

# East Metropolitan Zone

## Minutes

17 August 2023

# East Metropolitan Zone

Hosted by the City of Belmont

Function Room, 215 Wright Street Cloverdale – Phone 9477 7222

Thursday, 17 August 2023

*The Chair declared the meeting open at 6:30pm.*

## Acknowledgement of Country

We, the Zone members acknowledge the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth), on the land of the Whadjuk Noongar People, where this meeting is being held and we acknowledge and pay respect to Elders past and present.

## Minutes

### MEMBERS

### 3 Voting Delegates from each Member Council

Town of Bassendean	Cr Jennie Carter Cr Renee McLennan Cr Emily Wilding Cr Kath Hamilton, Mayor (Observer) Mr Cameron Woods, Chief Executive Officer non-voting delegate
City of Bayswater	Cr Catherine Ehrhardt Cr Josh Eveson Cr Giorgia Johnson - <b>Chair</b> Mr Jeremy Edwards, Chief Executive Officer non-voting delegate
City of Belmont	Mayor Phil Marks Cr George Sekulla Mr John Christie, Chief Executive Officer non-voting delegate
City of Kalamunda	Cr Brooke O'Donnell Cr Janelle Sewell Cr Sue Bilich Mr Gary Ticehurst, A/Chief Executive Officer non-voting delegate
Shire of Mundaring	Cr Doug Jeans
City of Swan	Cr Aaron Bowman Cr Patty Jones Mr Stephen Cain, Chief Executive Officer non-voting delegate
WALGA Secretariat	Mr Tony Brown, Executive Director, Member Services

Ms Alina Hobson, Policy Officer, Community

## APOLOGIES

City of Belmont	Cr Deborah Sessions
City of Kalamunda	Ms Rhonda Hardy, Chief Executive Officer non-voting delegate Cr Sue Bilich Mr Gary Ticehurst
Shire of Mundaring	Cr Paige McNeil Mr Jonathan Throssell, Chief Executive Officer non-voting delegate Cr John Daw
City of Swan	Cr Rashelle Predovnik
City of Bayswater	Cr Josh Eveson

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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, please register your attendance by printing your name against your Council.

## ATTACHMENTS WITHIN THE AGENDA

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

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### 1. DECLARATION OF INTEREST

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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.

Nil.

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### 2. DEPUTATIONS

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Nil.

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### 3. CONFIRMATION OF MINUTES

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## RESOLUTION

Moved: Cr Renee McLennan  
Seconded: Cr Patty Jones

**That the Minutes of the Ordinary Meeting of the East Metropolitan Zone held 15 June 2023 be confirmed as a true and accurate record of the proceedings.**

**CARRIED**

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### 4. BUSINESS ARISING

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

**Noted**

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## 5. 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)*

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The full State Council Agenda can be found via link: [State Council Agenda 13 September 2023](#)

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**

#### **7.1 Local Emergency Management Arrangements (LEMA) Advocacy Position**

That WALGA endorse the following position on Local Emergency Management Arrangements (LEMA):

1. *The State Government should fund the implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan endorsed by the State Emergency Management Committee (SEMC).*
2. *A reformed LEMA system should:*
  - a) *Clearly articulate the roles and responsibilities of Local Governments in emergency management;*
  - b) *Simplify the reporting processes and reduce the administrative burden of maintaining compliance;*
  - c) *Provide a suite of scalable tools and guidance materials that are accessible through an online knowledge hub;*
  - d) *Build the emergency management capacity and capability of Local Governments through the provision of targeted training, exercising support, human resources and sustainable funding;*
  - e) *Assist Local Governments to continue to deliver their core business activities and provide public information during an emergency event;*
  - f) *Improve the connectivity of Local Governments' various risk management and hazard planning processes through an integrated approach; and*
  - g) *Enable resource sharing and collaboration across the Local Government sector.*

### **RESOLUTION**

**Moved:** Cr Janelle Sewell  
**Seconded:** Cr Catherine Ehrhardt

**That the East Metropolitan Zone supports Item 7.1 of the State Council Agenda.**

**CARRIED**

#### **7.2 Advocacy Position on Road Works during Total Fire Ban**

That WALGA endorse the following principles in relation to the exemptions and conditions under which road works may be undertaken during a Total Fire Ban:

1. Road Activity Tiers: That there be a tiered risk approach for road work activities and associated controls, based on the proposed activities and fire danger forecast.
2. Local Government operations: That any controls specified in regulations to provide effective risk mitigation and response be able to be implemented within the works crew deployed for the task.

