



North Metropolitan Zone

Minutes

26 November 2020

North Metropolitan Zone

Hosted by the City of Joondalup

90 Boas Avenue, Joondalup – 08 9400 4000

Thursday 26 November 2020, commenced at 6:00 pm

Minutes

MEMBERS

4 Voting Delegates from each Member Council

City of Joondalup	Mayor Hon. Albert Jacob JP - Chair Cr John Logan Cr Christopher May Mr Jamie Parry, Director Governance and Strategy – non-voting delegate
City of Stirling	Cr Stephanie Proud JP Cr David Lagan Cr Chris Hatton Mr John Beaton, Senior Coordinator Corporate Compliance – non-voting delegate
City of Wanneroo	Mayor Tracey Roberts, WALGA President Cr Frank Cvitan JP Cr Dot Newton Cr Glynis Parker Mr Mustafa Yildiz, Executive Manager Governance and Legal – non-voting delegate
WALGA Representatives	Mal Shervill, Policy Officer - Road Safety Garry Middle, Environment Policy Advisor
DLGSC Representative	Troy Hancock Senior Legislation Officer Trish Edgar Senior Legislation and Strategy Officer
Guest Speakers	Corrine Hawke, NBN Co.

APOLOGIES

City of Stirling	Mayor Mark Irwin Mr Stuart Jardine, Chief Executive Officer – non-voting delegate
City of Joondalup	Cr Russ Fishwick JP Cr Russell Poliwka Mr Garry Hunt, Chief Executive Officer – non-voting delegate
City of Wanneroo	Cr Domenic Zappa Mr Daniel Simms, Chief Executive Officer – non-voting delegate

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

1. DECLARATION OF INTEREST

Elected Members 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.

There were no conflicts of interest declared.

2 DEPUTATIONS

All Deputations have a time limit of 20 minutes, which includes questions time.

2.1 NBN Co. Presentation

By Chantelle O'Brien, Executive Officer

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 network for themselves, their families, their business and communities.

Provided was an overview on the following topics:

- 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 knowledge and helping them to live, learn and work a digital society. Case studies and examples of our work to demonstrate how our Community Ambassadors and community engagement team is delivering value in digital literacy are available on the NBN website.

3. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Frank Cvitan
Seconded: Cr Chris Hatton

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

CARRIED

4. BUSINESS ARISING

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

Noted

5. REPORTS FROM MEMBER COUNCILS

Nil

6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

(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)

The full State Council Agenda can be found via link: [State Council Agenda December 2020](#)

The Zone is able to provide comment or submit an alternative recommendation that is then presented to the State Council for consideration.

Matters for Decision

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

That:

1. Ongoing advocacy relating to the Review of the Local Government Act 1995 be noted; and
2. The Advocacy Positions for a New Local Government Act: Key issues from recent Inquiries into Local Government – be endorsed.

5.2 Submission – Registration of Building Engineers in WA

That WALGA:

1. Advise the Department of Mines Industry Regulation and Safety (DMIRS) that the registration of Building Engineers in WA is supported.
2. Request that DMIRS also consider the registration of Electrical Engineers, Façade Engineers, Energy Assessors, Bush Fire Consultants, Access consultants, Swimming pool, Patio installers and Demolition contractors.
3. Request that DMIRS clarify that dilapidation reports may only be undertaken by Registered Engineers.
4. Provide this report to Department of Mines Industry Regulation and Safety as feedback on the Consultation Regulatory Impact Statement.

5.3 Family and Domestic Violence and the Role of Local Governments

That:

1. WA Local Governments recognise the prevalence, seriousness and preventable nature of family and domestic violence and the roles that Local Governments can play in addressing gender equity and promoting respectful relationships in their local community.
2. WALGA advocates to the State Government:
 - a. to define and communicate the role, responsibilities and expectations of Local Governments in family and domestic violence.
 - b. for adequate funding for family and domestic violence programs and services, particularly in regional areas.
 - c. for appropriate resources and funding be allocated to Local Governments to implement any particular roles and actions addressing family and domestic violence as defined in the State Strategy.
 - d. to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government.
 - e. to continue advocacy to the Commonwealth Government for additional funding and support.
3. WALGA organises presentations for Local Governments that address family and domestic violence, as part of relevant events or webinars.

5.4 Underground Power

That Local Government supports the:

1. continuation of cooperative arrangements between the State Government, Western Power and Local Government to progressively replace the overhead electricity distribution network in residential areas with underground power.
2. development of a new approach to identifying and prioritizing areas for investment in underground power, initiated by the need to invest in the overhead network to meet safety, reliability and capability requirements.
3. development of a new approach to allocating State Government resources to facilitate projects proceeding in areas with a high electricity network need and lower economic capacity of ratepayers while retaining a commitment to funding an average of 25% of program costs.
4. opportunity for Local Governments to initiate projects to convert areas to underground power be retained with Western Power to continue to contribute the amount recoverable as an efficient investment as calculated by the New Facilities Investment Test (NFIT).

