



Central Metropolitan Zone

Minutes

26 November 2020

Central Metropolitan Zone

Hosted by the Town of Mosman Park

Cnr Bay View Terrace and Memorial Drive, Mosman Park

Thursday, 26 November 2020, commenced at 6:00 pm

Minutes

MEMBERS

2 Voting Delegates from each Member Council

Town of Cambridge	Cr Kate Barlow Cr Alaine Haddon-Casey
Town of Claremont	Cr Paul Kelly - Chair Cr Peter Browne OAM JP (departed 7.45pm)
Town of Cottesloe	Cr Helen Sadler
Town of Mosman Park	Mayor Brett Pollock Ms Carissa Bywater, Chief Executive Officer non-voting delegate
City of Nedlands	Mayor Cilla de Lacey Cr Kerry Smyth Cr Rebecca Coghlan (Observer) Mr Mark Goodlet, Chief Executive Officer non-voting delegate
Shire Peppermint Grove	Cr Charles Hohnen Cr Greg Peters
City of Perth	Cr Catherine Lezer
City of Subiaco	Cr Lynette Jennings Cr Stephanie Stroud, Deputy delegate Mr David Bentley, Governance Officer non-voting delegate
City of Vincent	Cr Joanne Fotakis
WALGA	Mr James McGovern, Manager Governance
DLGSC Representative	Cameron Taylor, Senior Legislation and Strategy Officer

APOLOGIES

Town of Mosman Park	Cr Jenna Ledgerwood
City of Subiaco	Mayor Penny Taylor Mr Cliff Frewing, Acting Chief Executive Officer
City of Vincent	Cr Ashley Wallace Mr David MacLennan Chief Executive Officer
Town of Cottesloe	Cr Paul MacFarlane Mr Matthew Scott, Chief Executive Officer

Shire of Peppermint Grove	Mr Don Burnett, Chief Executive Officer
City of Perth	Cr Di Bain Ms Michelle Reynolds, Chief Executive Officer
Town of Cambridge	John Giorgi, Chief Executive Officer
Town of Claremont	Ms Liz Ledger, Chief Executive Officer
WALGA	Mayor Tracey Roberts, President Gemma Cook, Environment Policy Officer

Contents

1.	DECLARATION OF INTEREST	5
2.	DEPUTATIONS.....	5
2.1	Department of Planning, Lands and Cultural Heritage -	5
3.	CONFIRMATION OF MINUTES	6
4.	BUSINESS ARISING	6
5.	STATE COUNCIL AGENDA - MATTERS FOR DECISION AND NOTING.....	6
6.	ZONE BUSINESS	7
6.1	Authorised Inquiries and Show Cause Notices.....	7
6.2	2021 Proposed Schedule of Meetings.....	9
6.3	Request to Present - NBN	10
6.4	Request to Present – Tennis West.....	10
6.5	Western Suburbs Project Working Group – Dwelling Targets.....	11
7.	OTHER BUSINESS.....	11
8.	EXECUTIVE REPORTS	11
8.1	President’s Report to the Zone.....	11
8.2	State Councillor’s report to the Zone	12
8.3	Department of Local Government, Sport and Cultural Industries Representative Update.....	12
9.	DATE, TIME AND PLACE OF NEXT MEETING	12
10.	CLOSURE	12

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 Previous Meeting
2. Zone Status Report
3. Tennis West Correspondence
4. President's Report
5. Standing Orders

1. DECLARATION OF INTEREST

Cr Kelly declared an impartiality interest in State Council Agenda Items 5.1 and 5.4 due to potential involvement of the Economic Regulation Authority in rating exemptions (5.1) and underground power (5.4).

2. DEPUTATIONS

2.1 Department of Planning, Lands and Cultural Heritage

At the August 2020 Central Metropolitan Zone meeting the following was resolved:

RESOLUTION

Moved Cr Charles Hohnen

Seconded Cr Greg Peters

That a representative from the Department of Planning, Lands and Heritage provide an overview of the template Noongar Heritage Agreement and an update on the progress of new Aboriginal heritage legislation for WA at the November Central Metropolitan Zone meeting.

