



**Shire of Derby /
West Kimberley**

MINUTES

Ordinary Council Meeting Wednesday, 29 June 2022

Date: Wednesday, 29 June 2022

Time: 11:00am

Location: Kupungarri Remote Aboriginal Community
Gibb River Road



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**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY
ORDINARY COUNCIL MEETING
HELD AT THE KUPUNGARRI REMOTE ABORIGINAL COMMUNITY , GIBB RIVER ROAD
ON WEDNESDAY, 29 JUNE 2022 AT 11:00AM**

PRESENT: Cr Geoff Haerewa (Shire President), Cr Peter McCumstie (Deputy Shire President), Cr Paul White , Cr Andrew Twaddle and Cr Keith Bedford.

IN ATTENDANCE: Amanda Dexter (Chief Executive Officer), Sarah Smith (Executive Services Coordinator), Alan Thornton (Acting Director of Corporate Services), Christie Mildenhall (Acting Director of Community Services), Robert Paull (Manger of Development Services), Dean Wyber (Manger of Assets and Projects) Jamie Bone (Senior Governance Officer) and Paris Millar (Community Development Administration Officer)(arrived at 11:17am).

VISITORS: Nil

GALLERY: Nil

APOLOGIES: Cr Geoff Davis, Cr Linda Evans and Cr Pat Riley.

APPROVED LEAVE OF ABSENCE: Cr Rowena Mouda.

ABSENT: Nil

1 DECLARATION OF OPENING, ANNOUNCEMENTS OF VISITORS

The meeting was opened at 11:08am by Cr Geoff Haerewa – Shire President.

2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 14A of the Local Government (Administration) Regulations 1996 Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by absolute majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

- Nil.

3 DISCLOSURE OF INTERESTS

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

3.1 Declaration of Financial Interests

- Nil.

3.2 Declaration of Proximity Interests

- Cr Paul White – Item: 18.1 – Derby Airport - Lease to Frontier Helicopters (Area #18)
Nature: Board Member of Kingdom Aviation located at Derby Airport.

3.3 Declaration of Impartiality Interests

- Nil.

4 APPLICATIONS FOR LEAVE OF ABSENCE

- Nil.

5 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6 PUBLIC TIME

6.1 Public Question Time

Questions taken on notice:

- Cheryl Grant – Sculptures on the Marsh Project.
Letter to SDWK Council re Sculptures on the Marsh
15 Feb 2022

Dear Councillors,

Thank you for your reply on 30 November 2021 to my second letter regarding this project. In addition I have the following questions please:

1. What form did the Public Consultation of 2019 take? What form did the Public Sculpture proposal take at the time?
2. How does Council measure public response to the sculptures?
3. Your reply (1) states that the artist did not direct Council policy but that “These meetings assisted to inform the draft policy in so far as the nature and scale of the potential art pieces.” Stakeholders do not “direct”, they “contribute”, with Council making the final decision at a Council Meeting”.
What is Council’s definition of a Stakeholder please?
4. Did Council at any point consult with an independent expert with qualifications or experience in Public Art, including Sculpture? Do Council members have expertise in this field?

5. Does Council require a Structural Engineers report before the installation of each sculpture?
6. Who is liable if someone is injured by a sculpture? With Council now encouraging more traffic on the marsh, the sculptures and the wire cables could pose a danger, particularly at night.
7. Is Council comfortable owning, displaying and promoting artworks in the public realm which could be offensive to First Nations people? What steps did Council take to eliminate this risk prior to commissioning the sculptures, particularly Moon Girl, for installation on the marsh? I understand that advice was not sought from Traditional Owner groups before commencing this project. How does this fit with Councils' Acknowledgement of Country Statement?
"First Nations spirituality is easily misused or misrepresented. Some First Australians' beliefs are being used in disrespectful ways. For example, the use of ancestral beings such as the Rainbow Serpent, or Wandjinas as characters in 'fictional' stories, art or other forms of media. Most often they are used without permission, and portrayed in deeply hurtful ways." (The Australian Government Style Manual, 2022).
8. Local Aboriginal people have approached me to ask "what is Moon Girl?" and "what is it doing on the Derby marsh?"
These people made it clear that they recognised similarities with the Wandjina image in the sculpture. Other people have made similar comments.
To my knowledge, the Wandjina image belongs to the Mowanjum people who go to great lengths to explain that Derby is not their country. It follows that the use of Wandjina-style images on the Derby marsh may be inappropriate.
How does Council propose to eliminate the potential for this and other sculptures to cause offence to the Warrwa and Nyikina Mangala traditional owners as well as the Mowanjum peoples?
9. I ask again that Moon Girl be moved from the Doctors Creek foreshore and that Council protect the area for reasons also detailed in my previous two letters dated 27 September and 25 October 2021.
10. Will Council approach the funding body to request varying the Grant conditions, based on new information received? I believe a revised community-driven and culturally inclusive approach would be favourably received.

Yours Sincerely,

Cheryl Grant
Ratepayer
PO Box 127
Derby

6.2 Public Statements

- Nil.

7 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

- Nil.

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

- Thank you to Wananami School for hosting us for the June Ordinary Council Meeting of Council and we look forward to growing our relationship with the school and the Community of Kupungarri. It was great to launch the Live Deadly Gibb River Road edition with our Aboriginal Environmental Health Team and see it in action.
- Mt Barnett Challenge was successful and congratulations to the CEO for a great idea.

