

**SOUTHERN LINK
VOLUNTARY REGIONAL
ORGANISATION OF COUNCILS**

LOCAL LAW REVIEW

**SHIRE OF PLANTAGENET
SHIRE OF KOJONUP
SHIRE OF CRANBROOK
SHIRE OF BROOMEHILL-TAMBELLUP**

SOUTHERN LINK VROC LOCAL LAW REVIEW

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SOUTHERN LINK VROC LOCAL LAW REVIEW

1.0 INTRODUCTION

This report has been prepared to review the existing local laws of the four Southern Link Voluntary Regional Organisation of Councils (VROC).

All Local Governments have the power to prepare Local Laws under the Local Government Act 1995 (the Act), for various purposes prescribed by the Act.

The Act provides the 'head of power' for Local Government functions, as well as specific provisions that detail how Local Laws are to be made (Part 3, Division 2, Subdivision 1 of the *Local Government Act 1995*).

The general local law making provision is described in s. 3.5 of the Act:

A local government may make Local Laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

The specific head of power for making Local Laws under the *Local Government Act 1995* is s. 3.5 and s. 3.10. Consequently, the following Local Laws are made referencing this head of power:

- Extractive Industries
- Parking and Parking Facilities
- Public Places and Property
- Standing Orders/Meeting Procedures
- Thoroughfares
- Urban Environment and Nuisance

Additionally, Local Laws may be made under a head of power provided for in specific Acts, for example:

Bush Fire Control	s33(5a) and s62 of the Bush Fires Act 1954 (Firebreaks) and s14, s43 and s62 of the Bush Fires Act 1954 (Bush Fire Brigades)
Cemeteries	s55 of the Cemeteries Act 1986
Dogs	s26(2), s32(5), s45A, s49 and s51 of the Dog Act 1976
Health	s342 of the Health Act 1911
Pest Plants	s109 to s112 of the Agriculture and Related Resources Protection Act 1976
Waste	s64 of the Waste Avoidance and Resource Recovery Act 2007
Cats	s79 of the Cat Act 2011

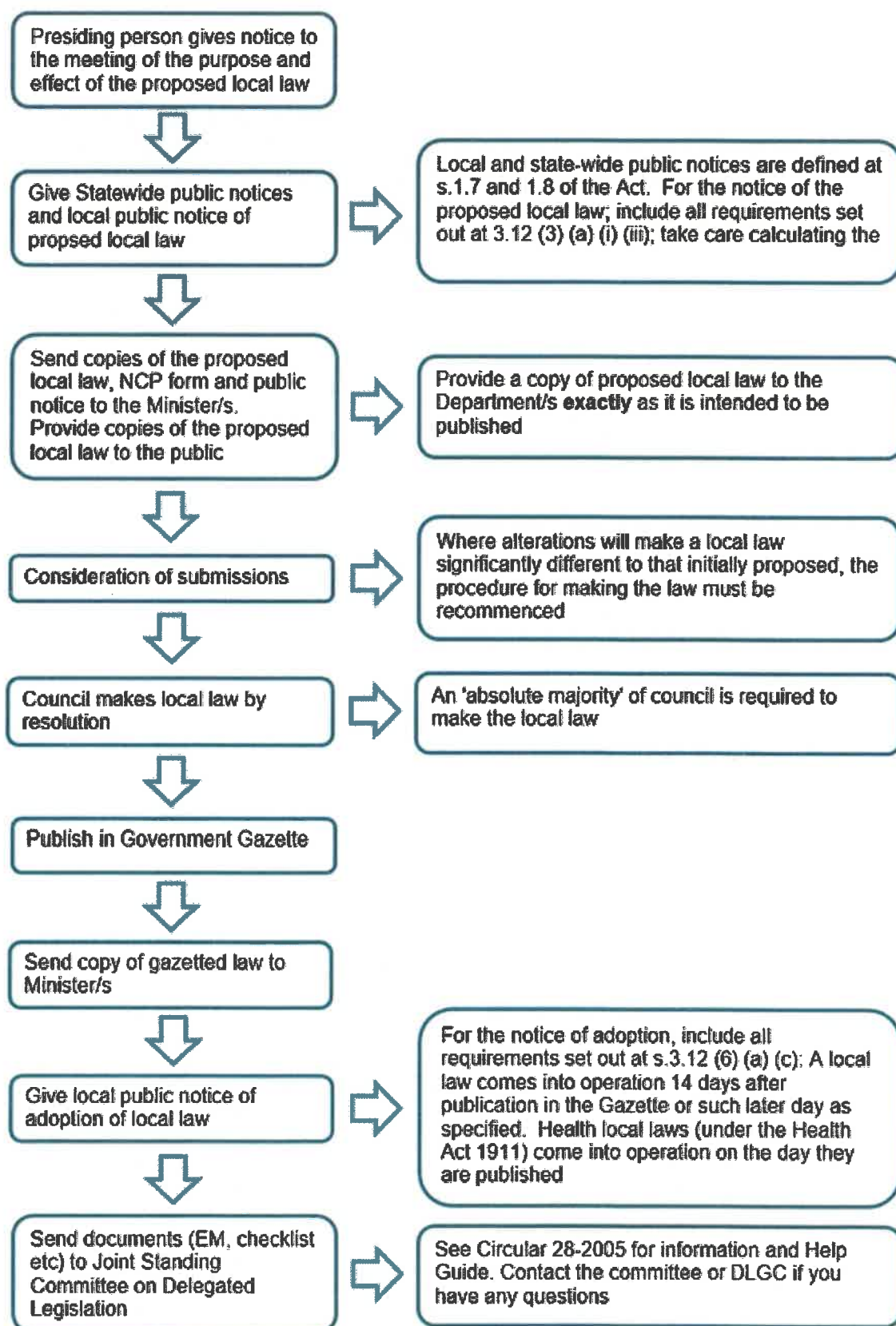
Note that s. 3.5(4) of the Act provides that Regulations may set out matters, purposes or kinds of Local Laws which are **not** to be made, of which Regulation 2A of the *Local Government (Functions and General) Regulations 1996* is the singular example (prohibiting the making of a local law imposing paid parking at Cottesloe Beach).

