02/23	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
20/02/23	Q & A cont. (OCM)	✓	✓	✓	✓	✓	✓	✓	✓	✓
15/02/23	WORKSHOP (Community Perception Survey)	✓	✓	✓	✓	✓	✓	✓	✓	A
13/02/23	Q & A (OCM)	✓	✓	A	✓	A	✓	A	✓	✓
06/02/23	PCF	✓	A	✓	✓	A	✓	✓	✓	✓
06/02/23	SCM	✓	A	✓	✓	A	✓	✓	✓	✓
30/01/23	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
30/01/23	Q & A (SCM – 6 February 2023)	✓	✓	✓	✓	✓	✓	✓	✓	A
23/01/23	Q & A (SCM – 30 January 2023)	✓	✓	✓	✓	✓	✓	A	✓	✓
23/01/23	WORKSHOP (Catalyse Presentation - Community Perception Scorecard)	✓	✓	✓	✓	✓	✓	A	✓	✓

A – Apology

LoA – Leave of Absence

NA – Non Attendance

EPNG – Electronic Participation Not Granted



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The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware of the provisions of the *Local Government Act 1995* (section 5.25(1)(e)) and Council's *Standing Orders Local Law 2002 (as Amended)* – Part 14, Implementing Decisions. No person should rely on the decisions made by Council until formal advice of the Council resolution is received by that person.

The Shire of Serpentine Jarrahdale expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

At the 20 June 2022 Ordinary Council Meeting, Council resolved that Council and Committee Meetings will be audio recorded in accordance with Council Policy. If you are asking a public question or making a statement or deputation to the meeting this will be audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.



Minutes of the Special Council Meeting of the Shire of Serpentine Jarrahdale held on Monday, 11 September 2023 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong.

The Shire President, Councillor Rich declared the meeting open at 6pm and welcomed Councillors, Staff and members of the gallery and acknowledged that the meeting was being held on the traditional land of the Noongar People and paid her respects to the Elders Past, Present and Emerging.

The Shire President, Councillor Rich advised members of the gallery that the meeting is being audio recorded, in accordance with Council Policy. If you are asking a public question or making a statement or deputation to the meeting this will be audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.

## Minutes

### 1. Attendances and apologies (including leave of absence):

**Attendees:**

**Councillors:** M Rich.....Presiding Member  
 D Atwell  
 M Byas  
 R Coales  
 M Dagostino  
 T Duggin  
 S Mack  
 L Strange  
 D Strautins

**Officers:** Mr P Martin.....Chief Executive Officer  
 Mr R Najafzadeh.....Director Infrastructure Services  
 Mr B Oliver.....Director Community Engagement  
 Mr F Sullivan.....Director Corporate Services  
 Mr A Trosic.....Director Development Services  
 Dr K Parker.....Manager Governance and Strategy  
 Ms M Gibson.....Governance Officer – Council and Committees  
 (Minute Taker)

**Leave of Absence:** Nil.

**Apologies:** Nil.

**Observers:** 1

### 2. Public question time:

No public questions were submitted in writing prior to the meeting.

**Presiding Member, Councillor Rich asked if there were any public questions from the floor at 6:01pm. No public questions were asked.**



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## Special Council Meeting Minutes Monday, 11 September 2023

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**3. Public statement time:**

No public statements were submitted in writing prior to the meeting.

**4. Petitions and deputations:**

Nil.

**5. Declaration of Councillors and Officers interest:**

Nil.

**6. Reports for consideration:**

<b>6.1 - Western Australian Local Government Association – Annual General Meeting 2023 – Appointment of Voting Delegates (SJ1369)</b>	
<b>Responsible Officer:</b>	Manager Governance and Strategy
<b>Senior Officer:</b>	Chief Executive Officer
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to consider the voting delegates and proxies for the 2023 Western Australian Local Government Association Annual General Meeting.

**Relevant Previous Decisions of Council**

Nil.

**Background**

WALGA's AGM will be held at 2:00pm on Monday, 18 September 2023 at Crown Perth. WALGA members are invited to nominate two voting delegates to attend. WALGA members are also invited to nominate two proxy delegates to perform the duties of a voting delegate in the event that the voting delegate is unable to attend.

WALGA has requested that nominations be provided by Friday, 8 September 2023 but has granted the Shire a short extension.

**Community / Stakeholder Consultation**

Nil.

**Statutory Environment**

Nil.

**Comment***Nomination of delegates and proxies*

WALGA is the peak industry body representing local government in the state. As a key advocacy group, participation in WALGA in turn assists the Shire in advocacy efforts. There is no cost associated with attending the WALGA AGM.





Council policy 1.1.11 Council Delegates and Representation on External Organisations, Including Community Groups, provides sets out the process for determining delegates at a Council meeting. The policy establishes that following a call for nominations by the CEO:

- where the nominations equal available vacancies, the delegates will be appointed by resolution of Council;
- where there are more nominations than vacancies, Council may be resolution request either a secret ballot using the first past the post system to establish the preferred delegate or delegates to fill the position or the drawing of lots.

Convention at the Shire has been to use a secret ballot using the first past the post method. In the event of a tied vote, lots are drawn by the Chief Executive Officer to determine the preferred delegate.

Following a secret ballot or drawing of lots, the delegates would need to be formally appointed by a resolution of Council in accordance with legislation. This approach has been reiterated by the Department in recent sector briefings.

