

**South West Zone WALGA: 24 February 2017  
State Council WALGA: 1 March 2016**

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**Agenda Summary and Recommendations**

The City of Busselton is a member of the WALGA South West Zone which meets approximately five times each year. The SW Zone comprises of twelve local governments being the Shire of Augusta - Margaret River, Shire of Boyup Brook, Shire of Bridgetown-Greenbushes, City of Bunbury, City of Busselton, Shire of Capel, Shire of Collie, Shire of Dardanup; Shire of Donnybrook-Balingup, Shire of Harvey, Shire of Manjimup and the Shire of Nannup.

The City is represented on the Zone Committee by the Mayor Grant Henley with administrative support provided by Cliff Frewing, Director Finance & Corporate Services and Lisa Haste, Governance Support Officer.

The Zone employs a secretariat to prepare the Zone agenda, take minutes and action Zone adopted resolutions.

Each Agenda is in two parts:

1. Items raised by Zone Members for consideration; and
2. The WALGA State Council Agenda

The reports raised by the Zone Members and those contained in the WALGA State Council Agenda "for decision" are reviewed by City officers and are reported in the following manner for Councillor information:

- A summary of the report is provided;
- The WALGA recommendation is repeated;
- The relevant City officer comments on the report;
- The City Officer comments on the recommendation;
- The Zone decision is recorded; and
- The WALGA State Council decision is recorded.

In this way, Council can track the progress of the report and recommendation as it flows through the system.

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## **South West Zone: 24 February 2017**

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### **Item 10.1 Hazard Reduction on Highway Reserves      Submission by Bridgetown-Greenbushes**

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**Summary of report:**

The Shire of Bridgetown-Greenbushes is concerned that Main Roads WA has made a significant reduction in service delivery, without any consultation, and will now only undertake a maximum single width mow either side of the highway. This is not only a fire safety issue, but also is not aesthetically appealing for visitors to town. At a meeting of the Regional Roads Group, it appeared that some sections of South Western Highway appear to have received more than the single width mow, and other sections have not been mowed at all.

**Motion:**

**That WALGA consult with Main Roads Western Australia seeking the development of some clear standards for roadside hazard reduction noting that this summer has seen a significant reduction in such hazard reduction within the South-West Region.**

**Director Engineering and Works Comment:**

The City has not been made aware of any specific reduction in the service provision with regards MRWA controlled road verges. MRWA does have specific guidelines that they would generally follow. There is no noticeable change to the service in Busselton. The City would be supportive of a review that improved service levels to the area.

**Zone Recommendation:**

That WALGA consult with Main Roads Western Australia seeking the development of some clear standards for roadside hazard reduction noting that this summer has seen a significant reduction in such hazard reduction within the South-West Region.

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### **Item 10.2 Annual Electors Meetings      Submission by Shire of Nannup**

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**Summary of report:**

The Shire of Nannup is seeking support for the Annual electors meetings to be removed as a requirement in the Local government Act. In the last 2 years the Shire only had 1 elector in attendance for the meeting, and attendance has been declining over a number of years. With the requirement to conduct Public Question Time at all of the Council meetings, residents are able to raise issues with Councillors as they come to hand rather than waiting until the end of the year for the Electors meetings.

**MOTION**

**That the South West Zone seeks the support of WALGA in lobbying the Department of Local Government and Communities to remove the requirement in the Local Government Act (S.5.27) to conduct Annual Electors Meetings as it is considered that Annual Electors Meetings have little relevance to the Electors when issues can be raised on a monthly basis at Council meetings during Public Question Time.**

**Officer Comment:**

The City has had poor attendance for the Electors meetings for a number of years now and supports this motion put forward by the Shire of Nannup.

**Zone Recommendation:**

That the South West Zone seeks the support of WALGA in lobbying the Department of Local Government and Communities to remove the requirement in the Local Government Act (S.5.27) to conduct Annual Electors Meetings as it is considered that Annual Electors Meetings have little relevance to the Electors when issues can be raised on a monthly basis at Council meetings during Public Question Time.