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**RESOLUTION 73/22**

Moved: Cr Andrew Twaddle

Seconded: Cr Keith Bedford

That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 26 May 2022 be CONFIRMED.

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

10 RECOMMENDATIONS AND REPORTS OF COMMITTEES

10.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 23 JUNE 2022

File Number: 4110
Author: Sarah Smith, Executive Services Coordinator
Responsible Officer: Amanda Dexter, Chief Executive Officer
Authority/Discretion: Executive

SUMMARY

For Council to receive the minutes of the Audit Committee Meeting held on 23 June 2022.

ATTACHMENTS

1. Minutes of the Audit Committee Meeting held on 23 June 2022

<p>RESOLUTION 74/22</p> <p>Moved: Cr Andrew Twaddle Seconded: Cr Peter McCumstie</p> <p>THAT COUNCIL:</p> <p>Receive the Minutes of the Audit Committee Meeting held on 23 June 2022 and the recommendations therein be adopted.</p> <p><u>In Favour:</u> Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED 5/0</p>
<p>COMMITTEE RESOLUTION AC0152/22</p> <p>Moved: Cr Geoff Haerewa Seconded: Cr Peter McCumstie</p> <p>That the Audit Committee recommends Council RECEIVES the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 31st May 2022.</p> <p><u>In Favour:</u> Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED 5/0</p>
<p>COMMITTEE RESOLUTION AC53/22</p> <p>Moved: Cr Geoff Haerewa Seconded: Cr Keith Bedford</p> <p>That the Audit Committee recommends that Council notes the list of accounts for May 2022 paid under Delegated Authority in accordance with regulation 13(1) of the Local Government</p>

(Financial Management) Regulations 1996 attached to this report, totalling \$3,163,315.67.

In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 5/0

COMMITTEE RESOLUTION AC55/22

Moved: Cr Peter McCumstie

Seconded: Cr Keith Bedford

That with respect to Ranger Services Procedures the Audit Committee recommend that Council:

- 1. Note the Report and Ranger Procedures as provided in Attachment 1.**

In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 5/0

COMMITTEE RESOLUTION AC59/22

Moved: Cr Peter McCumstie

Seconded: Cr Keith Bedford

That the Audit Committee:

Recommends that Council receives the information contained in the report detailing Sundry Debtors as at 31 May 2022.

In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

carried 5/0 by Absolute Majority

COMMITTEE RESOLUTION AC60/22

Moved: Cr Peter McCumstie

Seconded: Cr Keith Bedford

That the Audit Committee recommends that Council:

- 1. Receives the report on outstanding rate and service charge debt by financial year to the end of May 2022.**

In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 5/0

COMMITTEE RESOLUTION AC61/22

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends Council:

Declines the ratepayer's request to deactivate interest accruals on their outstanding balance over the course of their payment arrangement. Instruct Shire officers to inform the ratepayer that they can lodge an application under the Shire of Derby/West Kimberley Financial Hardship policy to request a suspension or waiver of interest charges provided the ratepayer meets the Financial Hardship Criteria.

In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 5/0 by Absolute Majority

Paris Millar entered the meeting at 11:17am.

REPORTS**11 EXECUTIVE SERVICES****11.1 WA GRANTS COMMISSION SUBMISSION - CHANGE OF DISTRIBUTION METHODOLOGY****File Number: 5205****Author: Neil Hartley, Director - Strategic Business****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Advocacy****SUMMARY**

This report proposes (following Kimberley Region Group feedback) to seek consideration from the WA Grants Commission of an improvement to the methodology for the calculation of Western Australian local government General Purpose Grants, to achieve a fairer distribution methodology. The suggested submission is attached.

The Shire requests that a “no further disadvantage floor” be inserted into the methodology, to sit at the other extremity of the existing minimum grant guarantee provided via the 30% population base calculation. The no further disadvantage floor will protect the most disadvantaged local governments, providing a fairer system which will enable districts with disadvantaged levels above the average, to stabilise there district from further receding into unsustainability and suffering even greater levels of disadvantage. The result will be that (federal government funding allocations permitting) no local government will be more disadvantaged year on year, than that of the average of all of the local government districts of Western Australia. The methodology change sought is that:

The 70% proportion of the grant funding is allocated so that the districts with a higher than average need, can operate (funds permitting) to a standard not lower than the average standard of other local government bodies in Western Australia. A prioritised “bottom up” style of funding needs to be implemented, with funding being set at \$1 in grant funds for every \$1 of the district’s equalisation requirement until funds are exhausted.

DISCLOSURE OF ANY INTEREST

Nil by Author.

BACKGROUND

The Commonwealth Local Government (Financial Assistance) Act 1995 outlines the mechanism for the federal government to provide financial assistance for local government. It requires that each state and territory has a Grants Commission and establishes National Principles for the distribution of those funds, and which the State Commissions must comply.

The National Principles for the distribution of funds are based on the objective of full horizontal equalisation which is defined in section 6(3)(a) of the Act as:

“...a basis that ensures that each local governing body in the State is able to function, by reasonable effort, at a standard not lower than the average standard of other local government bodies in the State”.

