

Attachment 5

15.4 Compliance Audit Return 2015

Compliance Audit Return

**Pingelly - Compliance Audit Return 2015**

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2015.	N/A	No Major Trading undertaking 2015	Gavin Pollock
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2015.	N/A	No Major Trading undertaking 2015	Gavin Pollock
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2015.	N/A		Gavin Pollock
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2015.	N/A		Gavin Pollock
5	s3.59(5)	Did the Council, during 2015, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Gavin Pollock

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes	Director Corporate & Community Services WA Contract Ranger Services	Gavin Pollock
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Gavin Pollock
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Gavin Pollock
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Gavin Pollock
5	s5.18	Has Council reviewed delegations to its committees in the 2014/2015 financial year.	Yes		Gavin Pollock
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Grace French
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Grace French
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Grace French



9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Grace French
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Gavin Pollock
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Grace French
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2014/2015 financial year.	Yes		Grace French
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Gavin Pollock

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Gavin Pollock
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Grace French
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Grace French
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Gavin Pollock
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Gavin Pollock
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2015.	Yes		Gavin Pollock
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2015.	Yes		Gavin Pollock
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written	Yes		Gavin Pollock



			acknowledgment of having received the return.		
9	s5.88(1)(2) Admin Reg 28	Admin	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes	Grace French
10	s5.88(1)(2) Admin Reg 28	Admin	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes	Grace French
11	s5.88 (3)		Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes	Grace French
12	s5.88(4)		Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes	Grace French
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Admin	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes	Grace French
14	s5.70(2)		Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes	Gavin Pollock
15	s5.70(3)		Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes	Gavin Pollock
16	s5.103(3) Admin Reg 34B	Admin	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes	Grace French

Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Grace French
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Grace French



Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		Grace French

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Grace French
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	Yes		Grace French
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes	AMD Chartered Accountants – Mr Tim Partridge Register Company Auditor no. 225698	Grace French
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Grace French
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2015 received by the local government within 30 days of completion of the audit.	Yes		Grace French
6	s7.9(1)	Was the Auditor's report for 2014/2015 received by the local government by 31 December 2015.	Yes		Grace French
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	N/A	No non-compliance to Report	Grace French
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Grace French



9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Grace French
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Grace French
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Grace French
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Grace French
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Grace French
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Grace French

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A	No CEO Recruitment	Grace French
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	N/A	No vacancy	Grace French
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A		Grace French
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A		Grace French
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Gavin Pollock



Official Conduct						
No	Reference	Question	Response	Comments	Respondent	
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	Yes	Director Corporate & Community Services	Grace French	
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Grace French	
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Grace French	
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Grace French	
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Grace French	
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	Yes		Grace French	


Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Gavin Pollock
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A	No multiple contracts entered into.	Gavin Pollock
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes		Gavin Pollock
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Gavin Pollock
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Gavin Pollock
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes		Gavin Pollock
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	No		Gavin Pollock
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	N/A		Gavin Pollock
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Grace French
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Gavin Pollock
11	F&G Reg 21 & 22	Did the local governments' advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A	No EOI	Gavin Pollock
12	F&G Reg 23(1)	Did the local government reject the	N/A		Gavin Pollock



		expressions of interest that were not submitted at the place and within the time specified in the notice.		
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A	Gavin Pollock
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A	Gavin Pollock
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	N/A	Gavin Pollock
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	N/A	Gavin Pollock
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A	Gavin Pollock
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A	Gavin Pollock
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A	Gavin Pollock
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	N/A	Gavin Pollock
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A	Gavin Pollock
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A	Gavin Pollock



23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Gavin Pollock
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	N/A		Gavin Pollock
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes	Policy Number 5.11	Grace French

I Certify this Compliance Audit Return has been adopted by Council at its meeting held 17 February 2016

Signed – Shire of Pingelly President

Signed – Shire of Pingelly Chief Executive Officer





Attachment 6

16.4 Gravel Road Maintenance

Gravel Road Maintenance Grading Level of Service Chart

12.1 Gravel Road Maintenance Grading Level of Service

The Shire of Pingelly has approximately 341 km of gravel and natural surface roads that are maintained by grading. The road surfaces and conditions vary greatly from wide formed roads with a good depth of compacted gravel to narrow unformed roads with a sandy material for a surface and poor drainage.

This has caused ongoing complaints to Shire Staff and Councillors regarding the level of service that some roads receive compared to other roads within the Shire. To reduce this community concern and improve budgeting the following maintenance grading regime has been set for 2016/17 with a two (2) yearly review. This does not include any reactionary maintenance from storm events or other unplanned grading maintenance work if required.

Location	Surface	Road Name	Distance	Level of Service in Months	June/ July	Oct/ November	March/ April
Rural	Gravel	Aldersyde Rd	3.91	4	1	1	1
Rural	Gravel	Bassendean Rd	4.87	4	1	1	1
Rural	Gravel	Belt Rd	0.5	12	1		
Rural	Gravel	Benzies Rd	6.65	24	0.5		
Rural	Gravel	Bettison Rd	1.62	6	1	1	
Rural	Gravel	Bickers Rd	5.93	4	1	1	1
Rural	Gravel	Blain St	0.4	12	1		
Rural	Gravel	Blechynden Rd	4.5	6	1	1	
Rural	Gravel	Boyagin Rd	14.77	6	1	1	
Rural	Gravel	Brains Rd	1.92	4	1	1	1
Rural	Gravel	Chopping Rd	4.75	12	1		
Rural	Gravel	Cousins Rd	1.39	12	1		
Rural	Gravel	Dhus Rd	2.63	4	1	1	1
Rural	Gravel	Dwarlacking Rd	20.3	4	1	1	1
Rural	Gravel	Elson Rd	1.94	12	1		
Rural	Gravel	English Rd	3.06	6	1	1	
Rural	Gravel	Fairhead Rd	2.69	12	1		
Rural	Gravel	Ford Rd	4.22	4	1	1	1
Rural	Gravel	Gaskin Rd	0.83	6	1	1	
Rural	Gravel	Giles Rd	3.8	12	1		
Rural	Gravel	Gillett Rd	1.96	12	1		
Rural	Gravel	Hassell Rd	4.61	12	1		
Rural	Gravel	Hastings Rd	2.46	4	1	1	1
Rural	Gravel	Hickmott Rd	6.14	12	1		
Rural	Gravel	Hill Rd	1.4	12	1		
Rural	Gravel	Ivanhoe Rd	4.25	12	1		
Rural	Gravel	Jingaring Rd	16.43	6	1	1	
Rural	Gravel	Kew Rd	4.4	4	1	1	1
Rural	Gravel	Key West Rd	3	24	0.5		
Rural	Gravel	Kulyaling Rd West	5.42	12	1		
Rural	Gravel	Kweda Rd South	13	4	1	1	1
Rural	Gravel	Lamard Rd	4.11	4	1	1	1
Rural	Gravel	Leons Rd	1.06	4	1	1	1
Rural	Gravel	Lullfitz	0.78	12	1		
Rural	Gravel	Madill Rd	9.68	4	1	1	1
Rural	Gravel	Marshall Rd	0.98	4	1	1	1
Rural	Gravel	McDonald Rd	4.93	4	1	1	1
Rural	Gravel	Merwanga Rd	8.9	4	1	1	1
Rural	Gravel	Milton East Rd	3.06	24	0.5		

