



Shire of  
Serpentine  
Jarrahdale

# Special Council Meeting

## Confirmed Minutes

7:00pm

**Monday, 30 August 2021**

**Purpose:** Council consideration of nominations for voting delegates for the 2021 Western Australian Local Government Association 2021 Annual General Meeting and the Shire's position on Executive and Member Motions to be raised at the meeting.

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#### In Person

Shire of Serpentine Jarrahdale

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)



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The purpose of this Special 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 that 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 resolutions 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.



### Councillor Attendance Register

In accordance with Ordinary Council Meeting, 16 December 2019, Resolution OCM293/12/19, clause 5 – “That Council requests the Chief Executive Officer maintain a Councillor Attendance Register recording Councillor Attendances at Ordinary Council Meetings, Special Council Meetings and Policy Concept Forums”.

#### Council October 2019 -

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Denholm	Cr McConkey	Cr Strange	Cr Strautins
23/08/21	PCF	✓	✓	✓	✓	✓	✓	A	✓	✓
16/08/21	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
02/08/21	PCF	✓	✓	✓	✓	A	✓	✓	✓	✓
28/07/21	SCM	✓	✓	✓	EPNG	✓	✓	A	✓	✓
19/07/21	OCM	✓	✓	✓	A	✓	✓	✓	✓	✓
05/07/21	PCF	✓	✓	A	✓	✓	✓	✓	✓	✓
28/06/21	PCF	✓	✓	✓	✓	✓	✓	A	✓	✓
21/06/21	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
31/05/21	PCF	✓	✓	✓	A	✓	✓	✓	✓	✓
24/05/21	PCF	✓	✓	✓	✓	A	A	A	✓	✓
17/05/21	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
03/05/21	PCF	✓	✓	✓	✓	A	A	✓	✓	✓
19/04/21	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
29/03/21	SCM	✓	✓	A	A	✓	✓	✓	✓	✓
22/03/21	PCF	✓	✓	✓	✓	A	✓	A	✓	✓
15/03/21	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
22/02/21	SCM	✓	✓	✓	✓	A	✓	A	✓	✓
15/02/21	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
14/12/20	OCM	✓	✓	✓	✓	A	✓	✓	✓	✓
14/12/20	SCM	✓	✓	✓	✓	A	✓	A	✓	✓
30/11/20	PCF	✓	✓	✓	A	✓	✓	✓	✓	✓
23/11/20	SCM	✓	✓	✓	✓	A	✓	✓	✓	✓
23/11/20	PCF	✓	✓	✓	✓	A	✓	A	✓	✓
16/11/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓



02/11/20	PCF	A	✓	✓	✓	A	✓	✓	✓	✓
19/10/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
05/10/20	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
21/09/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
07/09/20	PCF	✓	✓	✓	✓	✓	✓	A	✓	✓
24/08/20	PCF	✓	✓	✓	✓	A	A	✓	A	✓
17/08/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
03/08/20	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
27/07/20	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
20/07/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	A
06/07/20	PCF	✓	✓	✓	✓	A	✓	✓	✓	✓
22/06/20	SCM	✓	✓	✓	✓	✓*	✓	✓	✓	✓
15/06/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
18/05/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
23/03/20	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
16/03/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
24/02/20	PCF	✓	✓	✓	A	✓	✓	✓	✓	✓
17/02/20	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
03/02/20	PCF	✓	A	✓	✓	A	✓	✓	✓	✓
03/02/20	SCM	✓	A	✓	✓	A	✓	✓	✓	✓
16/12/19	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
18/11/19	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
04/11/19	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
28/10/19	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
21/10/19	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓

\* Councillor Dagostino was an apology for the Special Council Meeting on 22 June 2020, but attended the resumed Special Council Meeting on 29 June 2020 from 7:00pm to 7:05pm, before declaring an interest and leaving the meeting.

**A – Apology**

**LOA – Leave of Absence**

**NA – Non Attendance**

**EPNG – Electronic Participation Not Granted**



Minutes of the Special Council Meeting of the Shire of Serpentine Jarrahdale held on Monday, 30 August 2021 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong.

