



**WESTERN AUSTRALIAN
LOCAL GOVERNMENT ASSOCIATION
SOUTH WEST ZONE**

MINUTES

DATE Friday 23 November 2018

COMMENCING 9.00 am

VENUE Shire of Capel – Forrest Rd, Capel.

PROGRAM	9.00 am	Opening
	9.05 am	Business as per agenda
	10.15 am	Morning Tea
	10.45 am	Meeting resumes
	11.00 am	Presentations
	12.30 pm	Lunch

AGENDA FORMAT

The agenda is sent in two parts. The first, being the Zone Agenda, the second the State Council Agenda in PDF format. The State Council Agenda was emailed separately to members

E R Fisher
Executive Officer

Distribution Lists (by Email to the following addressee)

M Archer G Henley Tony Nottle Kate Dudley	D Blurton S Stanley	M Osborne T. Smith	P Omedei A Campbell	Capel (Info) Ian McCabe M Scott
Gaylene Godfrey M Bennett	D Taylor T Dean	T Clynch T Pratico	D Putland P Townshend M Smith	A Lamb G Aird
Debbie Brown A Rierdon T Jackson	B Piesse B Rose	M Degebrodt (WALGA)	Vern McKay (Audit)	

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1. Opening and Announcements

The President, Cr. T. Dean opened the meeting at 9 am and welcomed all present including Mrs. Annie Riordan the recently appointed CEO of the Shire of Harvey and Mr. Dale Putland Acting CEO Shire of Augusta – Margaret River.

2. Attendance & Apologies

The following attendance and apologies are recorded:

Local Government	Delegate		CEO	
Shire of Augusta – Margaret River	Cr. P Townshend	Present	Mr. D. Putland	Present
Shire of Boyup Brook	Cr. G Aird		Mr. A Lamb	
Shire of Bridgetown-Greenbushes	Cr. T Pratico	Present	Mr. T Clynch	Present
City of Bunbury	Cr. T Smith	Present	Mr. M Osborne	Present
City of Busselton	Mayor G Henley	Present	Mr T Nottle	Present
Shire of Capel	Cr. M Scott	Present	Mr. I McCabe	Present
Shire of Collie	Cr. S Stanley	Present	Mr. D Blurton	Present
Shire of Dardanup	Cr. M Bennett	Present	Mr. M Chester	Present
Shire of Donnybrook-Balingup	Cr. B Piesse	Present	Mr. B Rose	Present
Shire of Harvey	Cr. T Jackson	Present	Mrs. A Riordan	Present
Shire of Manjimup	Cr. P Omodei	Apology	Mr. A Campbell	Apology
Shire of Nannup	Cr. T Dean	Present	Mr D Taylor	Present
Executive Officer			Mr. E Fisher	Present

3. Visitors:

3.1 WALGA

Ms. Melissa Pexton and Ms. Dana Mason

3.2 Other Guests

Ms. Ruth Levitt – Augusta – Margaret River

3.3 DLGS & CI.

Mr. R Didcoe

4. Presentations

4.1 Host Council Presentation

Host shires are invited to provide a 15-20 minute presentation on current events affecting their local government area or to arrange an inspection of new or significant facilities of interest to members.

4.2 Too Good to Waste

Presentation by Ms. Ruth Levitt – Manager Waste Management on the Shire of Augusta Margaret River Waste Plan – A copy of the presentation is available on request.

4.3 Department of Fire and Emergency Services Presentation

Mr. R Curtis from DFES will make a presentation on Emergency Recover for Local Government. Mr. Curtis is the Leader of the State Recovery Team at 11.00 am. A copy of the presentation is available on request.

5. Confirmation of Previous Minutes

Corrections

Nil

Moved	Cr. P Townsend	Seconded	Cr. T Pratico	Carried
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MOTION:

The minutes of the meeting held at the City of Bunbury on Friday 24th August 2018 are confirmed as a true and correct record of the meeting.

6. Business Arising

Return of signed MOUs to EO on mutual support during emergencies.

7. Reports

7.1 CONSISTENT COMMUNICATION FOR RECYCLING

This matter was laid on the table pending further information on the matter. The EO has circulated to all member Councils a copy of the WALGA publication – **Information Session Outcomes – Recycling Market Update and Consistent Communications – August 2018**. This matter is now returned to the SWZ Zone meeting for further consideration.

MOTION

Moved	Cr. T Jackson	Seconded	Mayor G Henley	Carried
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THAT:

The SW Zone of WALGA:

- 1. Acknowledge the Bunbury Harvey Regional Council's letter of 19 July 2018, on behalf of the Wellington Waste Working Group, to the Municipal Waste Advisory Council;*
- 2. Seeks advice from WALGA on its state-wide response to the "China National Sword" Crisis;*
- 3. Obtain advice on the status of member contracts potentially affected by the "China National Sword" Crisis; and*
- 4. Formulate a position for the SW Zone Group of Councils on its recycling education and communication strategies.*

Submitting Council Shire of Capel

Meeting Date 24th August

Subject **CONSISTENT COMMUNICATION FOR RECYCLING**

Recommendation **THAT:**

The SW Zone of WALGA:

- 1. Acknowledge the Bunbury Harvey Regional Council's letter of 19 July 2018, on behalf of the Wellington Waste Working Group, to the Municipal Waste Advisory Council;***
- 2 Seek advice from WALGA on its state-wide response to the "China National Sword" Crisis;***
- 3 Obtain advice on the status of member contracts potentially affected by the "China National Sword" Crisis; and***
- 4. Formulate a position for the SW Zone Group of Councils on its recycling education and communication strategies.***