Location	Surface	Road Name	Distance	Level of Service in Months	June/ July	Oct/ November	March/ April
Rural	Gravel	Milton Rd	8.43	6	1	1	
Rural	Gravel	Moorumbine Rd	9.6	4	1	1	1
Rural	Gravel	Morrison St	0.54	12	1		
Rural	Gravel	Napping Pool Rd	8.5	6	1	1	
Rural	Gravel	Neamutin Rd	6.82	4	1	1	1
Rural	Gravel	Norms Rd	3.67	6	1	1	
Rural	Gravel	Old Wickepin Rd	5.6	12	1		
Rural	Gravel	Overington Rd	1.42	12	1		
Rural	Gravel	Page Rd	1.67	6	1	1	
Rural	Gravel	Pech Rd	1.2	12	1		
Rural	Gravel	Perry Rd	0.78	24	0.5		
Rural	Gravel	Red Hill Rd	0.21	12	1		
Rural	Gravel	Reeds Rd	1.31	12	1		
Rural	Gravel	Ryans Rd	2.53	12	1		
Rural	Gravel	Shaddick Rd	20.41	4	1	1	1
Rural	Gravel	Squires Rd	2.3	12	1		
Rural	Gravel	Stanes Rd	1.76	6	1	1	
Rural	Gravel	Station Rd	0.75	24	0.5		
Rural	Gravel	Stewart Rd	4.22	4	1	1	1
Rural	Gravel	Tanners Rd	1.23	6	1	1	
Rural	Gravel	Taylor St	0.44	12	1		
Rural	Gravel	Thompson Rd	5.15	6	1	1	
Rural	Gravel	Treforts	0.56	24	0.5		
Rural	Gravel	Tutanning Rd East (Dhus to Bickers)	8.12	4	1	1	1
Rural	Gravel	Tutanning Rd West (to Stanes)	4.8	6	1	1	
Rural	Gravel	Vitasovic Rd	0.7	12	1		
Rural	Gravel	Walwalling Rd	9.06	6	1	1	
Rural	Gravel	Ward Rd	0.68	12	1		
Rural	Gravel	Welshman Rd	1.8	24	0.5		
Rural	Gravel	Yearlering-Pingelly Rd	12.35	4	1	1	1
Rural	Gravel	Yenellin Rd	6.21	4	1	1	1
Rural	Gravel	Zigzag Rd	4.47	4	1	1	1
Rural	Gravel	Albert Walton Rd	3.38	12	1		
Rural	Gravel	Powells Rd	2.5	12	1		
Town	Gravel	Aviation St	0.5	12	1		
Town	Gravel	Balfour St	1.08	6	1	1	
Town	Gravel	Dhu St	0.72	4	1	1	1
Town	Gravel	James St	0.77	24	0.5		
Town	Gravel	Kelvin St	0.45	12	1		
Town	Gravel	Marconi St	0.3	12	1		
Town	Gravel	Monger St	0.07	24	0.5		
Town	Gravel	Naylor St	1.07	24	0.5		
Town	Gravel	Palace St	0.38	24	0.5		
Town	Gravel	Palm St	0.18	24	0.5		
Town	Gravel	Paragon St	0.7	12	1		
Town	Gravel	Pitt St	0.23	12	1		
Town	Gravel	Quartz St	0.19	12	1		
Town	Gravel	Quince St	0.15	12	1		
Town	Gravel	Realm St	1.16	12	1		
Town	Gravel	Review St	0.17	12	1		
Town	Gravel	Shaddick St	0.33	6	1	1	
Town	Gravel	Shannon St	0.9	12	1		
Town	Gravel	Smith St	0.16	12	1		
Town	Gravel	Somerset St	0.44	12	1		
Town	Gravel	Vinnicombe St	0.29	12	1		
Town	Gravel	Walton St	0.8	12	1		
			341.46				

Adopted: _____ Date _____
Reviewed: _____ Date _____

Attachment 7

16.5 Bridge 1191 Replacement with Box Culverts

**Letter from Hon Warren Truss MP
Email from Bridges Renewal Team**

Lisa Boddy

Subject: BRIDGES RENEWAL PROGRAMME ROUND TWO – BULLARING ROAD (BRIDGE 1191), PINGELLY [SEC=UNCLASSIFIED]
Attachments: WA - Pingelly - Bullaring Road.pdf

From: King Paul [<mailto:Paul.King@infrastructure.gov.au>]
Sent: Monday, 18 January 2016 12:07 PM
To: EMEDS
Subject: BRIDGES RENEWAL PROGRAMME ROUND TWO – BULLARING ROAD (BRIDGE 1191), PINGELLY [SEC=UNCLASSIFIED]

Attn: Barry Gibbs
Shire of Pingelly

BRIDGES RENEWAL PROGRAMME ROUND TWO – BULLARING ROAD (BRIDGE 1191), PINGELLY

Thank you for your application for funding under Round Two of the Bridges Renewal Programme. As per the attached letter from The Hon Warren Truss MP, Deputy Prime Minister and Minister for Infrastructure and Regional Development, we are pleased to advise you that the project above has been successful.

Also attached is the *Offer of Funding*. You must complete the *Offer of Funding*, including providing details concerning the matching funding to the Department no later than **18 March 2016**. Upon receipt of the completed *Offer of Funding*, we will commence negotiations on the *Project Agreement*.

The executed *Project Agreement* sets out the terms and conditions under which the funding is provided and must be in place before any construction activities are undertaken (construction means actual on ground works at the project site and/or the fabrication of major components off site). Planning and design work can be undertaken prior to the signing of the *Project Agreement*, but note any financial commitments entered into prior to the signing of the *Project Agreement* will not be funded under the programme.

We look forward to working with you to deliver the Bullaring Road (Bridge 1191), Pingelly project.

If you have any further questions please contact us at bridgesrenewal@infrastructure.gov.au or 02 6274 6758.

Regards

The Bridges Renewal Team



The Hon Warren Truss MP

Deputy Prime Minister
Minister for Infrastructure and Regional Development
Leader of The Nationals
Member for Wide Bay

PDR ID: MS15-001954

Councillor Shirley Lange
Shire President
Shire of Pingelly
17 Queen Street
PINGELLY WA 6308

Dear Councillor Lange

BRIDGES RENEWAL PROGRAMME ROUND TWO – BULLARING ROAD (BRIDGE 1191), PINGELLY

Thank you for your application for funding under Round Two of Bridges Renewal Programme (BRP). I am pleased to advise you that your application for the **Bullaring Road Bridge, Pingelly** project has been successful for Australian Government funding of **\$81,000**.

