



WESTERN AUSTRALIAN
LOCAL GOVERNMENT ASSOCIATION
North Metropolitan Zone

MINUTES

Meeting Date: 30 July 2009

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MINUTES OF THE MEETING OF THE NORTH METROPOLITAN ZONE OF THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION HELD AT THE CITY OF STIRLING, 25 CEDRIC STREET, STIRLING (PARMELIA ROOM) ON THURSDAY 30 JULY 2009

1. ATTENDANCE

City of Joondalup

Committee Members: Mayor Troy Pickard
Cr Russ Fishwick

Officers: Mr Garry Hunt, Chief Executive Officer *Absent from 1850–1853 hrs.*
Mr Jamie Parry, Director Governance and Strategy

City of Wanneroo

Committee Members: Cr Frank Cvitan (Deputy Chairperson)
Cr Tracey Roberts
Cr Bob Smithson (deputising for Cr Rudi Steffens)

Officers: Mr John Paton, Director Corporate Strategy and Performance

City of Stirling

Committee Members: Cr David Boothman
Cr Terry Tyzack
Cr Elizabeth Re

Officers: Mr Aaron Bowman, Manager of Governance and Council Support
Absent from 1842-1850 hrs
Mr Laurie Crouch, Manager of Community Safety
Absent from 1850 – 1855 hrs, and from 1918-1920 hrs

WALGA Mr Mark Batty, Executive Manager Environment and Waste
Ms Meredith Neilsen, Governance Policy Officer

Secretariat Mrs Janet Foster, Administrative Services Coordinator (City of Joondalup)

In Attendance

Ms Heather Harker, Deputy Commissioner, Department of Corrective Services *to 1850 hrs*

Mr Bruce Telfer, Acting Rural Operations Coordinator, FESA *to 1918 hrs*

DECLARATION OF OPENING

The Chairperson declared the meeting open at 1805 hrs.

APOLOGIES:

City of Joondalup: Cr Tom McLean

City of Wanneroo: Cr Rudi Steffens
Cr Maureen Grierson
Mr Daniel Simms, Chief Executive Officer

City of Stirling: Cr Bill Stewart
Mr Stuart Jardine, Chief Executive Officer

2. ANNOUNCEMENTS

Nil.

3. CONFIRMATION OF MINUTES

MOVED Cr Fishwick SECONDED Cr Roberts that the Minutes of the meeting of the North Metropolitan Zone held on Thursday 20 May 2009 be confirmed as a true and accurate record of the proceedings.

The Motion was Put and

CARRIED

4. BUSINESS ARISING FROM MINUTES

Nil

Mayor Pickard requested that this item of business be removed from future agendas.

5. DEPUTATIONS/PRESENTATIONS

Presentation by the Department of Corrective Services – Corrective Services Programs

The Department of Corrective Services was in attendance to provide a presentation to the North Metropolitan Zone on the opportunities for local governments to link into existing Corrective Services programs.

Background

On 6 May, WALGA President Bill Mitchell met with the Commissioner of the Department of Corrective Services and Senior Staff, to discuss opportunities for Local Governments to link into existing Corrective Services programs, such as REPAY WA, to deliver a benefit back to communities.

It was a very positive meeting that focused on creating real opportunities to work together and delivering tangible benefits back to communities, helping offenders learn and develop skills while working to complete community service orders.

The fulfilment of community service orders is taking place all over the State all the time, and this type of partnership envisions creating a wider range of projects or work for offenders in the community that tie in with local needs. More than that, it could potentially provide local government with a way of undertaking additional projects or providing additional services that are not currently affordable.

The Department of Corrective Services is keen to begin informing all local governments what type of services and programs could be utilized in their communities, what they can offer, how they can work together, how they can link into existing Corrective Services Programs, and how it can benefit each other.

Deputy Commissioner, Heather Harker of the Department of Corrective Services provided a presentation – Attachment 2 refers.

Questions were raised from the floor in relation to the coordination and level of supervision proposed, how costs borne by the local governments can be reduced, and the need for communication between the Department of Corrective Services and the police.

Mayor Pickard thanked Ms Harker for her presentation and encouraged other local governments to become involved in the program.

Presentation by the Fire and Emergency Services – Changes to the Bush Fires Act

Mr Bruce Telfer, Acting Rural Operations Coordinator of FESA was in attendance to provide a presentation to the North Metropolitan Zone on the proposed changes to the Bush Fires Act 1954.