In Brief

- China's Blue Sky 2018's attention is on the 24 categories of solid waste added to the list of imports bans in 2017, which includes plastics waste, unsorted waste paper and waste textile materials with a contaminant level of more than 0.5 per cent. However the extent of this is unclear
- Waste collection companies have approached Councils in the region with proposals for consistent messaging regarding the new requirements and excluded materials and also proposals for contract variations
- A whole of industry approach is recommended

Background

12 July 2018 – WALGA released a Flying Minute on 'Consistent Communications for Recycling', seeking comment, by 19 July 2018, from members of the Municipal Waste Advisory Council on the following draft Council motion:

That the Municipal Waste Advisory Council:

1. Write to the Chair of the Ministerial Waste Taskforce indicating support for the collective message agreed by the Material Recovery Facility Operators and identifying the need for funding and support to articulate agreed messages to the community;
2. Write to the Ministerial Recovery Operators thanking them for developing the agreed position and requesting information on how these Operators will engage with their customers on this issue;
3. Seek support for the consistent approach from smaller Material Recovery Facility operators in the non-metropolitan area; and
4. Provide information to Local Government on this issue.

13 July 2018 – Suez wrote to Shire of Capel explaining its current situation relating the Shire's kerbside recycling and the "China National Sword" Crisis. The correspondence was written Commercial in Confidence, and has therefore not been included in this report.

16 July 2018 – A joint letter from Suez, Cleanaway and the Southern Metropolitan Regional Council, to WALGA outlining the approach

towards consistent communication with the community on acceptable recyclable materials. The letter details six specific materials (with some exceptions) that can be included in yellow lid recycling bins. It also details eight material types that are not acceptable.

18 July 2018 – The Wellington Waste Working Group met in Donnybrook. This item was raised, with discussion focussing on a joint statement to meet the 19 July 2018 comment deadline to the WALGA Flying Minute. The Minutes are attached.

19 July 2018 – The Bunbury Harvey Regional Council, on behalf of the members of the Wellington Waste Working Group, wrote to WALGA in response to the Flying Minute, identifying four areas of concern raised by the group:

Clarity on the acceptable items. There is a vast range of items neither included in the acceptable list, nor included in the list of exclusions.

2. Clarity on contamination. There is suggestion that due to contamination portions of the recycled waste stream is being diverted to land fill, but there is no clarity on the items considered contaminants, the scale of contamination or strategies to reduce contamination.

3. Status of existing contracts. Suez has suggested opportunity to recover some of its increased costs, by way of contract variation. Members of the WWWG have indicated that WALGA has tacitly accepted this position. The WWWG is aware that a number of members already have service contracts in place, some expiring several years into the future.

4. Communication Strategy. The issues identified by the group raise concerns about communication gaps between members and the community.

The letter subsequently proposes an alternative motion: *That the Municipal Waste Advisory Council write to the Material Recovery Facility Operators, outlining the four concerns as identified in this letter and ask how these concerns shall be addressed.*

8 August 2018 – WALGA, on behalf of the Municipal Waste Advisory Committee, advised that the original motion (of 12 July 2018) was support by the Committee, out of session.

Comment

The 'China National Sword' situation has created a significant challenge for all parties involved in waste management and recycling. Some of the challenges highlighted by Suez in its letter to the Shire of Capel are acknowledged, and will require a whole of industry approach. At this time, there is no formal position of the

Bunbury Wellington Group of Councils, nor of the WALGA South West Zone. There is a risk that the suggestion that cost recovery should be shifted from the market place to individual Councils, if not properly understood, will simply force Local Government to pass costs on to its customers.

Whilst the concept of a uniform statement of acceptable products for recycling is sound, it has gaps in its information that can be exploited by the householder and the contractor. This confusion is likely to place pressure of LG to formulate a clear position on what recyclables are acceptable. The communication strategy around these decisions is likely to fall back to LG as a sector, and individual Councils as waste managers.

The issue of contamination has been identified as a problem causing unacceptable levels of recyclables to be rejected, however, the data surrounding these concepts is not clearly accessible, nor has it been discussed within the WWWG. Having accurate data will allow the group and, therefore, individual Councils opportunity to modify their waste streams and/or educate their waste generators to reduce recycling contamination rates.

It appears that Suez has undertaken a series of meet and greets with local authorities to discuss their external pressures and possible contract variations. These have been undertaken individually, but the WWWG recognises that there are multiple contracts in place that give it some capacity for a group discussion and possible improved bargaining capacity. None of the members indicated whether a legal opinion has been obtained to determine the strength of the existing contracts. Similarly, the risk of maintaining a firm contractual position in the context of a radically changed market place has not been assessed.

Additionally, there was some discussion around the changing nature of the global recycling market and whether this current situation may, over time, stabilise or reduce and whether there is sufficient information to make long term decisions on recycling, waste education and waste management contracts based on the current 'crisis'. The group agreed that as the matter is a global issue, there needs to be greater lead from Government to assist Councils find short medium and long term solutions that fit within Councils resource capacity.

On 8 August 2018 the WWWG received advice that the MWAC passed the original motion of 12 July 2018. On 9 August 2018 the members of the WWWG met with representatives of Suez for a briefing on the changing state the recycling market. At that briefing,

Suez provided advice on a more detailed list of recyclables that can be used for education purposes; however, this needs further consideration by the WWWG members. There was general agreement that the next challenges revolve around clarifying the level and impact of contaminants in the recycling stream, and how best to tackle the education message, statewide.