3. Reduce Red Tape: That the processes where repeated notification to DFES for the same task at the same location is required be streamlined.

## RESOLUTION

Moved: Cr Catherine Ehrhardt  
Seconded: Cr Patty Jones

That the East Metropolitan Zone supports Item 7.2 of the State Council Agenda.

CARRIED

## Policy Team And Committee Reports

- 8.1 Environment and Waste Policy Team Report
- 8.2 Governance and Organisational Services Policy Team Report
- 8.3 Infrastructure Policy Team Report
- 8.4 People and Place Policy Team Report
- 8.5 Municipal Waste Advisory Council (MWAC) Report

## RESOLUTION

Moved: Cr Catherine Ehrhardt  
Seconded: Cr Janelle Sewell

That the East Metropolitan Zone Notes all Matters for Noting, Policy Team and Committee Reports and Organisational Reports as listed in the 13 September 2023 State Council Agenda.

CARRIED

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## 6. BUSINESS

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### 6.1 Advocate for Changes to Planning – Staged Developments

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*By City of Swan*

#### BACKGROUND

The City of Swan Council considered a Motion by Cr Bowman on March 8, 2023 whereby concerns that developments that are applied for in separate stages may lead to “piecemeal Planning” were raised.

In response to the Motion the City of Swan Council resolved to:

1. *Write to the Minister of planning requesting that any current development applications, and / or structure plans that are acknowledged staged developments or rely on a future application, are required to be considered in full by the approving authority, and not just the application before them.*
2. *Bring to the attention of JDAP our concerns on this matter.*
3. **Submit a motion to the next WALGA east zone meeting requesting WALGA advocate on this matter.**

This purpose of this report is to consider the City of Swan’s request pursuant to Resolution 3 above.

### **Reason for Motion put by Cr Bowman:**

Currently only the specific development application or structure plan submitted to the approving authority, whether this is the Local Government, JDAP or WAPC can be considered. Any other stages, reliant on the application submitted is not considered and this is a significant flaw in the current planning process.

The City of Swan 2021 – 2031 Strategic community plan states that our objective is to:

1. B1 – Planned and facilitated growth
2. G1.3 – Promote and advocate on behalf of the City of Swan

### **Background Information and Comment (provided by Cr Bowman)**

There are many previous examples of where this has occurred previously throughout the state, however two current examples that impact the City of Swan are the North Stoneville Structure Plan (In Mundaring Jurisdiction) and DA6-23 The Vines golf course – driving range and associated amenities.

The North Stoneville Structure plan cannot be assessed independently of the North Parkerville structure plans. North Parkerville will intensify North Stoneville bushfire implications which due to the currently planning process are only being assessed on the Satterly application and not against the proposal of an additional 2,360 more people.

The WAPC acknowledge in the minutes of its 2020 rejection of North Stoneville that the two developments rely on each other financially and operationally, the approval of the North Stoneville will likely kick start North Parkerville.

*“It was noted there is limited capacity with water supplies and the North Parkerville development proponent would share the North Stoneville waste water facility and is waiting on the decision of this structure plan to proceed” (WAPC minutes 2020 July).’*

The redevelopment plans for the Vines Golf course first published by the Vines (WA) Pty Ltd in June 2021 has multiple stages. The overall plan includes a concrete two storey driving range, high density over 55 housing and a short golf course plus a large amount of additional housing.

IN the aboriginal assessment report it states “the three components of the project considered in this report were emailed to R & E O’Connor Pty Ltd. on 27 September 2022 they are as follows:

- A two tier driving range
- Over 55 housing on the d driving range
- Residential housing adjacent to the 18th green and an extension to the south”

DA6-23 if approved will result in the redundancy of the existing driving range and practice area, which is then planned to be rezoned for over 55 housing. The traffic impact of this development does not for example take into consideration the future over 55 housing but simply outlines the current traffic.