A copy of the WA Grants Commission Methodology is attached and the basis of the submission is that the WA Grants Commission does not in fact meet that legislatively required principle that ...each local governing body in the State is able to function, by reasonable effort, at a standard not lower than the average standard of other local government bodies in the State.

The Shire’s grant allocation for 2021/22 was \$4,487,555 (not including road grant funds). The Fiscal Equalisation calculation for the district (as calculated by the WA Grants Commission) is \$10,260,325, which is \$5,772,770 more than the actual funding received (although it should be noted just for technical background that the Grants Commission uses several year averaging for its grant calculations, which results in there being less volatility with grant variations – only the annual figures however have been quoted within this report).

The Shire’s fiscal equalisation requirement calculation of \$10,260,325 is the highest in Western Australia. The state average is \$0 with the most “sustainable” local government being Perth at - \$58,443,139. The average of all local governments with a positive fiscal equalisation requirement is \$2,470,581.

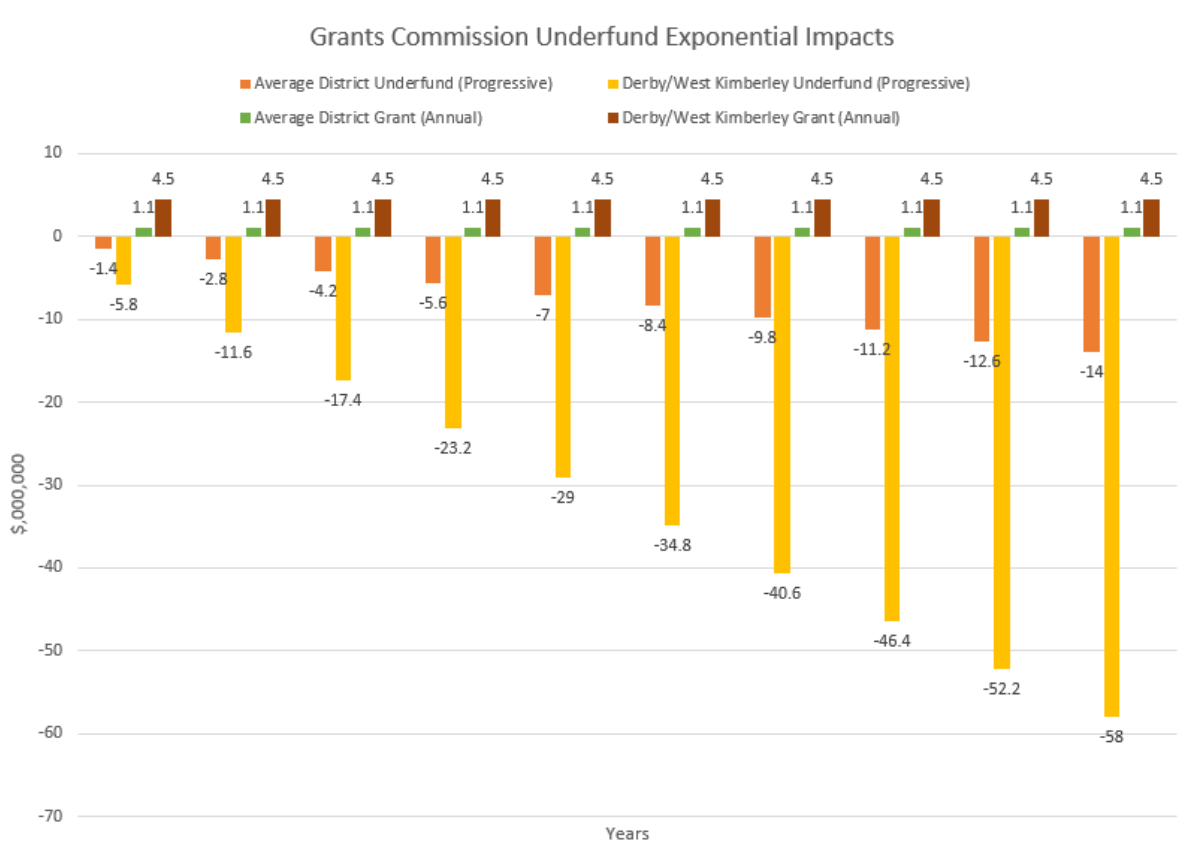
Excluding the Shire of Derby/West Kimberley, the Kimberley Region’s total equalisation calculation (Broome @ \$2,681,004 + Wyndham-East Kimberley @ \$4,772,593 + Halls Creek @ \$6,263,585) is \$13,717,182 and its average, is \$4,572,394.

Because the Federal Government does not fund 100% of the fiscal equalisation sum (the 2021/22 ratio was 44% for our district based on the Shire of Derby/West Kimberley’s population and “adjustor” factors) and that there is a component of the grant that provides some funding for even those local governments with negative fiscal equalisation requirements (e.g. the City of Perth received \$314,948 in 2021/22) it means that those local governments with the positive equalisation requirements slip further behind every other community, every year. This exponential disadvantage gap can be seen in the below graph which shows four components:

- the average local government grant of those local governments that have a positive fiscal equalisation requirement (\$1.1m);
- the Shire of Derby West Kimberley’s annual grant (\$4.5m);
- the average local government’s progressive funding gap per annum (\$1.4m); and
- the annual progressive funding gap for the Shire of Derby West Kimberley (\$5.8m).

