

8.3 PROPOSED REPEAL OF POLICY NO. 4.1.8 - NUCLEAR FREE ZONE

Attachments: 1. **Policy No. 4.1.8 - Nuclear Free Zone**

RECOMMENDATION

That Council REPEAL Policy NO. 4.1.8 – Nuclear Free Zone at Attachment 1.

PURPOSE OF REPORT:

To seek Council approval to repeal Policy No. 4.1.8 – Nuclear Free Zone at **Attachment 1**.

BACKGROUND:

At its 24 July 1995 meeting, Council adopted the Nuclear Free Zone Policy (Policy).

The Policy was developed in response to widespread public concern about the resumption of nuclear testing in the Pacific.

The Policy documents the City's position in relation to nuclear power stations, use, storage and transport of uranium and nuclear waste.

In 2018 Administration undertook a review of the Policy and recommended that the Policy be repealed noting that the Policy had not been used in its 23 year existence and that repealing the policy would not change the fact that Council's position, with respect to the City being nuclear free, would survive in the form of the Council resolution of 24 July 1995, unless otherwise determined by Council.

At its 4 April 2018 meeting, Council re-adopted the policy noting that its symbolic gesture indicated a strong commitment to the environment, health, and safety of the community.

In April 2022 Administration undertook the periodic review of the Policy. The requirement of provisions outlined in clause 1.3 of the [Policy Development and Review Policy](#) were considered and presented to Council Members through the monthly Policy Paper in June 2022.

DETAILS:

The elements set out in clause 1.3 of the Policy Development and Review Policy have been considered as set out below.

Requirement for a documented City position:

There is no legislative requirement for the Policy and Council has no jurisdiction to enforce its provisions.

The authority on nuclear policy rests with State and Federal governments, as such, the declaration of the City as a Nuclear Free Zone is essentially symbolic.

There is no requirement for a documented City position.

Examples of current/best practice:

Administration has reviewed the policies of 15 other metropolitan local governments including all Inner-City local governments. Only 3 similar policies ([City of Fremantle](#), [City of Subiaco](#) and [Town of Victoria Park](#)) were identified.

The City of Fremantle's [Local Planning Scheme No. 4](#) includes a provision to preclude the approval of nuclear activity within the municipality.

Town Planning Schemes remain subservient to Commonwealth laws, State Acts of Parliament and State Regulations therefore if legislation were to be passed by the Commonwealth or State to allow nuclear

activities (handling, processing or transport), then that legislation would immediately over-rule any provision contained within the Scheme.

Proposed level of community engagement required:

Repealing this policy does not require public notice.

An evaluation of the effectiveness and requirement of the existing policy:

The findings of Administration's review of the Policy are as follows:

The Policy had not been used in its 27-year existence and Council has no jurisdiction to enforce its provisions.

Policies represent the pre-determined view of Council in the form of a statement of goals, aims, principles and rules. In the absence of power to enforce its provisions the Policy presents a position statement rather than a policy position and duplicates Council's resolution of 24 July 1995.

Council's declaration with respect to the City being nuclear free, survives in the form of Council's resolution.

Administrations recommends that the policy is repealed, and the City's website is updated to include reference to Council's declaration and to ensure that its resolution from 24 July 1995 remains discoverable.

Council may also wish to consider the "[Mayors for Peace](#)" program.

Mayors for Peace was established by Hiroshima and Nagasaki in 1982 with the goal of "*realizing lasting world peace through inter-city solidarity around the globe promoting the effort to raise a public consciousness of the need to abolish nuclear weapons*".

The program was registered as a Non-Government Organisation in Special Consultative Status with the United Nations Economic and Social Council in May 1991.

As of 1 July 2022, membership stood at 8,188 cities in 166 countries and regions including 91 across Australia.

The annual membership fee for the program is 2000 yen which equates to approximately \$21.

CONSULTATION/ADVERTISING:

No community consultation is required for the repeal of the policy.

LEGAL/POLICY:

There is no legislative or regulatory requirement for this policy.

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

The City's [Policy Development and Review Policy](#) sets out the process for the development, review and repeal of the City's policy documents.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to repeal the policy.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Repealing this policy does not impact on the achievement of specific sustainability outcomes in the *City's Sustainable Environment Strategy 2019-2024*.

PUBLIC HEALTH IMPLICATIONS:

Repealing this policy does not impact on the achievement of the *City's Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

CITY OF VINCENT POLICY MANUAL
CHIEF EXECUTIVE OFFICER
POLICY NO: 4.1.8
NUCLEAR FREE ZONE

POLICY NO: 4.1.8

NUCLEAR FREE ZONE

OBJECTIVES

To provide guidance to all concerned on the City's position relating to a nuclear free zone, nuclear power stations, use, storage and transport of uranium, nuclear waste.

POLICY STATEMENT

On 24 July 1995 the Council declared:

1. the City of Vincent to be a nuclear free zone;
2. that no nuclear power stations may be built within the City;
3. that no uranium, nuclear waste nor other material connected with the nuclear power industry may be stored or transported in or through the City; and
4. that the City will not be opposed to the responsible use of radioisotopes in hospitals within the City, as it believes the benefits to the users outweigh the risks to the community at large.

Date Adopted:	24 July 1995
Date Amended:	-
Date Reviewed:	22 July 2003, 22 April 2008
Date of Next Review:	April 2013