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**Item 10.3 Letter from Land Equity Legal**

**Letter Attached to agenda:**

Reference was made to a letter sent to the Zone Member Council CEOs and Presidents/Mayors. The letter is from Land Equity Legal relating to implications of the South West Noongar Native Title Settlement for local Government and developing a local government position. The letter offers ways in which Land Equity Legal can assist local governments with settlements.

**Officer Comment:**

The interests of local government are currently being managed by Squire Patton Boggs who have carriage of the matter and are engaged on a 'watching brief'. It is recommended that the correspondence is noted.

**Zone Recommendation:**

Noted

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**Item 10.4 Central Country Zone Submitted by Central Country Zone**

**Summary of letter:**

At the 2 December 2016 meeting of the Central Country Zone, there was considerable discussion on the respective roles of the Local Government Grain Freight Group (LGGFG) and the recently re-established WALGA Freight Policy Forum. The Central Country Zone believes that there could be synergies between the 2 groups and as such proposed for the two groups to be combined. Letters will be written to both the LGGFG and WALGA in respect to its Freight Policy Forum to enquire whether both groups could review their roles and terms of reference to determine what synergies may exist.

**Officer Comment:**

The City does not hold a particular view on this issue, however supports the enquiry to see if there are synergies between the two groups.

**Zone Recommendation:**

Noted

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**Item 10.5 South West Regional Livestock Facility – Steering Committee Recommendation Shire of Capel**

**Summary of report:**

A South West Regional Livestock Steering Committee has been established by the SWDC to advise and provide strategic guidance to the State Government in relation to the potential development of a new South West Regional Livestock facility, as the lease for the existing Boyanup saleyard will expire in mid-2022. Simon Taylor from SWDC has suggested that 2 local government representative

from the South West be nominated by the SW Zone to represent the interests of all south west local governments. The Shire of Capel has been driving this project since 2002 so it is suggested that the CEO and Shire President from the Shire of Capel be nominated as the SW Zone WALGA representatives.

**MOTION**

**That the President and Chief Executive Officer from the Shire of Capel be nominated as the SW Zone WALGA representatives to South West Regional Livestock Steering Committee.**

**Officer Comment:**

Given that the Shire of Capel has been driving this project since 2002, the City is supportive of their CEO and President being the south west representatives on the Steering Committee.

**Zone Recommendation:**

The President and Chief Executive Officer from the Shire of Capel were nominated as the SW Zone WALGA representatives to South West Regional Livestock Steering Committee.

## **1. WALGA State Council: Wednesday 1 March 2017**

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**Item: 5.1      Discontinuation of Vehicle Licence Concessions**

**Summary of report:**

In early January 2017 the Department of Transport advised Local Governments by letter that effective from 1 July 2017 the vehicle licence concessions currently offered will be discontinued meaning that Local Government will be required to pay vehicle registrations in full.

- Concessions will remain in place for vehicles licensed under regulations 69(c) and (d) of the *Road Traffic (Vehicles) Regulations 2014* including ambulances and certain fire and emergency vehicles.
- There was no consultation or discussion with WALGA or Local Governments prior to the public announcement of removing the concession.
- A series of advocacy actions were immediately undertaken by WALGA and Local Government to have the decision reversed.

**WALGA Recommendation:**

***That State Council:***

- 1. Endorse the recent and on-going advocacy actions undertaken by WALGA to have the decision to discontinue vehicle licence concessions for Local Governments reversed; and***
- 2. Encourages Member Local Governments to highlight to existing and potential Members of Parliament the adverse impact this decision will have on local communities.***

**City Officer Comment:**

This issue has taken local government by surprise as the withdrawal of the motor vehicle concession and imposition of stamp duty on new vehicles was not communicated to the sector. The City is currently calculating the impact of this change, but it is likely to be in the tens of thousands of dollars each year. The City is aware that WALGA is taking up the matter on a political front and the Mayor has discussed the matter with local member Libby Mettam.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

That:

1. State Council endorse actions undertaken by the WALGA administration to have the decision to discontinue vehicle licence concessions for Local governments reviewed;
2. WALGA encourages its Members to draw to the attention of existing and potential Members of Parliament the adverse impact this decision will have on local communities;
3. WALGA strongly express the concerns of Local government with the ongoing practice of cost shifting from the State to Local government; and
4. WALGA advocate for an increasing of the funding received under the State agreement for Transport to local government, in the light of the proposed increase in vehicle licencing fees and introducing Stamp Duty on new Local Government vehicles.

