



# East Metropolitan Zone

## Minutes

28 November 2019

# East Metropolitan Zone

Hosted by the Shire of Mundaring

7000 Great Eastern Highway, Mundaring – Phone 9290 6666

Thursday 28 November 2019. Commenced at 6:00 pm

## Minutes

### MEMBERS

### 3 Voting Delegates from each Member Council

Town of Bassendean	Cr John Gangell Cr Sarah Quinton
City of Bayswater	Cr Catherine Ehrhardt Cr Stephanie Gray Cr Giorgia Johnson Mr Andrew Brien, Chief Executive Officer non-voting delegate
City of Belmont	Cr George Sekulla Cr Jenny Davis
City of Kalamunda	Cr Brooke O'Donnell Cr Janelle Sewell Ms Rhonda Hardy, Chief Executive Officer
Shire of Mundaring	Cr Jason Russell Cr Simon Cuthbert Cr Kate Driver Mark Luzi, Director Statutory Services non-voting delegate
City of Swan	Cr Rod Henderson Cr Patty Jones Cr Cate McCullough Mr Mike Foley Chief Executive Officer non-voting delegate
WALGA Secretariat	Ms Joanne Burges, Executive Manager People and Place Ms Susie Moir, Policy Officer, Community
DLGSC Representative	Marina Sucur Steve Bertoli

### APOLOGIES

City of Belmont	Mayor Phil Marks and Cr Bernie Ryan
Shire of Mundaring	Mr Jonathan Throssell Chief Executive Officer non-voting delegate
Town of Bassendean	Cr Chris Barty

## **ANNOUNCEMENTS**

Zone Delegates were requested to provide sufficient written notice, wherever possible, on amendments to recommendations within the State Council or Zone agenda prior to the Zone meeting to the Chair and Secretariat.

Agenda Papers were emailed 7 days prior to the meeting date to your Council for distribution to Zone Delegates.

Confirmation of Attendance An attendance sheet was circulated prior to the commencement of the meeting.

Acknowledgement of Country All attendees acknowledged the traditional owners of the land that the meeting is held on and paying respects to Elders past, present and future.

## **ATTACHMENTS WITHIN THE AGENDA**

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

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## **1. ELECTIONS**

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Pursuant to the WALGA Constitution, the Secretariat shall assume the Chair for conducting the election of representatives and deputy representatives to the State Council.

### **RESOLUTION**

**Moved:** Cr John Gangell  
**Seconded:** Cr Rod Henderson

**That nominations be taken for the floor for all positions.**

**CARRIED**

### **RESOLUTION**

**Moved:** Cr Brooke O'Donnell  
**Seconded:** Cr Janelle Sewell

**That Item 1.2 be considered as the first order of business.**

**CARRIED**

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## **1.2 Elections of State Council Representatives and Deputy State Council Representatives to the North Metropolitan Zone**

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Pursuant to the WALGA Constitution, the Secretariat shall assume the Chair for conducting the election of representatives and deputy representatives to the State Council.

Guidelines for elections were distributed to Member Councils as an attachment to a letter dated 18 October 2019.

WALGA incorporates a 24 members State Council with its members derived from Metropolitan and Country Zones. The State Council is chaired by the Association President.

In accordance with sub-clause 9(3) of the WALGA Constitution representatives and deputy representatives to the State Council shall be elected by Zones of the Metropolitan and Country constituencies for two (2) year terms, commencing from the Ordinary Meeting of State Council in December 2019 and concluding at the Ordinary Meeting of State Council two years later.

For the East Metropolitan Zone, there are two (2) representative positions on State Council and two (2) Deputy representative positions. The term is from the Ordinary Meeting of State Council in December 2019 and concluding at the Ordinary Meeting of State Council in December 2021.

### State Councillor

The following four written nominations were received for the position of State Council Representative:

- Cr Catherine Ehrhardt City of Bayswater
- Cr Kate Driver Shire of Mundaring
- Cr Jason Russell Shire of Mundaring
- Cr Brooke O'Donnell City of Kalamunda

Notification was received on 25 November 2019, from Cr Kate Driver that she has withdrawn her nomination as State Councillor representative.