The Department of Infrastructure and Regional Development will contact you shortly to commence negotiations to enable you to receive this funding.

Initially you will receive an *Offer of Funding* which must be returned by **18 March 2016** to accept the funding offer and commence negotiations for the *Project Agreement*.

Funding can only be paid once there is a signed *Project Agreement* in place that sets out the terms and conditions under which the funding is provided.

A list of all projects that have been successful under Round Two is available on the Department's website at www.infrastructure.gov.au/bridges.

You can contact my department on 02 6274 6758 or at bridgesrenewal@infrastructure.gov.au if you require any further information or assistance.

I wish you every success with the Bullaring Road Bridge 1191, Pingelly project.

Yours sincerely

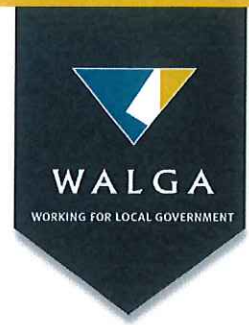
A handwritten signature in blue ink, appearing to read 'Warren Truss'.

WARREN TRUSS

Attachment 8

18. New Business or Urgent Business Introduced by Decision of the Meeting

**Biosecurity Management
Local Government Discussion Paper**



Biosecurity Management

Local Government Discussion Paper

Contact:

Julia Beijeman

Environment Policy Manager

WALGA

ONE70, LV 1, 170 Railway Parade West Leederville

Phone: (08) 9213 2039

Fax: (08) 9213 2077

Email: jbeijeman@walga.asn.au

Website: www.walga.asn.au

Contents

1.0	Purpose of this document	5
2.0	Scope	5
3.0	Introduction.....	5
4.0	Project Milestones and Timeline	6
5.0	Have Your Say.....	6
6.0	Governance Overview	7
6.1	Legislation	7
6.2	Implementation	7
6.3	Biosecurity Council.....	8
7.0	Biosecurity from the Local Government Perspective.....	9
7.1	WALGA Biosecurity Policy Position	9
7.2	Before the 2013 BAM Regulations	9
7.3	The 2013 BAM Regulations are introduced	9
7.4	Poor Local Government engagement with Recognised Biosecurity Groups	10
7.5	Office of the Auditor General's report.....	10
7.6	State Wide Biosecurity Strategy	11
7.7	Funding cuts to DAFWA.....	12
7.8	Declaration review of pest species	13
8.0	Local Government's Current Options.....	14
8.1	Pass a Local Law	14
8.2	Use a Specified Area Rate.....	15
8.3	Recognised Biosecurity Groups.....	16
8.3.1	How is a RBG formed?.....	16
8.3.2	How are RBG boundaries set?	17
8.3.3	What role does an RBG have?	17
8.3.4	What are RBGs responsible for?	17
8.3.5	Where do RBGs get their funding from?	17
9.0	Local Government's Key Concerns.....	19
10.0	What are Local Government's Options?.....	20
10.1	Option A: Continue with the status quo	20

10.2	Option B: Delist species and pass local laws to manage pest plants	21
10.3	Option C: DAFWA to delegate authority to Local Governments.....	22
10.4	Option D: Other.....	22
10.5	Improved Communication	23
11.0	Conclusion.....	24
12.0	Terminology.....	25
	Appendix A: Feedback Form.....	26

1.0 Purpose of this document

This discussion paper was written to help the Western Australian Local Government Association (WALGA) to:

- Inform its biosecurity policy position;
- Identify gaps in information/ tools/ support for local government that need addressing;
- Identify opportunities to collaborate with other stakeholders; and
- Determine WALGA's future actions.

2.0 Scope

This document:

- Summarises post border biosecurity management in Western Australia, from a Local Government perspective;
- Proposes post border biosecurity management options for Local Government to consider; and
- Seeks Local Government feedback to ensure WALGA is working effectively and strategically, on behalf of the sector.

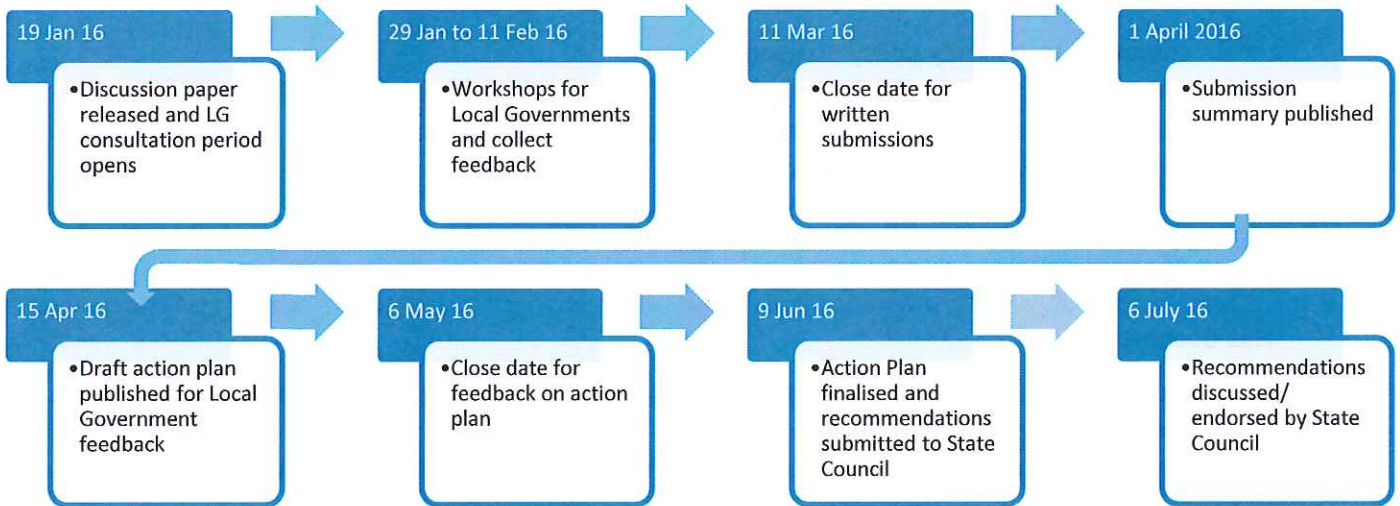
3.0 Introduction

As the community's closet tier of government, Local Government is a key stakeholder in biosecurity management. The sector's involvement in biosecurity can range from being a contact point for concerned community members, through to developing pest management local laws under the *Local Government Act 1995* (LG Act).

