

Peel Country Zone

Minutes

14 June 2023

Peel Country Zone

Hosted by the Shire of Waroona

52 Hesse Street, Waroona – 9733 7800

Wednesday, 14 June 2023, commenced at 2:00pm

Acknowledgement of Country

We, the delegates of the Peel Country Zone acknowledge the traditional owners of this land that we are meeting on today and pay our respects to Elders past, present and future.

Minutes

MEMBERS

2 Voting Delegates from each Member Council

City of Mandurah

Mayor Rhys Williams
Cr Caroline Knight
Mr Mark Newman, Chief Executive Officer non-voting delegate

Shire of Murray

President David Bolt
Cr Douglas McLarty

Shire of Serpentine
Jarrahdale

President Michelle Rich - **Chair**
Mr Paul Martin, Chief Executive Officer non-voting delegate

Shire of Waroona

President Michael Walmsley
Cr Naomi Purcell
Mr Mark Goodlet, Chief Executive Officer non-voting delegate

WALGA Representatives

Ms Kirsty Martin, Manager Commercial Management
Ms Vicki Coles, Governance Specialist

Guest Speakers

Peta Greening, Community Engagement Manager WA
Murray Carter, Executive Director, DFES

APOLOGIES

Shire of Murray

Mr Dean Unsworth, Chief Executive Officer non-voting delegate

DLGSC Representative

Mr Brendan McNally, A/Regional Manager

Shire of Boddington

Cr Eugene Smallberger
Cr Garry Ventris
Ms Julie Burton, Chief Executive Officer non-voting delegate

Shire of Serpentine
Jarrahdale

Cr Lauren Strange

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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 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.

ATTACHMENTS WITHIN THE AGENDA

1. Draft Minutes of previous meeting
2. DLGSC Update Report
3. Zone Status Report
4. President's Report
5. WALGA Draft Submission – BAM Act Review Stage 3

1. DECLARATION OF INTEREST

Elected Members must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

NIL

2. DEPUTATIONS

2.1 Emergency Management Preparedness - NBN Co.

Peta Greening, Community Engagement Manager provided a presentation to the Zone on Emergency Management Preparedness. The presentation is **attached** with the Minutes.

2.2 Department of Fire and Emergency Services

As rescheduled from the November 2022 Peel Zone meeting, Mr Murray Carter provided an update to the Zone of DFES matters.

In addition, an email that provides information on the Education session being held on 10 July for Emergency Management Activities is **attached** with the Minutes.

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

Department of Local Government, Sport and Cultural Industries representative, Brendan McNally was an apology for this meeting.

The May update was enclosed as an attachment with the Agenda.

Noted

3. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Mayor Rhys Williams
Seconded: President Michael Walmsley

That the Minutes of the meeting of the Peel Country Zone held on 13 April 2023 be confirmed as a true and accurate record of the proceedings.

CARRIED

4. BUSINESS ARISING

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

Noted

5. STATE COUNCIL AGENDA - MATTERS FOR DECISION

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

The full State Council Agenda can be found via link: [State Council Agenda 5 July 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 Review of Urban Forest Advocacy Position

That WALGA endorse a new Advocacy Position 4.6 Urban Forest as follows:

To promote the growth of Western Australia's urban forest the State Government should:

1. *Identify a lead agency with responsibility for setting the strategic direction and oversight of urban forest initiatives.*
2. *In consultation with Local Government:*
 - a. *Develop an Urban Forest Strategy, based on the overarching principles of a resilient, connected, expanded and equitable urban forest including:*
 - i. *an overall tree canopy target for the Perth and Peel regions,*
 - ii. *robust and contemporary data to inform decision making,*
 - iii. *funding mechanisms to support growth in urban canopy.*
 - b. *Develop contemporary legislative and policy mechanisms to enable the protection and growth of urban forest, including:*
 - i. *an effective and efficient regulatory mechanism that allows Local Government to consider the removal or alteration of a significant tree as a form of development.*
 - ii. *prioritisation of trees and vegetation as a key structural element in the design of new neighbourhoods to facilitate climate resilient and liveable communities.*
 - iii. *consideration of public realm design to maximise opportunities for tree retention and new planting consistent with any tree canopy targets.*
3. *Work with Local Government and other stakeholders to increase community awareness and promote behaviour change in relation to urban forest growth and retention to support State and Local Government targets and action.*

Provide recurrent funding for a comprehensive and accessible Urban Greening Grant program to support Local Government investment in public realm planting, focusing on high urban heat areas and enhancing biodiversity outcomes.

7.2 State Planning Policy 3.7 Bushfire

That WALGA endorse the submission on *State Planning Policy 3.7 Bushfire* and the *Planning for Bushfire Guidelines*.

