



Central Metropolitan Zone

Minutes

27 February 2020

Central Metropolitan Zone

Hosted by the City of Subiaco, 9237 9222

241 Rokeby Road, Subiaco, Thursday, 27 February 2020,

Commenced at 6:00 pm

Agenda

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
Town of Cottesloe	Cr Paul MacFarlane Cr Helen Sadler
Town of Mosman Park	Mayor Brett Pollock Cr Jenna Ledgerwood Ms Carissa Bywater, Chief Executive Officer non-voting delegate
Shire Peppermint Grove	Cr Charles Hohnen Cr Greg Peters
City of Subiaco	Mayor Penny Taylor (left the meeting at 19:34pm) Cr Stephanie Stroud Ms Rochelle Lavery, Chief Executive Officer - non-voting delegate
City of Vincent	Cr Joanne Fotakis Cr Ashley Wallace
WALGA Secretariat	Ms Nicole Matthews, Manager, Environment Policy Ms Kirstie Davis, Policy Manager, Community
DLGSC Representative	Ms Kirsty Martin, Principal Strategy Officer Mr Ben Armstrong, Senior Policy and Project Delivery
Guest Speakers	Krista Coward, Manager Health Promotion, North Metropolitan Health Service

APOLOGIES

Town of Cambridge	Mr John Giorgi JP, Chief Executive Officer – non-voting delegate
Town of Claremont	Ms Liz Ledger, Chief Executive Officer non-voting delegate
Town of Cottesloe	My Neil Hartley, Acting Chief Executive Officer – non-voting delegate
Shire Peppermint Grove	Mr Don Burnett, Chief Executive Officer non-voting delegate
City of Perth	Mr Andrew Hammond, Commissioner Mr Len Kosova, Commissioner Mr Murray Jorgensen, Chief Executive Officer non-voting delegate
City of Subiaco	Cr Lynette Jennings
City of Vincent	Mr David MacLennan Chief Executive Officer – non-voting delegate

Contents

1.	DEPUTATIONS	4
1.1	A Guide to Development of Public Health Plans	4
1.2	Department of Local Government, Sport and Cultural Industries	4
2.	CONFIRMATION OF MINUTES	5
3.	DECLARATION OF INTEREST	5
4.	BUSINESS ARISING	5
5.	STATE COUNCIL AGENDA - MATTERS FOR DECISION	5
6.	ZONE BUSINESS	6
6.1	Request to Present - Western Australian Disability Enterprises (WADE).....	6
6.2	Reporting on SAT and DAP decisions.....	6
6.3	Development Approvals	7
7.	OTHER BUSINESS	9
8.	EXECUTIVE REPORTS	10
8.1	President's Report to the Zone.....	10
8.2	State Councillor's report to the Zone	10
8.3	Department of Local Government, Sport and Cultural Industries Representative Update.....	10
9.	DATE, TIME AND PLACE OF NEXT MEETING	11
10.	CLOSURE	11

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. President's Report
3. Zone Status Report
4. Standing Orders

1. DEPUTATIONS

1.1 A Guide to Development of Public Health Plans

Krista Coward, Manager Health Promotion, Mental Health, Public Health and Dental Services from North Metropolitan Health Services, presented to the Zone in regards the development of Public Health Plans required by the *Public Health Act 2016*.

- Impact of social, economic, environmental factors on the health and well-being of local community
- Current trends and best practice in promoting community Wellbeing.
- How can we (North Metropolitan Public Health Unit) support LGAs within our boundaries with the development and implementation of tailored Public Health & Wellbeing plans.

A link has been provided as mentioned at the Zone meeting and is below:

Please click [here](#)

1.2 Department of Local Government, Sport and Cultural Industries

As resolved at the November Central Metropolitan Zone meeting, Ms Kirsty Martin, Principal Strategy Officer from the Department presented to the Zone on relevant key projects for this first Zone meeting of 2020. The Department will continue to provide an update to each future Zone meeting based on the topics of interest that are provided from the Zone.