**Item: 5.2 Compulsory Third Party Insurance Scheme for Cyclists**

**Summary of report:**

- In 2015 WALGA produced a discussion paper “Licensing Cyclists and Registering Bicycles” in response to a resolution from the Central Metropolitan Zone.
- In May 2016 the WALGA State Council resolved that it did not support a policy of licencing cyclists or registering bicycles; but resolved that WALGA engage with the Insurance Commission of WA to explore the viability of a third party insurance scheme for cyclists.
- The State Government has given no indication of any desire to enter the private insurance market when there are insurance products offered by insurance providers specifically for cyclists.
- Many problems would need to be overcome to successfully introduce a compulsory third party insurance scheme for cyclists.

Currently there are adequate public liability and insurance products available to cyclists in the private market. There are no indications the State Government has either a desire to enter the private insurance market or sees a need to develop a CTP insurance scheme for cyclists so as to address an existing or emerging problem.

Furthermore, at a time when the State Government is promoting the benefits of cycling, particularly as a sustainable form of transport, the introduction of a CTP insurance scheme has the potential to discourage cycling participation.

**WALGA Recommendation:**

***That WALGA’s does not support a compulsory third party insurance scheme for cyclists***

**City Officer Comment:**

The report identifies the general lack of interest by the relevant bodies involved in cycling within the state, and there appears to be no desire by any party to introduce a compulsory third party insurance scheme for cyclists.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council Decision:**

**The WALGA recommendation was supported.**

**Item 5.3 Regional Subsidiaries Regulations**

**Summary of report:**

- The Local Government Act 1995 was amended in late 2016 to enable Local Governments to establish regional subsidiaries, and this represents a significant advocacy achievement for the Local Government sector;
- The Local Government (Regional Subsidiaries) Regulations 2017, which were enacted in early 2017, contain significant restrictions that limit the flexibility and will reduce the benefits of the regional subsidiary model;
- In particular, the regulations prevent regional subsidiaries from borrowing from any organisation other than a constituent Local Government, entering into a land transaction, and commencing a trading undertaking; and,
- This item recommends legislative and/or regulatory amendments to remove these restrictions that unnecessarily prevent regional subsidiaries from becoming an effective and efficient collaborative service delivery mechanism.

For instance, a regional subsidiary would not be able to acquire a site to operate a regional landfill facility. A regional subsidiary could be formed to manage the facility, but ownership would remain with a constituent Local Government.

**WALGA Recommendation:**

***That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to:***

- 1. Borrow in their own right;***
- 2. Enter into land transactions; and,***
- 3. Undertake commercial activities.***

**City Officer Comment:**

Recently the Local Government Act was amended to enable local governments to establish regional subsidiaries and it was generally acknowledged that the legislation did not go far enough. The proposal contained in this item is for the legislation to be amended to allow local governments to borrow money, enter into land transactions and undertake commercial activities which is supported.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**State Council decision:**

The WALGA recommendation was supported.

**Item 5.4 Review of the Emergency Services Levy**

**Summary of report:**

The State Government have endorsed recommendation 17 of the Special Inquiry into the Waroona Fire to undertake an independent review of the Emergency Services Levy (ESL).

- The Economic Regulatory Authority (ERA) has been tasked with undertaking the review with a final report to be tabled to the Treasurer by no later than 29 September 2017.
- The ERA have released a discussion paper to assist parties to make submissions to the review. Submissions are due by 4.00pm Friday 10 March 2017.
- WALGA are preparing a submission on behalf of the sector to inform the ERA in its report and recommendations to the Treasurer. Full participation from Councils is critical to the success of WALGA's submission as this is opportunity for the sector to exert significant influence on long overdue strategic change to the ESL.

