

South East Metropolitan Zone

Minutes

21 June 2023

South East Metropolitan Zone

Hosted by the City of Gosnells

2120 Albany Highway, Gosnells – 9397 3000

Wednesday 21 June 2023 commenced at 6:01 pm

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 2 Voting Delegates from each Member Council

City of Armadale Mayor Ruth Butterfield (SC)

Cr Melissa Northcott

Ms Joanne Abbiss, Chief Executive Officer – non-voting delegate

City of Canning Mayor Patrick Hall (SC)

Mr Michael Littleton, Chief Executive Officer - non-voting delegate

City of Gosnells Cr David Goode JP

Mr Ian Cowie, Chief Executive Officer

Town of Victoria Park Cr Bronwyn Ife - Chair

Cr Peter Devereux

Mr Anthony Vuleta, Chief Executive Officer - non-voting delegate

WALGA Secretariat Tony Brown, Executive Manager Governance and Organisational

Services

Rachel Armstrong, Senior Policy Officer Emergency Management

Guest Speakers Nil

APOLOGIES

City of Gosnells Cr Sarah Patterson

City of South Perth Cr Jennifer Nevard

Mr Mike Bradford, Chief Executive Officer – non-voting delegate

City of Canning Cr Jesse Jacobs

ANNOUNCEMENTS

<u>Confirmation of Attendance</u>, an attendance sheet was circulated prior to the commencement of the meeting.

<u>Zone Delegates</u> 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.

ATTACHMENTS WITHIN THE AGENDA

- 1. Draft Minutes of the previous meeting
- 2. Zone Status Report
- 3. President's Report
- 4. Standing Orders
- 5. DLGSC May Report update
- 6. WALGA Draft Submission BAM Act Review Stage 3

1. DECLARATION OF INTEREST

Elected Members must declare to the Chairperson 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.

Cr Melissa Northcott declared an impartiality interest on item 7.3.

2. DEPUTATIONS

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

The Department of Local Government Sports and Cultural Industries report was **attached** with the agenda.

Noted

3. CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Melissa Northcott Seconded: Cr David Goode

That the Minutes of the meeting of the South East Metropolitan Zone held on 19 April 2023 be confirmed as a true and accurate record of the proceedings.

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.
- 4. 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.

Moved: Cr Bronwyn Ife Seconded: Cr Ruth Butterfield

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 - 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.
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 - 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.
 - 4. 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.

AMENDMENT

Moved: Cr Peter Deveraux Seconded: Cr Bronwyn Ife

Amend item 2.a.i as follows:

addition of the words 'of 30% by 2040' This point to read 'an overall tree canopy target of 30% by 2040 for the Perth and Peel regions'.

Rationale:

The WALGA State Council briefing notes highlights that: "Perth currently has the lowest canopy cover of all major Australian cities, currently 22 urban Local Governments have committed to canopy targets

between generally 20-30% canopy cover. This is consistent with other State's targets for their urban areas. As shown in other jurisdictions setting a City-wide target facilitates between coordination between State and Local Government and would help bring the State in line with Local Government targets. "

Adding a specific target gives something for both state and local governments to aim towards. 30% is comparable to targets being set on the east coast, with Melbourne leading the field with a target of 40% public realm canopy cover by 2040. 30% is the target being requested by the WATCA (WA Tree Canopy Advocates).

The Nature Based Solution Institute argue for the 3-30-300 rule for urban forestry and urban greening. This rule focuses on the crucial contributions of urban forests and other urban nature to our health and wellbeing, as well as climate change adaptation. The rule calls for 3 trees for every home; 30 percent tree canopy cover in every neighbourhood; 300 metres from the nearest public park or green space see https://nbsi.eu/the-3-30-300-

<u>rule/#:~:text=The%20rule%20of%20thumb%20provides,public%20park%20or%20green%20space</u>

The Proposed Amendment was put and

CARRIED

PROPOSED AMENDMENT

Moved: Cr David Goode Seconded: Mr Ian Cowie

Additional item at 7.1 (2) (b) (iv) Urgently amending planning requirements to increase the width of road reserves to support the planting of large trees on either side of the road in all streets.

Rationale:

To ensure that tress are provided in the public realm in new suburbs

The Proposed Amendment was Put and

CARRIED

PROPOSED AMENDMENT

Moved: Cr David Goode Seconded: Mr Ian Cowie

Additional item at 7.1 (2) (b) (ii) Incentivising the provision and retention of trees on private property through planning bonuses and renumber accordingly.