Mr Ben Armstrong also provided an update to the Zone on the National Redress Scheme and what Local Governments involvement will entail.

2. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Charles Hohnen
Seconded: Mayor Brett Pollock

That the Minutes of the meeting of the Central Metropolitan Zone held on Thursday 28 November 2019 be confirmed as a true and accurate record of the proceedings.

CARRIED

3. DECLARATION OF INTEREST

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.

Cr Helen Sadler – declared impartiality interest on items 5.2, 5.3 and 6.5.

4. BUSINESS ARISING

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

Noted

5. STATE COUNCIL AGENDA - MATTERS FOR DECISION

RESOLUTION

Moved: Cr Jenna Legerwood
Seconded: Mayor Penny Taylor

That all items in the March 2020 State Council Agenda except Item 6.5 be supported. Item 6.5 for noting to be considered under Other Business.

CARRIED

6. ZONE BUSINESS

6.1 Request to Present - Western Australian Disability Enterprises (WADE)

By Executive Officer, Chantelle O'Brien

Background

Ms Lil Paskos, Procurement Manager from Western Australian Disability Enterprises (WADE) has requested an opportunity to present at the April 2020 Central Metropolitan Zone meeting.

Ms Lil Paskos, has previously presented at the Metropolitan Zone meetings in 2016/17. With the 2019 Local Government elections and subsequent new Elected Members.

In Brief

Ms Paskos provided a brief overview of the eight WADEs which collectively employ more than 2,200 individuals with disability across a range of commercial operations. WADEs provide a broad range of quality products and services and now include new service categories.

A change to the Local Government (Functions and General) Regulations 1996 with effect from October 2015, permit Local Governments to source products and services from WADEs (including Indigenous businesses) without the need to conduct a competitive and costly tendering process (i.e. for purchases greater than \$150,000). The operation of this amendment being contingent on fair value and quality.

This policy change provides Councils with an avenue to embed social procurement in their buying practices and in turn, increase supplier diversity and inclusion.

Local Governments spend more than a billion dollars annually and since 2015, \$5 million of commercial contracts have been awarded to WADEs, but predominantly through a competitive tender process.

This briefing provides an opportunity to showcase all services as well as seeking support to leverage upon Local Government buying power to directly engage with organisations that employ people with disability and contribute to broader sustainable initiatives.

RESOLUTION

Moved: Cr Alaine Haddon-Casey
Seconded: Mayor Penny Taylor

That Lil Paskos from Western Australian Disability Enterprises provide a presentation to the April 2020 Central Metropolitan Zone Meeting to provide the above information.

CARRIED

6.2 Reporting on SAT and DAP decisions

By Shire of Peppermint Grove

Background:

Over the past two years WALGA has investigated various planning issues that were causing concern for some councils notably on DAPs and third-party appeal rights. It is understood that the role of SAT was not included in such investigations but concerns have certainly been raised at the approach SAT seems to take to matters of discretion. Councils (certainly the Shire of Peppermint Grove) approach discretion by assessing the justification for the discretion - are there sound planning grounds that support the variation? SAT, however, seems to turn the issue around by asking why the Local Planning Scheme or policy should

be followed. It is a different philosophical approach that results in the provisions of a Local Planning Scheme, and/or the RDCs, being continually under a question-mark.

It would be helpful to know if any regular analysis is done on the results of appeals by the Department of Planning or by SAT itself. Do we know how many council decisions are over-turned as a proportion of appeals; are there particular planning issues that dominate those statistics; what training are SAT members given; does the content of that training differ to the planning advice provided to Councillors as part of their training; how is the quality of SAT decisions assessed – how many go to further appeal and how many are reversed at that stage?