Nominations were sought from the floor.

Cr McCullough nominated herself. The nomination was seconded by Cr Davis.

In accordance with the guidelines endorsed by State Council, candidates were afforded the opportunity to make a 2 minute election bid prior to the secret ballot being taken.

As more than 2 nominations were received, ballot papers were distributed and a secret ballot conducted.

### **DECLARATION**

**That:**

- **Cr Cate McCullough City of Swan**
- **Cr Catherine Ehrhardt City of Bayswater**

**be elected as State Council Representatives of the East Metropolitan Zone to the State Council for the term of 2 years, December 2019 to December 2021.**

### Deputy State Councillor

The following written nominations were received for the position of Deputy State Council Representative.

- Cr Catherine Ehrhardt City of Bayswater
- Cr Kate Driver Shire of Mundaring
- Cr Jason Russell Shire of Mundaring
- Cr Brooke O'Donnell City of Kalamunda

Cr Ehrhardt and Cr Russell withdrew their nominations.

## DECLARATION

That:

- Cr Kate Driver Shire of Mundaring
- Cr Brooke O'Donnell City of Kalamunda

be elected as Deputy State Council Representatives of the East Metropolitan Zone to the State Council for the term of 2 years, December 2019 to December 2021.

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### 1.1 Elections of Chair and Deputy Chair of the East Metropolitan Zone

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Pursuant to the WALGA Constitution, the Secretariat shall assume the Chair for conducting the election of office bearers.

Guidelines for elections were distributed to Member Councils as an attachment to a letter dated 18 October 2019.

The election for the Chairperson and Deputy Chairperson shall be conducted and the term set at two years expiring in November 2021, in line with the terms of State Council representatives and in sync with Local Government Elections.

No nominations were received from the floor.

#### Zone Chair

The following nomination was received for the positions of Chair for 2 years, November 2019 to November 2021.

- Cr Brooke O'Donnell City of Kalamunda

## DECLARATION

**That Cr Brooke O'Donnell, be elected as Chairperson of the East Metropolitan Zone for the term of 2 years, November 2019 to November 2021.**

#### Deputy Zone Chair

The following nomination was received for the positions of Deputy Chair for 2 years, November 2019 to November 2021.

- Cr Jason Russell Shire of Mundaring
- Cr Brooke O'Donnell City of Kalamunda

Cr O'Donnell withdrew her nomination.

## DECLARATION

**That Cr Jason Russell, be elected as Deputy Chairperson of the East Metropolitan Zone for the term of 2 year, November 2019 to November 2021.**

6.14pm Cr George Sekulla joined the meeting

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## 2. DEPUTATIONS

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The Shire of Mundaring presented on their Statutory Biodiversity and Bushfire Mapping Process.

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## 3. CONFIRMATION OF MINUTES

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### RESOLUTION

Moved: Cr Catherine Ehrhardt  
Seconded: Cr Kate Driver

That the Minutes of the Ordinary Meeting of the East Metropolitan Zone held Thursday 29 August 2019 be confirmed as a true and accurate record of the proceedings.

CARRIED

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## 4. DECLARATION OF INTEREST

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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.

Ms Hardy declared that she has an interest in Item 5.4 because she is a CEO of a Local Government.

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## 5. BUSINESS ARISING

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

Noted

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## 6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

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*(Zone delegates to consider the Matters for Decision contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)*

<https://walga.asn.au/getattachment/02b85870-f169-4119-b41c-d388071d8dbc/Agenda-State-Council-4-December-2019.pdf>

Item

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## 5.1 2020-21 State Budget Submission

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### RESOLUTION

Moved: Cr Janelle Sewell  
Seconded: Ms Rhonda Hardy

That WALGA's submission to the State Government in advance of the 2020-21 Budget be endorsed subject to: to the words: '*The State Government should increase the Community Sport and Recreation Facilities Fund (CSRFF) to \$50 million in the first year and \$25 million each year thereafter*' being included at Item 13.

**CARRIED**

Reason: The amendment seeks additional funding to make up for the loss of funding incurred since the CSRFF was reduced to \$10 million per year 4 or 5 years ago.