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

1. That WALGA support the establishment of CEO Recruitment, Selection and Performance Review Standards subject to:
 - a) removal from the Regulations the requirement to re-advertise CEO positions after 10 year's continual service;
 - b) Encouraging, rather than mandating, the involvement of an independent person in the CEO Recruitment and Selection Process;
 - c) The retention of Regulation 18C of the *Local Government (Administration) Regulations*;
 - d) Deletion of the requirement under Regulation 18FB(4) to provide a copy of a council resolution certifying compliance with the CEO standards to the Departmental CEO;
 - e) The conduct of an independent assessment of potential industrial and employment law consequences arising from the proposed regulations under Schedule 2, Division 4 'Standards for termination of employment of CEOs'; and
 - f) Deferral of Regulation 18FC pending an independent assessment of the Schedule 2, Division 4 'Standards for termination of employment of CEOs'.
2. Seek that the CEO Recruitment and Selection, Performance Review and Termination Working Group be reconvened to oversee the development of CEO Standards Regulations.

5.6 Model Code of Conduct for Council Members, Committee Members and Candidates Regulations

That WALGA generally supports the *Local Government (Model Code of Conduct) Regulations 2020* with the following recommendations:

- a) Amend Division 2, Clause 4(d) to read *'identify and appropriately manage any conflict of interest'*;
- b) Does not support the inclusion of local level complaints about alleged behavioural breaches and Local Governments dealing with complaints provisions in Division 3, Clauses 10 and 11; and
- c) Supports an external oversight body to manage local level complaints involving council members as prefaced in the *Local Government Review Panel Report, City of Perth Inquiry Report* and *Select Committee into Local Government Report*, to be considered in a future Local Government Act.

Matters for Noting

- 6.1 Submission to the Infrastructure WA State Infrastructure Strategy Discussion Paper
- 6.2 Draft Amendments to the Planning and Development (Local Planning Scheme) Regulations 2015
- 6.3 Interim Review – State Planning Policy 3.1 Residential Design Codes
- 6.4 State and Federal Budgets
- 6.5 Noongar Heritage Agreement for Local Government
- 6.6 Aboriginal Cultural Heritage Bill Consultation
- 6.7 Local Government Animal Welfare in Emergencies Grant Program
- 6.8 2020 Annual General Meeting
- 6.9 COVID-19 - Update

RESOLUTION

Moved: Cr David Lagan
Seconded: Cr John Logan

That the North Metropolitan Zone:

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

CARRIED

7. EXECUTIVE REPORTS

7.1 President's Report to the Zone

President's Report was distributed with the Agenda.

Mayor Tracey Roberts, WALGA President, presented the President's Report.

Noted

7.2 State Councillor's report to the Zone

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

Noted

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

Troy Hancock, Senior Legislation Officer, Department of Local Government, Sport and Cultural Industries updated the Zone on local and state wide public notices; harmonisation of appointed persons; CEO standards and Elected Members Code of Conduct; Regulation 9 of the *Local Government (Rules of Conduct) Regulations 2007*; and resumption of elector general meetings.

Please also see link below to the newsletter update

[Local Matters November 2020](#)

Noted

8. BUSINESS

8.1 Elected Member Compulsory Training

By City of Stirling

BACKGROUND

On 27 June 2019, amendments to the *Local Government Act 1995* were passed by Parliament, which required all Elected Members to complete the Council Members Essentials course within 12 months of being elected.

Local governments were given a choice of the following approved training providers to deliver the Council Member Essentials course:

- Western Australian Local Government Association (WALGA);
 - South Metropolitan TAFE; and
 - North Metropolitan TAFE.
-
- Requirement for Elected Members to complete training was implemented following the 2019 Local Government Elections.
 - COVID-19 disrupted in person learning and required Elected Members to rely on online modules, which not all were available at the time.
 - Elected Members encountered numerous issues with the WALGA online modules.

COMMENT

Prescribed Timeframe

Following the 2019 elections, WALGA could only offer the course via in-person training. This was not a viable option for those Elected Members with fulltime work commitments. This left most Elected Members having to wait for the online modules to be released.

The majority of City of Stirling Elected Members opted to complete the course through WALGA, in early 2020 due to the availability of course enrolment. The North and South Metropolitan TAFE's courses were not available until late February 2020.

In early 2020, as Western Australia went into lockdown, not all the online modules were available, and in-person training was cancelled.

These issues resulted in Elected Members having less than 12 months to complete the course.