However, post border biosecurity management has been a long standing issue for Local Government. Local Government issues are continually voiced, but the current situation has perpetuated, causing frustration within the sector.

This paper will discuss biosecurity management, and explore possible new policy options. WALGA will use the feedback collected through this paper to inform proactive and productive future work.

4.0 Project Milestones and Timeline



5.0 Have Your Say

WALGA is seeking feedback from the Local Government sector to inform its future work program. You can ensure your views are incorporated by reviewing this discussion document, and then:

- Attending one of the six regional workshops ([details available here](#)); and/or
- Submitting a feedback form to WALGA.

Feedback forms are available in [Appendix A](#) of this discussion document, and editable electronic versions can be [downloaded here](#).

Please complete and return your feedback form to the [Environment Policy Manager](#) by **Friday, 11 March 2016**.

Email	Environment@walga.asn.au
Post	Western Australian Local Government Association 170 Railway Parade West Leederville WA 6007
Fax	(08) 9213 2077

6.0 Governance Overview

This section provides a brief overview of biosecurity governance in Western Australia.

6.1 Legislation

The *Biosecurity and Agriculture Management Act 2007* (BAM Act) is the principal biosecurity legislation for Western Australia, and was introduced to provide effective biosecurity and agriculture management for Western Australia¹. The BAM Act was introduced in 2007, replacing 16 older Acts, and 27 sets of Regulations. When introduced, the BAM Act sought to modernise the law, and remove inconsistencies between previous legislation.²

The BAM Act is enabling legislation, meaning that subsidiary legislation was required to outline the operational detail contained within the previous 16 Acts. This subsidiary legislation came into force on 1 May 2013, and is known as the *Biosecurity and Agriculture Management Regulations 2013* (BAM Regulations).³

6.2 Implementation

The Department of Agriculture and Food (DAFWA) is the key delivery agent for biosecurity and the BAM Act, and is responsible for:

- Working with stakeholders to identify and manage biosecurity risks;
- Developing legislation;
- Establishing import controls;
- Conducting inspections; and
- Providing quarantine services as required.⁴

More information about DAFWA is available on their [website](#).

¹ WA. Parliamentary Debates. Legislative Council. Thursday, 2 November 2006. p8142a-8143a.

² Department of Agriculture and Food (2014) Biosecurity and Agriculture Management in Western Australia <https://www.agric.wa.gov.au/bam/biosecurity-and-agriculture-management-western-australia>. Last accessed 4 December 2015.

³ Western Australia, *Western Australian Government Gazette*, No 18, 5 February 2013, 465.

⁴ Department of Agriculture and Food (No date.) Biosecurity. <https://www.agric.wa.gov.au/biosecurity-quarantine/biosecurity>. Last Accessed 13 January 2015.

6.3 Biosecurity Council

In 2008 the Biosecurity Council was established under the BAM Act, to provide the Minister for Agriculture and the Director General of DAFWA with independent biosecurity advice⁵. A Local Government representative joined the Biosecurity Council in 2014.

The Biosecurity Council liaises with key stakeholders as required, including the Biosecurity Senior Officers Group. The Biosecurity Senior Officers Group is made up of senior executives from the DAFWA, the Department of Parks and Wildlife, the Department of Fisheries, and the Forest Products Commission.

More information about the Biosecurity Council, and copies of their past reports are available on the [DAFWA website](#).



Paterson's curse (Echium plantagineum) infestation. Source: [Department of Agriculture and Food](#).

⁵ WA. Parliamentary Debates. Legislative Council. Thursday, 2 November 2006. p8142a-8143a.

7.0 Biosecurity from the Local Government Perspective

Post border biosecurity is an important, and sometimes emotive, issue for Local Government. This level of importance can be demonstrated by WALGA zone⁶ and AGM resolutions. Since 2012, more than one third of resolutions forwarded to WALGA's Environment Team have been in relation to biosecurity.

7.1 WALGA Biosecurity Policy Position

WALGA's State Council endorsed a formal policy position in 2015. In essence, the policy position outlines Local Government's dissatisfaction with a community based approach to biosecurity management (i.e. Recognised Biosecurity Groups). It also comments on the BAM Act's development/ implementation, and that Local Government is uncertain how Western Australia will manage established and future new incursions of invasive species.

The complete policy position is available in WALGA's [Policy Position Manual](#).

7.2 Before the 2013 BAM Regulations

The Local Government sector first began approaching WALGA about plant biosecurity issues in late 2012. Initial correspondence came from the Cities of Stirling and Joondalup, and was in response to caltrop (*Tribulus terrestris*) infestations. Shortly afterwards, the Local Government sector began raising concerns about other specific pest species, such as narrow leaved cottonbush (*Gomphocarpus fruticosus*) and rainbow lorikeets (*Trichoglossus moluccanus*).

As the closest tier of government to the community, Local Governments said they were beginning to experience increased community complaints about a variety of pest species. As part of their response to community complaints, Local Governments were seeking WALGA assistance to communicate with the State Government.^{7,8,9,10}

7.3 The 2013 BAM Regulations are introduced

Shortly after concern was initially raised by the sector, the new *Biosecurity and Agriculture Management Regulations 2013* were introduced. At this time, the State Government also

⁶ WALGA Zones comprise of Elected Members from geographically aligned Local Governments. Zones provide input and advice on policy issues to WALGA's decision making body, State Council.

⁷ Spragg, Ron (Manager of Engineering Operations, City of Stirling). Letter to: Ricky Burges (CEO, Western Australian Local Government Association). 2012 September 11. 1 leaf. Located at PO Box 1544 West Perth 6872.

⁸ Creevey, Paddi (City of Mandurah Mayor). Letter to: Ricky Burges (CEO, Western Australian Local Government Association). 2013 April 12. 1 leaf. Located at PO Box 1544 West Perth 6872.

⁹ South West Country Zone. 2013. Resolution to direct WALGA work on cottonbush. 21 June 2013

¹⁰ Gascoyne Country Zone. 2013. Resolution to direct further WALGA work on wild dogs. 27 June 2013

communicated its new policy setting, a community coordinated approach to managing biosecurity.

A 'community coordinated approach' is a recognised way of addressing biosecurity concerns¹¹, and is consistent with national best practice under the Intergovernmental Agreement of Biosecurity (IGAB) for management of established pests and diseases¹².

In WA, Recognised Biosecurity Groups (RBGs) were introduced as the key mechanism to deliver a community coordinated approach, and managing widespread and established pests within WA. Initially, Local Governments outside of the pastoral region were concerned about RBG governance arrangements, with parts of the sector believing that the RBG policy would shift a State Government responsibility, and associated costs, to Local Government.