Rationale:

The consequence of legislative changes aimed at preventing the removal or alteration of significant trees on private property needs to be carefully considered. If those changes include criteria for tree retention such as tree height, trunk diameter and canopy diameter, they will provide an incentive for private landowners to ensure trees on their land never satisfy those requirements. This would be detrimental to achieving an increase in urban canopy as it would encourage landowners to remove mature trees before legislative change come into effect, plant trees that do not grow as large, or prune trees to ensure they don't meet the specific criteria.

Rather than regulating to prevent the removal or alteration of trees through development approvals, it is considered far more appropriate planning schemes to incentivise the provision of trees on private land.

The Proposed Amendment was Put and CARRIED

THE MOTION AS AMENDED NOW READS

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- 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 of 30% by 2040 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. <u>incentivising the provision and retention of trees on private property through</u> planning bonuses
 - iii. prioritisation of trees and vegetation as a key structural element in the design of new neighbourhoods to facilitate climate resilient and liveable communities.
 - iv. consideration of public realm design to maximise opportunities for tree retention and new planting consistent with any tree canopy targets.
 - v. <u>urgently amending planning requirements to increase the width of road reserves to support the planting of large trees on either side of the road in all streets</u>
- 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.
- 4. 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.

CARRIED

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*.

Cr Melissa Northcott declared an interest of impartiality to item 7.3 of the State Council Agenda but was not pulled out of the discussion as this was not a financial interest.

Moved: Cr Ruth Butterflield Seconded: Cr Bronwyn Ife

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

AMENDMENT

Moved: Cr Ruth Butterfield Seconded: Cr Melissa Northcott

That Recommendation 11 of the Submission be removed.

Rationale:

The Disability Access and Inclusion objective should be incorporated in standalone plans not in the Strategic Community plan.

The Proposed Amendment was Put and

CARRIED

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 Bronwyn Ife Seconded: Cr Ruth Butterfield

That the South East Metropolitan Zone

- 1. Supports Matters for Decision 7.2, 7.4 and 7.5 and Items 7.1 and 7.3 as amended 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

6. BUSINESS

6.1 State Infrastructure Advocacy

By Town of Victoria Park

The UFS implementation working group has discussed ways to enhance collaboration on urban forest beyond the TOVP and one way suggested was to propose a motion for advocacy by the TOVP to the WALGA SEM Zone on recommendation 18 of the State Infrastructure Strategy.

The purpose of this NOM is to advocate for SEM WALGA zone to endorse a motion to seek WALGA endorsement for support and advocacy of the State Infrastructure Strategy (SIS) Recommendation on urban forest. While the 2023 WALGA State Budget Submission called for funds for urban forest it did not explicitly advocate for full implementation of recommendation 18 of the SIS. The WALGA budget submission called for "\$20 million between 2023-24 and 2026-27" to "Facilitate the planting of 60,000 trees across the metropolitan and regional urban centres". The intention would be to submit the advocacy motion at the June 21 2023 SEM WALGA zone meeting if motion was successful at Vic Park.

The reason for seeking WALGA advocacy on this recommendation is that the state government in its response has not committed to recommendation 18 only to review its merits.

State Government response Feb 2023: says pp 21: "As part of considering priorities for climate adaption, the WA Government will assess the merit of a State-level urban forest program". The Appendix pp 15 says "As part of considering priorities for climate adaptation, the WA Government will assess the merit of a State-level urban forest program. DPLH's program of policy review, including instruments that guide treatment of trees in greenfield and infill development is ongoing. For this reason, the WA Government only partially supports this recommendation."

WALGA's position from the 2017 WALGA resolution passed at State Council was done before the State Infrastructure Strategy and recommendation 18 were made. It states:

"That WALGA: 1. 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; and 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"

Advocating for recommendation 18 of the SIS will strengthen, complement and update this WALGA position.

Secretariat Comment

WALGA in its submission on the State Infrastructure Strategy supported Recommendation 18 and provided detailed commentary on the issues related to Perth's dwindling urban canopy.

WALGA recently undertook a review of its Urban Forest Advocacy Position, in conjunction with the Local Government Urban Forest Working Group. The draft Advocacy Positions to be considered by State Council at its July 2023 meeting, with input sought from Zones at their June 2023 meetings. The item and supporting documentation can be found in the State Council Agenda.

The draft Advocacy Position addresses the matters raised by the South East Metropolitan Zones, including advocating for a lead state agency to lead urban forest work, and seeking the development of a state urban forest strategy. The draft position also places WALGA in a position to develop preferred approaches to deal with the loss of trees on private land through the planning system.