Issues Raised

Whilst completing the online modules Elected Members raised several issues as detailed below:

- Technical issues in completing the online modules and accessing their completion certificates.
- Inability to complete the modules on mobile devices.
- Inconsistency in information contained in the WALGA online modules from the Department's website.
- The online assessment was too difficult and the pass mark was inconsistent with standard education marking principles (ie. 100% was the required pass mark).
- The Understanding Financial Reports and Budgets module was not available online until mid-September 2020, leaving only one month to complete it.
- The WALGA completion date on the course (February 2021) differed from the requirement of the Local Government Act 1995 (October 2020) which led to confusion of when the course needed to be completed.
- Some Elected Members were required to take leave from their employment to complete the course. It was felt by some Elected Members that the expectation to complete the training within a shortened period of time was unreasonable considering their workload. City of Stirling Elected Members attend Council/committee meetings, workshops/briefings and numerous community meetings each week.

The issues detailed above caused significant frustration and resulted in lost time for Elected Members. It is recommended that the issues raised in this report be investigated and rectified prior to the 2021 Local Government Elections, to ensure those who are elected have a full 12 months to complete the Council Members Essentials course.

WALGA Secretariat Comment

In October 2019 when the new requirements were effective, WALGA had all 5 courses available in-person and had the following 3 courses available on-line:

- Understanding Local Government
- Conflicts of Interest
- Meeting Procedures

The remaining 2 courses became available on-line on the following dates:

- Serving on Council – 1 May 2020
- Understanding Financial Reports and Budgets – 1 September 2020

WALGA acknowledges that all 5 were not available at the commencement and has worked as quickly as possible to implement all 5 courses both in-person and on-line format. In addition WALGA can also offer all 5 courses in a virtual environment if required. Virtual courses were developed during the COVID-19 pandemic and has proven to be a popular learning format.

WALGA recognises that there were teething problems to the implementation of the first year of training. This was due to the quick introduction of the requirements and the implications that COVID placed on in-person training. WALGA has worked on addressing the technical issues and on-line assessment issues raised in this item. The assessments questions have been streamlined and the technical difficulties have been corrected.

In respect to the completion date of February 2021, this was the date that the 12 month subscription was available to, not the deadline for completing the courses. WALGA is reviewing the subscription dates so this confusion does not happen in the future.

In conclusion the issues raised are acknowledged and WALGA is confident that the training program going forward will be an advanced product. Also WALGA has recently appointed a new Training Manager and all training courses and methods of training delivery are being reviewed.

RESOLUTION

Moved: Cr David Lagan
Seconded: Cr Stephanie Proud

That:

1. The Council Member Essentials course be reviewed, and any amendments implemented prior to 2021 Local Government Elections; and
2. Recognition of Prior Learning be included in round two and beyond.

CARRIED

In addition, the North Metropolitan Zone noted:

1. There is a gap in the training on planning and finance.
2. General and financial support is required for Elected Members undertaking the training.

8.2 2021 Proposed Schedule of Meetings

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

A schedule of the proposed meeting dates for the North 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 North 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
NORTH METROPOLITAN ZONE MEETING
2021

Zone Meeting Dates Thursday	Time	HOST COUNCIL	State Council Meeting Dates 2021
18 February	Thursday 6.00 pm	City of Stirling	Wednesday 3 March 2021
22 April	Thursday 6.00 pm	City of Wanneroo	Regional Metro Wednesday 5 May 2021
24 June 17 June	Thursday 6.00 pm	City of Joondalup	Wednesday 7 July 2021
19 August	Thursday 6.00 pm	City of Stirling	Regional Meeting 2-3 September 2021
18 November	Thursday 6.00 pm	City of Wanneroo	Wednesday 1 December 2021

RESOLUTION

Moved: Mayor Albert Jacob
Seconded: Cr Frank Cvitan

That the 2021 proposed schedule of meetings for the North Metropolitan Zone be adopted subject to the June meeting being held on 17 June 2021 at the City of Joondalup.

CARRIED

8.3 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, Tennis West could also present at the February 2021 North Metropolitan Zone meeting if deemed appropriate. Or an alternative future Zone meeting in 2021.

RESOLUTION

Moved: Mayor Albert Jacob
Seconded: Cr David Lagan

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

CARRIED

NOTE: Please note that due to resource availability, Jeremy from the Department of Planning, Lands and Heritage is hoping to present at the February North Metropolitan Zone meeting.

9. OTHER BUSINESS

There was no other business.

10. DATE, TIME AND PLACE OF NEXT MEETING

That the next ordinary meeting of the North Metropolitan Zone will be held at 6:00pm on Thursday 18 February 2021 at the City Stirling commencing at 6pm.

Noted

11. CLOSURE

There being no further business the Chair declared the meeting closed at 7.26pm