The Shire President, Councillor Rich declared the meeting open at 7:00pm and welcomed Councillors, and 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 Traditional Owners, Elders Past, Present and Emerging.

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## Minutes

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

<b>Councillors:</b>	M Rich.....	Presiding Member
	D Atwell	
	M Byas	
	R Coales	
	M Dagostino	
	B Denholm	
	K McConkey	
	L Strange	
	D Strautins	
<b>Officers:</b>	Mr P Martin.....	Chief Executive Officer
	Ms H Sarcich.....	Deputy CEO / Director Community and Organisational Development
	Mr F Sullivan .....	Director Corporate Services
	Mr A Trosic .....	Director Development Services
	Mr R Najafzadeh.....	Director Infrastructure Services
	Dr K Parker .....	Manager Governance and Strategy
	Ms M Gibson .....	Governance Officer – Council and Committees (Minute Taker)

**Apologies:** Nil.

**Observers:** Members of the Public - 2

### 2. Public question time:

No public questions were submitted prior to the meeting.

Presiding Member, Councillor Rich asked if there were any public questions from the floor.

No public questions were asked.

### 3. Public statement time:

Nil.

### 4. Petitions and deputations:

Nil.

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

Nil.



## 6. Receipt of reports:

### 6.1 Reports

<b>6.1.1 – Western Australian Local Government Association – Annual General Meeting 2021 (SJ3639)</b>	
<b>Responsible Officer:</b>	Manager Governance and Strategy
<b>Senior Officer:</b>	Chief Executive Officer
<b>Disclosure of Officers 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 enable Council to consider the voting delegates, proxy voting delegates for; and Shire position on matters to be discussed at; the Western Australian Local Government Association – Annual General Meeting 2021.

### Relevant Previous Decisions of Council

*Ordinary Council Meeting – 17 August 2020 – OCM271/08/20 - COUNCIL RESOLUTION That Council RESOLVES Councillor Rich and Councillor Strange as Voting Delegates and Councillor McConkey and Councillor Strautins as their respective Proxy Voting Delegates to the Western Australian Local Government Association Annual General Meeting to be held on Friday 25 September 2020.*

### Background

The Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA) is to be held on Monday, 20 September 2021 at Crown Perth. On Tuesday, 17 August 2021, local governments were provided with the Agenda for the AGM.

### Community / Stakeholder Consultation

Nil.

### Statutory Environment

Nil.

### Comment

#### *Appointment of voting delegates*

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.



All WALGA member Councils are entitled to be represented at the WALGA Annual General Meeting by two (2) voting delegates.

In the event that a voting delegate is unable to attend, WALGA has requested that provision is made for proxy delegates to be registered. Only registered delegates or proxy registered delegates (in the event that the delegate is unable to attend) are permitted to exercise voting entitlements on behalf of Member Councils.

#### *Matters on the AGM Agenda*

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 five executive and member motions that will be considered at the meeting.

These are:

- Amendments to WALGA's Constitution
- Cost of Regional Development
- CSRFF Funding Pool and Contribution Ratios
- Regional Telecommunications Project
- Review of Environmental Regulations for Mining

A summary of these matters is provided in the commentary below.

#### Amendments to WALGA's Constitution

The first motion proposes amendments to WALGA's Constitution that were resolved at the 7 July 2021 WALGA State Council meeting. Amendments to the Constitution require endorsement by a special (75 percent) majority at WALGA State Council, as well as a 75 percent majority at an Annual General Meeting or Special General Meeting of WALGA.

The proposed amendments are not considered contentious and relate to changes to WALGA's financial year provisions, enabling a second vote to be conducted if a vote for President is tied and minor amendments to meeting rules and processes.

#### Cost of Regional Development

The second motion relates to WALGA advocating for State Government intervention to address the high cost of development in regional areas, including the prohibitive cost of utilities headworks.