Secretariat Comment:

WALGA has developed a Planning Improvement Program website, which provides case notes of recent SAT and Court decisions and how they may impact on Local Governments decision making processes. The case notes can be found here;

<https://walgapip.ning.com/case-notes>

Currently 30 cases have been provided for members to access.

SAT does provide a high level report of their cases in their annual report, but not to the level of detail requested below.

Department of Planning, Lands and Heritage do not report on DAPs.

WALGA is currently finalising a report on Years 6, 7 and 8 of DAPS which will have some of the information requested.

RESOLUTION

Moved: Cr Charles Hohnen
Seconded: Mayor Brett Pollock

That WALGA provide regular reports on State Administrative Tribunal decisions arising from planning appeals against Local Government or DAP decisions. The reports should provide a summary of the decisions with advice to councils on the implications of the decision for future planning applications.

CARRIED

6.3 Development Approvals

By Town of Mosman Park

Background

If the development has not commenced before the expiration of the two-year approval period, the approval lapses. However, the planning framework allows a landowner or applicant to request, in writing, for the time period to be extended. A request to extend a development approval may be made during or after the period within which the development approval must be substantially commenced.

The assessment takes into consideration the current planning framework, and whether the application has changed materially. But the legislative framework does not require consideration of any changed circumstances or State Planning Policies applicable at that time. This means that any planning policies (i.e the new Design Code, Precincts), or Local Planning Schemes in place at the time of the extension request are not adequately contemplated – and so any extensions given do not reflect current planning requirements. For example the Town of Mosman Park recently received an application (determined by the DAP) for an extension of development approval for a commercial development. Since the original approval was given, Council had reason to believe the proposed development changed the scale of the

use. Despite our best efforts these changes were not fully disclosed by the applicant and subsequently not taken into account by DAP. This resulted in a decision that may, we believe, have a negative impact on the Town and its residents. Given the changing nature of the planning framework, it is important that any development approval extensions take into account the new requirements at the time of any extension – or at the very least a limit needs to be imposed, to one extension.

Secretariat Comment

The Association is happy to investigate this matter further for the Zone. It would be good to clarify if the Zone is requesting specific legislative changes, or just additional guidance from the State as to the correct application of the current provisions.

The State has advised that proposed amendments to the Local Planning Scheme Regulations will be out for public comment shortly, therefore, there may be an opportunity to clarify this procedural process at this time.

RESOLUTION

Moved: Cr Jenna Ledgerwood
Seconded: Mayor Brett Pollock

That WALGA request the State Government to introduce changes by Joint Development Assessment Panels to improve the process in relation to extension of development approvals and to strictly limit extensions at the expiration of the first approval to one extension, with a maximum of two year time frame.

CARRIED

6.4 Request to Present – Tree Decline Investigation

By Executive Officer, Chantelle O'Brien

Background

Eucalyptus rudis also known as swamp gum or flooded gum, is a temperate eucalypt and a vital, endemic component of the southwestern Australian ecosystem. It is a key feature and keystone species of our riparian areas and wetlands, and provides critical ecosystem functions such as foreshore stabilisation, habitat and foraging provision, water maintenance, as well as landscape, cultural, social and economic values.

Unfortunately, *E. rudis* is in severe decline across much of its range and has been for many decades. It has experienced many threatening processes since settlement, such as clearing, climate change, weed invasion, understorey removal, nutrient enrichment of land and waterbodies, altered water table levels, grazing, and changes in beneficial soil microbes. Little is known about the key underlying causal factors, and what actions to take to mitigate the decline. Although treatments trialled previously include tree injections, nutrient implants, and revegetation, few have been highly successful.

Preliminary research has indicated that the decline is complex and there are multiple drivers involved and no single cause. Therefore, we will use the Manion 'Tree Decline Spiral' (Manion 1981) as a template to understand the 'predisposing', 'inciting' and 'contributing' factors that are likely to be drivers. We have used this method successfully for marri and tuart. This approach will allow us to develop an integrated, cross-disciplinary and cross-scale approach to understand the decline syndrome and how best to mitigate the decline. We are keen to work with key stakeholders including friends of groups to help with various aspects of the different trials.