**WALGA Recommendations:**

**That:**

- 1. State Council notes the work undertaken by WALGA and members to advocate for a review of the Emergency Services Levy (ESL) and undertake economic modelling in support of the ESL review;***
- 2. State Council endorses and promotes that critical to the success of the submission is participation of all Councils to demonstrate a unified sector position; and***
- 3. WALGA undertakes formal consultation with the sector, building on previous work and State Council resolutions, to prepare a submission to the Economic Regulatory Authority to addressing the terms of reference of the Review of the Emergency Services Levy on behalf of all Councils.***

**City Officer Comment:**

This report Item follows the government's acceptance of recommendation 17 of the Special Enquiry into the Waroona fire and recommends a review of the Emergency Services Levy (ESL) be undertaken. The ESL was created over ten years ago and notwithstanding the recommendation of the special enquiry it is appropriate to review the Levy because of the length of time that has elapsed.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

**The WALGA recommendation was supported with the additional point 4 below:**

4. That WALGA develops a discussion paper on ESL Management after it has received submissions from member Local governments. That WALGA convenes an interactive forum of member Council's to consider the ERA's interim report (phase 2) prior to preparing a submission to the ERA to address the terms of reference of the review of ESL on behalf of all Council's.

**Item 5.5 Submission to Building Commission on operation of the Building Act 2011**

**Summary of report:**

- The Building Act 2011 has been operating since 2012, and therefore, it is timely to review its performance over the last five years.
- In October 2016, workshops were held with Local Government building surveyors to compile a list of possible improvements to the Building Act 2011.
- The 'Top Ten' issues raised with members will provide the Association with clear advocacy to the Building Commission for improvements to the Building Act 2011.

**WALGA Recommendations:**

*That WALGA:*

- 1. Endorse the 'Top Ten' issues for improvement to the operation of the Building Act 2011; and***
- 2. Further advocate for improvements to the operation of the Building Act 2011 with the Minister for Commerce and the Building Commission.***

**City Officer Comment:**

WALGA has identified the top ten issues for improvement to the Building Act and these have been reviewed by the Planning and Development Directorate and no concerns have been raised with the priorities identified for legislative change.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

**The WALGA recommendation was supported with the addition of point 3 below:**

- 3. That WALGA advocates to ensure that Local Government is not solely responsible for mandatory inspections.**

**Item 5.6 Interim submission – State Planning Policy 3.6 – Development Contributions for Infrastructure**

**Summary of report:**

- In September 2016, the WA Planning Commission (WAPC) released a revised State Planning Policy 3.6 Development Contributions for Infrastructure and new Guidelines and draft Scheme Provisions.

## **WALGA State Council and Zone Agenda Agenda Summary and Recommendations**

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- The revised State Planning Policy and new Guidelines aim to provide better guidance and consistency in the application of development contribution plans throughout the State.
- The WA Planning Commissions public comment period closed on the 25 November 2016, however, an extension was granted until the 2 December 2016, in order to incorporate submissions from the Local Government sector.

### **WALGA Recommendation:**

***That the interim submission to the WA Planning Commission on State Planning Policy 3.6 – Development Contributions for Infrastructure be endorsed.***

### **City Officer Comment:**

The WAPC conducted a public submission period related to the review of State Planning Policy 3.6 – Developer Contributions. WALGA has prepared a submission to the WAPC and the contents of the submission are supported by the City.

### **City Officer Recommendation:**

That the WALGA recommendation be supported.

### **Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

### **State Council decision:**

**The WALGA recommendation was supported.**

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## **Item 5.7 Interim Submission to the WA Planning Commission on the Design WA Framework**

### **Summary of report:**

- Design WA is a suite of State Planning Policy (SPP) documents and supporting guides aimed at improving built form outcomes by ensuring that design is included in the decision making process. The Design WA framework includes:
  - Draft State Planning Policy 7 - Design of the Built Environment;
  - Draft State Planning Policy 7.3 Residential Design Codes for Multiple Dwellings And Mixed Use Developments (to replace Part 6 of the R-Codes);
  - Draft Design Review Guide; and,
  - Design Skills Discussion Paper.
- The Association is largely supportive of the measures set out within the framework and the intent to ensure that land use planning delivers good design outcomes. Nevertheless, the Association is concerned by many aspects of the Framework, primarily the focus on process rather than built form outcomes. The submission also raises the concerns that the SPP proposes the mandatory establishment of 'design review panels' with a 'one-size fits all' approach that will have significant cost implications for Local Governments.

A copy of the interim submission was contained in the agenda for State Council consideration.