1.1 PROCESS

Local Laws are required to be reviewed every 8 years. The process for adoption of Local Laws is complex and timely, and they cannot be changed by publishing of a correction in the government gazette. Accordingly it is important to ensure that Local Laws are reviewed and correct prior to finalisation.

The following flowchart shows the adoption process:

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1.2 CURRENT LOCAL LAWS

The four Shires in the VROC have prepared and enacted the following Local Laws:

#	LOCAL LAW	SHIRE			
		Broomehill-Tambellup	Cranbrook	Kojonup	Plantagenet
1	Activities in Thoroughfares and Public Places and Trading	Y	Y	Y	Y
2	Bushfire Brigades		Y		Y
3	Cemeteries	Y	Y	Y	Y
4	Dogs	Y	Y		Y
5	Extractive Industries	Y			Y
6	Health	Y	Y	Y	Y
7	Fencing	Y			
8	Landfill and Transfer Station				Y
9	Local Government Property	Y	Y	Y	Y
10	Parking and Parking Facilities				Y
11	Pest Plants	Y			Y
12	Removal of Refuse and Disused Materials	Y			
13	Standing Orders	Y	Y	Y	Y
14	Waste Services Amendment	Y			
15	Waste Services	Y			
16	Cats				

The Shire of Broomehill-Tambellup also has a Repeal Local Law related to the merger of the Shire's in 2008. This review does not include this Local Law.

This review has consisted of a review of the four VROC Local Government's existing Local Laws against each other, as well as against the model Local Laws provided by the Western Australian Local Government Association (WALGA). The Local Laws of other (regional) Local Governments have also been reviewed to compare the proposed Local Laws.

This allows the Local Laws to be considered in light of industry standards, as well as developed to suit the regional context of the four VROC Local Governments.

The WALGA templates for Local Laws includes:

- Activities on Thoroughfares and Trading Local Law
- Beekeeping Local Law
- Dogs Local Law
- Cemeteries Local Law
- Extractive Industries Local Law
- Meeting Procedures
- Parking
- Pest Plants
- Local Government Property
- Public Places and Local Government Local Law
- Urban Environment and Nuisance Local Law
- Waste Local Law

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WALGA has several Local Law templates that none of the VROC member Local Governments have adopted, such as a Beekeeping Local Law and an Urban Environment and Nuisance Local Law.

None of the four VROC members appear to have a Cats Local Law prepared under the new Cat Act 2011, and while WALGA does not have a template Cats Local Law, some Local Governments have developed a Local Law to provide for some control of cats.

The current Local Laws of each Council in the VROC are reviewed in the following report in the order stated above in section 2 of this report.

2.0 LOCAL LAW REVIEW

2.1 ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING LOCAL LAW

This Local Law provides a framework for the approval of use within thoroughfares and public places, such as streets and parkland. They also provide for the control of trading within these areas.