*“The impact on the surrounding road network from the proposed development is considered negligible, as the traffic from the existing driving range will be serviced at the new driving range” (Planning Solutions development application report).*

### **OFFICER COMMENT (City of Swan)**

City staff note the proposed Motion raises concern that consideration of the development application for a proposed new driving range facility need to have regard to potential further proposed alterations to the Vines Estate. Legal advice received indicated that the applicable law within the planning framework has dealt with the issue of “piecemeal” planning applications with evidence of planning adjudicators having

been critical of “piecemeal” planning before. (*Stewart and Town of Cottesloe [2019] WASAT 100; and Point Grey Development Company Pty Ltd and Shire of Murray [2019] WASAT 106*)

Whether there is an inseparable connection between the current proposal and any future proposed over 55’s development would be determined by whether it would be meaningful for approval to be given for the present proposal, and for the development to take place without the anticipated residential elements ever occurring.

The opinion was raised that, from the information available, the proposed driving range could be developed without the anticipated residential elements ever occurring and would therefore not result in piecemeal development.

Whether the submitted development application for the driving range may be considered to be a piecemeal planning application was therefore not clearly borne out by any of the facts and contentions contained within the development application document.

### **Minister’s response**

The response to the City of Swan’s letter to the Minister for Transport; Planning and Ports, highlighted that *“It is important to allow flexibility in the assessment and determination processes, ensuring that they are responsive to current and changing circumstances. Removing this flexibility may risk unintentionally constraining development and compromise the ability to provide for essential needs such as housing, employment and other critical social infrastructure. There are no current plans to limit the ability for the submission of staged development applications.*

*The most effective way to promote and achieve orderly and proper planning is through contemporary, fit for purpose and responsive local planning frameworks. Various initiatives in the Government’s planning reform agenda intends to achieve this, and work is continuing to deliver the outcomes of this program of work.”*

It should be noted that this DA has subsequently not been supported by the City of Swan Council and was rejected by the JDAP, and has not been appealed by the applicant.

### **RESOLUTION**

**Moved:** Cr Aaron Bowman  
**Seconded:** Mayor Phil Marks

**That, on the basis of previous SAT decisions (*Stewart and Town of Cottesloe [2019] WASAT 100 and Point Grey Development Company Pty Ltd and Shire of Murray [2019] WASAT 106*), the East Metropolitan Zone request WALGA to advocate for changes to the Planning Framework to clarify that a development proposal which amounts to a piecemeal approach to planning may be inconsistent with orderly and proper planning, and where that conclusion can properly be drawn in relation to a development proposal, that would be a reason for rejecting the proposal.**

**CARRIED**



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## 6.2 Changes to Zone Membership

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*By City of Bayswater*

### BACKGROUND

Cr Johnson is currently the Chair of the WALGA East Metropolitan Zone which consists of six member Councils that provide three voting delegates each. The six member Councils are:

- Town of Bassendean
- City of Bayswater
- City of Belmont
- City of Kalamunda
- Shire of Mundaring
- City of Swan

At the East Metropolitan Zone meeting of 15 June 2023, Cr Johnson gave notice of her intention to put forward a motion to review the East Metropolitan Zone Standing Orders at the next meeting.

### OFFICER'S COMMENT

A Notice of Motion to the East Metropolitan Zone meeting to change the number of voting delegates would require the endorsement of Council.

Officers contacted WALGA and was provided with confirmation that the motion is within the power of the East Metropolitan Zone. Clause 14(4) of WALGA's Constitution provides that the WALGA Zones shall determine the number of delegates to which each Member is entitled to be represented on the Zone.

Section 5.2 of the WALGA East Metropolitan Zone Standing Orders states that the quorum for WALGA Zone Meetings is greater than 50% of voting delegates. With the current membership of 18 voting delegates, the quorum would be 10. This motion seeks to reduce the number of voting delegates to 12, meaning that, if the motion were carried, the quorum would be reduced to 7.

Should Council choose to support this motion, it would be presented by Cr Johnson at the next WALGA East Metropolitan Zone meeting, which is scheduled to be held on 17 August 2023.

### RESOLUTION

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

**That the East Metropolitan Zone supports the change in Zone membership by reducing its voting delegates from three to two Zone Delegates and two Deputy Zone Delegates from each member Local Government effective from the commencement of the first Zone meeting following the Ordinary Council Elections.**

**CARRIED**

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### **6.3 Enterprise Resource Planning (ERP)**

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*By the Town of Bassendean*

#### **BACKGROUND**

The Town of Bassendean's current Enterprise Resource Planning platform (ERP) is in a state of legacy support only from the incumbent vendor, meaning future development and support ensuring availability and legislative compliance, is at risk. It is understood that this issue is likely to affect many local governments in Western Australia due to the incumbent vendor holding close to 80% market share in WA.