A Representative from the Parks and Wildlife Service from the Department of Biodiversity, Conservation and Attractions have requested to attend a future Zone meeting to discuss this matter further and seek feedback.

RESOLUTION

Moved: Cr Joanne Fotakis
Seconded: Cr Jenna Ledgerwood

That an appropriate Specialist Representative from the Parks and Wildlife Service from the Department of Biodiversity, Conservation and Attractions attend the April 2020 Central Metropolitan Zone meeting to present on the above.

CARRIED

6.6 Request to Present – Grow it Local

By Executive Officer, Chantelle O'Brien

Background

A representative from Grow it Local, has approached WALGA and requested an opportunity to Present to the Zone. Grow It Local is a grass roots and purpose-driven mission to get more people growing, sharing and eating locally grown foods.

What they are aiming to achieve is:

- Make growing more accessible
- Increase the production & consumption of locally grown foods
- Provide a connection to nature
- Inspire positive health & wellbeing
- Help build stronger and more resilient communities
- Increase composting and reduce organic waste to landfill
- Do something delicious & have a little fun

RESOLUTION

Moved: Cr Jenna Ledgerwood
Seconded: Cr Kate Barlow

That a representative from Grow it Local, attend the June 2020 Central Metropolitan Zone meeting to provide further information about their organisation and the assistance it may provide to Local Governments.

LOST

7. OTHER BUSINESS

7.1 State Council Agenda Item 6.5 - Submission to Joint Select Committee on Road Safety

Item 6.5 of the State Council March 2020 Agenda was withdrawn for discussion.

Background

The Town of Cottesloe, WALGA central zone and the ALGA have supported this position on speed reform in 2019.

Speed reform saves lives, improves the amenity of cities, prevents chronic disease through increased walkability and is beneficial for the environment.

RESOLUTION

Moved: Cr Helen Sadler
Seconded: Mayor Brett Pollock

That WALGA ensure that any future representations on Road Safety incorporate the importance of speed reform in urban Australia to meet the needs of current and future Australians, based on national and international evidence regarding safety, amenity, illness prevention and sustainability.

CARRIED

7.2 Item for Zone consideration at the April Central Metropolitan Zone meeting

RESOLUTION

Moved: Cr Stephanie Stroud
Seconded: Cr Helen Sadler

That information on the process surrounding Dilapidation Reports be discussed at the next Central Metropolitan Zone meeting.

CARRIED

8. EXECUTIVE REPORTS

8.1 President's Report to the Zone

WALGA State Councillor and Central Metropolitan Zone Chair, Councillor Kelly presented the President's Report.

Noted

RESOLUTION

Moved: Mayor Brett Pollock
Seconded: Cr Helen Sadler

That the Central Metropolitan Zone provide an official letter of thanks to the outgoing President of WALGA State Council that recognises service to the sector.

CARRIED

8.2 State Councillor's report to the Zone

WALGA State Councillor, Cr Ledgerwood presented on the previous State Council meeting.

Noted

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

As per the presentation at the commencement of the meeting, a Department of Local Government, Sport and Cultural Industries representative will update the Zone at all future meetings on topics of interest to the Zone that have been provided prior.

Please see link below for the full update:

[DLGSC Zone Update February – March 2020](#)

Noted

8.4 Topics for next meeting update by the DLGSC

Nil

9. DATE, TIME AND PLACE OF NEXT MEETING

RESOLUTION

Moved: Cr Jenna Ledgerwood
Seconded: Mayor Brett Pollock

That the next ordinary meeting of the Central Metropolitan Zone be held on Thursday 30 April 2020 at the Town of Mosman Park at 6:00 pm.

CARRIED

10. CLOSURE

There being no further business the Chair declared the meeting closed at 8.19pm.