2.1.1 CURRENT 'ACTIVITIES' LOCAL LAWS

All four Southern Link VROC Local Governments currently have a version of the Activities in Thoroughfares and Public Places and Trading Local Law ('Activities' Local Law):

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Activities in Thoroughfares and Public Places and Trading	2008
Cranbrook	Activities in Thoroughfares and Public Places and Trading	2001
Kojonup	Activities in Thoroughfares and Trading in Thoroughfares and Public Places	2000
Plantagenet	Activities in Thoroughfares and Public Places and Trading	2008

These Local Laws all address issues such as verge treatments, crossovers, public works, street numbering, portable signs, abandoned shopping trolleys, vehicles and animals, as well as traders and dining in road reserves. The Local Laws provide for permits for uses carried out in thoroughfares as well as enforcement.

These local Laws are relatively consistent between all VROC Local Governments, including references to sign heights, areas and sizes; distances from roads etcetera, except where specific clauses are included as outlined below.

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup's Activities Local Law was adopted in 2008. These Local Laws are based on the WALGA 'Activities' Local Law template.

This Local Law contains a provision related to the parking of vehicles near the Tambellup War Memorial.

SHIRE OF CRANBROOK

The Shire of Cranbrook's current Activities Local Law is similarly based on the template, with the following variations:

All sections related to Shopping Trolleys have been removed.

SHIRE OF KOJONUP

The Shire of Kojonup's current Activities Local Law was gazetted in 2000. While the title of this Local Law is different to the other VROC members equivalent Local Laws, the content is exactly the same, with the exception of local variations that other VROC members have included.

The Kojonup Local Law includes 12 Forms for permits, where none of the other VROC members have forms included in the Local Laws.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's current 'Activities' Local Law was adopted in 2008, with amendments being made in 2010. This Local Law is based on the standard template. This Local Law is based on the WALGA 'Activities' Local Law template.

The Shire of Plantagenet Activities Local Law includes a variation under Clause 4.2 that provides an exemption for some horse trails Reserves.

2.1.2 NEW 'ACTIVITIES' LOCAL LAW

In 2016 a model local law released by WALGA, revising the old Activities in Thoroughfares and Public Places Local Law. Most recently gazetted Meeting Procedures Local Laws follow this model Local Law with minor changes dependant on the Local Government, including the Shire's of Esperance, Quairading, Harvey, Chapman Valley, Moora,

The new Local Law contains 10 Parts that provide for activities and development within thoroughfares. Major changes made by other Local Governments include:

- A schedule of permitted verge treatments
- Minor changes of some clauses

2.1.3 RECOMMENDED 'ACTIVITIES' LOCAL LAW

It is recommended that the standard WALGA template for the Activities in Thoroughfares and Public Places and Trading Local Law be adopted, for the following reasons:

- Transparency of regulation
- Consistency of regulation across the participating VROC members
- Consistency of enforcement across the participating VROC members
- Consistent compliance, especially because shared resources are becoming more common

The following changes from the standard WALGA Activities Local Law are recommended:

- No permit required for temporary verge crossings, as this would create an unnecessary layer of approvals
- Addition of a second schedule listing acceptable verge treatments
- Removal of clause/s related to Street Entertainers
- Inclusion of clauses in Part 4 for the removal and/or impounding of vehicles and animals

Consideration could also be given for the removal of the following provisions:

- Removal of clause related to selling of newspapers, as this is increasingly irrelevant

Local Governments with a high demand for outdoor trading and outdoor dining could consider a separate Outdoor Trading Local Law, as the Shire of Broome has done.

2.2 BUSHFIRE BRIGADES LOCAL LAW

This Local Law provides a framework for the management and administration of bushfire brigades. This Local Law also typically includes a set of rules for the governance of Bushfire Brigades. Recently adopted Local Laws in the Shires of Gnowangerup, Harvey and Wyndham - East Kimberley all follow the model Local Law, and all include the model rules.

2.2.1 CURRENT BUSHFIRE BRIGADES LOCAL LAWS

Only two of the VROC Local Governments currently have a Bushfire Brigades Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Cranbrook	Bushfire Brigades	2001
Plantagenet	Bushfire Brigades	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup administers Bushfire Brigades through policy and Standard Operating Procedures.

SHIRE OF CRANBROOK

The Shire of Cranbrook's current Bushfire Brigade was gazetted in 2001, and follows the standard Bush Fire Brigades Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup's administers Bushfire Brigades through policy and Standard Operating Procedures.

SHIRE OF PLANTAGENT

The Shire of Plantagenet's current Bushfire Brigades Local Law was gazetted in 2008, and follow the standard Bushfire Brigades Local Law.

2.2.2 NEW BUSHFIRE BRIGADES LOCAL LAW

The Local Law prepared by WALGA includes additional documentation to assist in the administration of Bushfire Brigades, such as membership forms and voting slips for election of positions.

The WALGA Bushfire Brigades Local Law also includes a model for the rules that govern Bush Fire Brigades.