The additional exponential disadvantage being suffered by the district of the Shire of Derby West Kimberley grows at approximately \$5.8m/annum (and \$4.4m above the average) as is highlighted by the growing difference between the relevant (orange/yellow) bars below. It is this graph that is hoped to convince the Grants Commission that the principle that each local governing body in the

State is able to function, by reasonable effort, at a standard not lower than the average standard of other local government bodies in the State is not being equitably met.



The proposed submission suggested that a “floor” needs to be inserted into the methodology, similar to the floor provided by the population calculation (where there is a provision in the legislation that requires that a local government’s General Purpose Grant cannot be less than 30% of what it would have received if the Grant was calculated on a per capita basis). This provision will protect the most disadvantaged local governments by requiring that those local government districts that have the largest positive equalisation calculation requirements receive a suitable funding priority. The alternative methodology proposal is that:

The 70% proportion of the grant funding is allocated so that the districts with a higher than average need, can operate (funds permitting) to a standard not lower than the average standard of other local government bodies in Western Australia. A prioritised “bottom up” style of funding needs to be implemented, with funding being set at \$1 in grant funds for every \$1 of the district’s equalisation requirement until funds are exhausted.

This would enable districts with the highest disadvantaged levels to stabilise there district from further receding into unsustainability and arrest the slide that is currently occurring. Importantly, the change would result in no local government being more disadvantaged year on year, than at least that of the average of the state’s local government districts that also have positive equalisation requirements.

Unless additional federal government funding is “added” to the Western Australian allocation, funding to meet the above methodology change will come from those local governments that sit above the level of having a \$0 income equalisation requirement and the Shire’s proposal will mean that a number of local governments will move from receiving a component of the 70% grants commission adjustor factor allocation, to now being “minimum grant local governments”, receiving only the dedicated 30% population component.

STATUTORY ENVIRONMENT

Local Government Act 1995 S 2.7(2)(b) Role of Council - outlines that one of the roles of Council include to:

- governs the local government’s affairs;
- be responsible for the performance of the local government’s functions; and
- oversee the allocation of the local government’s finances and resources.

POLICY IMPLICATIONS

Nil applicable.

FINANCIAL IMPLICATIONS

The Shire’ Federal Assistance Grant allocation for 2021/22 was \$4,487,555 (not including road grant funds) much less than the fiscal equalisation calculation for the district (\$10,260,325). This funding deficit severely impacts upon the Shire’s capacity to operate in a relevant fashion for its district and exponentially penalises the shire and its community more than any other in Western Australia.

If it is possible to secure the change, the Shire’s Federal Assistance Grant will increase substantially.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: If a change in grant allocation methodology cannot be achieved, other budget allocations will need to be reviewed to ensure	Likely	Severe	Extreme	Pursue Grants Commission submission and also maintain constant vigilism to a cost effective Shire operation.

district sustainability can be maintained.				
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CONSULTATION

The proposal has previously been presented to a Council Workshop in May 2022 for discussion and feedback.

No community consultation is considered to be required on this occasion.

The Director Strategic Business met with officers of the Department of Local Government’s Grants Commission in Perth on 25 May 2022. The purpose of the meeting was to seek its feedback on the proposal presented to a recent Councillors Workshop, so it could be finalised for formal presentation to this 30 June Council meeting.

The Grants Commission welcomed the Shire making a submission, and outline that no similar proposition had been previously put to the Commission (but of course just because no similar proposal had previously been lodged is not a guarantee of success!).

As this proposal will challenge the Grants Commission’s historic grant distribution calculations and practices, it would benefit from having broader support than just the Shire of Derby/West Kimberley. It is therefore suggested that we seek further input and support from Kimberley Region Group’s local governments, prior to lodgement with the Grants Commission. Once that input has been received, the CEO can then make any modifications required, and subsequent to that, forward the finalised submission to the Grants Commission.

COMMENT

In light of the Shire’s fiscal equalisation requirement calculation of \$10,260,325 being the highest in Western Australia, and the average of all local governments with a positive fiscal equalisation requirement being \$2,470,581 this is effectively saying that the Shire of Derby/West Kimberley is four times more disadvantaged that the average of those local governments that have a positive fiscal equalisation requirement. Even when just considering Kimberley local government area examples, the Shire of Derby West Kimberley’s assessed financial disadvantage position is the highest by far of the Kimberley local governments, and more than twice the Kimberley average of the other three local governments (vis. \$4,572,394 - Broome is \$2,681,004; Wyndham-East Kimberley is \$4,772,593; and Halls Creek is \$6,263,585).

The Shire of Derby/West Kimberley is well managed and operates with good levels of accountability and diligence, but its Federal Assistance Grant allocation for 2021/22 was only \$4,487,555 (not including road grant funds) \$5,772,770 less than the fiscal equalisation calculation for the district (\$10,260,325). This funding deficit therefore severely impacts upon the Shire’s capacity to operate in a relevant fashion for its district and exponentially penalises the shire and its community more than any other in Western Australia. Essentially as Derby/West Kimberley has

the highest disadvantage in the state, it is slipping behind at the fastest rate of every other local government in Western Australia.