CARRIED

The Secretariat has been advised that due to a shortage in resources, representatives from the Department of Planning, Lands and Cultural Heritage team that have been working on the Heritage Agreement were not able to deputise at the November 2020 Central Metropolitan Zone meeting, and have advised that they will be looking to provide a presentation at a future Zone meeting. It is noted that South West Land and Sea Council will also be invited to attend at the same time.

NOTE: *As per a previous Central Metropolitan Zone resolution, Darryl Nichols, Co-Founder of Grow it Local who has been scheduled to present to the Zone since early 2020, has confirmed that due to Covid restrictions, will not be able to present to the Central Metropolitan Zone until June 2021. This will hopefully be a good time as the WA border restrictions may be relaxed and interstate travel possible.*

Noted

3. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Mayor Brett Pollock
Seconded: Cr Charles Hoehnen

That the Minutes of the meeting of the Central Metropolitan Zone held on 27 August 2020 be confirmed as a true and accurate record of the proceedings.

CARRIED

4. BUSINESS ARISING

Nil.

5. STATE COUNCIL AGENDA - MATTERS FOR DECISION AND NOTING

5.1 Local Government Act Review Advocacy Paper – Key Issues from Recent Inquiries into Local Government

RESOLUTION

Moved: Cr Helen Sadler
Seconded: Cr Catherine Lezer

That WALGA conduct a consultation process with Members in relation to compulsory voting

CARRIED

RESOLUTION

Moved: Cr Lynette Jennings
Seconded: Cr Stephanie Stroud

That the Roles and Responsibilities recommendation in the 'WALGA Advocacy Positions for a New Local Government Act' be amended to read: *'That clarification of roles and responsibilities for mayors/presidents, councillors and CEOs be considered.'*

CARRIED

5.3 Family and Domestic Violence and the Role of Local Governments

RESOLUTION

Moved: Cr Lynette Jennings
Seconded: Cr Stephanie Stroud

That Item 2 of the WALGA Recommendation be deleted.

Tied 7/7 Casting Vote of the Chair not exercised

For: Cr Smyth, Cr Stroud, Cr Jennings, Cr Hohnen, Cr Barlow, Cr Haddon-Casey, Cr Peters
Against: Cr Kelly, Mayor Pollock, Mayor de Lacy, Cr Sadler, Cr Browne, Cr Fotakis,
Cr Lezer

5.5 CEO Recruitment and Selection, Performance Review and Termination Standards Regulations

RESOLUTION

Moved: Cr Joanne Fotakis
Seconded: Cr Kate Barlow

That Item 5.5(1)(a) be amended to read:

Support Regulations that require re-advertising CEO positions after 10 year's continual service.

CARRIED

RESOLUTION

Moved: Cr Joanne Fotakis
Seconded: Cr Stephaine Stroud

That Item 5.5(1)(b) be amended to read:

Encouraging, rather than mandating, that Council seek the involvement of a suitably qualified, experienced, independent recruitment consultant in the CEO Recruitment and Selection Process.

CARRIED

RESOLUTION

Moved: Cr Alaine Haddon-Casey
Seconded: Cr Charles Hoehnen

That the Central Metropolitan Zone:

1. Supports Matters for Decision as listed in the 2 December 2020 State Council Agenda with amendments as noted; and
2. Notes all Matters for Noting and Organisational Reports as listed in the 2 December 2020 State Council Agenda.

CARRIED

6. BUSINESS ARISING

6.1 Authorised Inquiries and Show Cause Notices

Background

At the Ordinary Council Meeting of Tuesday, 27 October 2020, the Town of Cambridge Council considered an item of Urgent Business in relation to the above, and resolved as follows:

“Urgent Business

- 11.1 *Notice of Motion from Town of Cambridge Concerning Authorised Inquiries and Show Cause Notices*

That WALGA:

1. RECEIVES the Supreme Court Decision [2020] WASC 350, made by Justice Tottle on 2 October 2020 about the Show Cause Notice issued by the Minister for Local Government on 26 May 2020 against the Town of Cambridge, as per the link below:

<https://ecourts.justice.wa.gov.au/eCourtsPortal/Decisions/DownloadDecision/537c6626-15af-4cc1-b094-dff679b995b7?unredactedVersion=False>

2. REQUESTS the Minister for Local Government to:

2.1 Acknowledge the Supreme Court Findings made by Justice Tottle in his decision [2020] WASC 350, as there are applicable to other local governments;

2.2 Consider that he will not issue any more Show Cause Notices against local government without giving prior written reasons and prior engagement with the affected Council, in order to attempt to resolve; and

2.3 Consider that the process for an Authorised Inquiry will be amended to:

- a) Require prior engagement and a less adversarial approach with the affected local government, in order to attempt to resolve issues, improve good governance and performance;
- b) Require regular progress reports to the affected local government;
- c) Require a specified time frame to be state for the conduct of the Authorised Inquiry and any extension of the Inquiry to require the Minister's approval."