Local Governments within the pastoral region had been working under Zone Control Authorities (ZCAs) to manage pests before the BAM Act was introduced. When the BAM Act replaced the *Agriculture and Related Resources Protection Act 1976*, this ZCA framework was expanded to include the agricultural region. ZCAs are now known as RBGs

Refer to [Section 8.3](#) for more information about Recognised Biosecurity Groups.

7.4 Poor Local Government engagement with Recognised Biosecurity Groups

At first, Local Government engagement into the RBG approach was slow. In response, DAFWA developed a project to help encourage greater uptake. The project, called 'a *Community Coordinated Approach (CCA) to Pest Management*', replicated the RBG process but with no legal obligation for participants to become an RBG. This project cost \$700,000 and funding was sourced through the State Natural Resource Management Office. WALGA was involved in the initial stages of this project.

7.5 Office of the Auditor General's report

In December 2013, the Office of the Auditor General assessed the BAM Act's efficacy to manage plant and animal pests in WA. The audit focused on three main questions:

- Are there clear legislative and regulatory powers to oversee the management of declared plants and animals?
- Are activities to identify threats and prevent incursions effective?
- Are eradication, containment and protection activities effective?

¹¹ National Biosecurity Committee. 1 June 2015. Modernising Australia's approach to managing established pests and diseases of national significance. Department of Agriculture. Canberra. 18pp

¹² Council of Australian Governments. 13 January 2012. Intergovernmental Agreement on Biosecurity. Available at <https://www.coag.gov.au/node/47>. Last Accessed 12 January 2016.

Key findings of the audit were:

- The BAM Act was failing to achieve state-wide pest management. This was because there was no integrated state-wide plan for managing pests, and the respective roles and responsibilities of government agencies were not clearly defined.
- There was no integrated up-to-date picture of the spread, abundance and impact of established pests. Useful data collected by agencies, industry, community groups and landholders was often unshared, as mechanisms for effective and timely exchange of information do not exist. The lack of up-to-date information limits the State's ability to adapt pest management practices and target resources to changing threats and priorities.
- The threat and priority of established declared pests is not regularly reviewed.
- There is limited monitoring and almost no enforcement of landowner responsibilities to control established pests. Monitoring and enforcement is a key element of a regulatory framework and there is a risk that some landholders will not control pests if there is no prospect of enforcement¹³.

In response to the Auditor General's report, DAFWA developed an '*Invasive Species Plan for Western Australia 2015-2019*' (State IS Plan)¹⁴. WALGA was part of the working group that developed the content of this State IS Plan.

7.6 State Wide Biosecurity Strategy

DAFWA has also developed a state wide biosecurity strategy. The draft Strategy was available for public comment from December 2014 to April 2015, and is currently with the Biosecurity Council and the Biosecurity Senior Officers Group.¹⁵

- A copy of the draft Biosecurity Strategy is available at <https://www.agric.wa.gov.au/development-state-biosecurity-strategy>
- WALGA's submission to the draft Biosecurity Strategy is available in the [July 2015 State Council Agenda](#), pp 83 to 91.

¹³ Western Australian Auditor General. December 2013. Managing the Impact of Plant and Animal Pests: A State Wide Challenge. Report 18. <https://audit.wa.gov.au/reports-and-publications/reports/managing-impact-plant-animal-pests-state-wide-challenge/>. Last Accessed 7 December 2015

¹⁴ Department of Agriculture and Food WA (23 March 2015). Invasive Species Plan for Western Australia 2015-2019. <https://www.agric.wa.gov.au/invasive-species/invasive-species-plan-western-australia-2015-2019>. Last Accessed 12 January 2016.

¹⁵ Department of Agriculture and Food WA (November 2015). Development of the State Biosecurity Strategy. <https://www.agric.wa.gov.au/development-state-biosecurity-strategy>. Last Accessed 7 December 2015.

Discussion Questions

Please provide your answers to these questions in the feedback template provided.

- In your view, are there any affirmative actions that WALGA, Local Government or DAFWA could take to address the key issues raised in the Auditor General's report? In your response please outline the action, and who you think should deliver it.

7.7 Funding cuts to DAFWA

Over the 2015-16 financial year, DAFWA lost \$6.2 million and 100 full-time equivalent staff positions¹⁶. A further 180 full-time equivalent staff positions are projected to be lost from 2016-17 to 2018-19¹⁷.

Due to its resource constraints, DAFWA's focus has shifted from post border to pre-border management. Greater resources are being allocated to pre-border biosecurity measures and to eradicate new incursions as quickly as possible. This approach is a well-known and internationally recognised model for biosecurity management, and is widely regarded as the most cost-effective use of public resources. Figure 1 outlines the generalised invasion curve model adopted by DAFWA, and used by many other governments.

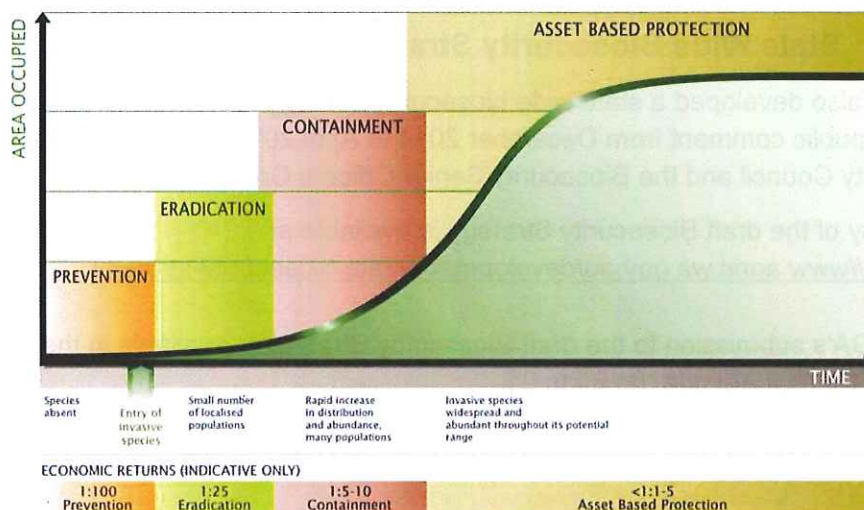


Figure 1: Generalised invasion curve, source: [Agriculture Victoria](#)

¹⁶ Varischetti, Belinda, 2015. Department of Agriculture and Food Western Australia says it is focused despite budget cuts. ABC News, 30 June. <http://www.abc.net.au/news/2015-06-29/dafwa-rob-delane-budget-staff-cuts-agriculture-food-briefing/6581648>. Last accessed 7 December 2015.