Given information gaps on this matter, it is recommended that the Bunbury Wellington Group of Councils establish a uniform position to respond to the issue.

**Any other
implications
Attachments**

Increased cost of contracts
Cost of improved communication with ratepayers and residents
Nil

7.2 POLICY PRESENTATIONS TO RETIRING OFFICERS AND COUNCILLORS

Submitted by: Executive Officer – SWZ WALGA

MOTION

Moved	Cr. M Bennett	Seconded	Cr. M Scott	Carried
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That The SWZ of WALGA endorses the following policy for presentations to retiring Councillors and Officers.

1. A plaque recognising the contribution to the WALGA - SWZ Zone and local government in general will be presented to Councillors and Officers retiring or departing from the Zone after 8 years service as a member of the SWZ – WALGA

2. The Executive Officer is authorised to make the necessary arrangement for the purchase of the plaques to be presented by the Zone President.

In Brief:

- The SWZ – WALGA provides an important forum for addressing regional and statewide issues in local government and acts as an advocate to WALGA on local issues.
- The SWZ depends for its effectiveness on the contributions and participation of Officers and Councillors from member Councils.
- Recognition for service at a local level is appropriate for those members who will be departing from the Zone after 8 years participation (equivalent to 2 terms for Councillors)

- The presentation of a commemorative plaque has been used to recognise members in the past.

Background:

Previously no consistent arrangements have been determined for recognition of service events. A number of long serving Councillors and Officers have either departed or will depart from the Zone in the next few years and is recommended that their contribution and service be recognised.

This practice has now been in place from November 2017. Following discussions with the Zone President it was considered appropriate to confirm a policy for presentations to retiring members.

Comment:

To confirm the Zone's agreement in recognising service by members a policy is required to guide the Executive Officer (EO) in ordering recognition plaques. Currently an informal arrangement exists where the EO contacts the President and seeks approval. Approval of this policy will provide a consistent approach to recognition and standardise gifts.

Financial:

The cost of recognition plaques does not exceed \$50 per plaque and this expenditure is over a year is not expected to exceed \$200. It should be noted that this item was not identified in the budget adopted by the Zone but is well within the Zone's financial resources.

7.3 PROPOSED BUNBURY OUTER RING ROAD IMPACTS ON BUSSELL HIGHWAY

Proposing Council: Shire of Nannup

MOTION

Moved	Cr. T Dean	Seconded	Cr. G Henley	Carried
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That:

"SWZ - WALGA

1. Writes to the Premier expressing deep concerns at the current and future safety issue on the single lane Bussell Highway.

2. Provides copy to Minister for Transport.

3. Seeks a meeting with Minister for Transport on this issue, before Christmas, and

4. Refers it to the relevant committee of WALGA for further technical investigation

and potential lobbying through state council.

AMENDMENT

Moved	Cr. M Scott	Seconded	Cr. M Bennett	Lost
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**That item 1 be amended by the addition of the words after
“Bussell Highway” the words “with particular regard to the intersections of the
Ludlow – Hithergreen Rd and the Sues Rd intersections.**

The amendment was lost

The original motion being item 7.2 was then put and carried.

In Brief:

- Main Roads WA (MRWA) are progressing the Bunbury Outer Ring Road (BORR) Project over three sections as shown in the following plan. Currently the central section has been completed and planning is progressing for the northern and southern sections.
- The Shire of Nannup has expressed concerns about the impact of the increasedsed traffic on the section of road between Capel and Busselton where the road narrows for four lanes to two lanes and the in particular the traffic flow and safety problems of the two intersections at Ludlow-Hithergren Rd. and Sues Bridge Rd.
- MRWA have been engaged in community and local government consultation however concerns remain about potential impacts The project will have a number of first order effects in the shires it traverses and second order effects on adjoining local government areas. Impacts resulting from these changes require immediate consideration.



Comment

The following project overview has been provided.

This project will concurrently construct Stage 2 (southern section) and Stage 3 (northern section) of the Bunbury Outer Ring Road to minimise traffic impacts on adjacent sections of the road network. Stage 1 of the Bunbury Outer Ring Road connects South Western Highway south of Bunbury to the Boyanup Picton Road and providing a 3km extension of the Bunbury Port Access Road (Willinge Drive). The following summaries of the anticipated outcomes of the project have been provided.

- improvement to Freight Efficiency, Connectivity and Travel Time:
- facilitation the development of the Bunbury Port and south-west industry
- improve access to the existing and developing industrial areas including Waterloo Industrial Area to the south-east of Bunbury

- reduce congestion on the existing network, and improve travel times and freight efficiency
- reduce costs for heavy vehicle operators, companies and commuters as a result of reduced travel time
- Improve Safety Outcomes and Local Amenities:
- improve road safety
- reduce air and noise pollution in the developed urban areas along the existing route

The Australian Government has committed \$560 million towards the \$700 million project.

The proposal to create a four-lane highway between Capel and Busselton has never come to SWZ - WALGA. As this is an issue that directly affects 4 shires directly and potentially more, indirectly it deserves regional consideration by the Zone and potentially the support of WALGA to ensure it achieves the potential benefits and does not Create second order dis-benefits.

Current problems identified includes access to Bussell Highway from both Sue's Road and Ludlow Road at high volume traffic times of the day.

With the proposed sand mine south of Nannup, up to 20% of the states milk coming from Scott river, millions of tons of Blue Gums trucked through Sues Road and the proposed upgrade to the Nannup mill it is quiet obvious that the road needs to be dual and the two major intersections upgraded.