With a location on Perth's urban fringe, the classification of the Shire of Serpentine Jarrahdale as either metropolitan or regional varies depending on the legislation or agency. As the Shire is a regional local government for the purposes of the *Regional Development Commissions Act 1993*, a program that reduced cost for Peel local governments could be of direct benefit to the Shire.

The cost of utilities headworks can be an obstacle to development and associated economic growth and provision of community services. State Government assistance with reducing the cost of utilities headworks for example could facilitate strategic land development in the Shire.



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### CSRFF Funding Pool and Contribution Ratios

The third motion relates to WALGA advocating the State Government to increase Community Sporting and Recreation Facilities Fund to \$25m and revert to a 50% contribution split rather a model where contributions are split in thirds between the state government, a local government and a sporting club. As noted in the accompanying information to the motion, in many cases the local government makes a significant contribution over the one-third split because clubs cannot meet the financial impost of the one-third expenditure.

WALGA has advocated previously for an increase in funding to the CSRFF funding pool.

In hyper-growth areas like the Shire of Serpentine Jarrahdale, demand for community and sporting facilities will compete with demand for other services and functions provided by the Shire including roads, waste and bush fire mitigation. Additional availability of State Government grant funding for community would be welcome as it reduces ratepayer expenditure and can create opportunities for developing sporting and community clubs that may have less capacity at present to source funding.

### Regional telecommunications project

The fourth motion calls for WALGA to advocate to the State Government to increase funding for the Regional Telecommunications Project. While it is not clear whether the Shire or locations within the would be eligible for assistance under such a reinvigorated program, telecommunications within the Shire continues to be a subject of community concern.

### Review of Environmental Regulations for Mining

The final motion put forward by the Shire of Dundas located in the State's Goldfields region calls for a review of the *Mining Act 1978*. The information included with the motion notes that the mining industry makes a significant contribution to the Western Australian economy but enjoys a range of planning exemptions that are not afforded to other industries. The accompanying report goes on to identify that the powers held by mining companies to object to areas covered by mining tenements can be an obstacle to development of other industries even in circumstances where mining has not commenced or is not commercially viable.

According to the Chamber of Minerals and Energy, the state's mining, oil and gas, energy and related industries contribute more than \$1.1 billion to the Peel economy every year and directly provide more than 6,000 jobs.

One of the most prominent resource operations in the Peel region is the Huntly Bauxite Mine and Pinjarra Alumina Refinery operated by Alcoa. Alcoa has operated since 1963 under various State Agreements (*Alumina Refinery Agreement Act 1961* and the *Alumina Refinery (Pinjarra) Agreement Act 1969*).

In June 2020, Alcoa prepared documents to State regulators seeking approval to increase production at the refinery and secondly continue the supply of bauxite for export of:

- an increase in alumina production at the Pinjarra Alumina Refinery by 5% from 5.0 million tonnes per annum (Mtpa) to 5.25 Mtpa, and an
- increase in the rate of mining within ML1SA to supply up to 2.5 Mtpa of bauxite for export.

According to Alcoa's documentation published on the Environmental Protection Agency (EPA) website the proposal will require clearing of no more than 6,700 hectares (ha) of





native vegetation within a 42,415 ha development envelope associated with mining, and an additional 10 ha of native vegetation associated with the refinery.

The regulation of the State's mining industry is a complex matter and one of State significance. Reflecting the State significance of the matter it would appear appropriate on face value that a review of these regulations is conducted to ensure their currency, appropriateness and effectiveness in achieving environmental, economic and social outcomes.

## Options and Implications

### Option 1

That Council:

1. NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as voting delegates to the Western Australian Local Government Association Annual General Meeting to be held \_\_\_\_\_ on Monday, 20 September 2021.
2. NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as the voting delegates' respective proxies.
3. RESOLVES to support the five Executive and Member Motions in the WALGA AGM Agenda contained in **attachment 1**.

### Option 2

That Council DOES NOT NOMINATE voting delegates to the Western Australian Local Government Association Annual General Meeting to be held on Monday, 20 September 2021.