¹⁷ Community & Public Sector Union, 2015. More cutbacks for agriculture industry. Media Releases, 25 May. <http://www.cpsuca.org/news/union-news/item/ag-braces-for-more-cutbacks>. Last accessed 7 December 2015

7.8 Declaration review of pest species

Organisms recognised as pests by the Western Australian Government are classed as 'declared species' under the BAM Act, and are listed in the [Western Australian Organism List](#) (WAOL). The WAOL outlines the geographical area(s) that each species is declared within, and any control or keeping requirements.¹⁸

In keeping with a recommendation of the Auditor General, DAFWA is currently reviewing its list of declared plant and animal species, with an aim to provide an up-to-date, realistic and widely supported suite of declared pests whose declaration status is consistent with the BAM Act, BAM Regulations, and the State IS Plan. The declaration review is focusing on the 95 plant species and the 42 vertebrate species currently declared under the BAM Act and the BAM Regulations.

Under the BAM Act, the State Government will only provide financial support to control declared species. This means that RBGs managing plants and animals that become 'delisted' will lose matched State Government funding for these species. Refer to [section 8.3](#) for more information about RBG governance arrangements.

However, once a species is delisted, Local Governments can mandate its control by passing a local law. This is discussed in more detail in [section 8.1](#) below.



Wild dog in the rangelands. Source: [Department of Agriculture and Food](#).

¹⁸ DAFWA. Undated. Declared Plants. <https://www.agric.wa.gov.au/pests-weeds-diseases/weeds/declared-plants> Last accessed 10 December 2015

8.0 Local Government's Current Options

A number of Local Governments wish to manage pest plants and animals within their boundaries. For these Local Governments, there are three statutory options currently available. These are:

- Pass a local law under the Local Government Act to mandate landowner control/management actions (for non-declared species only);
- Use a specified area rate under the Local Government Act; or
- Support/participate in a Recognised Biosecurity Group (for declared species only).

8.1 Pass a Local Law

Under section 193 of the *Local Government Act 1995*, Local Governments can pass a local law to control pest plants. Note that these local laws can only be applied to non-declared species, and only to plants.

For example, narrow leaved cottonbush (*Gomphocarpus fruticosus*) is a category 3 declared pest in the Shire of Serpentine-Jarrahdale, meaning the Shire cannot pass a local law to manage the control of this species within its boundaries. However, the neighbouring City of Armadale controls cottonbush under its Environment, Animals and Nuisance Local Law (2002)¹⁹, as the plant has no declaration status within council boundaries.²⁰

The species declaration review, discussed in [section 7.8](#) above, may lead to an increased number of plant species eligible for control under a local law. However, note that the declared status can be removed for one Local Government boundary at any stage.

Once a Local Government has prescribed pest plant control under a local law, landholders (landowners/occupiers) within the district are required to control the species on their land, in accordance with instructions specified by the Local Government.

Where a landholder does not comply with a notice served by the Local Government, the Local Government may destroy, eradicate or otherwise control pest plants at the expense of the owner or occupier, and recover the costs associated with the control work from that landholder.

A template pest plant local law is available for [download here](#).

¹⁹ Local Government Act 1995 City of Armadale Environment, Animals and Nuisance Local Laws 2002. [http://www.armadale.wa.gov.au/sites/default/files/assets/documents/publications/Consolidated Environment Animals and Nuisance Local Laws to 3 July 2012.pdf](http://www.armadale.wa.gov.au/sites/default/files/assets/documents/publications/Consolidated%20Environment%20Animals%20and%20Nuisance%20Local%20Laws%20to%203%20July%202012.pdf). Last Accessed 14 January 2016

²⁰ Department of Agriculture and Food WA. No date. *Gomphocarpus fruticosus* (L.) www.agric.wa.gov.au/organisms/124015?search_string=Gomphocarpus%20fruticosus&per-page=20&sort-by=taxon&order-by=asc. Last Accessed 12 January 2016.

Discussion Questions

- Do you require additional information/ support/ tools regarding pest plant local laws? If yes, please provide details to help WALGA address these gaps.

8.2 Use a Specified Area Rate

Under section 6.37 of the *Local Government Act 1995*, a Local Government can “*impose a specified area rate on rateable land within a portion of its district for the purpose of meeting the cost of the provision by it of a specific work, service or facility if the local government considers that the rate payers or residents within that area –*

- (a) *have benefited or will benefit from; or*
- (b) *have access to or will have access to; or*
- (c) *have contributed or will contribute to the need for, that work, service or facility.”*

Following a referendum in 2011, the Shire of Esperance decided to use a specified area rate to increase its contribution to the State Barrier Fence - Esperance extension. However, this initiative was halted in December 2015, after the Minister of Agriculture confirmed that the Shire’s contribution through the specified area rate would not be required if a RBG is formed in that area. Notwithstanding, this mechanism is an option for Local Governments to consider to fund biosecurity activities.

Discussion Questions

- Do you require additional information/ support/ tools regarding a specified area rate? If yes, please provide details to help WALGA address these gaps.

8.3 Recognised Biosecurity Groups

The other option available to Local Governments wishing to manage pest plants or animals within their jurisdiction, is to join or form a Recognised Biosecurity Group. Under the BAM Act, groups that control **declared** pest plants and animals can receive formal recognition as a Recognised Biosecurity Group (RBG). RBGs enable community and industry to partner with others, including Local and State government agencies, and provides the basis for shared responsibility and funding in controlling declared pests.

Case Study – Bridgetown Greenbushes Biosecurity Group

The Bridgetown-Greenbushes Biosecurity Group (BGBG) operates under the *Biosecurity and Agriculture Management Act 2007*. The BGBG aims to prevent, eradicate, contain and minimise the economic, environmental and social impacts of declared pests in the Shire of Bridgetown/Greenbushes.

A 12 month operation plan was developed to identify biosecurity actions and responsibilities, with the guiding principle that biosecurity is a shared responsibility. BGBG aims to achieve the following within the next 12 months:

- identify and prioritise areas with target declared pests;
- secure contribution and/ or support from all major industry stakeholders and local or state; agencies managing public lands in this area;
- inform the community about managing declared pests;
- initiate on ground activities; and
- work in partnership with BBG to control Blackberry in the Greenbushes area.

Read more about BGBG at:

<http://www.bridgetowngreenbushesbiosecuri.epage.at/#sthash.9FUSYeVp.dpuf>

8.3.1 How is a RBG formed?

An RBG is recognised by the Minister for Agriculture and Food under section 169 of the BAM Act. For this statutory recognition to be awarded, a prospective RBG must submit an Expression of Interest to the Minister, addressing the following points:

- undertake activities consistent with the BAM Act;
- operate at a scale that effectively controls declared pests across landscapes;
- have the capacity to manage any public funds it receives; and
- have legitimate authority within its community to decide how to use these funds.

A RBG is required to have appropriate governance structures in place and DAFWA encourages RBGs to become an incorporated association and conduct its affairs according to a Constitution. DAFWA has developed a [RBG Toolkit](#) to facilitate good governance structures and practices.