Background

The Community Development and Justice Standing Committee tabled its Report on the Inquiry into Fire and Emergency Services Legislation (“the Report”) in the Legislative Assembly on 19 October 2006. In November 2008, State Cabinet approved the drafting of three critical amendments to the Bush Fires Act 1954 which includes recommendations 48 and 49 (These enable the Fire & Emergency Services Authority (FESA) to take control of a major fire (as defined in legislation) from Local Governments or the Department of Environment & Conservation (DEC)) and the ability for FESA to declare a total fire ban. Work has commenced on making these amendments to the legislation.

Mr Bruce Telfer provided a presentation – Attachment 3 refers.

Questions were raised from the floor in relation to the definition of property and cost to local governments.

Mayor Pickard thanked Mr Telfer for his presentation.

6. MATTERS REFERRED TO WALGA

6.1 Status Report on Matters referred to WALGA State Council for Action.

As a means of increasing communication and providing feedback to the North Metropolitan Zone, a schedule has been prepared on matters referred to WALGA State Council for action.

Additional Information

Following distribution of the agenda, WALGA advised that Item 7.10 relating to the use of glass drinking containers (from the North Metropolitan Zone minutes of 20 May 2009) was inadvertently omitted from the Zone Status Report. An amended Status Report was provided – Attachment 1 refers.

MOVED Cr Boothman SECONDED Cr Cvitan that the Status Report (as amended) on matters referred to WALGA State Council for action, dated July 2009, be RECEIVED.

The Motion was Put and

CARRIED

7. REPORTS FROM MEMBER COUNCILS

The Presiding Person advised that Items 7.1, 7.2 and 7.3 would be dealt with together.

7.1 LOCAL GOVERNMENT ALCOHOL MANAGEMENT PROJECT – CITY OF JOONDALUP

Report submitted by City of Joondalup

IN BRIEF

At the previous meeting of the North Metropolitan Zone consideration was given to Councils participating in the Local Government Alcohol Management Pilot Project being facilitated by WALGA.

The City of Joondalup has agreed to participate in the pilot project and has attended a meeting of the WALGA Reference Group and a Program Logic session for the project to date.

BACKGROUND

WALGA referred this issue to the previous meeting of the North Metropolitan Zone requesting that Councils consider participating in the pilot project to implement the Local Government Alcohol Management Package.

The North Metropolitan Zone subsequently resolved to:

- 1 *NOTE the Government Alcohol and Crime Management Pilot Project;*

- 2 *REFER the report to the Chief Executive Officers of member Councils for further consideration and a subsequent report to the North Metropolitan Zone meeting to be held on 30 July 2009.*

COMMENT

The City of Joondalup considered the information available in the Local Government Alcohol Management Package, had discussions with the WALGA Project Officer, Marianne Carey and subsequently agreed to participate in the pilot project.

The City now has a representative on the WALGA Reference Group (along with 10 other Councils) and has participated in a session facilitated by Murdoch University to develop the Program Logic. The development of the Program Logic is intended to provide the strategic direction for the project as well as developing measurable outcomes.

As the preliminary work on the pilot project is well progressed, the City is now in a position to establish an internal Working Group that will be responsible for managing the pilot project. The Working Group will comprise representatives across the organisation as implementation of the Local Government Alcohol Management Package will require input and commitment from a number of Business Units.

The WALGA Project Officer will be invited to participate in meetings of the City's Working Group so that information across different Councils can be shared.

OFFICER'S RECOMMENDATION

That the North Metropolitan Zone NOTES that the City of Joondalup will be participating in the Local Government Alcohol Management Pilot Project.

MOVED Cr Roberts SECONDED Cr Cvitan that the North Metropolitan Zone:

- 1 **NOTES that the Cities of Joondalup, Stirling and Wanneroo will be participating in the Local Government Alcohol Management Pilot Project;**
- 2 **REQUESTS the co-ordination of the working group amongst the three member Councils.**

The Motion was Put and

CARRIED

7.2 LOCAL GOVERNMENT ALCOHOL MANAGEMENT PROJECT – CITY OF STIRLING

Report submitted by City of Stirling

IN BRIEF

To respond to the resolution of the North Metropolitan Zone committee meeting held on 20 May 2009 requesting member Councils to consider participating in the Local Government Alcohol and Crime Management Pilot Project and report back to the North Metropolitan Zone.