RESOLUTION

Moved: Cr Peter Deveraux Seconded: Cr Bronwyn Ife

That the South East Metropolitan Zone advocate to WALGA State Council, that WALGA supports and advocates to the State Government for the full implementation of Recommendation 18 of the State Infrastructure Strategy as follows:

Contribute to infrastructure and community resilience in the urban environment and support the equitable provision of an interconnected network of cover by developing an overarching urban forest program, including:

- a. assigning a lead state agency to provide overarching coordination, resourcing and funding mechanisms
- b. embedding program evaluation to ensure it remains fit for purpose
- c. extending the existing Urban Canopy Grant Program to increase the urban tree canopy across the Perth and Peel regions, and other major regional urban centres
- d. partnering with local governments, community groups and other land managers in the rollout
- e. further reviewing existing planning policy settings with regards to the treatment of trees in new greenfield and infill developments.

CARRIED

6.2 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 <u>statutory review</u> of the <u>Biosecurity and Agriculture Management Act 2007</u> (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 <u>Independent Panel</u> 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 <u>Discussion Paper</u> which includes 11 key biosecurity themes and related recommendations reflecting issues raised by Local Government, and those identified in the <u>Auditor General's 2013 and 2020 Reports</u>.

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 <u>Discussion Paper</u> 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 ensuing 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 <u>here</u>.

Noted

7. OTHER BUSINESS

Nil.

8. EXECUTIVE REPORTS

8.1 WALGA President's Report

The WALGA representative, Tony Brown presented the President's Report.

Noted

The South East Metropolitan Zone would like to congratulate President Karen Chappel on her appointment as a Member of the Order of Australia in the 2023 King's Birthday Honours.

8.2 State Councillor's report to the Zone

WALGA State Councillor, Cr Ruth Butterfield presented the following on the previous State Council strategic form and meeting.

The South East Metropolitan Zone (SEMZ) hosted the May State Council meeting at the City of Armadale on Wednesday, 3 May. The program included the usual Strategic Forum and State Council meeting in the morning, as well as a Zone Forum in the afternoon where each of the Local Governments from the SEMZ were invited to present to State Council on regional issues and strategic projects.

Strategic Forum

- Infrastructure WA Chief Executive Officer, Phil Helberg, presented to State Council on the State Government's recent response to the WA State Infrastructure Strategy. The presentation focused on those elements of the Strategy that link most closely with Local Government activity, including housing, transport, waste, regional development, digital connectivity and climate change.
- WALGA Economist, Dan Thomson, provided an economic update to State Council with a focus on inflation trends, construction costs and the labour market.
- WALGA Executive Manager Policy, Nicole Matthews, provided a briefing on other initiatives across the economics portfolio.

State Council Meeting

Best Practice Governance Review - Feedback on Governance Model

State Council considered the feedback received during the second round of consultation on the Best Practice Governance Review and resolved for the Secretariat to prepare two sets of constitutional changes for consideration by State Council at the July 2023 meeting: one to give effect to the revised Model 1, and one to make necessary changes to the current constitution (while maintaining the current governance model). These constitutional changes will need approval from 75% of State Council at the July meeting as well as 75% of Members at the AGM to be given effect.

DLGSC Child Safe Awareness Policy Template

State Council supported the Child Safe Awareness Policy Template being provided to Local Governments by the Department of Local Government, Sport and Cultural Industries (DLGSC) to assist with the implementation of Recommendation 6.12 of the Royal Commission (Child Safety Officers in Local Government). The DLGSC has committed to providing ongoing support and resourcing to Local Governments to assist with the implementation through the Child Safeguarding Implementation Unit.

Advocacy Position Updates

Two new advocacy positions regarding Abandoned Shopping Trolleys and Speed Management were endorsed.

State Road Funds to Local Government Agreement 2023/24 to 2027/28

The new State Road Funds to Local Government Agreement for 2023/24 to 2027/28 was endorsed by State Council. The new Agreement continues to provide 20% of vehicle license fee revenue collected by the State Government to be applied to Local Government roads and paths. The overall structure and intent of the Agreement remains largely unchanged from the previous Agreement.

Noted

9. DATE, TIME AND PLACE OF NEXT MEETING

The next ordinary meeting of the South East Metropolitan Zone be held on Wednesday 23 August 2023 at the City of South Perth commencing at 6:00 pm.

10. CLOSURE

There being no further business the Chair declared the meeting closed at 7:15pm