### Option 3

That Council:

1. NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as voting delegates to the Western Australian Local Government Association Annual General Meeting to be held \_\_\_\_\_ on Monday, 20 September 2021
2. NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as the voting delegates' respective proxies
3. RESOLVES to support the following motions Executive and Member Motions in the WALGA AGM Agenda contained in **attachment 1** [motions supported to be listed].

Option 1 is recommended.

## Conclusion

It is important that the Shire of Serpentine Jarrahdale is represented at the WALGA AGM. The nomination of delegates to the meeting to be held on Monday, 20 September 2021 supports this objective.



### Attachments (available under separate cover)

- **6.1.1 - attachment 1** – 2021 WALGA Annual General Meeting Agenda (E21/9638)

### Alignment with our Strategic Community Plan

<b>Outcome 4.2</b>	A strategically focused Council
<b>Strategy 4.2.1</b>	Build and promote strategic relationships in the Shire's interest.

### Financial Implications

Nil. Attendance at the Annual General Meeting is free of charge to all WALGA member local governments.

### 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 material risks associated with this option						
2	The opportunity to represent the Shire’s views at the WALGA AGM will not be realised	Nil	Organisational Performance	Rare	Minor	LOW	
3	There are no material risks associated with this option						

**Voting Requirements:** Simple Majority

### Officer Recommendation

That Council:

1. NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as voting delegates to the Western Australian Local Government Association Annual General Meeting to be held on Monday, 20 September 2021.
2. NOMINATES \_\_\_\_\_ and \_\_\_\_\_ as the voting delegates' respective proxies.
3. RESOLVES to support the five Executive and Member Motions in the WALGA AGM Agenda contained in attachment 1.



The Chief Executive Officer, Mr Martin advised that written nominations had been received prior to the meeting from Councillor Rich and Councillor Strange nominating as voting delegates.

The Presiding Member, Councillor Rich called for any further Councillor nominations for voting delegates.

Councillor Coales nominated as a voting delegate.

The Presiding Member, Councillor Rich called for Councillor nominations for proxy voting delegates.

Councillor Strautins nominated as a proxy voting delegate.

No further Councillor nominations were received.

The Chief Executive Officer, Mr Martin advised a ballot would be held for the nominations for voting delegates.

A draw was conducted for the order of names on the ballot paper.

Position number 1 on the ballot paper was Councillor Lauren Strange.

Position number 2 on the ballot paper was Councillor Michelle Rich.

Position number 3 on the ballot paper was Councillor Rob Coales.

A ballot paper was prepared listing the nominees in the order as above.

Councillor Strange, Councillor Rich and Councillor Coales each made a statement in support of their respective nominations.

A ballot paper was issued to each Councillor, and Councillors completed their ballot paper in secret, and lodged their ballot paper in the ballot box.

Once all Councillors had voted, the Chief Executive Officer, Mr Martin counted the votes, overseen by Dr Kenneth Parker, Manager Governance and Strategy.

The Chief Executive Officer, Mr Martin declared the result of the votes being:

Councillor Lauren Strange – 6 votes;

Councillor Michelle Rich – 8 votes; and

Councillor Rob Coales – 3 votes.

Councillor Coales nominated as a proxy voting delegate.



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**SCM053/08/21**

**COUNCIL RESOLUTION**

**Moved Cr Byas, seconded Cr Denholm**

**That Council:**

- 1. NOMINATES Councillor Rich and Councillor Strange as voting delegates to the Western Australian Local Government Association Annual General Meeting to be held on Monday, 20 September 2021.**
- 2. NOMINATES Councillor Coales and Councillor Strautins as the voting delegates' respective proxies.**
- 3. RESOLVES to support the five Executive and Member Motions in the WALGA AGM Agenda contained in attachment 1.**

**CARRIED UNANIMOUSLY 9/0**



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**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 7:23pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on the 20 September 2021.

Presiding Member – Councillor Rich

05/10/2021 Date