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## 5.5 Local Government Financial Ratios

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A motion was raised to ask the State Government to review the Asset Sustainability Ration Measures. The Secretariat advised that this Item has been discussed at a number of Zones and it was suggested that the Item be deferred and that WALGA form a sector reference group to further review the ratios and provide recommendations to the March 2020 State Council meeting. The motion was withdrawn.

### RESOLUTION

Moved: Ms Rhonda Hardy  
Seconded: Cr John Gangell

That the Item be deferred and that WALGA form a sector reference group to further review the ratios and provide recommendations to the March 2020 State Council meeting.

**CARRIED**

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## 5.7 Review of State Council and Zone Structure and processes – Working Group Report and Recommendations

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Moved: Cr Giorgia Johnson  
Seconded: Cr Catherine Ehrhardt

That the Zone supports the WALGA Recommendation, subject to the addition of Item 3. and 4. as follows:

1. The Working Group's Final Report, and the State Council's prior endorsement of Recommendations 5, 6, 7 and 8 from the Working Group's Final Report, be noted;
2. Recommendations 1, 2, 4, 9 and 10, from the Working Group's Final Report, be noted;
3. Recommendation 3 be amended to impose a maximum consecutive term of 8 years as a State Councillor; and
4. A further recommendation be included to request that WALGA do not undertake major consultation processes in the lead up to local government elections.

**CARRIED**

Reason: Zone members raised concerns that it was important that there was a rotation of the State Councillor role to ensure freshness of ideas and approach. In addition Zone

members were concerned about the timing of the request to comment on the Working Group's report and recommendations given Council caretaker periods in the lead up to elections.

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## 5.8 Membership of Development Assessment

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### RESOLUTION

Moved: Cr Kate Driver  
Seconded: Cr Jason Russell

**That the Zone supports the WALGA Recommendation.**

**CARRIED**

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## 5.12 Reforms to the Building Approval Process for Single Residential Buildings in Western Australia

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A motion was raised to amend the resolution.

### RESOLUTION AMENDMENT

Moved: Cr Brooke O'Donnell  
Seconded: Ms Rhonda Hardy

**That the Zone support the motion subject to the inclusion of the words 'and WALGA to advocate for the Building Commissioner to provide an appropriate level training for Local Government building inspection officers'.**

**CARRIED**

REASON: If Local Government building inspection officers are required to undertake mandatory inspections, the State Government should ensure that they receive adequate and appropriate training.

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## 5.15 Submission on the Climate Change in Western Australia Issues Paper

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A motion was raised to amend the recommendation.

### RESOLUTION AMENDMENT

Moved: Cr Kate Driver  
Seconded: Cr Stephanie Gray

**The WALGA recommendation is supported subject to the inclusion of an additional bullet point under the heading 'protecting biodiversity' to include 'recognise the significant role that native forests have as carbon stores and valuing these assets accordingly'.**

**CARRIED**

REASON: The Submission should explicitly state the significance of native forests as carbon stores and valuable assets.

**Voted against Cr Rod Henderson**

A motion was raised to further amend the resolution.



Moved: Cr Georgia Johnson  
Seconded: Cr Stephanie Gray

That the WALGA submission on the *Climate Change in Western Australia Issues Paper* be endorsed with the inclusion of the following additional four points:

1. Increase the investment of funding for the restoration and management of the Swan River foreshore;
2. Introduce the requirement for all State Government funded projects to undertake a liveability assessment, and to deliver on the outcome of this assessment;
3. Use money collected from the landfill levy to assist local governments in investigating and remediating former landfill sites which were operated in accordance with best industry best practice at the time;
4. For the State Government to address carbon emissions and climate change in every decision made by government, particularly existing and emerging fossil fuel projects.