8.3.2 How are RBG boundaries set?

For established declared weeds and declared pest animals, DAFWA prefers that a RBG represents a large area and be amenable to managing a range of identified priority pests. RBGs that cross multiple shire boundaries and control a diverse range of pest species are recommended.

8.3.3 What role does an RBG have?

Landholders are responsible for controlling declared pests on their land. RBGs add value to the role of landholders, but do not replace landowner role or responsibility. RBGs have no statutory powers. Through partnership arrangements with DAFWA, they can assist with encouraging voluntary compliance with the BAM Act.

8.3.4 What are RBGs responsible for?

RBGs can have as many responsibilities as they decide, but these must be detailed in their constitutions or governance structures and arrangements.

Funds from the State Government's Declared Pest Account can be used for activities such as:

- surveying and reporting new and emerging declared pests, and assisting with landholder education and voluntary compliance if necessary;
- carrying out operations or engaging contractors to manage declared pests;
- promoting best practice pest management to landholders in their area, and developing and working with networks that encourage community involvement in biosecurity;
- preparing annual work programs, including operational and budget planning;
- conducting preliminary consultation prior to the determination of rates to fund declared pest control; and
- managing the RBG's affairs including paid support, such as executive officers.

8.3.5 Where do RBGs get their funding from?

To access funding under the BAM Act, RBGs must provide DAFWA's Director General with a Declared Pest Action Plan. In this plan, the RBG will outline a proposed budget for its declared pest control operations for the next financial year. The Minister will determine the Declared Pest Rate (DPR) imposed on landowners within the area of the Declared Pest Action Plan boundaries, based on this information. The area will need to be prescribed by

regulations as an area in which rates can be determined. Rates collected in the area are paid into the declared pest account and may be transferred to the RBG to be used for declared pest control in that area.

DPRs are matched dollar-for-dollar by the State Government, but this funding can only be used for declared species control under an approved Declared Pest Action Plan. To obtain an approved Declared Pest Action Plan, an RBG is required to reach agreement with DAFWA on the following:

- a strategic plan outlining priorities for controlling declared pests in areas where rates are collected;
- an annual budget and Declared Pest Action Plan detailing control measures to be undertaken in areas where rates are collected;
- disbursement of funds from the Declared Pest Action Plan in accordance with agreed milestones and availability of funds, as well as the RBGs agreement under s170 of the Act; and
- reporting on performance and financial expenditure as detailed in correspondence annually from the Director General.

RBGs are free to seek and obtain funds or other resources, and Local Government may contribute funds to an RBG. However, Local Government funds will not be matched by the State Government. Only a DPR is eligible for matching funding under the BAM Act.

The intent is for government to provide public funding to match private funding. Local Government funding is likely to be considered as public funding and therefore ineligible for matched public funding. More information about RBGs is available on the [DAFWA website](#).

Discussion Questions

- Do you require additional information/ support/ tools regarding RBGs? If yes, please provide details to help WALGA address these gaps.

9.0 Local Government's Key Concerns

Local Government has been expressing concerns with biosecurity management for a number of years. At a granular scale, these concerns are geographically diverse and species specific, such as:

- Introduced corella and rainbow lorikeets across the Perth metropolitan and northern agricultural areas;
- Wild dogs in grazing areas within the Rangelands and the broad acre interface;
- Cotton bush in the South West;
- Cleavers in the South West; or
- Caltrop in the northern suburbs of Perth.

However, several key themes appear to underlay all Local Government biosecurity concerns. Clear articulation of these issues will help WALGA to identify and implement strategic and proactive solutions.

To WALGA, the underlying key themes appear to be:

- No obvious strategic approach;
- Limited communication and consultation between state and Local Government;
- Perceptions of cost shifting; and
- Lack of legislation enforcement.

Discussion Questions

Please provide your answers to these questions in the feedback template provided.

- Do you agree with the suggested key themes underlying local government biosecurity issues?
- Are there any additional concerns that should be added to this list?
- Do you have any suggestions that could help WALGA address these concerns? If so, please elaborate.

10.0 What are Local Government's Options?

This section outlines possible options that could help address Local Government concerns with biosecurity management. Some of the options listed here may be contentious and/or undesirable to portions of the sector. However, in order to build a complete picture of what the sector needs, WALGA has included a wide range of options in this discussion document. Additional options, not already explored in this discussion document, are welcomed.

Local Governments are invited to respond to these options by completing the Strengths, Weakness, Opportunities, Threats (SWOT) tables, available in the downloadable [feedback form](#), and in [Appendix A](#).

10.1 Option A: Continue with the status quo

Description: This option follows the status quo, that is, Local Government would continue to manage biosecurity issues by participating in options already available to them. I.e. by participating in an RBG, through a specified area rate, passing and enforcing local laws, or a combination of all three options. See [section 8.0](#) of this document for more information about each of these existing options.

Discussion Questions

Please provide your answers to these questions in the feedback template provided.

- What are the strengths, weaknesses, opportunities and threats of continuing along the status quo?
- Would you require any additional information/ tools/ support to fully engage in this option? If so, what would you need?
- In principle, would you support this option?

10.2 Option B: Delist species and pass local laws to manage pest plants

Description: Under this option, DAFWA would delist a range of declared pest species, so Local Government could pass local laws to manage species control. This would take the responsibility for enforcement away from the State Government and pass it over to Local Government.

Some Local Governments are likely to view this option as a cost shift to the sector, while other Local Governments could welcome the opportunity to act on problematic species.

This option would mean that pest control is undertaken through the *Local Government Act 1995* instead of the *Biosecurity and Agricultural Management Act 2007*. Local laws can only be passed for plant species, i.e. animal control cannot be managed under this framework.

Discussion Questions

Please provide your answers to these questions in the feedback template provided.

- What are the strengths, weaknesses, opportunities and threats of this option?
- What information/ tools/ support would you need to engage in this option?
- In principle, would you support this option?

10.3 Option C: DAFWA to delegate authority to Local Governments

Description: Under this option, biosecurity management (in particular compliance activities) would be delegated to volunteering Local Governments instead of DAFWA. I.e. Local Governments would gain powers to enforce the BAM legislation.

This type of delegated authority is currently practiced to address other issues, for example under the *Litter Act 1979* Local Government can issue infringement notices, prosecute offenders, and keep revenue generated from the fines.

Amendments to the BAM Act and Regulations would be required to delegate this type of authority to Local Government.

NB: Any species delisted through DAFWA's declaration review, can no longer be managed under the BAM Act.

Discussion Questions

Please provide your answers to these questions in the feedback template provided.

- What are the strengths, weaknesses, opportunities and threats of this option?
- What information/ tools/ support would you need to engage in this option?
- In principle, would you support this option?

10.4 Option D: Other...

This option has deliberately been left blank as an opportunity for Local Governments to provide their thoughts and ideas about other possible management options. Are there any alternative management options that would be beneficial to your Local Government?