If it is possible to secure the change, the Shire's Grants Commission assessed disadvantage level will not alter, but our actual grant will substantially increase. Even if we are successful, the Shire's Grants Commission grants will not change until 2023/24. That said, and even with a higher grant, the Shire will be no better off than any local government funded at the minimum grant level. It is considered that this outcome only serves to reinforce that the methodology ought to change as suggested, as the needs of the range of local governments that are exponentially underfunded now by comparison, will still with the change proposed, be no better off than any local government funded at the minimum grant level.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Grants Allocation Methodology  
2. Grants Commission Submission (Draft)  

RESOLUTION 75/22

Moved: Cr Paul White

Seconded: Cr Peter McCumstie

That Council:

1. Endorse the draft WA Grants Commission submission;
2. Supports the principal that the Shire and the Kimberley Region would benefit from other Kimberley local governments also having input and lodging complimentary submissions to the Grants Commission, and requires that the CEO refer the submission to the Kimberley Regional Group for its input and support; and
3. Authorises the CEO to modify the report following any feedback from the Kimberley Regional Group's members, and subsequent to that, forward the finalised submission to the Grants Commission for its consideration.

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0



Methodology for the Distribution of Commonwealth Financial Assistance Grants to Local Governments in Western Australian

WA Local Government Grants Commission

September 2021

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WA Local Government Grants Commission
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Governments in Western Australia
September 2021
Reference: E2170787

Department of Local Government, Sport and Cultural Industries
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Email: grants.commission@dlgsc.wa.gov.au
Website: www.dlgsc.wa.gov.au

Foreword

The WA Local Government Grants Commission (the Commission) has now completed its fourth iteration of the Methodology and Principles handbook, updated to reflect some minor changes to the methodology since the completion of the full review in 2012.

The Commission has produced this guide to assist local governments in understanding how the different components of their Financial Assistance Grants are calculated.

The Commission aims to update this document as required, however changes to the methodology can be found in the Commission's Annual Report between iterations.

The Road Grant methodology remains unchanged, given the wide acceptance of the Asset Preservation Model. The Commission is aiming to expand the amount of road calculation information available through its website to increase transparency and sector understanding of the grant allocations.

Achieving a balanced and fair methodology is a challenging task given Western Australia's varied location, geography and demographics across 137 local governments. However the Commission is confident it has a methodology that equitably allocates Financial Assistance Grants and adheres to the horizontal equalisation principle.

The Commission is receptive to and encourages local governments to make submissions if they believe there are unique circumstances that are not recognised or if there is an area that should receive a greater focus.

I encourage you to contact the staff of the Commission for advice on any of the information contained in this guide.

Hon Fred Riebeling AM JP

CHAIRPERSON

WA LOCAL GOVERNMENT GRANTS COMMISSION

Commissioners

Hon Fred Riebeling AM JP (Chairperson)
Mr Luke Stevens (Deputy Chairperson)
Mr Colin Cameron (Metropolitan Member)
Dr Wendy Giles (Country Urban Member)
Ms Melinda Prinsloo (Country Rural Member)

Deputy Commissioners

Ms Darelle Merritt (Deputy to the Deputy Chairperson)
Mayor David Goode (Deputy Metropolitan Member)
Cr Deborah Botica (Deputy Country Urban Member)
Cr Chris Mitchell (Deputy Country Rural Member)

Officers

Mr Shannon Wood – A/Manager Executive Support
Ms Chloe Papasergio – A/Senior Strategy and Research Officer
Ms Samantha Thompson – A/Strategy and Research Officer
Dr Chris Berry – Roads Consultant

General Purpose Grants Methodology

The Balanced Budget methodology used by the Commission for calculating General Purpose Grants has been in place since the 1980s, albeit with numerous modifications to the existing standards and cost adjustors arising from a major review in 1994 and subsequent changes. In 2008, the Commission decided that the appropriate means of addressing issues raised by local governments was to undertake a comprehensive review of the methodology. The primary objectives of the review were to simplify the methodology and introduce a greater degree of transparency as part of the grants determination process.

A number of unfavourable equalisation trends were identified in the old methodology and the Commission considered that these needed to be addressed. It was recognised that the functions and circumstances of local governments have changed significantly over the years and a new methodology was needed to reflect these changes. The Commission targeted simplification of the methodology and also the need to use accurate and timely data for calculating the General Purpose Grants. The Commission decided that the new methodology would place greater emphasis on growth, location and socio-economic disadvantage. The review was completed in time for the 2012-13 grant determinations. The methodology in its current state is a reflection of ongoing refinement to the cost adjustors and revenue standards.

Equalisation Component

It is a legislative requirement that Financial Assistance Grants are distributed on the basis of full horizontal equalisation. Horizontal equalisation requires *that 'every local government in the State has the ability to function, by reasonable effort, at a standard not lower than the average standard of other local governments in the State'*.

Horizontal equalisation recognises the differences in each local government's capacity to raise the revenue and expenditure (not capital) required to perform their expected functions. While it is acknowledged some local governments may have no capacity shortfall, there is a provision in the legislation that requires that a local government's General Purpose Grant cannot be less than 30% of what it would have received if the Grant was calculated on a per capita basis.