2.2.3 RECOMMENDED BUSHFIRE BRIGADES LOCAL LAW

It is recommended that the standard WALGA template for the Bushfire Brigades Local Law be adopted by the Local Governments that currently have Bushfire Brigade Local Laws. The Shire's of Kojonup and Broomehill Tambellup should review the need for these Local Laws.

Consideration should be given to the following:

- Whether items such as membership forms should be included, as these may change over time.

2.3 CEMETARIES LOCAL LAW

This Local Law provides a framework for the management and administration of cemeteries, including processes for burials, funerals, memorials and also includes permits and offences. The cemeteries Local Law has a clause that relates the Local Law to specific cemeteries within each Local Government.

2.3.1 CURRENT CEMETERIES LOCAL LAWS

All four VROC Local Governments have a Cemeteries Local Law, adopted at various times.

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Cemeteries	2008
Cranbrook	Cemeteries	2001
Kojonup	Cemeteries	2000
Plantagenet	Cemeteries	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup cemeteries Local Law was enacted in 2008. This Local Law generally follows the standard WALGA model Local Law. This Local Law relates to the Broomehill, Pindellup and Tambellup cemeteries.

SHIRE OF CRANBROOK

The Shire of Cranbrook's current Cemeteries Local Law was gazetted in 2001, and similarly follows the standard Cemeteries Local Law. This Local Law relates to the Cranbrook, Frankland, Tenterden and Yeriminup cemeteries. Several sections of the standard Local Law have been deleted as they do not apply:

- Sections 5.7 to 5.11 relating to cremation deleted
- Sections 5.13 and 5.14 relating to placement of ashes deleted
- Sections 7.14 and 7.14 related to Lawn section deleted
- Section 7.15 relating to Memorial Plaques deleted

SHIRE OF KOJONUP

The Shire of Kojonup's Cemeteries Local Law was gazetted in May 2000. This Local Law relates to the Shire of Kojonup.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's current Cemeteries Local Law was gazetted in 2008, with amendments made in 2010 and 2011. This Local relates to the Mount Barker, Kendenup and Rocky Gully cemeteries. This Local Law also includes a 'Cemetery Monumental and Memorial Guidelines'.

2.3.2 WALGA CEMETERIES LOCAL LAW

WALGA has developed a template for Cemeteries Local Laws. The Local Law prepared by WALGA has not significantly changed.

2.3.3 RECOMMENDED CEMETERIES LOCAL LAW

It is recommended that the standard WALGA template for the Cemeteries Local Law be adopted by the Local Governments with the following changes:

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- Inclusion of specific cemeteries where applicable.
- Removal of section relating to cremation in Local Governments where no crematorium exists.

2.4 DOGS LOCAL LAW

This Local Law augments the Dog Act 1976 and provides a framework for the management and administration of Local Government pounds as well as commercial kennels and also provides for prohibition of dogs from specific sites within a Local Government.

2.4.1 CURRENT DOGS LOCAL LAWS

Three of the Local Governments in the VROC have a Dogs Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Dogs	2008
Cranbrook	Dogs	2001
Plantagenet	Dogs	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Dogs Local Law was adopted in 2008.

SHIRE OF CRANBROOK

The Shire of Cranbrook's current Dogs Local Law was adopted in 2006.

SHIRE OF KOJONUP

The Shire of Kojonup's does not have a Dogs Local Law.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's current Dogs Local Law was adopted in 2008.

2.4.2 WALGA DOGS LOCAL LAW

The Local Law prepared by WALGA has not changed. Changes to the Dog Act allow for dog exercise areas to be adopted by Council's so this is no longer required to be included in the Dogs Local Law.

2.4.3 RECOMMENDED DOGS LOCAL LAWS

It is recommended that the standard WALGA template for the Dog Act continue to be utilised, with a review to ensure consistency with new Dog Act provisions.

The Shire of Kojonup should review the need for these Local Laws to allow for prohibition of dogs from specific areas.

2.5 EXTRACTIVE INDUSTRIES LOCAL LAW

This Local Law augments the Planning and Development Act and Local Government Town Planning Schemes. The Extractive Industries provides for the licencing of extractive industries. This allows for specific controls on extractive industries that are more detailed than the broad controls of Planning Schemes.

2.5.1 CURRENT EXTRACTIVE INDUSTRIES LOCAL LAWS

Two Local Governments in the VROC have an Extractive Industries Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Extractive Industries	2008
Plantagenet	Extractive Industries	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Extractive Industries Local Law was adopted in 2008.

SHIRE OF CRANBROOK

The Shire of Cranbrook's does not have an Extractive Industries Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup's does not have an Extractive Industries Local Law.

