

Gascoyne Country Zone

Minutes

10:00am
Friday, 23 June 2023

Meeting hosted by
Shire of Exmouth

Gascoyne Country Zone

Meeting hosted by Shire of Exmouth

2 Truscott Crescent, Exmouth – 9949 3000

Commenced at 10:00am, Friday, 23 June 2023

Acknowledgement of Country

We, the delegates of the Gascoyne 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

ATTENDEES

Shire of Carnarvon	President Eddie Smith Cr Burke Marslen Andrea Selvey, Chief Executive Officer, non-voting delegate
Shire of Exmouth	Cr Jackie Brooks (Deputy) Ben Lewis, Chief Executive Officer, non-voting delegate
Shire of Upper Gascoyne	Cr Jim Caunt Cr Hamish McTaggart John McCleary, Chief Executive Officer, non-voting delegate
Shire of Shark Bay	President Cr Cheryl Cowell - Chair Dale Chapman, Chief Executive Officer, non-voting delegate
WALGA	Max Bushell, Policy Officer Road Safety & Infrastructure Coralie Claudio, Senior Policy Advisor Planning

GUESTS

Department of Local Government, Sport and Cultural Industries	Lauren Rampling, Regional Officer, Gascoyne
Shadow Minister for Planning; Lands; Heritage	Hon. Neil Thomson MLC
Roadwise	Ms Samantha Adams, Regional Road Safety Advisor (via Teams)
Gascoyne Development Commission	Tim Bray, Chief Executive Officer
Regional Development Australia – Mid West Gascoyne	Mark Holdsworth, Executive Officer

GUEST SPEAKERS

Department of Local Government
Sports & Cultural Industries – Child
Protection Unit

Mr Tom Fleming, Principal Policy Officer (via Teams)
Kat McNamara, Director Child Safe Guarding and
Protection Unit (via Teams)

APOLOGIES

Main Roads

Andrea Pitcher, A/Asset Management Officer
Gaff Murray, Operations Manager – Carnarvon

Attachments

The following were provided as attachments to the Agenda:

1. Previous Meeting Minutes – 21 April 2023 Meeting
2. President's Report
3. DLGSC May Update
4. WALGA Draft Submission – BAM Act Review Stage 3

1. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Councillors 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. ANNOUNCEMENTS

Introduction from Tim Bray – new CEO of the Gascoyne Regional Development Commission

3. DEPUTATIONS

3.1 Child Protection Unit – Child Safe Awareness Policy

Tom Fleming, Principal Policy Officer and Kat McNamara, Director Child Safe Guarding and Protection Unit provided an update to the Zone on the Child Safe Awareness Policy regarding the role of Local Government and potential implications for Local Governments.

Noted

5. CONFIRMATION OF MINUTES

5.1 Minutes of the 21 April 2023 Meeting of the Gascoyne Country Zone

RESOLUTION

Moved: President Cr Eddie Smith

Seconded: Cr Jackie Brooks

That the Minutes of the meeting of the Gascoyne Country Zone held on 21 April 2023 be confirmed as a true and accurate record of the proceedings.

CARRIED

5.2 Business Arising

Nil

6. ZONE BUSINESS

6.1 Solar Eclipse 2023

Shire of Exmouth

The Shire of Exmouth were an apology at the April meeting due to the Solar Eclipse event.

This is a standing item on the Agenda.

The Shire of Exmouth discussed outcomes and learnings from the event with the Zone.

Noted

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 [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](#).

RESOLUTION

Moved: President Cr Eddie Smith
Seconded: Cr Jackie Brooks

That the Gascoyne Country Zone requests the timeframe is extended for Local Governments to provide comments.

CARRIED

6.5 Zone Status Report – June 2023

Zone	Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
Gascoyne C	2021 19 February Zone Agenda Item 5.4 Issues with the DRFAWA Claims and Approvals Process	That the Gascoyne Country Zone recommend WALGA request DFES to form a working group of participants from affected Shires to review the current process and report back on outcomes and solutions.	<p>Data has been collected from a sample of Councils that have recently suffered declared disasters and is being analyzed to inform engagement with DFES.</p> <p>The Infrastructure Policy Team has supported the establishment of a working group as proposed and requested that efforts be made to engage DFES in the establishment of the group.</p> <ol style="list-style-type: none"> 1. Brendan Moon, Coordinator General, National Emergency Management Agency accepted an invitation to speak at the WALGA Transport and Roads Forum in March. An interview with Brendan and a copy of his presentation is available at Brendan Moon: How You Can Make the Disaster Recovery Funding Arrangements Work For Your Council WALGA. The purpose of this session was to illustrate the ways in which other jurisdictions, working within the same national funding arrangements (NDRRA), have provided support to Local Governments. Unfortunately, the invited senior DFES officers did not attend. 2. A survey is currently being developed to quantify the extent and impact of Disaster Recovery Funding Arrangement reimbursement delays in response to Zone resolutions. It is noted that this is only part of the suite of problems faced by Local Governments recovering from disasters. 3. DFES have agreed to participate in a working group. This has not yet been convened by WALGA. 4. The Association is exploring opportunities to further develop advocacy for changes in the implementation of recovery funding arrangements at the Local Government convention. 	Ongoing	<p>Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031</p>
Gascoyne C	3 May State Council Agenda Item 7.2 Department of Local Government, Sport and Cultural Industries' Child Safe Awareness Policy Template	That the Zone does not support an advocacy position until further information/clarity on the role of Local Government and all potential implications for Local Governments is made available, i.e. the extent of Local Government responsibility and costs.	<p>State Council Resolution</p> <p>That State Council:</p> <ol style="list-style-type: none"> 1. Supports the draft Child Safe Awareness Policy Template being provided to Local Governments to assist with their implementation of Recommendation 6.12 of the Royal Commission (Child Safety Officers in Local Government); and 	June 2023	<p>Nicole Matthews Executive Manager Policy nmatthews@walga.asn.au 9213 2039</p>