7.3 Reforming WA Disability Legislation Submission

That WALGA endorse the submission to the Department of Communities relating to the *Consultation Paper – Reforming WA Disability Legislation*.

7.4 Landfill Bans Advocacy Position

That WALGA endorse the following Landfill Ban Advocacy Position:

Landfill bans are not supported in the absence of effective product stewardship schemes, or other funding mechanisms, for products which would be subject to the ban.

7.5 Audit Experience Survey Results Summary and Advocacy Position

That:

1. State Council note the Audit Experience Survey Results Summary; and
2. WALGA advocate to the Office of the Auditor General (OAG) to reform the audit process for Local Governments by seeking:
 - a. Audits of Local Governments are completed and reported on in a timely manner and that the processes, procedures and scope of audits are consistently applied.
 - b. That the OAG review the requirements for pre-audit information with a view to reducing the need for additional information where possible;
 - c. That the OAG review their costing formulae for Local Government audits and show constraint in audit cost increases;
 - d. That the OAG provide a breakdown on the cost of the audit and justification for any variance to the estimate to the Local Government as part of the final billing process;
 - e. That auditors be required to improve their communication and information management and avoid repeated requests for information that has already been provided;
 - f. That Local Governments only be required to communicate with contract Auditors (*unless the OAG is directly auditing the Local Government*) and the onus be placed on the contract Auditors to confirm their advice with the OAG before instructing the Local Government; and
 - g. In-conjunction with the Department of Local Government, Sport and Cultural Industries, review the application of Fair Value principles in the context of the audit.

7.6 Amendments to WALGA's Constitution

That State Council endorse putting two items to the 2023 Annual General Meeting that:

1. propose a new Constitution to give effect to the alternate governance model as per the attached; and
2. amend the Constitution to retain the current governance model with necessary changes, as per the attached mark-up.

RESOLUTION

Moved: Cr Caroline Knight
Seconded: Cr Naomi Purcell

That the Peel Country Zone:

1. **Supports all Matters for Decision as listed above in the July 2023 State Council Agenda; and**
2. **Notes all Matters for Noting, Policy Team and Committee Reports and Organisational Reports as listed in the July 2023 State Council Agenda.**

CARRIED

Mayor Rhys Williams left the meeting at 3.01pm and did not return.

6. ZONE BUSINESS

6.1 Review of the Biosecurity and Agriculture Management Act 2007: Stage 3 Review

By Rebecca Brown, Manager Environment and Waste

Executive Summary

- Consultation for Stage 3 of the review of the Biosecurity and Agriculture Management Act 2007 (BAM Act) has commenced, with feedback sought on potential biosecurity reform opportunities.
- WALGA has developed a draft Submission for sector feedback by 26 June.
- Zones are asked to consider and provide feedback on the proposals in the discussion paper and WALGA's draft Submission.
- Local Governments are also strongly encouraged to provide feedback directly to the Review Panel via the online portal by 30 June 2023.
- Local Governments are invited to attend a WALGA webinar on the proposed reforms, which will include a presentation from the Chair of the Independent BAM Act Review Panel, Kaylene Gulich, at 10.30am, Wednesday 14 June.

Background

The first 10-year [statutory review](#) of the [Biosecurity and Agriculture Management Act 2007](#) (BAM Act) is currently underway; this is a key opportunity for Local Government to influence the how post-border biosecurity is managed in Western Australia. The [Independent Panel](#) undertaking the review, is using a three-stage engagement process.

Stage 1 (closed) - Used open submissions and a survey to identify major themes and issues. To inform comment on this stage of the review WALGA prepared a [Discussion Paper](#) which includes 11 key

biosecurity themes and related recommendations reflecting issues raised by Local Government, and those identified in the [Auditor General's 2013 and 2020 Reports](#).

Stage 2 (closed) - Stage 1 identified the key themes and stage 2 provided an opportunity to focus on these issues, which included:

- principles to underpin WA's biosecurity, including biosecurity in all contexts and shared responsibility.
- legal foundations of WA's biosecurity, including prioritising pests, weeds and diseases, and enabling industry and community action.
- planning, coordinating and resourcing WA's biosecurity system, including responsibilities and timing.
- community-led pest and weed management, including the Declared Pest Rate and Recognised Biosecurity Groups.

Stage 3 – (now open) A [Discussion Paper](#) sets out nine priority reform areas, and identifies 21 opportunities to clarify, strengthen and support a strengthened biosecurity system in WA. The nine priority reform areas are:

1. Clarifying the role of the BAM Act
2. Working together to protect WA
3. Planning and reporting- vital to a better biosecurity system
4. Prioritising pests and diseases
5. Emergency powers- a necessary precaution
6. Compensation can boost biosecurity efforts
7. Enabling industries to act
8. Community-led pest management
9. Compliance with WA's biosecurity laws.