**CARRIED**

Against Cr Rod Henderson and Cr Patty Jones

The AMENDED SUBSTANTIVE MOTION as follows, was put:

Moved: Cr Catherine Ehrhardt  
Seconded: Cr Stephanie Gray

That the Zone supports the WALGA recommendation, with the following amendments:

1. Increase the investment of funding for the restoration and management of the Swan River foreshore;
2. Introduce the requirement for all State Government funded projects to undertake a liveability assessment, and to deliver on the outcome of this assessment;
3. Use money collected from the landfill levy to assist local governments in investigating and remediating former landfill sites which were operated in accordance with best industry best practice at the time;
4. For the State Government to address carbon emissions and climate change in every decision made by government, particularly existing and emerging fossil fuel projects; and
5. The inclusion of an additional bullet point under the heading 'protecting biodiversity' providing 'recognise the significant role that native forests have as carbon stores and valuing these assets accordingly'.

**CARRIED**

Against Cr Rod Henderson and Cr Patty Jones

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## EN BLOC MOTION

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Noting Ms Hardy's declaration of interest:

## RESOLUTION

Moved: Cr Kate Driver  
Seconded: Cr Simon Cuthbert

That the Zone supports Items 5.2, 5.3, 5.4, 5.6, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.16 and 5.17 of the December 2019 WALGA State Council Agenda en bloc.

**CARRIED**

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## 7. BUSINESS

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### 7.1 Proposed 2020 Meeting Dates - East Metropolitan Zone

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#### BACKGROUND

A schedule of the proposed meeting dates for the East Metropolitan Zone 2020 has been prepared and is set out below. The dates have been set to coincide with the WALGA State Council meetings.

The proposed meeting dates for the East Metropolitan Zone for 2020 require adoption by delegates. As with previous years, the venue for each meeting has been rotated amongst Members.

NOTICE OF MEETINGS  
EAST METROPOLITAN ZONE MEETING  
2020

<b>Zone Meeting Date Thursday</b>	<b>Time</b>	<b>HOST COUNCIL</b>	<b>State Council Meeting Date 2020</b>
<b>27 February</b>	Thursday 6.00 pm	City of Swan	Wednesday 4 March 2020
<b>30 April</b>	Thursday 6.00 pm	Town of Bassendean	Wednesday 6 May 2020
<b>25 June</b>	Thursday 6.00 pm	City of Bayswater	Wednesday 1 July 2020
<b>27 August</b>	Thursday 6.00 pm	City of Belmont	Regional Meeting 3-4 September 2020
<b>26 November</b>	Thursday 6.00 pm	City of Kalamunda	Wednesday 2 December 2020

#### RESOLUTION

**Moved:** Cr Giorgia Johnson  
**Seconded:** Cr Catherine Ehrhardt

**That the 2020 proposed schedule of meetings for the East Metropolitan Zone be adopted.**

**CARRIED**

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### 7.2 Proposed alternative to the CA07 Restricted Access Vehicle Operating Condition

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#### Background

At the December 2018 meeting State Council resolved that WALGA:

1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed;
2. Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network;
3. Supports the development of standard administrative procedures including fees and letter formats;
4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage as determined by the Local Government; and

- Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from the use of heavy vehicles and those loaded in excess of limits (concessional loading) can be recovered from those benefiting, and redirected into the cost of road maintenance.

## **Comment**

Main Roads are proposing an alternative to the CA07 condition which will replace the condition with a notification process. They are presenting the proposal to all Regional Road Groups and have requested Local Governments provide feedback through an online survey.

WALGA is establishing a stake holder working group to advise if the proposal is “an acceptable alternative”, or to recommend amendments to Main Roads WA and to advise a policy position for State Council consideration. In accordance with the State Council resolution each Zone is invited to nominate a representative to serve on the Group.

Please supply name and contact details before Wednesday, 4 December 2019 to Audra de Pina, Administration Officer, Infrastructure, on (08) 9213 2059 or email AdePina@walga.asn.au

For further information please contact Mark Bondiotti on 9213 2040 or email mbondiotti@walga.asn.au

## **RESOLUTION**

**Moved:** Cr Catherine Ehrhardt  
**Seconded:** Cr Kate Driver

**That the East Metropolitan Zone appoints Cr Janelle Sewell to be its representative on the CA07 Restricted Access Vehicle Operating Condition.**

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## **7.3 Department of Local Government, Sport and Cultural Industries – Zone Attendance**

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*By Chantelle O'Brien, Zone Executive Officer*

### **BACKGROUND**

To continue with the Department of Local Government, Sport and Cultural Industries involvement with WALGA Zone meetings, a letter of correspondence has been received from the Zone Executive Officer to request a presentation at a future 2020 Zone meeting. Requesting for the Zone to consider providing feedback prior to each future meeting as to what topics that Zone would like to hear about.