			<p>2. Notes the Department of Local Government, Sport and Cultural Industries' commitment to providing ongoing support and resourcing assistance to Local Governments to assist with implementation of the draft Child Safe Awareness Policy Template and other relevant actions relating to child safeguarding, through the Child Safeguarding Implementation Unit.</p> <p>Complete</p>		
Gascoyne C	3 May 2023 State Council Agenda Item 7.1 Best Practice Governance Review – Feedback on Governance Model	<p>That:</p> <ol style="list-style-type: none"> 1. This report summarising feedback from Members on the Best Practice Governance Review Final Report be received; and 2. Two sets of constitutional changes be developed for consideration by State Council at the July 2023 meeting to be put to the 2023 Annual General Meeting, that: <ol style="list-style-type: none"> a. Give effect to the revised Model 1, as per the Best Practice Governance Review Final Report; and b. Refine the <u>current</u> constitution to address inconsistencies and other issues while maintaining the current governance model. 	<p>The Zone amendments was included in State Councils resolution.</p> <p>State Council Resolution</p> <p>That:</p> <ol style="list-style-type: none"> 1. This report summarising feedback from Members on the Best Practice Governance Review Final Report be received; 2. Two sets of constitutional changes be developed for consideration by State Council at the July 2023 meeting to be put to the 2023 Annual General Meeting, that: <ol style="list-style-type: none"> a. Give effect to the revised Model 1, as per the Best Practice Governance Review Final Report; and b. Refine the current constitution to address inconsistencies and other issues while maintaining the current governance model. 	June 2023	Tony Brown Executive Director, Member Services 9213 2051 tbrown@walga.a sn.au
Gascoyne C	2022, 24 June Zone Agenda Item 9.2 Management Orders on State owned Land Management Orders on State owned land	That the Gascoyne Country Zone recommend that WALGA in consultation with Zone delegates, advocate to the State Government for a review of the Management Orders pertaining to State Land that is managed by Local Government especially in relation to Local Government leasing such land to other parties.	<p>The Shire of Carnarvon provided 3 examples of issues experienced when seeking Ministerial approval to lease land subject of a management order. The DPLH has been advised and is investigating the basis for the decisions. DPLH Officers advise they will also follow up directly with the Shire.</p> <p>Background on this issue was provided to the GOS Policy Team meeting on 12 April and outcomes from DPLH, when available, will be advised to the Gascoyne Country Zone and the GOS Policy Team.</p>	June 2023	Tony Brown, Executive Director Member Services tbrown@walga.a sn.au 9213 2051

Noted

7. 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.*

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.

Matters for Noting / Information

- 9.1 Flying Minute – Submission to 2023 State Wage Case
- 9.2 Environmental Protection Amendment Regulations 2022: Consultation Response
- 9.3 Local Government Performance Monitoring Project
- 9.4 Street Lighting Tariffs
- 9.5 2023-24 Federal and State Budgets
- 9.6 Update on the Commencement of the Aboriginal Cultural Heritage Act 2021
- 9.7 State Award Variations Impacting on Local Governments

RESOLUTION

Moved: Cr Jackie Brooks
Seconded: President Cr Cheryl Cowell

That the Gascoyne 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

8. EXECUTIVE REPORTS

8.1 State Councillor's Report to the Zone

The State Councillor, President Cr Cheryl Cowell provided an update on the previous State Council meeting.

Noted

8.2 President's Report to the Zone

The WALGA representative Max Bushell, presented the President's Report.

Noted

8.3 Gascoyne Development Commission

Chief Executive Officer, Tim Bray, provided an update to the Zone.

Noted

8.3.1 Gascoyne Development Commission – Working Group Update

President Cr Cheryl Cowell, the Zone representative on the working group provided an update to the Zone.

Noted

8.4 Department of Local Government, Sport and Cultural Industries

Lauren Rampling, Regional Officer provided an update to the Zone on DLGSC matters.

Noted

8.5 Hon. Neil Thomson MLC Update

Hon. Neil Thomson MLC provided a brief update to the Zone.

Noted

8.6 Roadwise Report

Samantha Adams, Road Safety Officer, Mid-West provided an update to the Zone.

Noted

8.7 Regional Development Australia – Mid West Gascoyne

Mark Holdsworth, Executive Officer, RDA Mid-West Gascoyne, provided an update on Federal 'Growing Regions' program and 'Designated Area Migration Agreement' (DAMA).

Noted

9. OTHER BUSINESS

John McCleary, Chief Executive Officer of Upper Gascoyne had two announcements:

1. Congratulations to Exmouth for winning the Small Tourism Town Award 2023
2. Gascoyne Junction was awarded the Australian Tidy Town Sustainability Community Award.

Gascoyne Junction will now host the 2024 National Awards.

9.1 Zone Meeting Dates – 2023

Zone Meeting	Type	Location
10:00am, Friday 17 February	In-Person	Carnarvon
10:00am, Friday 21 April	<i>Teleconference</i>	
10:00am, Friday 23 June	In-Person	Exmouth
10:00am, Friday 25 August	<i>Teleconference</i>	
10:00am, Friday 24 November	In-Person	Carnarvon

10. DATE, TIME AND PLACE OF NEXT MEETING

Next meeting: 10:00am on Friday, 25 August 2023, to be held via MS Teams.

11. CLOSURE

There being no further business the Chair declared the meeting closed at **12:23pm**.