The national pool of funding available for distribution is usually adjusted each year in line with the Consumer Price Index and population growth. While the Commonwealth requires distribution of the Grants to local government on an equalisation basis, the Commonwealth Government allocates general purpose funding between the states solely on the basis of population.

Local Roads Component

In addition to the General Purpose Grants, local governments also receive Road Grants from the Financial Assistance Grant pool. These funds are untied and have been distributed by the Commission since 1991-92. Previously the funds were tied and distributed by Main Roads WA. The funds are separately identified in the grant determinations.

When the Commission assumed responsibility for distributing road funds it decided to continue with the existing grant distribution arrangements. Seven per cent of the road funding is allocated to fund roads servicing Indigenous communities (one-third) and for bridge works (two-thirds).

The remaining 93% is distributed according to the Asset Preservation Model. This model is used to assess the cost of maintaining a local government's road network and takes into account annual and recurrent maintenance costs and the costs of reconstruction at the end of a road's useful life.

The *Local Government (Financial Assistance) Act 1995* (the Act) states that road funds must also be distributed in accordance with principles that are approved by the Commonwealth Minister for Local Government.

Legislation

Local Government (Financial Assistance) Act 1995 – Commonwealth

The Act provides financial assistance for local government by means of grants to the states and the territories. The Act requires that each state and territory has a Grants Commission as a prerequisite for the continuance of Commonwealth funding. It also establishes National Principles for the distribution of funds with which the State Commissions must comply. These principles are based on the objective of full horizontal equalisation which is defined in section 6(3)(a) of the Act as:

“...a basis that ensures that each local governing body in the State is able to function, by reasonable effort, at a standard not lower than the average standard of other local government bodies in the State”.

Local Government Grants Act 1978 – Western Australia

The *Local Government Grants Act 1978* provides for the establishment and membership of the Commission. It also requires that:

- the grant recommendations made by the Commission are made in accordance with the requirements of the Commonwealth Act and any relevant principles of allocation approved under that Act
- the Commission makes recommendations to the Minister regarding the amount of Commonwealth funds that should be allocated to each local government as soon as practicable in the financial year
- the Commission may require any local government to supply information.

There is a requirement that the Act be reviewed every five years.

Approval of Grants

Under the *Local Government Act 1995*, local governments are required to have their budgets adopted by 31 August of each year. However, the Commission does not receive confirmation of the final estimated grant pool from the Commonwealth until July, although a preliminary figure is available in the Commonwealth Budget released in May.

The Commission undertakes a notional grant calculation based on the May grants figure. This allows the Commission to provide informal advice to local governments on request as to their expected grant allocation.

The grants remain notional until the Commission receives notification of the final estimate of the allocation to the State. Once the final estimate is received, the grant allocations are updated to reflect the amount available for distribution.

This is provided to the State Minister for approval, who then provides the final grants to the Commonwealth Minister for Local Government for approval. The Minister may approve the grant recommendations or request the Commission review all or part of the recommendations.

National Principles for the Allocation of General Purpose and Local Road Grants

The National Principles relating to the allocation of General Purpose Grants payable under section 9 of the *Local Government (Financial Assistant) Act 1995* among local governing bodies are as follows:

TABLE 1: National Principles for the Allocation of General Purpose Grants

Principle	Description
Horizontal Equalisation	General Purpose Grants will be allocated to local governing bodies, as far as practicable, on a full horizontal equalisation basis as defined by the Act. This is a basis that ensures that each local governing body in the state/territory is able to function, by reasonable effort, at a standard not lower than the average standard of other local governing bodies in the State. It takes account of differences in the expenditure required by those local governing bodies in the performance of their functions and in the capacity of those local governing bodies to raise revenue.
Effort Neutrality	An effort or policy neutral approach will be used in assessing expenditure requirements and revenue capacity of each local governing body. This means as far as practicable, policies of local governing bodies in terms of expenditure and revenue effort will not affect the grant determination.
Minimum Grant	The minimum General Purpose Grant allocation for a local governing body in a year cannot be less than the amount to which the local governing body would be entitled if 30% of the total amount of General Purpose Grants to which the state/territory is entitled (under section 9 of the Act) in respect of the year, were allocated among local governing bodies in the state/territory on a per capita basis.
Other Grant Support	Other relevant grant support provided to local governing bodies to meet any of the expenditure needs should be taken into account using an inclusion approach.
Aboriginal Peoples and Torres Strait Islanders	Financial assistance shall be allocated to local governments in a way that recognises the needs of Aboriginal peoples and Torres Strait Islanders within their boundaries.

Council Amalgamation	<p>Where two or more local governing bodies are amalgamated into a single body, the General Purpose Grant provided to the new body for each of the four years following amalgamation should be the total of the amounts that would have been provided to the former bodies in each of those years if they had remained separate entities.</p> <p>The Commission has a policy where it applies the Council Amalgamation Principle for five years.</p>
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The National Principle relating to the allocation of the amounts payable under section 12 of the Act (the identified road component of the Financial Assistance Grants) among local governing bodies is as follows:

TABLE 2: National Principles for the Allocation of Road Grants

Principle	Description
Identified Road Component	The identified road component of the Financial Assistance Grants should be allocated to local governing bodies as far as practicable on the basis of the relative needs of each local governing body for roads expenditure and to preserve its road assets. In assessing road needs, relevant considerations include length, type and usage of roads in each local governing area.