Policy Implications

[4.5 Post Border Biosecurity](#)

Western Australia's economy, environment and the community are facing increasing challenges posed by already established and new pests, weeds and diseases. Local Government has a significant role in biosecurity management, as land managers and regulators, and therefore has an interest in ensuring that Western Australia's biosecurity system, including control of declared pests, is effective and appropriately resourced. WALGA considers significant changes to the operation of the State's biosecurity system, including the Biosecurity and Agriculture Management Act 2007, are required to ensure these risks can be managed now and into the future.

To be effective the Western Australian biosecurity system must:

1. *Take a transparent approach to the notion of 'shared responsibility' by ensuring that:*
 - a. *The respective roles and responsibilities of Commonwealth, State and Local Government, industry, landholders, community groups and individuals are agreed and clearly articulated; and*
 - b. *There is improved pest management on State Government managed land and a formalised structure for State Government agencies with responsibilities for biosecurity management to work together and coordinate their activities.*
2. *Be underpinned by a strategic framework, developed in collaboration with stakeholders, that:*
 - a. *Establishes priorities for biosecurity threats in geographically defined regions, sets measurable targets and guides investment in biosecurity activities; and*
 - b. *Is regularly evaluated and reported on.*
3. *Have a greater focus on environmental biosecurity, through the increased recognition and management of pest species that have significant ecological impacts.*
4. *Be adequately, sustainably and equitably funded:*
 - a. *The appropriateness and effectiveness of the Declared Pest Rate (DPR) and Recognised Biosecurity Group (RBG) model as key mechanisms for the management of widespread and established declared pests should be reviewed and alternate mechanisms considered;*
 - b. *Increased and more equitable distribution of funding for every step in the biosecurity continuum and adequate resourcing for all stakeholders, including Local Government; and*
 - c. *The provision of funding for declared pest management in metropolitan areas.*
5. *Ensure that the criteria and process for listing of declared pests is evidence-based, timely and transparent.*
6. *Have an increased emphasis on compliance through education and enforcement activity, to ensure land managers are aware of their legislative responsibilities and are supported to implement biosecurity actions.*

7. Facilitate the use of new technologies, strategic monitoring, and the establishment of data management systems to inform biosecurity investment decisions and support adaptive management.
8. Improve the community's understanding, awareness and action in relation to biosecurity to assist with threat surveillance and timely response to incursions.

Comment

WALGA has developed a Draft Submission (**attached**) for consideration by the sector and is requesting feedback by **COB Monday 26 June** (via environment@walga.asn.au). WALGA is hosting a webinar regarding Stage 3 of the Review, at 10.30am, Wednesday 14 June, with a presentation from the Chair of the Independent Review Panel, Kaylene Gulich. Register [here](#).

WALGA requests that the Zone consider the Draft Submission and provide feedback to WALGA on:

- The top priority reform areas (from the nine listed) for the Zone
- Any key reform areas which have been missed
- Feedback on WALGA's comments regarding the 21 Opportunities identified.

Local Governments are strongly encouraged to provide feedback directly to the Review Panel by Friday, 30 June 2023 through the online survey portal [here](#).

Noted

7. EXECUTIVE REPORTS

7.1 WALGA President's Report

The State Council representative, President Cr Michelle Rich presented the President's Report. The Report was enclosed in the agenda.

Noted

7.2 State Councillor's report to the Zone

WALGA State Councillor, President Cr Michelle Rich presented on the previous State Council meeting.

Noted

8. GENERAL BUSINESS

8.1 Commencement of the *Aboriginal Cultural Heritage Act 2021*

By Cr Caroline Knight, City of Mandurah

The Zone discussed the commencement of the *Aboriginal Cultural Heritage Act 2021*, and the resource implications for Local Governments.

President Michelle Rich advised that she would raise this as an Emerging Issue with State Council.

Noted

8.2 Retirement of City of Mandurah CEO, Mr Mark Newman

By President Michelle Rich, Shire of Serpentine Jarrahdale

The Zone wanted to formally thank Mark Newman for his 20 years of service to Local Government as the CEO of the City of Mandurah and for the work he has undertaken with the Zone.

The Zone wished Mark well in his future endeavours.

Noted

9. DATE, TIME AND PLACE OF NEXT MEETING

That the next ordinary meeting of the Peel Country Zone will be held on 24 August 2023 at the City of Mandurah, commencing at 2:00pm.

10. CLOSURE

There being no further business the Chair declared the meeting closed at **3.17pm**.