Immediate consideration is need to ensure that when the new BORR is constructed the two intersections at Sue's Rd and Ludlow Rd are upgraded to accommodate the increasing traffic flows and the road between Capel and Busselton is widened to provide a 4 lane highway.

Note:

The Minister has indicated that the matter will be included in the State Government forward estimates following discussions with stakeholders.

7.4 RATE EXEMPTION COST SHIFTING - City of Bunbury

MOTION

Moved	Cr. T Smith	Seconded	Cr. S Stanley	Carried
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THAT:

The SWZ support the submission by the City of Bunbury to amend Section 6.26 of the Local Government Act 1995 to remove the ability for charitable organisation to seek rate exemptions on property owned by the State Government.

Background

The City of Bunbury has requested support in regard to this matter and has forwarded the following request together with a copy of their letter to the various Ministers concerned drawing attention the subject of cost shifting where the State Government receives an exemption from rating on housing leased to rate exempt organisation. Copies of the letters follow.

Enquiries: ☎ (08) 9792 7031
E-Mail: malo@bunbury.wa.gov.au



26 October 2018

Mr Eliot Fisher
Executive Officer
South West Zone WA Local Government Association
C/- 9 Lisa Road
AUSTRALIND WA 6233

Dear Eliot

RATE EXEMPTION COST SHIFTING – DEPARTMENT OF HOUSING PROPERTIES

I am seeking advocacy from the South West Zone of WALGA to change Section 6 of the Local Government Act relating to Rate Exemptions.

As you would be aware WALGA has identified rate exemptions prescribed under Section 6.26 of the Local Government Act as a key issue affecting local governments. As part of the review of the Local Government Act, WALGA has conducted surveys of local governments to quantify the total value of rate exemptions affecting the sector. WALGA has also adopted a position statement on rate exemptions to ensure that there is justification and fairness of all rating exemption categories as part of the Local Government Act review process.

I bring to your attention and for consideration of the South West Zone the cost shifting of the WA State Government to communities when the Department of Housing properties are leased to charitable organisations and they then claim rate exemptions under Section 6.26 of the Local Government Act.

I have attached correspondence to the Hon Peter Tinley, Minister for Housing; Veterans Issues; Youth and the Hon David Templeman, Minister for Local Government; Heritage; Culture and The Arts on this issue for your information.

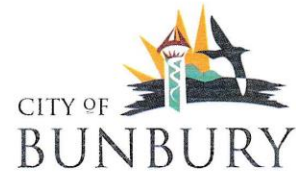
The State Government should continue to pay rates on State Government properties when leased to rate-exempt organisations. Failure for the State Government to continue to pay rates on their properties increases the rate burden on communities who have to pick up the shortfall in rate revenue.

Thank you for considering this request.

Kind Regards

Mal Osborne
CHIEF EXECUTIVE OFFICER

Enquiries: ☎ (08) 9792 7031
E-Mail: malo@bunbury.wa.gov.au



26 October 2018

Hon Peter Tinley AM MLA
Minister for Housing; Veterans Issues; Youth
7th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6008

COPY

Dear Sir

RATE EXEMPTION COST SHIFTING – DEPARTMENT OF HOUSING PROPERTIES

I am writing on behalf of the City of Bunbury to express our concerns at the cost shifting from State to Local Governments as a result of numerous properties owned by the Department of Housing being leased or provided to organisations that then seek rate exemption status under the Local Government Act 1995. Prior to being leased, the WA Government through the relevant agency, were paying rates on these properties. However, once they are leased to a private organisation rates are no longer payable due to exemptions under Section 6.26 of the Local Government Act 1995. The same local government services are still being consumed by the residents of the properties, irrespective of who the landlord is, but with no income from rates now receivable by the City of Bunbury.

The City of Bunbury has seen an increasing number of properties being leased to charitable organisations and has recently granted a rates exemption on 79 properties to Access Housing – 22 of these were leased from the Department of Housing. Other charitable organisations that lease properties owned by the Department of Housing include: Activ Foundation Incorporated, Agencies for South West Accommodation, Alliance Housing and Pathways South West Inc.

The revenue forgone to the City due to the rate exemption on properties leased from the Department of Housing is \$117,000 in 2018/19. This is on top of other rate exemptions from Section 6.26 of the Local Government Act 1995 of \$1,012,700 to which the City is denied, thereby reducing the services and infrastructure able to be provided.

As the Department of Housing are still the owner of these leased properties, I respectfully request that the WA Government continue to support local governments and pay a rate equivalent as has been done in the past.

I would welcome the opportunity to discuss the above matter with yourself and may be contacted on 97920 7031.

Kind Regards

Mai Osborne
CHIEF EXECUTIVE OFFICER

CC: *The Hon David Templeman*
Minister for Local Government; Heritage; Culture and The Arts

7.5 Decreased Funding for Public Libraries - City of Busselton

MOVED

Moved	Mayor G Henley	Seconded	Crf S Stanley	Carried
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That:

WALGA lobby the State Government for the provision of a more equitable funding allocation system for public libraries in Western Australia.

In Brief

- There has been a 35% decrease in State Government funding libraries in the City of Busselton over the period 2013/14 – 2018/9 from \$137,000 to \$89,600;
- The City of Busselton has experienced an increase in population of 11%;
- Our libraries showing a 20% increase in library loans;
- Over the same 5 year period the City of Busselton's contribution to library services increased 18% from \$1.418M to \$1.668M
- The contribution made by the State to each loan has halved \$0.48 down to \$0.24; and
- The State's \$ contribution per head of population has decreased 45% from \$3.80 to \$2.06.