The Balanced Budget

Please note the following data pertaining to the revenue and expenditure standards, cost adjusters and road calculations are from the calculation of the 2021-22 Financial Assistance Grants.

Local governments throughout the State have the responsibility of meeting the needs of the community through providing various services and facilities. The cost of providing services will vary between local governments. The aim of the Balanced Budget is to provide local governments with a General Purpose Grant that gives them the capacity to provide an average range of services at an average standard.

The equalisation requirement of each local government is calculated by assessing the revenue raising capacity and expenditure need of each local government.

This equalisation requirement forms the basis of a local government's General Purpose Grant.

The Road Grant is assessed using the Asset Preservation Model and does not form part of the Balanced Budget calculation, other than being offset against the Transport Standard.

Put simply, the equation is:

$$\text{Equalisation Requirement} = \text{Assessed Expenditure} - \text{Assessed Revenue}$$

The General Purpose Grant is calculated as follows:

- An assessment of each local government's revenue raising capacity is made. An average standard is calculated based on actual revenues in five revenue categories, and then applied to key data to generate revenue assessments for each local government. These represent the Commission's assessment of the revenue capacity of each local government, assuming an average rating effort.
- Standard or average expenditure needs are then assessed for each local government. This is the cost (non-capital) of providing a standard or average range of services to the local community. A separate standard is calculated for each of the six expenditure categories. The standardised assessments for each local government are adjusted by cost adjusters which recognise the additional costs that individual local governments experience in the provision of services due to growth, location etc.
- State total revenue is then scaled back to match state total expenditure, establishing an overall 'Balanced Budget'. This step has been included as the Commission's assessments of revenue were in total larger than the assessed expenditures (as not all categories of local government expenditure are included in the Commission's model). This was causing a number of local governments to be assessed as having higher revenue capacity than what could be expected. Matching these sides corrects the imbalance.

- For each local government, the horizontal equalisation requirement is obtained by subtracting the total assessed revenue capacity from the total expenditure need. This is referred to as the preliminary equalisation requirement.
- The preliminary equalisation requirement is averaged with the previous years' equalisation requirements (to provide a measure of stability). This is done over a six-year period by removing the highest and lowest years and averaging the four remaining years.
- The minimum General Purpose Grant a local government can receive is not to be less than what the local government would be entitled if 30% of the total amount of funds for the State were allocated on a per capita basis.

Data Sources

TABLE 3: Data Sources

Data Type	Source
Accessibility Remoteness Index of Australia ++ (ARIA++)	National Centre for Social Applications of GIS (GISCA)
Socio Economic Indexes for Area (SEIFA)	ABS
Population, Population forecast	ABS 3218.0 - Regional Population Growth as of 30 March 2021, Department of Planning – Western Australia Tomorrow 2015
Population Dispersion	ABS Quick Stats
Regional Centres	Determined by the Commission
Indigenous Population	ABS Quick Stats
Terrain	Department of Home Affairs and Environment - Biophysical Attributes of Local Government
Cyclone	Australian Building Standards for Cyclone Prone Areas
Off-road Drainage Data	Road Information Returns, Main Roads WA
Interest Expenditure/ Investment Revenue	WA Treasury Corp, Information Returns
Valuations, Area, Assessments	Landgate (Valuer General)
Actual revenue and expenditure data	WA Local Government Grants Commission Information Returns
Average mean max temperature Average mean rainfall Average number of rain days	Bureau of Meteorology

Calculating the Standards

The assessed revenue capacity and assessed expenditure need are measures of each local government’s ability to function at the average standard. Subtracting the total of the assessed revenue capacity from the total expenditure need produces the equalisation requirement for each local government. For the majority of local governments, revenue capacity is less than expenditure, however for some local governments (most often metropolitan) the assessed revenue capacity is greater than the assessed expenditure need. Local governments in this position have a negative equalisation requirement and are referred to as minimum grant local governments under the Minimum Grant Principle established under the *Local Government (Financial Assistance) Act 1995*.

Natural Weighting occurs when total actual revenue and expenditure matches assessed revenue and expenditure.

Natural Weighting ensures that the Commission bases its calculations on actual revenue and expenditure incurred by the local government industry. This means that actual and assessed revenues and expenditure will match after cost adjustors are calculated.

To implement Natural Weighting into the Balanced Budget, the cost adjustors are calculated prior to the preliminary standard, creating the following equation:

$$\begin{aligned} \text{\$Total Actual Expenditure} &= \text{\$Total Assessed Expenditure} = \\ &\text{\$Preliminary Standard} + \text{\$Cost adjustors} \end{aligned}$$

The equations applied by the Commission are derived from statistical analysis. Some standards are simple averages; others are derived from regression analysis.

For example, when a regression approach is applied to key data in the residential, commercial and industrial rates categories, it produces the following:

$$\text{Standard} = (\$0.0426 \times \text{valuations}) + (\$751.82 \times \text{assessments})$$

This equation produces a weighting of 4.26c in the \$ of Gross Rental Valuation, plus \$751.82 per rate assessment. If the Shire of XYZ has a total RCI GRV of \$331,344,503 and 17,202 assessments, its RCI Standard would be calculated as follows:

$$(\$0.0426 \times 331,344,503) + (\$751.82 \times 17,202) = \$27,078,493$$

The regression approach often provides the starting point for the Commission however the Commission can use its discretion to adjust weightings on each of the variables to produce a more equitable outcome across local governments.