The ongoing capability of an ERP to provide reliable, available, compliant, and secure services is a significant strategic risk to affected local governments. A new ERP will need to be implemented in the short-to-medium term to mitigate this risk. Procurement and implementation of a new ERP requires a multi-year program of works to successfully transition to a modern replacement that meets the necessary requirements for a consolidated software platform underpinning the delivery of valued local government services.

Given many local governments in WA, including most of the smaller and regional local governments, find themselves operating services reliant on older or legacy ERP software, and given the significant commitment required in terms of cost, risk management, data migration and potential service impacts associated with implementing a new ERP, this is a critical issue for many LGs in WA.

Rather than individual local governments each embarking on their own ERP journey and negotiating in isolation, considerable cost savings and efficiency gains could be realised through collective effort, transforming each small local government from an individual participant into part of a large collective with greater influence in the market. WALGA could assist by ascertaining the current status and future plans of local governments in terms of their ERP platform and facilitate discussions on a shared service model with a group of like-minded Local Governments.

#### **SECRETARAIT COMMENT**

The idea of an all-of-sector model ICT solution has been put forward a number of times over the years. It has had trouble getting off the ground for the following reasons:

- Different size Local Governments – no one size fits all;
- Local Government's being at different levels of need and maturity in the ICT requirements;
- Unlikely to get the requisite LG buy-in to warrant the investment; and
- The inherent complexity of a custom-built system is time and cost-prohibitive.

WALGA has been looking at an approach where a group of similar size/maturity level Local Governments work together to engage a consultant to define a model set that meets their needs.

The Towns suggestion of surveying the sector and determining the interest with a view to potentially having a shared service model approach, has merit and is a good way to proceed on this issue.

## RESOLUTION

Moved: Cr Renee McLennan  
Seconded: Cr Emily Wilding

That WALGA:

1. Survey Western Australian Local Governments to determine those that are impacted by the legacy support issues.
2. Determine the interest from these Local Governments to participate in a WALGA led, shared service model solutions approach, and if demand warrants such an approach,
3. Engage a consultant on behalf of the participating Local Governments to define the problem and determine a shared cost solution model.

CARRIED

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### 6.4 2023 Local Government Elections – Zone Office Bearer Elections

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By Chantelle O'Brien, Zone Executive Officer

## BACKGROUND

With the bi annual Local Government elections being held on Saturday, 21 October 2023, Zones will also be required to hold an election process for State Council representatives.

A chronological overview of the process is detailed below:

- Local Government elections occur on Saturday, 21 October 2023.
- Member Councils to elect/appoint their Zone Delegates and to advise the Zone Executive Officer, as soon as possible but preferably by 3 November 2023.
- For the purpose of electing their representatives and deputy representatives to the WALGA State Council, the Zones are required to hold these elections at their November 2023 meeting.
- Zones to advise WALGA, in writing, of their elected State Council representative and deputy representative immediately following the 2023 November Zone meeting.
- A State Councillor Induction Session will be held for all State Council representatives and deputy representatives before the first meeting in December.
- The new State Council will take office at the Ordinary Meeting of State Council on **6 December 2023**.

In relation to the nominations and election process to be followed by each Zone in electing a representative and deputy representative to the WALGA State Council, the below process has been instituted by State Council:

1. *Zone Executive Officer to write to all Member Councils no later than 1 month prior to the Zone meeting at which the election is to be held calling for nominations from Delegates to the Zone for the positions of representative and deputy representative to State Council. The correspondence is to state that all nominations are to be made in writing to the Zone Executive Officer, and only Elected Members who are a nominated Zone Delegates are eligible to nominate. The time period*

for the receipt of nominations is to be **one week prior** to the Zone meeting at which the election will be held.

2. Zone Executive Officer to receive written nominations from Zone Delegates for the positions of representative and deputy representative to State Council and then provide written confirmation to Member Councils of the nominations received.
3. Elections are to be held at the next Zone meeting as the first item of business. Nominations will be permitted from the floor at the Zone meeting. Where there is more than one nomination for each vacant position, an election will be conducted using a secret ballot, with the Zone Executive Officer to represent WALGA as the returning officer for the election. Prior to the ballot, nominees for each position are to be extended the opportunity to provide a 2 minute election bid to Delegates.
4. All voting Delegates to the Zone are entitled to cast one (1) vote in the ballot process. The candidate with the greater or greatest number of votes is elected to the office.
5. **Tied vote** – in the event of a tied vote, election will be determined by drawing names from a box. The Secretariat will put the names of the candidates concerned in a box and the first name drawn is the Elected Member.
6. Zone Executive Officer to advise WALGA in writing immediately following the Zone meeting of the outcome of their elections.