SHIRE OF PLANTAGENT

The Shire of Plantagenet's current Extractive Industries Local Law was adopted in 2008.

2.5.2 WALGA EXTRACTIVE INDUSTRIES LOCAL LAW

WALGA has prepared an Extractive Industries Local Law template. All current Extractive Industries Local Laws conform to the template.

2.5.3 RECOMMENDED DOGS LOCAL LAWS

It is recommended that the standard WALGA template for Extractive Industries continue to be utilised. The Shire's of Kojonup and Cranbrook should review the need for these Local Laws.

2.6 HEALTH LOCAL LAW

This Local Law augments the Health Act, providing powers for Local Government to address local health issues.

2.6.1 CURRENT HEALTH LOCAL LAWS

All Local Governments in the VROC have a Health Local Law. All appear to be the same, and other Local Government Health Local Laws are based on the Department of Health's 1996 Health Bylaws model:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Health	2008
Cranbrook	Health	1997
Kojonup	Health	2000
Plantagenet	Health	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Health Local Law was adopted in 2008. The Health Local Law follows the standard template for Health Local Laws.

SHIRE OF CRANBROOK

The Shire of Cranbrook's Health Local Law dates back to 1997. The Health Local Law follows the standard template for Health Local Laws.

SHIRE OF KOJONUP

The Shire of Kojonup's Health Local Law was adopted in 2000. The Health Local Law follows the standard template for Health Local Laws.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's Health Local Law was adopted in 2008. The Health Local Law follows the standard template for Health Local Laws.

2.6.2 WALGA HEALTH LOCAL LAW

WALGA has not prepared a Health Local Law template. Advice from WALGA indicates that Local Governments maintain existing Health Local Laws until such time as the implementation of the new Public Health Act is finalised. The outcome of the review of the current Health Regulations will determine whether Council's need to make Health Local Laws in the future.

2.6.3 RECOMMENDED HEALTH LOCAL LAWS

It is recommended that the current Health Local Laws continue to be utilised with no changes until Health Regulations are adopted and the VROC Local Governments develop a Local Health Plan. Local Health Plans could be developed concurrently.

2.7 FENCING LOCAL LAW

This Local Law provides for specifications for fencing to ensure that fencing meets minimum standards and reduces conflict between neighbours.

2.7.1 CURRENT FENCING LOCAL LAWS

Only the Shire of Broomehill-Tambellup has a fencing Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Fencing	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Fencing Local Law was adopted in 2008.

SHIRE OF CRANBROOK

The Shire of Cranbrook does not have a Fencing Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup does not have a Fencing Local Law..

SHIRE OF PLANTAGENET

The Shire of Plantagenet does not have a Fencing Local Law.

2.7.2 WALGA FENCING LOCAL LAW

WALGA has prepared a template Fencing Local Law, and the Broomehill-Tambellup Fencing Local Law follows this template.

2.7.3 RECOMMENDED FENCING LOCAL LAWS

It is recommended that the other three members of the VROC determine whether a Fencing Local Law is required, and if so, adopt the standard Local Government Fencing Local Laws as adopted by other Local Governments.

2.8 LANDFILL AND TRANSFER STATION LOCAL LAW

This Local Law provides basic management provisions for the operation of a Landfill site.

2.8.1 CURRENT LANDFILL AND TRANSFER LOCAL LAWS

The Shire of Plantagenet is the only Local Government within the VROC that has a Landfill and Transfer Station Local Law.

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Plantagenet	Landfill and Transfer Station	2004

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup does not have a Landfill and Transfer Station Local Law.

SHIRE OF CRANBROOK

The Shire of Cranbrook does not have a Landfill and Transfer Station Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup does not have a Landfill and Transfer Station Local Law.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's Landfill and Transfer Station Local Law was adopted in 2004.

2.8.2 WALGA LANDFILL AND TRANSFER STATION LOCAL LAW

WALGA has not prepared a Landfill and Transfer Station Local Law template.

2.8.3 RECOMMENDED LANDFILL AND TRANSFER STATION LOCAL LAWS

It is recommended that the three Southern Link VROC members that do not have a Landfill and Transfer Station Local Law review the need for this Local Law.

2.9 LOCAL GOVERNMENT PROPERTY LOCAL LAW

This Local Law deals with the use of Local Government property, and addresses the permitted uses, fees for use and terms of the use of land owned or managed by Local Governments.

2.9.1 CURRENT LOCAL GOVERNMENT PROPERTY LOCAL LAWS

All Local Governments in the VROC have a Local Government Property Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Health	2008
Cranbrook	Health	2001
Kojonup	Health	2000
Plantagenet	Health	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Local Government Property Local Law was adopted in 2008.