In this case following a call for nominations by the CEO, written nominations in order of receipt were received from:

- Cr Lauren Strange
- Cr Michelle Rich
- Cr Rob Coales
- Cr Shaye Mack.

As more nominations were received than available positions Council needs to determine its representatives.

*Motions to be presented*

The Agenda for the AGM is contained in **attachment 1**. In addition to the formalities associated with adoption of the Standing Orders for the meeting, confirmation of the minutes and adoption of the Annual Report there are matters that will be considered at the meeting:

- Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district
- Land Use Policy
- Transparency – Management Order Determinations
- Regional and Remote Housing
- Proposed New WALGA Constitution
- Proposed Amendments to WALGA's Constitution.



These matters will be considered through the following motions:

<b>Matter</b>	<b>Motion</b>
Local Governments' representation at the State Administrative Tribunal relating to planning matters within its district	That WALGA lobby the State Government for legislative reform to enable Local Governments the automatic right to be a represented party at all State Administrative Tribunal hearings related to planning matters within its district.
Land Use Policy	That WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.
Transparency – Management Order Determinations	That WALGA: <ol style="list-style-type: none"> <li>1. Advocates for Department of Planning, Lands and Heritage to consult and collaborate with Local Governments in reviewing and publishing its policies, decision making criteria, guidelines and procedures associated with the administration of management orders;</li> <li>2. Ensure the review recognises the cost burden on local governments in managing reserves and options for supporting local governments in meeting that responsibility; and</li> <li>3. Calls for proactive consultation and advice to Local Government management bodies.</li> </ol>
Regional and Remote Housing	That WALGA advocates to the WA State and Commonwealth Governments to address the dire shortage of affordable key worker family housing options in regional and remote towns to encourage families to live and work in regional and remote towns. Social housing is addressed at both the State and Federal levels.
Proposed New WALGA Constitution	That a new WALGA Constitution giving effect to an alternate governance model be adopted, as per the attached.
Proposed Amendments to WALGA's Constitution.	That the WALGA Constitution be amended to retain the current governance model but with necessary changes, as per the attached mark-up.



### **Options and Implications**

#### Option 1

That Council NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as Voting Delegates and \_\_\_\_\_ and \_\_\_\_\_ as their respective Proxy Voting Delegates to the Western Australian Local Government Association Annual General Meeting to be held at 2:00pm on Monday, 18 September 2023.

#### Option 2

That Council DOES NOT NOMINATE delegates to the WALGA AGM.

Option 1 is recommended.

### **Conclusion**

It is important that the Shire of Serpentine Jarrahdale is represented at the WALGA AGM. This paper is presented in accordance with the relevant Shire policy to enable a determination of delegates.

### **Attachments (available under separate cover)**

- **6.1 - attachment 1** – WALGA Annual General Meeting Agenda 18 September 2023 (E23/11343)

### **Alignment with our Strategic Community Plan**

<b>Outcome 4.2</b>	A strategically focused Council
<b>Strategy 4.2.3</b>	Provide clear strategic direction to the administration

### **Financial Implications**

There are no financial implications.



### Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option						
2	The Shire would not be represented at the WALGA AGM	Nil	Reputation	Rare	Insignificant	LOW	

**Voting Requirements:** Simple Majority

Officer Recommendation

That Council NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as Voting Delegates and \_\_\_\_\_ and \_\_\_\_\_ as their respective Proxy Voting Delegates to the Western Australian Local Government Association Annual General Meeting to be held at 2:00pm on Monday, 18 September 2023.

### SCM019/09/23

#### MOTION

**Moved Cr Atwell, seconded Cr Strange**

**That Council NOMINATES Councillor Rich and Councillor Strange as Voting Delegates and Councillor Atwell and Councillor Strautins as their respective Proxy Voting Delegates to the Western Australian Local Government Association Annual General Meeting to be held at 2:00pm on Monday, 18 September 2023.**

**MOTION LOST 4/5**

*In accordance with section 5.21(4) of the Local Government Act 1995, the individual vote of each member of the Council was as follows:*

*Councillors Rich, Atwell, Byas and Strange voted FOR the motion.*

*Councillors Coales, Dagostino, Duggin, Mack and Strautins voted AGAINST the motion.*

**Councillor Coales left the meeting at 6:20pm and immediately returned.**



**SCM020/09/23**

**COUNCIL RESOLUTION**

**Moved Cr Coales, seconded Cr Duggin**

**That Council NOMINATES Councillor Rich and Councillor Coales as Voting Delegates and Councillor Strange and Councillor Mack as their respective Proxy Voting Delegates to the Western Australian Local Government Association Annual General Meeting to be held at 2:00pm on Monday, 18 September 2023.**

**CARRIED 5/4**

*In accordance with section 5.21(4) of the Local Government Act 1995, the individual vote of each member of the Council was as follows:  
Councillors Coales, Dagostino, Duggin, Mack and Strautins voted FOR the motion.  
Councillors Rich, Atwell, Byas and Strange voted AGAINST the motion.*



**7. Motions of which notice has been given:**

Nil.

**8. Urgent business:**

Nil.

**9. Closure:**

There being no further business, the Presiding Member declared the meeting closed at 6:24pm.

Officers assisting the meeting stopped the recording of the meeting.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on  
16 October 2023.

.....Presiding Member – Councillor Rich

.....18/10/23.....Date