If you have any questions or require further information in relation to the above mentioned process, please contact Tony Brown, Executive Director Member Services on 9213 2051 or email [tbrown@walga.asn.au](mailto:tbrown@walga.asn.au).

## RESOLUTION

Moved: Cr George Sekulla  
Seconded: Cr Patty Jones

**That the East Metropolitan Zone note the process for election of Zone Representative and Deputy Representative to the WALGA State Council.**

**CARRIED**

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## 6.5 Commonwealth Disaster Ready Fund – Round Two

*By Rachel Armstrong, Senior Policy Advisor Emergency Management*

### Executive Summary

- The [Disaster Ready Fund](#) (DRF) is a \$200 million Commonwealth Government fund that provides grants to government and non-government organisations to help them reduce disaster risk.
- Expressions of Interest (EOIs) for DRF Round 2 are open now and applications for Round 2 will open in early 2024.
- Benefits to Local Governments in applying for the DRF include building partnerships with other organisations and receiving financial assistance for projects that reduce community vulnerability to disasters.

- The Department of Fire and Emergency Services (DFES) is actively engaging with organisations in preparation for Round 2 of the DRF, to identify projects that are most likely to be successful, as well as providing support and advice to develop strong applications.
- DFES is encouraging Local Governments interested in applying for DRF Round 2 to start planning now.
- DFES is holding a [grants webinar](#) on **Monday 4 September**, 10am to 12pm, which will provide more detail on how to submit a successful grant application, and the support available.

## Background

The first round of the DRF opened on 10 January and closed 6 March 2023. 19 out of 23 successful Western Australian projects involved Local Governments. Although many WA Local Governments that applied to Round One of the DRF were successful, WA were only allocated just over \$8 million of the total \$200 million available. Successful projects from the first round are listed [here](#).

EOIs for DRF Round 2 are open now and applications for Round 2 will open in early 2024.

## Comment

Examples of the types of projects that were successful across Australia, and may be of interest to Local Governments considering applying for a DRF grant in Round Two include:

- Evacuation centre upgrades
- Coastal erosion mitigation
- Flood resilience
- Community disaster risk reduction and resilience projects
- Green canopy initiatives
- Community engagement, education, and preparedness
- Improving natural environments to build resilience.

The extra support being provided by DFES through the early EOI process may help increase DRF funding to Local Governments in Round Two. A key factor in funding success is a well substantiated application, which can be resource intensive to develop.

DFES will hold a grants webinar 10am - 12pm, **Monday 4 September**, with information on how to submit a successful grant application, and what support is available. Register your interest [here](#).

Further information is available on the [SEMC website](#) or [semc.grants@dfes.wa.gov.au](mailto:semc.grants@dfes.wa.gov.au).

## RESOLUTION

**Moved:** Cr Aaron Bowman  
**Seconded:** Cr Patty Jones

**That the East Metropolitan Zone notes that Expressions of Interest for Round 2 of the Disaster Ready Fund are now open, and that the Department of Fire and Emergency Services is providing support to Local Governments to assist with the development of high-quality applications.**

**CARRIED**

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**7. OTHER BUSINESS**

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Nil.

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**8. EXECUTIVE REPORTS**

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**8.1 WALGA President's Report**

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WALGA State Councillor, Cr Catherine Ehrhardt, presented the President's Report.

**Noted**

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**8.2 State Councillor's report to the Zone**

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

**Noted**

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**8.3 Department of Local Government, Sport and Cultural Industries August Report.**

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The DLGSC August Update was distributed with the Agenda.

**Noted**

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**9. NOTICE OF MOTIONS FOR THE FOLLOWING MEETING**

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Nil.

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**10 DATE, TIME AND PLACE OF NEXT MEETING**

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That the next ordinary meeting of the East Metropolitan Zone be held on 16 November 2023 at the City of Belmont commencing at 6:30pm.

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**11. CLOSURE**

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*There being no further business the Chair declared the meeting closed at 7:06pm.*