SHIRE OF CRANBROOK

The Shire of Cranbrook's Local Government Property Local Law dates back to 2001.

SHIRE OF KOJONUP

The Shire of Kojonup's Local Government Property Local Law was adopted in 2000.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's Local Government Property Local Law was adopted in 2008. A new Local Government Property Local Law has been developed by the Shire of Plantagenet, though this has yet to be adopted.

2.9.2 WALGA LOCAL GOVERNMENT PROPERTY LOCAL LAW

WALGA has prepared a Local Government Property Local Law template, and the VROC Local Governments current Local Laws are based on this.

2.9.3 RECOMMENDED LOCAL GOVERNMENT PROPERTY LOCAL LAWS

It is recommended that the current Local Government Property Local Laws are retained. Shires that have older Local Laws should review to determine whether revision is required.

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2.10 PARKING AND PARKING FACILITIES LOCAL LAW

This Local Law provides for the control and management of parking and parking facilities within a Local Government.

2.10.1 CURRENT PARKING AND PARKING FACILITIES LOCAL LAWS

The Shire of Plantagenet is the only Local Government in the Southern Link VROC that has developed a Parking and Parking Facilities Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Plantagenet	Parking and Parking Facilities	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup does not have a Parking and Parking Facilities Local Law.

SHIRE OF CRANBROOK

The Shire of Cranbrook does not have a Parking and Parking Facilities Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup does not have a Parking and Parking Facilities Local Law.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's Parking and Parking Facilities Local Law was adopted in 2008.

2.10.2 WALGA PARKING AND PARKING FACILITIES LOCAL LAW

WALGA has prepared a Parking and Parking Facilities Local Law that was most recently revised in 2014.

2.10.3 RECOMMENDED PARKING AND PARKING FACILITIES LOCAL LAWS

It is recommended that the current Health Local Laws continue to be utilised with no changes.

2.11 PEST PLANTS LOCAL LAW

This Local Law provides powers for the identification and treatment of plants considered to be pests.

2.11.1 CURRENT PEST PLANTS LOCAL LAW

The Shire's of Broomehill-Tambellup and Plantagenet both have adopted Pest Plants Local Laws:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill Tambellup	Pest Plants	2008
Plantagenet	Pest Plants	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup's Pest Plants Local Law was adopted in 2008

SHIRE OF CRANBROOK

The Shire of Cranbrook does not have a Pest Plants Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup does not have a Pest Plants Local Law.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's Pest Plants Local Law was adopted in 2008.

2.11.2 WALGA PEST PLANTS LOCAL LAW

WALGA has not prepared a Pest Plants Local Law, though local laws have been developed and adopted by various Local Governments on a similar template.

2.11.3 RECOMMENDED PEST PLANTS LOCAL LAWS

It is recommended that no changes are made unless the Shire's of Cranbrook and Kojonup determine a need for Pest Plants Local Laws, or the Shires that have adopted them determine that these Local Laws are no longer warranted.

The need for Pest Plant Local Laws should be reviewed, as it is questioned whether the responsibility for weed species should lie with Local Government.

There is a significant push to implement 'Regional Biosecurity Groups'. These are community groups these can be targeted to specific weed species. If established, these groups may negate the need for Pest Plants Local Laws, or conversely rely on them for enforcement.

A review of these Local Laws is required.

2.12 REMOVAL OF REFUSE AND DISUSED MATERIAL LOCAL LAW

This Local Law provides powers for the addressing untidy properties with a Local Government Area.

2.12.1 CURRENT REMOVAL OF REFUSE AND DISUSED MATERIAL LOCAL LAWS

The Shire of Broomehill-Tambellup is the only Local Government in the Southern Link VROC that has developed a Removal of Refuse and Disused Material Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Removal of Refuse and Disused Material	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Removal of Refuse and Disused Material Local Law was adopted in 2008

SHIRE OF CRANBROOK

The Shire of Cranbrook does not have a Removal of Refuse and Disused Material Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup does not have a Removal of Refuse and Disused Material Local Law.

SHIRE OF PLANTAGENET

The Shire of Plantagenet does not have a Removal of Refuse and Disused Material Local Law.

2.12.2 WALGA REMOVAL OF REFUSE AND DISUSED MATERIAL LOCAL LAWS

WALGA has prepared an Urban Environment and Nuisance Local Law that replaces the Removal of Refuse and Disused Material Local Law.

2.12.3 RECOMMENDED REMOVAL OF REFUSE AND DISUSED MATERIAL LOCAL LAWS

It is recommended that the current WALGA Urban Environment and Nuisance Local Law replace the Shire of Broomehill-Tambellup's Local Law, and that the other VROC members adopt a Nuisance Local Law based on the WALGA model Local Law.