**WALGA Recommendation:**

**That:**

- 1. The interim submission to the WA Planning Commission regarding State Planning Policy 7 - Design of the Built Environment and the wider Design WA Framework be endorsed; and**
- 2. WALGA advocates its opposition to the introduction of any mandatory design review process, as it should be at the discretion of individual Local Governments.**

**City Officer Comment:**

The WAPC conducted a public submission period related to the review of State Planning Policy 7 – Design of the Built Environment and the wider design WA framework. WALGA has prepared a submission to the WAPC and the contents of the submission are supported by the City.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

**That:**

- 1. The interim submission to the WA Planning Commission regarding State Planning Policy 7 - Design of the Built Environment and the wider Design WA Framework be endorsed subject to an amendment to the WALGA Interim Submission to the WAPC on Design WA Framework, paragraph 4.17 – Adaptive reuse as follows:**  
  
**“For a wide range of cultural heritage and sustainability reasons, the adaptive reuse of buildings for residential and commercial development is supported”**
- 2. WALGA advocates its opposition to the introduction of any mandatory design review process, as it should be at the discretion of individual Local Governments.**

**Item 5.8 WALGA Model Heritage Strategy for Local Governments**

**Summary of report:**

- In 2015, WALGA organised a meeting of Local Government Heritage Officers to discuss heritage issues following Local Government interest.
- WALGA distributed a survey to all member Local Governments to provide feedback on heritage issues and areas for development, and facilitated a workshop in January 2016 to draft heritage priorities for action led by WALGA, Local Governments and the State Heritage Office.
- The development of a Model Heritage Strategy for individual Local Governments was identified as a priority.
- The Model Heritage Strategy for Local Governments aims to provide a guide that Local Governments can use when creating or updating their own heritage strategy. It is not intended that all Local Governments would adopt this Strategy, or move to standardisation, but that the Model Strategy act as a reference for any Local Government seeking assistance.

**WALGA Recommendations:**

***That the Model Heritage Strategy for Local Governments is endorsed and that WALGA recommends use of the resource by Local Governments when reviewing and preparing heritage strategies.***

**City Officer Comment:**

During the last two years, WALGA has been working with local government Heritage officers to discuss the model Heritage Strategy and at a workshop in January 2016, a draft Heritage priority plan was developed. This plan will be made available to local governments to use on a needs basis.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

**The WALGA recommendation was supported.**

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**Item 5.9 Interim Submission on the Seniors Housing Strategy Discussion Paper**

**Summary of report:**

The Housing Authority released the Seniors Housing Strategy Discussion Paper for public comment, with submissions closing on Friday 16 December 2016.

- The discussion paper examines a number of possible initiatives centred on five inter-related themes with the main focus of improving access to affordable and appropriate housing for seniors on low to moderate incomes. The themes include:
  - Downsizing
  - Better Design
  - Affordability
  - Regional Communities
- Given the significant demographic change that WA is on the cusp of experiencing with an 'ageing of the population', the Association welcomes the release of the Seniors Housing Discussion Paper. However, the submission seeks further clarity on a number of the possible initiatives identified and also raises the concern that the focus of the discussion paper is on policy responses, not on what the proposed Seniors Housing Strategy should seek to do.

A copy of the interim submission is attached for State Council consideration.

**WALGA Recommendation:**

***That WALGA's interim submission regarding Seniors Housing Strategy, Discussion Paper be endorsed.***

**City Officer Comment:**

The Housing Authority conducted a public submission period relating to the review of the Seniors housing Strategy discussion paper. WALGA has prepared a submission to the Housing Authority and the contents of the submission are supported by the City.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

The WALGA recommendation was supported.

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**Item 5.10 Local Government and Tourism Position and Recommendations Paper**

**Summary of report:**

- WALGA has reviewed its current initiatives and recommendations previously endorsed by State Council in 2015.
- In response to this process, WALGA has developed a reviewed set of recommendations based on member feedback that will best add value to the Local Government sector in the current tourism context.