Discussion Questions

Please provide your answers to these questions in the feedback template provided.

- Describe the option and outlines its strengths, weaknesses, opportunities and threats.
- What information/ tools/ support would you need to engage in this option?
- In principle, do you support this option?

10.5 Improved Communication

Would you like greater communication and collaboration between Local and State Government? One option could be for WALGA to form a 'biosecurity network' for Local Government, with periodic meetings/forums. Participating Local Governments could listen to and provide presentations, share information with other Local Governments, and liaise with DAFWA staff.

Discussion Questions

- Would you like greater communication/ collaboration between State and Local Government? Please explain your answer
- Would a 'biosecurity network' be of value to you? If yes:
 - What level of Local Government should it be directed at, Elected members, officers, other?
 - What should be delivered in meetings? E.g. – presentations, round table with colleagues etc.
 - What frequency would be most value? I.e. quarterly, six monthly, annually etc.
- Can you suggest other ways to facilitate communication and collaboration between state and local government?

11.0 Conclusion

Post border biosecurity management is a threat to the social, environmental and economic capital of Western Australia. Local Government are the closest tier of government to the community, and are a key player in addressing biosecurity issues. Clear communication and a positive working relationship between State and Local Government will help ensure a win-win outcome for this biologically diverse and agriculturally important state.

This discussion paper has outlined a number possible management options and is seeking Local Government feedback. The information collected from Local Government responses to this paper will be analysed and used to inform policy positions, develop future advocacy, and address information/capability gaps. In particular, WALGA will be examining:

- Whether the sector would like to explore possible new ways to address biosecurity issues;
- Additional tools, resources or support required within the sector; and
- Ways to work effectively and productively with the State Government to achieve better outcomes for our current and future generations.

As outlined in section 194 of the BAM Act, the State Government will be reviewing biosecurity legislation in 2017/18. WALGA will use this BAM Act review to advocate for any legislative changes highlighted during this consultation process. Identifying new ways forward and working through these with the State Government now, is likely to deliver a better outcome for all stakeholders when the review is initiated.

Thank you for taking the time to review this document. WALGA welcomes your ideas and suggestions, and invites you submit a feedback form. More information about providing a submission is available in [Appendix A](#), and in the [downloadable feedback template](#).

12.0 Terminology

Post border biosecurity	<p>Protection from the adverse effect a plant or vertebrate animal has or may have on —</p> <ul style="list-style-type: none"> (a) another organism; or (b) a human being; or (c) the environment, or part of the environment; or (d) agricultural activities, fishing or pearling activities, or related commercial activities carried on, or intended to be carried on, in the State or part of the State. <p>In this discussion paper, biosecurity is used to define plants and vertebrate animals already established within WA.</p> <p>Biosecurity actions to prevent incursions, such as quarantine and border patrol are excluded from this definition.</p> <p>Invertebrate animals, and diseases of plants and animals are excluded from the definition within this discussion document.</p>
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BAM Act	<i>Biosecurity and Agriculture Management Act 2007</i>
BAM Regulations	<i>Biosecurity and Agriculture Management Regulations 2013</i>
DAFWA	Western Australian Department of Agriculture and Food
DPR	Declared Pest Rate
LG Act	<i>Local Government Act 1995</i>
RBG	Recognised Biosecurity Group
State IS Plan	DAFWA's <i>Invasive Species Plan for Western Australia 2015-2019</i>
WALGA	Western Australian Local Government Association

Appendix A: Feedback Form

Please review the discussion document, and then return your completed submission to WALGA's Environment Policy Manager by **Friday, 11 March 2016**.

Email jbeijeman@walga.asn.au
Post Western Australian Local Government Association
170 Railway Parade
West Leederville
WA 6007
Fax (08) 9213 2077

Local Government	
Name	
Position title	

Many thanks for taking the time to share your feedback with WALGA. We appreciate receiving your comments and suggestions.

Auditor General's Findings

- 1.0 In your view, are there any affirmative actions that WALGA, Local Government, DAFWA, or others could take to address the key issues raised in the Auditor General's report? In your response please outline each action, and who you think should deliver it.

Action	Key delivery agent (e.g. WALGA, DAFWA, Local Government etc.)
<i>Add lines as required</i>	

Existing Local Government Options

- 2.0 Do you require any additional information/ support/ tools regarding pest plant local laws? If yes, please provide details to help WALGA address these gaps.
- 3.0 Do you require additional information/ support/ tools regarding a specified area rate? If yes, please provide details to help WALGA address these gaps.
- 4.0 Do you require additional information/ support/ tools regarding RBGs? If yes, please provide details to help WALGA address these gaps.

Underlying causes for biosecurity issues

- 5.0 Do you agree with the suggested key themes underlying Local Government concerns with biosecurity? If not, why?
- 6.0 Are there any additional concerns that should be added to this list?
- 7.0 Do you have any suggestions/ feedback that could help WALGA address these concerns? If so, please elaborate.

Options for Local Government

Option A – continue with status quo

8.0 Please complete the following SWOT table for Option A

Strengths	Weaknesses
Opportunities	Threats

9.0 Do you require any additional information or support to fully engage in this option? If so, what do you need?

10.0 In principle, do you support this option?

Option B – delist species and manage under local laws

11.0 Please complete the following SWOT table for Option B

Strengths	Weaknesses
Opportunities	Threats

12.0 Would you require any additional information or support to fully engage in this option? If so, what would you need?

13.0 In principle, would you support this option?

Option C – Delegate enforcement to Local Government

14.0 Please complete the following SWOT table for Option C

Strengths	Weaknesses
Opportunities	Threats

15.0 Would you require any additional information or support to fully engage in this option? If so, what would you need?

16.0 In principle, would you support this option?

Option D – Other...

17.0 Are there any alternative management options that WALGA should consider?

18.0 For **each** option listed in 17.0 above, please highlight the key strengths, weaknesses, opportunities, and threats. Please copy and paste a new SWOT table for each option.

Strengths	Weaknesses
Opportunities	Threats

19.0 For **each** option listed in 17.0 above, what information/ tools/ support would you need to engage in this option?

20.0 In principle, do you support this/ these option(s)?

Improved Communication

- 21.0 Would you like greater communication/ collaboration between State and Local Government? Please explain your answer.
- 22.0 Would a Local Government 'biosecurity network' be of value to you?
- 23.0 If you answered 'yes' to question 22:
- a. What level of Local Government should it be directed at, Elected Members, officers, other?
 - b. What should be delivered in meetings? E.g. – presentations, round table with colleagues etc.
 - c. What frequency would be most value? I.e. quarterly, six monthly, annually etc.
- 24.0 Can you suggest other ways to facilitate communication and collaboration between state and Local Government?

Other Comments

- 25.0 Do you have any additional comments that you would like to provide to WALGA?

Many thanks for taking the time to provide your feedback