2.13 STANDING ORDERS LOCAL LAW - REVIEW

Standing Orders are Local Laws that provide for the order of Council during Council Meetings. These Local Laws provide for the orderly conduct of meetings and committees, from calling and convening to membership, voting to agenda format.

2.13.1 CURRENT STANDING ORDERS LOCAL LAWS

All four Southern Link VROC Local Governments currently have a 'Standing Orders' Local Law to guide meeting processes and procedures.

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill Tambellup	Standing Orders	2008
Cranbrook	Standing Orders	1998
Kojonup	Standing Orders	1997
Plantagenet	Standing Orders	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup's Standing Orders Local Law was adopted in 2008. This local law contains 19 Parts that relate to meeting and agenda procedures. These Local Laws are based on the previous or 'old' Local Law template.

SHIRE OF CRANBROOK

The Shire of Cranbrook's current Standing Orders Local Law was adopted in 1998. There are some minor variations from the old Local Law template. The current Local Law also contains provisions of the Act and margin notes referencing the Act, although these do not form part of the Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup's current Standing Orders Local Law was adopted in August 1997, and varies from 'standard' Standing Orders Local Laws. It contains only 7 parts, with broad guidance about standing orders.

This Local Law includes only the following provisions:

1. Definitions
2. A clause outlining business to be conducted in accordance with the Act, Regulations and other laws
3. A clause outlining that all Council and Committee meetings shall be conducted in accordance with the Local Law
4. A clause outlining that all Council members must indicate with a show of hands to speak.
5. A clause outlining that the president shall determine the order of business, procedure, debate etc.
6. A clause outlining that the president's ruling shall be final on all matters of meeting procedure unless a majority of present Councillors dissent.
7. Revocation of the previous Standing Orders Local Law

While this Local Law could be considered adequate, it is rudimentary and does not provide clear guidance for the conduct of meetings. This is considered important for new

Councillors and members of the community to understand the order and processes of Council meetings.

It is recommended that the preferred more detailed Meeting Procedures Local Law be adopted, notwithstanding this however, new simple Meeting Procedures Local Laws could be adopted if the Shire of Kojonup does not wish to adopt detailed Local Laws for meeting procedures.

SHIRE OF PLANTAGENET

The Shire of Plantagenet's current Standing Orders Local Laws was adopted in 2008, and is essentially the same as the Shire of Broomehill-Tambellup's current Local Law.

2.13.2 WALGA 'MEETING PROCEDURES' LOCAL LAW

In 2014 a model local law was released by WALGA, revising the old Standing Order Local Law template. The Standing Orders Local Laws are now known as 'Meeting Procedures' or 'Council Meetings' Local Law, which better describes the purpose of the Local Law.

Most recently gazetted Meeting Procedures Local Laws follow this model Local Law with only minor changes dependant on the Local Government, e.g. Shire of Wyndham East Kimberley, Shire of Chapman Valley.

The new Local Law contains 19 Parts that provide for meetings procedures.

2.13.3 RECOMMENDED 'MEETING PROCEDURES' LOCAL LAW

It is recommended that the model WALGA Meeting Procedures Local Law be adopted by all four VROC member Councils.

2.14 WASTE SERVICES AMENDEMENT LOCAL LAW

This Local Law is prepared under the Waste and Avoidance and Resource Recovery Act 2007, and provides for amendments to the Shire of Broomehill Tambellup's Waste Services Local Law.

2.14.1 CURRENT WASTE SERVICES AMENDMENT LOCAL LAWS

The Shire of Broomehill-Tambellup is the only Local Government in the Southern Link VROC that has developed a Parking and Parking Facilities Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Broomehill-Tambellup	Waste Services Amendment	2010

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Waste Services Amendment Local Law was adopted does not have a Parking and Parking Facilities Local Law.

SHIRE OF CRANBROOK

The Shire of Cranbrook does not have a Waste Services Amendment Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup does not have a Waste Services Amendment Local Law.

SHIRE OF PLANTAGENET

The Shire of Plantagenet does not have a Waste Services Amendment Local Law.

2.14.2 WALGA PARKING AND PARKING FACILITIES LOCAL LAW

WALGA has not prepared a Waste Services Amendment Local Law, however, a guidance note on Waste Services has been prepared.

2.14.3 RECOMMENDED PARKING AND PARKING FACILITIES LOCAL LAWS

It is recommended that the current Waste Services Amendment Local Law continue to be utilised with no changes. Other VROC members should consider whether an amendment is required.