**WALGA Recommendation:**

**That WALGA:**

**1. Continues to advocate for a Local Government tourism strategy to deliver local tourism outcomes;**

**2. In the short-medium term, advocates that the State Government:**

- Produces targeted communication and education for Local Government using existing Tourism WA data to demonstrate the value of tourism to local communities, Elected Members and Local Government officers;***
- Provides guidance for Local Government on marketing small projects including events and attractions; and,***
- Directs Regional Development Commissions to facilitate the coordination of tourism stakeholders to provide strategic support where required for Local Government.***

**3. In the long term, advocates that the State Government:**

- Articulates the lead agency and defines the roles of other agencies in tourism, to facilitate coordination and collaboration of tourism activities across the State and to enhance Local Government's understanding of tourism in WA;***
- Defines and communicates how it provides destination marketing support to Local Governments and communicates how Local Governments can most effectively direct their resources;***
- Develops a sustainable State Government tourism funding mechanism for both regional and metropolitan Local Governments which is clearly communicated to Local Governments;***
- Implements and invests in Regional Investment Blueprints and delivers through appropriate funding models such as Royalties for Regions and federal funding opportunities which are clearly communicated to Local Government;***
- Continues funding to support sustainability of visitor centres; and,***

- f. ***Undertakes improvements to tourism-related infrastructure and technology including mobile signals and WIFI in regional areas.***

**City Officer Comment:**

Following consultation with local government, Tourism Western Australia and Regional Development Commissions, WALGA has developed a position and recommendations paper which proposes that WALGA advocates needs as determined in the future by the sector.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

**WALGA supported the recommendation with the addition of 2 d) and 3 g)**

**2d) Provides funding to Local Government for tourist infrastructure.**

**3g) Undertake measures to reduce the cost and improve the scheduling and routes of regional air services.**

**Item 5.11 Urban Forest**

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**Summary of report:**

- The loss of tree canopy cover is a significant issue for Local Government.
- A number of Local Governments have sought to address the loss of canopy through the preparation and implementation of locally appropriate urban forest strategies.
- The key challenges identified by Local Governments in implementing their plans include inconsistent State policies (specifically the R-Codes and Liveable Neighbourhoods), inadequate protection for existing trees, and the lack of a requirement for revegetation in new developments. Funding and a lack of knowledge (from community, staff and councillors) around the benefits of an urban forest were also identified as issues.
- WALGA proposes to collaborate with the Department of Planning in developing an Urban Tree Canopy Project, which currently involves providing input into a proposed urban forest communications campaign.
- It is proposed that WALGA continue to work with the State Government and continue to advocate for a strategy to meaningfully address the existing impediments faced by Local Government to tree retention and planting.

**WALGA Recommendation:**

***That WALGA advocate and work with the State Government to further prevent the loss of urban tree canopy, which is a significant environmental and social issue for communities across the State.***

**City Officer Comment:**

The local government sector is becoming increasingly concerned at the loss of tree canopy cover as a result of outer-metropolitan subdivision development and increased density in inner city local governments. As a consequence, the retention of existing tree canopy cover known as “urban forest” is becoming increasingly important.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision:**

**The WALGA recommendation was supported with the addition of point 2 below:**

- 2. Work with member Councils to develop a system of appropriate market based and regulatory instruments to promote the increase in the urban tree canopy on private property.**
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**Item 5.12 Post Border Biosecurity Policy Position and Recommendations to the State Government**

**Summary of report:**

- Post-border biosecurity has been a long standing concern for Local Government. There have been 12 Zone and State Council resolutions on this issue since 2013, most recently at the 2016 Annual General Meeting.
- The Post-Border Biosecurity Policy Position and Recommendations Paper to the State Government (the Paper) has been developed after considering these resolutions and extensive consultation with the sector. Four submissions were received on the Paper.
- WALGA's 2006 biosecurity policy position remains robust. Amendments proposed in the Paper reflect the need to strengthen the strategic, regulatory and operational arrangements underpinning the 'shared responsibility' approach under the Biosecurity and Agriculture Management Act 2007 (BAM Act).
- The Association has been advocating strongly for a review of the BAM Act to be undertaken in 2017, to enable issues and concerns with the current approach to be addressed. The Department of Agriculture and Food WA (DAFWA) has advised that the review is unlikely to be conducted until 2023.
- The revised policy position and recommendations will form the basis for WALGA's biosecurity advocacy going forward.