Comment

The City of Busselton is concerned about decreasing levels of State Government funding for public libraries in Western Australia. Over the past 5 years, WA State Government investment in public libraries materials has reduced by over 30% from the state wide total funding allocation of \$11,591,833 in 2013/14 to the current 2018/19 allocation of \$8,075,000.

Details

In a recent letter dated 18th September, the City of Busselton received notification of a 2018/2019 State Government allocation of \$89,600 for the purpose of funding new library materials, thus receiving a total of \$47,400 less funding in 2018/2019 than was received 5 years previously in 2013/2014.

It is believed that all Local Governments will have noticed similar reductions in State Government funding for public library materials.

Financial

The data in the table below highlights the experience of the City of Busselton, revealing a significant shift in the level of contribution between the City and the State during this relatively short period of time:

There has been a 35% decrease in State Government funding from \$137,000 to \$89,600;
 The City of Busselton has experienced an increase in population of 11%;
 Our libraries showing a 20% increase in library loans;
 Over the same 5 year period the City of Busselton's contribution to library services decreased 18% from \$1.418M to \$1.668M.

The contribution made by the State to each loan has halved \$0.48 down to \$0.24; and
 The State's \$ contribution per head of population has decreased 45% from \$3.80 to \$2.06.

	State Government Funding Allocation \$	City of Busselton Population	City of Busselton Funding Contribution \$	Library Loans (Print + eResources)	State funding per loan \$	State funding per population \$
2018/2019	89,600	40,000 approx	1,668,674			
2017/2018	81,600	39,461	1,601,173	338,452	0.24	2.06
2016/2017	89,700	37,914	1,544,329	312,756	0.28	2.36
2015/2016	108,000	37,828	1,487,051	291,929	0.36	2.85
2014/2015	110,000	36,649	1,434,164	285,288	0.38	3.00
2013/2014	137,000	36,076	1,418,928	282,726	0.48	3.80

Conclusion

Public libraries are a crucial part of our society's social and economic infrastructure. Public libraries support the development of literacy, which is vital for increasing people's capacity to participate in the economy and the community. Information and literacy skills are associated with individual and business success. The provision of resources – both book and non-book are crucial for the development of literacy skills.

The ability to read is a major factor in determining whether a child will succeed or fail in our education system, and later on in the workplace. We need to ensure that our children have the best beginning – a literate start in life.

It is in the national and state interest that Australian governments support and facilitate the role of public libraries in the Australian society, economy and democracy.

Recommendation

That WALGA lobby the State Government for the provision of a more equitable funding allocation system for public libraries in Western Australia.

7.6 APPRECIATION

MOTION

Moved	Cr T Dean	Seconded	Cr M Bennett	Carried
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THAT:

- a) The Zone records its appreciation to Mr. Mark Chester and Mr. Gary Evershed for their past participation and contribution and extends to them the good wishes of the members of the Zone for the future..***
- b) The EO write to Messrs. Chester and Evershed in the above terms recording the Zone's appreciation***

7.7 BIOSECURITY GROUP DEVELOPMENT

MOTION

Moved	Cr T Pratico	Seconded	Cr B Piesse	Carried
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THAT:

The Zone agrees to a meeting with Mr. Tim Thompson, Manager Biosecurity Group Development at the February meeting.

The Councils prepare questions on matters of concern to be submitted to Mr. Thomson to enable him to prepare responses prior to the meeting.

In Brief

- A meeting is requested by the Manager Biosecurity Group Development,
- Ongoing approaches to Ministers and officers of the Department of Primary Industry and Regional Development about the adverse impacts of the BAM Act have not been unsuccessful,

- Letters of concern have been sent to parliamentary representatives expressing concern at the continuing disregard of local government's submissions.

Comment

This meeting will provide an opportunity to make further representations and to reinforce the concern of Councils regarding the BAM Act and its adverse implications particularly to Biosecurity Groups and property owners.

Details

Mr. Tim Thompson, Manager Biosecurity Group Development seeks a meeting with the Councils in the Zone and has advised that it would be useful for the Shires and DPIRD to have an opportunity to discuss the RBG model and specially the need to access rating data to enable consultation on rates.

The following is an extract of the letter sent to Parliamentary Representatives, which focused one of the concerns of the Councils in regard to these matters.

"The Recognized Biosecurity Groups (RBG) are provided with the opportunity to use local Department of Agriculture and Food office facilities, access to technical officers and \$5000 during establishment.

One of the more sinister implications of the current policy is that when Biosecurity Groups are established it provides an opportunity for a rate to be imposed. This rate goes directly to the State Revenue Office.

In one example, the cost of collecting the Declared Species Rate from 500 Rangeland properties was \$54,000. This stunned three developing RBGs when informed recently. This considerably exceeds the fee paid to local government for collecting the ESL (which incidentally originally started at \$1.99 and has now been reduced to \$1.22).

In summary the State Revenue Office will be charging a great deal more to collect this rate than the government is prepared to pay for an equivalent service by the Councils in collecting the ESL. This is an iniquitous situation and appears to be extremely inefficient.

There is no funding or support for control measures and the Department expects the volunteers to provide hundreds of unpaid hours in organising and executing the work. The responses by the Minister for Agriculture and Food has been to refuse to attend a meeting of the Zone, pleading the pressure of parliamentary business and other work and offering to send a bureauCr.at to meet the Councils.

This is simply unacceptable and the Zone has told the Minister this. The frustration in dealing with the Minister and the Department has now reached the point where all our reasonable approaches including representations by WALGA have been fruitless.