At the North Metropolitan Zone Committee meeting held 20 May 2009, it was resolved as follows:

"That the North Metropolitan Zone:

- 1 NOTES the Government Alcohol and Crime Management Pilot Project;*
- 2 REFERS the report to the Chief Executive Officers of member Councils for further consideration and a subsequent report to the North Metropolitan Zone meeting to be held on 30 July 2009."*

COMMENT

In response to the above resolution, the attached report was presented to the City of Stirling Council at its meeting held 23 June 2009 where it was resolved as follows:-

"That Council AUTHORISE the participation of the City of Stirling in the WALGA Local Government Alcohol and Crime Prevention Pilot Project."

The City of Stirling has subsequently written to WALGA in response to correspondence received from them in relation to the project advising of the above resolution.

OFFICER'S RECOMMENDATION

That the North Metropolitan Zone NOTES that the City of Stirling will be participating in the WALGA Local Government Alcohol and Crime Prevention Pilot Project.

This item was considered earlier in the meeting, in conjunction with Item 7.1.

7.3 LOCAL GOVERNMENT ALCOHOL MANAGEMENT PROJECT – CITY OF WANNEROO

Report submitted by the City of Wanneroo

IN BRIEF

The aim of the Alcohol and Crime Management Project is to pilot a WALGA project to effectively address alcohol related issues within the community by using the framework and resources contained in the “Local Government Alcohol Management Package”. A working group, comprising number of disciplines within the City of Wanneroo, will be established as part of the pilot project.

BACKGROUND

The problems associated with excessive alcohol use impact both directly and indirectly on the business of local government in Western Australia. The misuse of alcohol creates many issues and imposes a financial burden on local government. Some of these issues include anti-social behaviour, littering, vandalism and graffiti.

WALGA recently received funding to appoint an Alcohol and Crime Management Project Coordinator on a twelve month basis. The role of the Coordinator is to facilitate a pilot project to develop ‘whole of organisation’ policies and alcohol management plans.

A brief on the project was presented at the WALGA North Metropolitan Zone meeting held on 20 May 2009, where the Committee carried the motion to refer the report to the Chief Executive Officers of member Councils for further consideration and reporting to the North Metropolitan Zone meeting to be held on 30 July 2009.

COMMENT

A working group within the City of Wanneroo will be established with the aim of developing a policy framework for the City in managing alcohol related issues.

The working group is likely to comprise of staff from the following disciplines: Health, Smart Growth/Planning, Rangers, Safety, Community Development, Youth Services, Waste Services, Contracts and Property, Human Resources and Leisure Services.

A member of the working group will also represent the City of the *Local Government Alcohol Management Reference Group* which will comprise the following agencies: WALGA, Department of Health, Drug and Alcohol Office, WA Police, other local governments participating in the pilot project, as well as the Department of Racing, Gaming and Liquor.

OFFICER'S RECOMMENDATION

That the North Metropolitan Zone NOTES the City of Wanneroo's inclusion in the Alcohol and Crime Management Project pilot and the establishment of the City's working group.

This item was considered earlier in the meeting, in conjunction with Item 7.1.

7.4 NORTH METROPOLITAN ZONE – PRESIDING PERSON AND SECRETARIAT DUTIES

Report submitted by City of Joondalup

IN BRIEF

To:

- **give consideration to amending the date for appointment of Presiding Person;**
- **request WALGA to undertake secretariat duties for North Metropolitan Zone meetings.**

BACKGROUND

The position of Presiding Person of the North Metropolitan Zone, together with secretariat duties, is rotated between the three member Councils in May every second year.

In May 2008 Mayor Troy Pickard was appointed as Presiding Person and the City of Joondalup commenced secretariat duties.

COMMENT

As local government elections are now held in October, it is recommended that the next election of Presiding Person occur following the ordinary local government elections to be held in October 2009.

The Western Australian Local Government Association (WALGA) undertakes secretariat duties for all metropolitan Zones, with the exception of the North Metropolitan Zone. WALGA has indicated it would be agreeable to also undertaking the secretariat duties for the North Metropolitan Zone if requested to do so. This proposed change in secretariat would not affect the ability of each member Council to submit reports to North Metropolitan Zone meetings.

OFFICER'S RECOMMENDATION

That the North Metropolitan Zone:

- 1 AGREES to give consideration to appointing a Presiding Person at its first meeting following each ordinary local government elections;
- 2 REQUESTS the Western Australian Local Government Association to provide secretariat duties for the North Metropolitan Zone.