During consideration of the item, the Town's Elected Members expressed the strong view that WALGA should support the Town of Cambridge and lobby the Minister to see a change in the way Authorised Inquiries and the issuing of Show Cause Notices are handled. You will appreciate that this matter is of particular importance to all local governments in Western Australia, not only those which are currently the subject of an Authorised Inquiry.

Amendment

Moved: Cr Helen Sadler

Seconded: Cr Joanne Fotakis

That Clause 2.2 be amended to read:

First engage without giving written reasons to the affected Council in order to attempt to resolve identified issues, prior to giving a Show Cause Note.

Lost

RESOLUTION

Moved: Cr Alain Haddon-Casey

Seconded: Cr Kate Barlow

That WALGA:

1. Notes the Supreme Court Decision [2020] WASC 350, made by Justice Tottle on 2 October 2020 about the Show Cause Notice issued by the Minister for Local Government on 26 May 2020 against the Town of Cambridge;

2. Requests the Minister for Local Government to:

- 2.1 Acknowledge the Supreme Court Findings made by Justice Tottle in his decision [2020] WASC 350, as these are applicable to other local governments;
- 2.2 Not issue any Show Cause Notices against local government without giving prior written reasons and prior engagement with the affected Council, in order to attempt to resolve identified issues; and
- 2.3 Consider that the process for an Authorised Inquiry will be amended to:
 - a) Require prior engagement with the affected local government, in order to attempt to resolve issues, improve good governance and performance;
 - b) Require regular progress reports be provided to the affected local government; and
 - c) Require a specified time frame to be stated for the conduct of the Authorised Inquiry and any extension of the Inquiry to require the Minister's approval.

CARRIED

6.2 2021 Proposed Schedule of Meetings

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

A schedule of the proposed meeting dates for the Central Metropolitan Zone 2021 has been prepared and is set out below. The dates have been set to coincide with the WALGA State Council meetings.

Please note that the week of Zone meetings has been shifted back by one week. This change has been made to allow the secretariat to provide feedback from Zones to State Council members, with an appropriate time frame to consider the responses before State Council meeting.

The proposed meeting dates for the Central Metropolitan Zone for 2021 require adoption by delegates.

As with previous years, the venue for each meeting has been rotated amongst Members.

NOTICE OF MEETINGS CENTRAL METROPOLITAN ZONE 2021

Zone Meeting Dates Thursday	Time	HOST COUNCIL	State Council Meeting Date 2021
18 February	Thursday 6.00 pm	City of Nedlands	Wednesday 3 March 2021
22 April	Thursday 6.00 pm	Shire of Peppermint Grove	Regional Metro Wednesday 5 May 2021
24 June	Thursday 6.00 pm	City of Vincent	Wednesday 7 July 2021
19 August	Thursday 6.00 pm	Town of Cambridge	Regional Meeting 2-3 September 2021
18 November	Thursday 6.00 pm	Town of Claremont	Wednesday 1 December 2021

RESOLUTION

Moved: Mayor Brett Pollock
Seconded: Cr Helen Sadler

That the 2021 proposed schedule of meetings for the Central Metropolitan Zone be adopted.

CARRIED

6.3 Request to Present - NBN

By Chantelle O'Brien, Zone Executive Officer

Zone Executive Officer for the East Metropolitan Zone has received a request from Corrine Hawke, NBN Co, to request if there would be an opportunity to present to the Zone as well as all Metropolitan Zones and provide information on their services.

NBN Co is the company that is building and operating Australia's national broadband network (nbn), the digital platform upon which we are delivering digital connectivity to every home and business. Our new purpose is to 'lift the digital capability of Australia' and part of our approach is to support digital literacy in our communities, ensure a positive experience for our customers, and assist them to maximise the social and economic benefits of the nbn for themselves, their families, their business and communities.