A representative would then attend the next meeting and allow for a 10 minutes presentation to update the Zone on key issues and opportunities for the Zone as well as responses to the topics that the Zone has requested.

This will assist in keeping the topics responsive and relevant to the Zone and allowing time at each Zone meeting for a brief update and question time.

### **RESOLUTION**

**Moved:** Cr Kate Driver  
**Seconded:** Cr Jason Russell

**That:**

- A Representative from the Department of Local Government, Sport and Cultural Industries attend the March 2020 Zone meeting and provide a 20 minutes presentation on relevant key projects;**

2. A Representative from the Department of Local Government continue to attend the Zone meetings and provide a 10 minutes presentation on matters of interest at every meeting;
3. The Zone delegates provide topics of interest to the Zone Executive Officer prior to each meeting Agenda deadline to allow the Department to source information as required for the next meeting.

**CARRIED**

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## **8. OTHER BUSINESS**

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In accordance with Clause 35 of the Standing Orders:

Moved: Cr Giorgia Johnson  
Seconded: Cr Sarah Quinton

That an item of General Business be considered by the meeting.

**CARRIED**

### **RESOLUTION**

Moved: Cr Catherine Ehrhardt  
Seconded: Cr Stephanie Gray

That WALGA:

1. Investigate the support currently being provided by the Municipal Association of Victoria in relation to the prevention of violence against women; and
2. Present a report to the WALGA East Metropolitan Zone on the outcome of the investigations and how WALGA can provide support and advice to the sector on how it can collectively work towards reducing family violence in the Western Australian community.

### **AMENDMENT**

Moved: Cr Brooke O'Donnell  
Seconded: Cr Sarah Quinton

That the Motion be amended to refer to 'family and domestic violence' in the second paragraph.

**CARRIED**

### **FURTHER AMENDMENT**

Moved: Cr Catherine Ehrhardt  
Seconded: Cr Stephanie Gray

That the Motion be further amended to add the words 'for employees of Local Governments in Western Australia' at the end of the second paragraph.

The AMENDED SUBSTANTIVE MOTION as follows, was put:

Moved: Cr Sarah Quinton  
Seconded: Cr Catherine Ehrhardt

That WALGA:

1. Investigate the support currently being provided by the Municipal Association of Victoria in relation to the prevention of violence against women; and
2. Present a report to the WALGA East Metropolitan Zone on the outcome of the investigations and how WALGA can provide support and advice to the sector on how it can collectively work towards reducing family and domestic violence in the Western Australian community and for employees of local government in Western Australia.

CARRIED

Cr Rod Henderson voted against the motion.

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## 9. EXECUTIVE REPORTS

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### 9.1 WALGA President's Report

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The WALGA State Councillor or WALGA representative will present the President's Report.

**Noted**

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### 9.2 State Councillor's report to the Zone

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WALGA State Councillor to present on the previous State Council meeting.

**Noted**

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

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The Department of Local Government, Sport and Cultural Industries representatives, Marina Sucur and Steve Bertoli updated the Zone on DLGSC issues.

Please also see the following link:

[Zone Update from DLGSC](#)

**Noted**

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## 10. NOTICE OF MOTIONS FOR THE FOLLOWING MEETING

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NIL

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**11. DATE, TIME AND PLACE OF NEXT MEETING**

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**RESOLUTION**

**Moved:** Cr Patty Jones  
**Seconded:** Cr Rod Henderson

**That the next ordinary meeting of the East Metropolitan Zone be held on 27 February 2020 at the City of Swan commencing at 6:00pm.**

**CARRIED**

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**12. CLOSURE**

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There being no further business the Chair declared the meeting closed at 7.48pm.