MOVED Cr Boothman SECONDED Cr Tyzack that the North Metropolitan Zone:

- 1 **AGREES to appoint a Presiding Person at its first meeting following each ordinary local government elections;**
- 2 **REQUESTS the Western Australian Local Government Association to provide secretariat duties for the North Metropolitan Zone.**

The Motion was Put and

CARRIED

8. WALGA STATE COUNCIL AGENDA – MATTERS FOR DISCUSSION

(Zone delegates to consider the Matters for Decision contained in the WALGA State Council Agenda and put forward resolutions to Zone Representatives on State Council)

Matters of Particular Interest on State Council Agenda

4.1 REVIEW AND REFORM OF PLANNING AND DEVELOPMENT ASSESSMENT SYSTEMS

MOVED Cr Smithson SECONDED Cr Cvitan that the following words be included in Point 1.1 of the Motion, after “... Local Governments in Western Australia”:

“... including referral roles of other agencies ..”

The Motion was Put and

CARRIED

5.2 CITIZENSHIP CEREMONIES

MOVED Cr Cvitan SECONDED Cr Roberts that the Motion be AMENDED as follows:

“That:

- 1 *The Association acknowledge that the cost and administration of citizenship ceremonies is considered to be overly burdensome in instances where the Councils (such as the Cities of Wanneroo, Stirling and Joondalup, and local government authorities with large numbers of humanitarian refugees) conduct large ceremonies on a frequent basis;*

- 2** *WALGA further pursue this with the Australian Local Government Association (ALGA) and the Commonwealth Government requesting that a portion of the citizenship application fee, or other revenue sources, be allocated to the relevant local government authority."*

The Motion was Put and

CARRIED

9. WALGA STATE COUNCIL MEMBERS' REPORTS

Mayor Pickard commented on the WALGA President's Report.

10. GENERAL BUSINESS

Nil.

11. DATE, TIME & PLACE OF NEXT MEETING

The next meeting of the North Metropolitan Zone will be held at the City of Joondalup at 6.00 pm on Thursday 1 October 2009.

12. CLOSURE

The meeting closed at 1954 hrs.



North Metropolitan Zone Status Report July 2009

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
North M	2009 May 20 Zone Agenda Item 7.10 Use of Glass Drinking Containers in Licensed Premises and Liquor Outlets	REQUESTS WALGA to: <ol style="list-style-type: none"> 1 EXAMINE strategies for local governments to work with the hospitality industry to better manage glass in licensed premises and liquor outlets; 2 PREPARE an application to The Criminal Confiscation Act 2000 Grants Program to fund resources to support this initiative. 	This matter has been referred to WALGA's Alcohol Management Project Manager for consideration in the plans being developed with participating councils. WALGA representatives are also meeting with industry reps to explore the issue as well as researching strategies used in other States	July 09	Allison Hailes Executive Manager Planning & Community Development 9213 2018 ahailes@walga.asn.au
North M	2009 May 20 Zone Agenda Item 7.7 Local Government Act Rating Exemptions for Charitable Purposes	That the North Metropolitan Zone: <ol style="list-style-type: none"> 1 NOTES the City of Stirling's support for a review of Section 6.26(2)(g) of the Local Government Act 1995 '<i>Rating Exemptions for Charitable Purposes</i>' to provide certainty and unambiguous guidance to all parties in the matter; 2 REQUESTS the State Council to urgently seek support from the Local Government Minister to initiate this review in conjunction with the local government sector. 	The matter of clarifying S 6.26 (2) (g) of the Local Government Act 1995 is a longstanding matter of priority to State Council and has been raised with successive Governments. The SSS Legislative Review Working Group has noted this matter for urgent attention, with the aim of clarifying the definition of land used for charitable purposes and taking into account that it is becoming common for land vested in charitable organisations to be used for commercial activities.	July 09	James McGovern Policy Manager LG Advisory Service 9213 2093 jmcgovern@walga.asn.au