The following is a copy of the letter sent to The Director – General Department of Primary Industries and Regional Development by WALGA in June 2018.

Dear Mr Addis

REVIEW OF THE *BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007*

I am writing with regard to the impending review of the *Biosecurity and Agriculture Management Act 2007* (the BAM Act). WALGA welcomes the review as an opportunity to address the concerns of our members with the current approach to post border biosecurity in Western Australia and the need for a more strategic and integrated approach going forward.

WALGA's biosecurity policy position, adopted by State Council in March 2017 can be summarised as:

- Recognised Biosecurity Groups are no longer supported;
- A review of the operation and effectiveness of the BAM Act 2007 must be undertaken as a matter of priority; and
- As part of this review, the State Government needs to consider either reinstatement of the APB governance model, or the biosecurity aspects of the NSW *Local Land Services Act (2013)* model.

Local Governments' concerns regarding the current approach to post border biosecurity arise from the cumulative impact of a decline in the resourcing of, and support for, post border management of invasive species by the State Government over the last two decades.

The move to a more regional and community based, Recognised Biosecurity Group (RBG) approach under the BAM Act has been poorly developed and implemented by the State, as noted by the Auditor General report of December 2013. There remains a high level of uncertainty as to how Western Australia will manage established and future incursions of invasive species.

Given the significant issues that have been raised by WALGA, the Auditor General and other stakeholders, it is imperative that the terms of reference for the review of the BAM Act are comprehensive and allow for critical examination of the effectiveness of the current approach.

It is also the sector's expectation that the review will be transparent, that Local Government and other key stakeholders will be consulted early in the process and that there will be adequate opportunity to provide submissions. The State and Local Government Partnership Agreement, signed by the Premier in August 2017, recognises the importance of State and Local Government working together constructively and commits the State Government to consult as early as possible in the process of developing, amending or reviewing State legislation, regulation, policies or programs that will significantly impact Local Government operations or resources, so as to elicit meaningful contributions.

I have attached WALGA's policy position and paper, which outlines the sector's concerns and identifies opportunities in relation to improved post border biosecurity arrangements. I would welcome the opportunity to meet with you and the review team to discuss these issues at your earliest convenience, to ensure that the Terms of Reference provide scope for a meaningful review of the Act.

WALGA looks forward to working constructively with your Department to deliver on our shared objective of ensuring a robust, sustainable and effective post border biosecurity framework for Western Australia.

For more information, please contact Executive Manager, Environment and Waste, Mark Batty on (08) 9213 2078, or at mbatty@walga.asn.au.

Note:

Shire of Nannup will forward a letter from Minister for Agriculture in response to approaches on this matter. The EO will distribute to members.

8. WALGA State President's Report

MOTION

Moved	Cr. M Bennett	Seconded	Cr. M Scott	Carried
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THAT:

The report be received

The report was circulated by email to members.

MOTION

Moved	Cr T Dean	Seconded	Cr. M Scott	Carried
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THAT the Executive Officer write to Cr T Roberts and congratulate her on being elected Deputy Chair of the Australian Local Government Association and also th Ms. R Burges on her retirement thanking her for her service to WALGA and the local government industry in general.

9. State Council Agenda

The State Council Agenda numbers and page numbers have been retained for easy reference.

MOTION

Moved	Cr. M Bennett	Seconded	Cr. Pratico	Carried
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THAT *the recommendations in the State Council Agenda 5.1,5.2,5.5.5 & 5.7-5.12 be endorsed.*

5. MATTERS FOR DECISION.....	4
5.1 Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition (05-006-03-0001 MB).....	4
5.2 Bus Stop Infrastructure Partnership Agreement 2018/19-2022/23 (05-001-03-0037 MM)	1
5.3 2019-20 State Budget Submission (05-001-03-0006 DM)	25
5.4 Interim Submission: Cost Recovery for Clearing Permits and Water Licences and Permits – DWER Discussion Paper (05-064-02-0022 MB).....	58
5.5 Waste Levy Policy Statement (05-037-04-0001 RNB).....	62
5.6 Standard Development Conditions Guidelines (05-036-04-0005 AR)	66
5.7 WALGA Paper – Off Road Vehicles and Local Government (05-053-03-008 EDR)....	70
5.8 Submissions – <i>Public Health Act 2016</i> Regulation Review Program (05-031-01-0001 EDR)	76
5.9 Aboriginal Advocacy and Accountability Office Interim Submission	83
5.10 Royal Commission into Institutional Responses to Child Sexual Abuse (05-086-03-0004 KD)	86
5.11 Partnering with Local Government for Youth (05-065-04-0001 KD)	89
5.12 Managing Alcohol in our Communities Guide (06-045-01-0001 EB)	94

MOTION

Moved	Cr. M Scott	Seconded	Cr. S Stanley	Carried
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THAT the following items be noted and the reports received:

6. MATTERS FOR NOTING / INFORMATION.....	97
6.1 Local Government Act Review (05-034-01-0001 TB)	97
6.2 Economic Development Project (05-088-03-001 DM)	103
6.3 Report: Review of Local Government Car Parking Requirements in Western Australia (05-036-03-0063 AR)	109
6.4 Event for Elected Members – Health Services in Regional Areas (05-031-01-0001 EDR)	112
6.5 Government Regional Officer Housing (GROH) (05-018-04-0004 KD)	115
6.6 National Redress Scheme (05-086-03-0004 KD)	119
6.7 Family and Domestic Violence (05-086-03-0004 KD)	121
6.8 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)	123
6.9 Draft National Biosecurity Statement (05-028-03-0011 NM)	129
6.10 Release of the Better Urban Forest Planning Guide (05-038-04-2211 CP)	136
6.11 WALGA Reconciliation Action Plan (03-047-01-0001 RA)	139
7. ORGANISATIONAL REPORTS	143
7.1 Key Activity Reports	143
7.1.1 Report on Key Activities, Environment and Waste Unit (01-006-03-0017 MJB)	143
7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)	147
7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)	150
7.1.4 Report on Key Activities, People and Place (01-006-03-0014 JB)	156
7.2 Policy Forum Reports (01-006-03-0007 TB)	161