**WALGA Recommendation:**

- 1. Endorse the proposed post-border biosecurity policy position;***
- 2. Advocate for the State Government to implement the recommendations in the Position Paper, including a review of the operation and effectiveness of the Biosecurity and Agriculture Management Act 2007 as a priority.***

**City Officer Comment:**

The subject of post Border Biosecurity has been an increasingly significant topic in recent years and as a consequence, WALGA has developed a policy position and identified recommendations for consideration by the government to review the Biosecurity and Agriculture Management Act.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That WALGA:

1. Endorse the proposed post-border biosecurity policy position subject to amending policy position 3.2 to state that "Local Government are not supportive of Recognised Biosecurity Groups". WALGA's policy position in item 3.2 is to call on the State Government to adequately fund DAFWA for biosecurity officers to be able to administer full compliance regarding biosecurity matters.
2. Advocate for the State Government to implement the recommendations in the Position Paper, including a review of the operation and effectiveness of the Biosecurity and Agriculture Management Act 2007 as a priority.

**State Council decision**

That WALGA:

1. Endorse the proposed post-border biosecurity policy position with:
  - a. The adoption of a recommendation for the re-instatement of an appropriately resourced Agriculture Protection Board; and
  - b. An amended policy position 3.2 to state that "Local Government are not supportive of Recognised Biosecurity Groups". WALGA's policy position in item 3.2 is to call on the State Government to adequately fund DAFWA for biosecurity officers to be able to administer full compliance regarding biosecurity matters.
2. Advocate for the State Government to implement the recommendations in the Position Paper, including a review of the operation and effectiveness of the Biosecurity and Agriculture Management Act 2007 as a priority.

**Item 5.13 WALGA Annual General Meeting - Criteria for Member Motions**

**Summary of report:**

- Following the 2016 WALGA Annual General Meeting (AGM), there has been feedback and discussion at Zone meetings on establishing criteria for accepting Member motions for the AGM.
- This item proposes suggested criteria for Member motions and for Items of Special Urgent Business at an AGM.
- It is proposed to amend the Association's Corporate Governance Charter to provide for the criteria to determine Member motions.

**WALGA Recommendation:**

***A. That WALGA amends the Association's Corporate Governance Charter to provide for the following criteria in determining Member motions to be considered at an Annual General meeting:***

***Motions will be included in the Business Paper agenda where they:***

- 1. Are consistent with the objects of the Association (refer to clause 3 of the constitution);***
- 2. Relate to Local Government in WA and/or across Australia;***
- 3. Concern or are likely to concern Local Government as a sector;***
- 4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;***
- 5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);***
- 6. Are clearly worded and unambiguous in nature;***

***Motions will not be included where they are:***

**7. Consistent with current Association advocacy/policy positions. (As the matter has previously considered and endorsed by the Association).**

**Motions of similar objective:**

**8. Will be consolidated as a single item.**

**B. Determination of acceptable motions be carried out by WALGA's Executive Committee and the Terms of Reference of the Executive Committee be amended accordingly.**

**City Officer Comment:**

Following the WALGA AGM in 2016, there has been discussion within the Zones on the need to establish rules for accepting motions at future AGMs. The rules contained in recommendation A appear to be reasonable and therefore acceptable.

**City Officer Recommendation:**

That the WALGA recommendation be supported.

**Zone Recommendation to State Council:**

That the WALGA recommendation be supported.

**State Council decision**

**A. That WALGA amends the Association's Corporate Governance Charter to provide for the following criteria in determining Member motions to be considered at an Annual General meeting:**

**Motions will be included in the Business Paper agenda where they:**

- 1. Are consistent with the objects of the Association (refer to clause 3 of the constitution);**
- 2. Demonstrate that the issue/s raised will concern or are likely to concern a substantial number of Local governments in WA;**
- 3. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the association;**
- 4. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);**
- 5. Are clearly worded and unambiguous in nature.**

**Motions will not be included where they are:**

**7. Consistent with current Association advocacy/policy positions. (As the matter has previously considered and endorsed by the Association).**

**Motions of similar objective:**

**8. Will be consolidated as a single item.**

**B. Determination of acceptable motions be carried out by WALGA's Executive Committee and the Terms of Reference of the Executive Committee be amended accordingly.**