<p>North M</p>	<p>2009 May 20 State Council Agenda Item 5.3 Proposed Amendments to the WALGA Annual General Meeting Standing Orders</p>	<p>That an additional recommendation be ADDED to read: <i>“That Clause 13.8 be amended by deleting the words “shall at once” and including the word “may”.”</i></p>	<p>The resolution from the North Metropolitan Zone was incorporated in the State Council resolution as follows: STATE COUNCIL RESOLUTION June 2009 That clauses 13 (Debate Procedures) and 26 (Method of Taking Votes) of the Annual General Meeting Standing Orders be amended as follows:</p> <p>13. DEBATE PROCEDURES</p> <p>13.1 A delegate moving a substantive motion may speak for –</p> <p>(a) 5 minutes in his or her opening address; and</p> <p>(b) 3 minutes in exercising the right of reply.</p> <p>13.2 Other speeches for or against motions are to be limited to 3 minutes unless consent of the meeting is obtained which shall be signified without debate.</p> <p>13.8 No more than two delegates shall speak in succession on one side, either for or against the question before the meeting, and if at the conclusion of the second speaker’s remarks, no delegates speaks on the other side, the motion or amendment may be put to the vote.</p> <p>26. METHOD OF TAKING VOTES</p> <p>The President shall, in taking a vote on any motion or amendment, put the question first in the affirmative, and then in the negative and may do so as often as is necessary to enable formation and declaration of an opinion as to whether the affirmative or the negative has the majority on the voices, by a show of hands or by an electronic key pad voting system.</p>	<p>July 09</p>	<p>Meredith Neilsen Policy Officer Governance 9213 2013 mneilsen@walga.asn.au</p>
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<p>North M</p>	<p>2009 May 20 State Council Agenda Item 5.2 Criminal Prosecution and Civil Litigation of Graffiti Offenders</p>	<p>That the following words be added to the end of Point 4 of the Motion: <i>“... and increase all associated penalties.”</i></p>	<p>The resolution from the North Metropolitan Zone was incorporated in the State Council resolution as follows: STATE COUNCIL RESOLUTION June 2009 That the Association:</p> <ol style="list-style-type: none"> 1. seek a meeting with the Police Commissioner to discuss the WA Police implementing a standing policy of always seeking restitution from graffiti offenders, following seeking advice from the Council on the cost of the damage; 2. brings to the attention of State Government the problems in winning a restitution order, and seeking support for the process to be improved; 3. explores the development of a training program to teach Council Officers how to initiate and present a claim through the Minor Case Procedure in the Magistrates Court or other jurisdictions as required; 4. advocate for the Western Australian State Government to introduce a separate Act to deal only with Graffiti including appropriate penalties; and 5. consult with Local Governments and consider developing a policy regarding Local Government participation in Victim Offender Mediation and having graffiti offenders on community service orders. 	<p>July 09</p>	<p>Warren Pearce Community Policy Officer 9213 2082 wpearce@walga.asn.au</p>
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North M	2008 November 20 Zone Agenda Item 7.1 Boundary Reviews – Legislative Amendments to the <i>Local Government Act 1995</i>	The North Metropolitan Zone Committee SEEKS the support of WALGA to lobby the State Government for an amendment to Schedule 2.1 of the Local Government Act 1995 as follows:	This matter was considered at a Governance & Strategy Policy Team meeting, where it was resolved to seek a meeting with the Local Government Advisory Board to discuss the boundary review process.	July 09	Tony Brown Executive Manager Governance and Strategy 9213 2051 tbrown@walga.asn.au
North M	2008 September 18 Zone Agenda Item 7.1 Convening Special Electors Meetings	That the North Metropolitan Zone SEEKS the support of WALGA to lobby the State Government to increase the number of residents required to call a special electors meeting to 500 or 5% of the number of electors, whichever is the lesser number.	The resolution from the North Metropolitan Zone was considered at the Governance & Strategy Policy Team meeting held on 3 December 2008. This proposal has been supported by the Policy Team and was an Agenda item for the February 2009 State Council meeting. State Council resolved for the item to 'lay on the table", as it was thought that with the recent Local Government reform announcements that this was not the right time to pursue this matter. The item will be re-submitted to a future meeting.	July 09	James McGovern Policy Manager LG Advisory Service 9213 2093 jmcgovern@walga.asn.au
North M	2007 November 29 Zone Agenda Item 7.4 Reimbursement of Local Government Costs Incurred in the Administration and Operation of Citizenship Ceremonies.	That the North Metropolitan Zone Committee REQUEST WALGA to again raise the issue of funding citizenship ceremonies with ALGA, with the objective of further lobbying the Commonwealth Government to change its position on this matter.	WALGA has sought member Council feedback. An agenda item on this issue is contained within the August 2009 State Council Agenda.	July 09	Jodie Holbrook Policy Manager Community 9213 2044 jholbrook@walga.asn.au
North M	2007 November 29 Zone Agenda Item 7.3 Use of Differential Rating to Discourage the Holding of Undeveloped Land	That the North Metropolitan Zone Committee seeks the Western Australian Local Government Association's support to lobby the State Government to amend the current legislative provisions in relation to differential rating to enable a differential rate to be applied on the basis of the length of time a property has remained in an undeveloped state.	This matter will be considered at the August meeting of the Associations Governance & Strategy Policy Team.	July 09	Tony Brown Executive Manager Governance & Strategy 9213 2051 tbrown@walga.asn.au