8.1 Items Excluded for Discussion

8.1.1 State Council Agenda Item 5.3 - State Council Budget Submission

MOTION

Moved	Cr. M Scott	Seconded	Cr. S Stanley	Carried
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THAT item 5.4 be endorsed

In regard to item 5.3 Mr. Osborne identified the need for WALGA to raise the matter of equivalent rate payments with the State Government in conjunction with the item on the Budget Submission.

8.1.2 State Council Agenda Item 5.4 –and Water Licences and Permits Cost Recovery for Clearing Permits

MOTION

Moved	Cr. S Stanley	Seconded	Cr. B Piesse	Carried
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THAT the recommendation be endorsed with the additional words “local government” in line 1 after the words “cost recovery”

8.1.3 State Council Agenda Item 5.6 – Standard Condition Development Guidelines

MOTION

Moved	Cr. G Henley	Seconded	Cr. T Jackson	Carried
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THAT the recommendation be endorsed with the additional point;

- **With further consideration to the sequencing of the stages of implementation**

9. Discussion Forum/Zone Agenda Items

Items submitted by Councils for discussion - Nil

10. Zone Status Report

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
Sth West C	2018 June 22 Zone Agenda Item 9.1 City of Busselton – Police Housing	That SW Zone WALGA: 1. Write to the Minister for Housing and the Minister for Police to highlight the concerns including: <ul style="list-style-type: none"> • Condition of housing available • Costs of rent and rent increases • Lack of surety in tenure to assist with rental options for Police Officers 2. Request that WALGA also raise these concerns outlined above with the relevant Ministers and Departments as this issue is common across Regional Western Australia in relation to Government Regional Officer Housing (GROH) as a whole.	Item for Noting was provided at September State Council.	Nov 2018	Joanne Burges Executive Manager, People & Place jbarges@walga.asn.au mailto:wcarter@walga.asn.au 9213 2018
Sth West C	2017 November 24 Zone Agenda Item 9.2 Shire of Capel Submission Local Government Grant Scheme (ESL) Eligible Expenditure	That WALGA be requested to lobby the State Government for: 1. A comprehensive review of items of eligible expenditure under the Local Government Grant Scheme to enable the full costs of operating Volunteer Bush Fire Brigades to be met; and 2. The establishment of the general principle of equality of eligible expenditure across all emergency services for operating costs associated with their activities.	The State Government has advised that the recommendations from the Economic Regulation Authority review of the Emergency Services Levy is being considered as part of the Machinery of Government process currently reviewing the structure of DFES. This process includes a review of the ESL governance and operational arrangements. WALGA will continue to lobby for a review of the items of eligible expenditure under the Local Government Grant Scheme to enable	Ongoing	Joanne Burges Executive Manager, People & Place jbarges@walga.asn.au mailto:wcarter@walga.asn.au 9213 2018

			<p>the full costs of operating Volunteer Bush Fire Brigades to be met; and the general principle of equality of eligible expenditure across all emergency services for operating costs associated with their activities.</p> <p>WALGA are in discussions with DFES regarding a comprehensive review of the eligible and ineligible item lists contained within the Local Government Grant Scheme Manual.</p> <p>WALGA most recently met with DFES on 21 May 2018 to discuss the Local Government Grant Scheme. The Association was pleased to hear there is recognition of the need for a review, particularly since the State Governments announcement of a Rural Fire Division and subsequent mitigation funding announced in the recent state budget. This provides a timely opportunity to review the principles and associated procedures manual. WALGA welcomed this approach and it is the Associations aim to build on the contributions of members during the Review of the ESL conducted by the Economic Regulation Authority. Further meetings with DFES will be established in late July to progress the scope of a review.</p>		
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			A meeting is scheduled for 17 August and outcomes will be communicated the week following along with updates provided at the zone meetings.		
Sth West C	2018 24 August Zone Agenda Item 7.1 Restrictions on taking gravel from DBCA Reserves	<p>THAT: The South West Zone of WALGA:</p> <ol style="list-style-type: none"> 1. Request WALGA to seek reconsideration of present DBCA (Parks and Wildlife Service) policy/position of refusing approval and/or prohibiting access by local governments to extract gravel on DBCA reserves and forest areas. 2. Propose a policy to DBCA that protects forests from the spread of dieback while allowing access to gravel for road building by local government authorities 	<p>WALGA will raise the issue with the Director General of the DBCA at the next meeting. The <i>Conservation and Land Management Act (1984)</i> may allow the Director General to enter into agreements that may include such activities.</p> <p>It will be essential that any access arrangement negotiated mandates Local Government staff and contractors adhering to appropriate dieback management techniques.</p>	Nov 2018	<p>Mark Batty Executive Manager Environment and Waste Mbatty@walga.asn.au 9213 2078</p>
Sth West C	2018 February 23 Zone Agenda Item 9.2 Proposed Changes to Commonwealth Funding Arrangements for Environmental Groups	<p>That the SWZ request WALGA enter into negotiations with the relevant Commonwealth departments to address:</p> <ol style="list-style-type: none"> 1. The negative impacts of the proposed conditions that will attaché to payments of funds to voluntary environmental management groups particularly, retrospectivity of post project reimbursement and insufficiency of project administrative costs, and 2. The need to ensure that any biosecurity projects avoid duplication, work 	<ol style="list-style-type: none"> 1. The Commonwealth has awarded a range of tenders, and the South West Catchments Council was successful in being awarded the tender for its region. The new contract makes significant changes for the NRM Regions and the community groups they support. The CEO of the South West Catchments Council - Mr Steve Ewings - would like to present the implications of the new funding arrangements and its implications for community to the next Zone meeting. For SWCZ consideration. 2. The Minister has agreed to review the BAM Act, commencing in 2019, which will provide for WALGAs advocacy on the issue. WALGA will also raise the issue with both the Minister for Agriculture and the Minister for Environment, at the next opportunity. 	Nov 2018	<p>Mark Batty Executive Manager Environment and Waste Mbatty@walga.asn.au 9213 2078</p>