SOUTHERN LINK VROC LOCAL LAW REVIEW

2.15 WASTE SERVICES LOCAL LAW

This Local Law is prepared under the Waste and Avoidance and Resource Recovery Act 2007, and provides management and operation for the collection of municipal waste.

3.15.1 CURRENT WASTE SERVICES LOCAL LAWS

The Shire of Broomehill-Tambellup is currently the only Local Government in the Southern Link VROC that has developed a Waste Services Local Law:

LOCAL GOVERNMENT	LOCAL LAW	YEAR
Plantagenet	Waste Services	2008

SHIRE OF BROOMEHILL-TAMBELLUP

The Shire of Broomehill-Tambellup Waste Services Local Law was adopted in 2009 .

SHIRE OF CRANBROOK

The Shire of Cranbrook does not have a Waste Services Local Law.

SHIRE OF KOJONUP

The Shire of Kojonup does not have a Waste Services Local Law.

SHIRE OF PLANTAGENET

The Shire of Plantagenet does not have a Waste Services Local Law.

2.15.2 WALGA WASTE SERVICE LOCAL LAW

WALGA has prepared a Waste Services Local Law template, as well as a Waste Services Local Law Guidance Note.

2.15.3 RECOMMENDED WASTE SERVICES LOCAL LAWS

It is recommended that the current Waste Services Law continue to be utilised with no changes. Other VROC members should consider whether they need a Waste Services Local Law.

2.16 CATS LOCAL LAW

This Local Law is prepared under the Cat Act, a relatively new Act gazetted in 2013. Cat Local Laws provide for the control and of cats within a Shire.

2.16.1 CURRENT CATS LOCAL LAWS

None of the Local Governments within the VROC have adopted a Cats Local Law:

2.16.2 STANDARD CATS LOCAL LAW

WALGA has prepared a Cats Local Law Template, and many Local Governments have adopted Cats Local Laws.

2.16.3 RECOMMENDED CATS LOCAL LAW

Without a Cats Local Law Local Governments will be required to rely on only the provisions of the Cat Act. It is recommended that each VROC adopts a Cats Local Law.

3.0 RECOMMENDATIONS

Based on the assessment of each of the Local Laws in section 2, the following table includes the current Local Laws and recommendations on how to proceed with review of all of the Local Laws:

#	LOCAL LAW	SHIRE			
		Broomehill-Tambellup	Cranbrook	Kojonup	Plantagenet
1	Activities in Thoroughfares and Public Places and Trading	Y	Y	Y	Y
	RECOMMENDATION 1:	All Shires adopt new model 'MEETING PROCEDURES' Local Law			
2	Bushfire Brigades	Y	Y	Y	Y
	RECOMMENDATION 2:	All Shires adopt WALGA model Local Law, with changes			
3	Cemeteries	Y	Y	Y	Y
	RECOMMENDATION 3:	Each LG to revise with template and modify for specific Local Government cemeteries			
4	Dogs	Y	Y	Y	Y
	RECOMMENDATION 4:	Retain	Review	Retain	Review Requirement
5	Extractive Industries	Y	Y	Y	Y
	RECOMMENDATION 5:	Retain	Review Requirement	Review Requirement	Retain
6	Health	Y	Y	Y	Y
	RECOMMENDATION 6:	Retain as is until Health Regulations developed by State, then review.			
7	Fencing	Y	Y	Y	Y
	RECOMMENDATION 7:	Retain	Review requirement	Review Requirement	Review Requirement
8	Landfill and Transfer Station	Y	Y	Y	Y
	RECOMMENDATION 8:	Review Requirement	Review Requirement	Review Requirement	Retain
9	Local Government Property	Y	Y	Y	Y
	RECOMMENDATION 9:	Retain	Retain	Retain	Retain
10	Parking and Parking Facilities	Y	Y	Y	Y
	RECOMMENDATION 10:	Not Required	Not Required	Consider Requirement	Retain as is
11	Pest Plants	Y	Y	Y	Y
	RECOMMENDATION 11:	All Councils to consider Pest Plants Local Law			
12	Removal of Refuse and Disused Materials	Y	Y	Y	Y
	RECOMMENDATION 12:	All Shires adopt Urban Environment and Nuisance Local Law.			
13	Standing Orders	Y	Y	Y	Y
	RECOMMENDATION 13:	All Shires adopt new Meeting Procedures Local Law.			
14	Waste Services Amendment	Y	Y	Y	Y
	RECOMMENDATION 14:	No Changes.	To be Considered.		
15	Waste Services	Y	Y	Y	Y
	RECOMMENDATION 15:	Not Required.	Not Required.	Note Required.	No Changes.
16	Cats Local Law	Y	Y	Y	Y
	RECOMMENDATION 16:	All Shires adopt model Cats Local Law.			