They would like to present on the following topics, providing an overview on:

- The nbn business grade products and services available to local businesses to support innovation, productivity, jobs growth and local economic recovery in your communities
- How NBN Co is supporting residents, small business owners, seniors and vulnerable community members and groups with digital literacy to build their skills, knowledge and know-how and helping them to live, learn and work in a digital society.

Case studies and examples of our work will be provided to demonstrate how our Community Ambassadors and community engagement team is delivering value in digital literacy.

RESOLUTION

Moved: Mayor Brett Pollock
Seconded: Cr Catherine Lezer

That the Central Metropolitan Zone supports the opportunity for Corrine Hawke from NBN Co to provide a presentation at the April 2021 Zone meeting.

CARRIED

6.4 Request to Present – Tennis West

By Chantelle O'Brien, Zone Executive Officer

Please refer to Agenda attachment (Attachment 3) in regards to correspondence received from Tennis West to attend a future Zone meeting and provide a presentation. Taking into account that The Department of Planning, Lands and Heritage have been tentatively secured to attend the February Zone meeting, and if the Zone supports NBN request to present at the April Zone meeting and Grow it Local in June, Tennis West could present at the August 2021 Central Metropolitan Zone meeting if deemed appropriate.

Moved: Mayor Cilla de Lacy
Seconded:

That the Central Metropolitan Zone supports inviting Tennis West to attend the June 2021 Zone meeting and provide a presentation.

Lapsed for want of a seconder

6.5 Western Suburbs Project Working Group – Dwelling Targets

By Mayor de Lacy, City of Nedlands

BACKGROUND

Section 5.2 of the State Government's 'Central Sub-regional Planning Framework' (March 2018) makes reference to infill housing targets. The Planning Framework makes a clear distinction between incremental infill and urban consolidation. Describing that the former is new infill that will occur within traditional suburban areas outside of the preferred locations for urban consolidation (that being activity centres, urban corridors and station precincts). It then gives Stirling, Melville and Canning as examples 'where incremental growth is considered a gradual and organic process of continuous consolidation that occurs almost naturally at the accord of landowners through mechanisms such as subdivision or land assembly.'

Yet these Local Governments are also delivering on urban consolidation in key strategic areas such as Canning Bridge and Scarborough. Therefore, greater thought needs to go into distinguishing between dwelling targets allocated as incremental infill and those as urban consolidation. The former is something all Local Governments should pursue while the latter may be better driven by regional and precinct-based targets that cross Local Government boundaries. Particularly in areas with small local government authorities. An example being urban consolidation associated with the QEII/UWA Strategic Activity Centre Plan being prepared that includes Cities of Perth, Nedlands and Subiaco.

COMMENT

The Planning Framework indicates that local government infill housing targets will be subject to regular review as new data becomes available. Given the impact of COVID 19 on population growth and our economy, now may be the time to revisit these targets and advocate for a new approach to the setting of targets.

The City of Nedlands has already engaged with former Perth Commissioner Andrew Hammond on this issue and been encouraged to pursue this approach through the WALGA Central Zone Forum.

The City would like to ascertain if other members are interested in pursuing this distinction in the setting of dwelling targets by State Government.

RESOLUTION

Moved: Mayor Cilla de Lacy
Seconded: Cr Helen Sadler

That the Zone invites the WAPC Chair to the Zone meeting of 18 February 2021 to raise and discuss the issue of dwelling targets.

CARRIED

7. OTHER BUSINESS

Nil

8. EXECUTIVE REPORTS

8.1 President's Report to the Zone

Noted

8.2 State Councillor's report to the Zone

WALGA State Councillor presented on the previous State Council meeting.

Noted

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

Department of Local Government, Sport and Cultural Industries representative presented an update to the Zone.

Noted

9. DATE, TIME AND PLACE OF NEXT MEETING

RESOLUTION

Moved: Mayor Cilla de Lacy
Seconded: Cr Charles Hoehnen

That the next ordinary meeting of the Central Metropolitan Zone be held on Thursday 18 February 2021 at the City of Nedlands at 6:00 pm.

CARRIED

10. CLOSURE

There being no further business the Chair declared the meeting closed at 8.20pm.