		collaboratively and are consistent with the provisions of the Biosecurity and Agricultural Management Act 2007.			
Sth West C	2018 September 7 State Council Agenda Item 5.2 Stop Puppy Farming – Local Government Consultation	<p>That the recommendation be amended by the addition of another point</p> <p>7. That sufficient funding be directed to local governments to ensure compliance</p>	<p>The Zones response supports the cost modelling review and Part 1 of the State Council resolution recognises the purpose of this review.</p> <p>STATE COUNCIL RESOLUTION SEPTEMBER 2018</p> <p>That WALGA:</p> <ol style="list-style-type: none"> 1. Welcomes a cost modelling review of the financial impact on Local Governments to ensure that Local Government is able to fully recover costs and not be disadvantaged in ensuring compliance of any new legislation to Stop Puppy Farming; 2. Acknowledges the benefit of mandatory de-sexing of dogs not used for approved breeding purposes, and request further information on the complexities associated with de-sexing of dogs prior to considering supporting the proposal; 3. Supports a centralised dog registration system that is developed, operated and maintained by State Government; 	Nov 2018	<p>Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au</p>

			<p>4. Supports appropriate legislative exemptions for livestock working dogs in recognition of their special breeding requirements; and</p> <p>5. Do not support the transition of pet shops to adoption centres, and</p> <p>6. Requests there be a Local Government-specific consultation process in relation to the proposed amendments to the Animal Welfare Act to introduce Standards and Guidelines for the Health and Welfare of Animals including dogs; and</p> <p>7. Supports a State Government-led education initiative whereby the community is encouraged to purchase puppies from professional registered breeders; and</p> <p>8. Requests the State Government discontinue the use of the term 'Farming' due to the negative connotation that may be associated with other regulated industries, and consider re-naming the initiative 'Stop Puppy Mill's</p>		
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11. Finance

11.1 Financial Reports

FINANCIAL FOR THE PERIOD ENDED 31 OCTOBER 2018

DETAILS	2017/18 ACTUAL \$	2018/19 ANNUAL BUDGET \$	2018/19 ACTUAL TO DATE \$
Opening Funds at 1 July	<u>12,387</u>	<u>12,427</u>	<u>12,323</u>
<u>Revenue</u>			
Interest on Investment	84	100	0
Member Council Contributions	7,200	7,200	7,200
Total Revenue	7,284	7,300	7,200
<u>Expenditure</u>			
Secretarial Service	(7,000)	(7,000)	(1,400)
Miscellaneous Expenses	(348)	(100)	(26)
Total Expenditure	(7,348)	(7,100)	(1,426)
Surplus (Deficit) for Period	(64)	200	5,774
Closing Funds	12,323	12,627	18,097

Closing Funds at 31 October 2018 Represented By:

Cash at Bank

Cheque Account \$6,167

Term Deposit 1.1% - Holding Investment \$11,930

\$18,097

Less Creditor

(\$0)

Net Assets Available at 31 October 2018

\$18,097

11.2 Payments

Executive Officer for administrative services	\$1400
Presentation Plaques (paid for by EO)	\$95.26

MOTION:

THAT:

1. *The financial report be received,*
2. *The accounts be approved for payment*

Moved	Cr. M Bennett	Seconded	Cr. P Townsend	Carried
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12. Schedule of meetings 2019

WALGA have provided the following information on their scheduled meetings for 2019

State Council Meeting Dates 2019	Preferred dates for 2019 Zone meetings
Wednesday 6 March	Between Friday 22 Feb to Friday 1 March
Friday 3 May (Regional)	Between Friday 19 April to Friday 26 April
Wednesday 3 July	Between Friday 21 June to Friday 28 June
Friday 6 September (Regional)	Between Friday 23 August to Friday 30 August
Wednesday 4 December	Between Friday 22 November to Friday 29 November

MOTION

Moved	Cr. P Townsend	Seconded	Cr. T Smith	Carried
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THAT:

The proposed dates for meetings of the SWZ - WALGA be endorsed

The following dates are agreed for meetings for the next 12 months retaining the practice of meeting on the 4th Friday of the month.

Month	Location	Agenda
22 nd Feb 2019	Busselton	TBA
26 th April 2019	Collie	TBA
28 th June 2019	Donnybrook - Balingup	TBA
27 th September	Harvey	TBA
22 nd November	Manjimup	TBA

13. Closure

The President thanked members and visitors for their attendance and the Shire of Capel members and their staff for the hospitality extended to the Zone Delegates and closed the meeting at 12.23pm.