The Commission also uses simple averages to calculate some Standards. For example, the Community Amenities Standard is calculated by dividing total expenditure by the number of assessments. This figure is then multiplied by each local government’s number of assessments to determine their standard.

Wherever possible, the data used by the Commission in the calculation of standards, is sourced from authoritative third parties such as the Valuer General and the ABS.

Grant Movement Restrictions

The Commission assesses the equalisation and road funding needs of each local government, however they do not receive the full equalisation amount. This is because the funding allocated to the State by the Commonwealth Government is less than the assessed total equalisation requirements of all the 137 local governments.

Where a local government is decreasing, the Commission will implement a maximum decrease for each year to ensure local governments can budget for reductions.

While in the past, limits have been applied to increases, the Commission has more recently tried to pass on increases as quickly as possible to local governments, so has removed the grant increase cap. Local governments furthest from their grant equalisation need will as a result receive the largest increase.

Indian Ocean Territories

The Commission also provides advice to the Indian Ocean Territories Administration on the Financial Assistance Grant requirements for the Shires of Christmas and Cocos (Keeling) Islands. The payments to these local governments do not come out of the WA grant pool but are a direct allocation by the Commonwealth. However, the grant requirements of the territory local governments are assessed in the same manner as mainland local governments, using the principles and methods outlined in this guide.

Revenue Standards

The Revenue Standards are mathematical formulae used to assess the revenue earning capacity of each local government. The Commission calculates the following Revenue Standards:

- Residential/Commercial/Industrial Rates
- Agricultural Rates
- Pastoral Rates
- Mining Rates
- Investment Income.

There are no cost adjustors applied to the Revenue Standards.

An explanation of each of the revenue standards is included below.

Residential, Commercial and Industrial Rate Standard

An estimate of the Residential, Commercial and Industrial (RCI) rate capacity is calculated for each local government using valuations, assessments and rating data. Gross Rental Values (GRVs) used in calculations are three-year averages using the most recent years data that is available.

The RCI Standard is the most significant Standard in the methodology as this revenue source contributes approximately 88% of total local government rate revenue. As a result, it is important that the methodology accurately reflects the rate raising capacity of all Western Australian local governments as it significantly influences grant outcomes. If a local government is assessed as having higher revenue raising capacity relative to other local governments, its level of grant need is reduced.

The Valuer General (VG) provides data on the number of assessments and valuations in each local government to the Commission. The Commission's view is that the two data sets are appropriate to assess local government's revenue capacity.

In recent years, there has been significant mining activity in Western Australia. This has amongst other things resulted in increased property valuations in many areas. This is not the only factor that affects local government's financial capacity, as higher valuations do not necessarily translate to increased capacity to raise rates.

Conversely, decreases in valuations do not necessarily reduce rate income. This is why the number of assessments is used by the Commission to complement the use of valuation data.

RCI data for all local governments is used to calculate a state total, which then forms the basis to create a regression formula that attempts to determine the most equitable fit for all local governments.

The following GRV categories are used from the VG data for valuations and number of rateable properties:

• GRV - Commercial
• GRV - Industrial
• GRV - Miscellaneous
• GRV - Residential
• GRV - Vacant Land
• GRV - Farming
• GRV - No Property Use
• UV – Commercial
• UV – Industrial
• UV – Residential
• UV – Miscellaneous
• UV – Vacant land
• UV - Rural Residential

This data is used in combination with the rates levied from the following categories:

<ul style="list-style-type: none"> • GRV Residential • GRV Commercial • GRV Industrial • GRV Shopping Centre • GRV Mining • GRV Community • GRV Rural • GRV Tourism • GRV Townsite • GRV Unimproved • GRV Vacant Residential • GRV Vacant Commercial • GRV Vacant Industrial • GRV Residential Broadacre Developed • GRV Residential Unimproved Broadacre • GRV Residential Rural 	<ul style="list-style-type: none"> • GRV Residential Unimproved Rural • GRV Small Holding • GRV Special Use • GRV Large Commercial, Industrial and Caravan Parks • GRV Mass Accommodation • GRV Other • Special Rural GRV • UV Residential • UV Commercial • UV Industrial • UV Tourism • UV Townsite
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It should be noted, that while these are broadly how the categories are allocated, the Commission will make judgement decisions on land use and may at times need to manually adjust what revenue standard the Valuer General data best fits.

In assessing this Standard, the following factors were taken into consideration:

- Valuations, three-year average
- Assessments, three-year average

Residential/Commercial/Industrial Rates Standard

Formula = \$751.82 x assessments + \$0.0426 x valuations

Agricultural Rates Standard

Western Australia has a diverse agricultural industry. This diversity impacts on valuations for agricultural assessments.

Since the introduction of the Balanced Budget, this Standard has been calculated using a variety of techniques and variables such as the gross value of rural production, net value of rural production, unimproved valuation, improved valuation and Commission judgement.

In assessing the agricultural rate capacity of a local government, the following variables continue to be used:

- Total number of agricultural rate assessments
- Total valuations
- Agricultural area (ha)

The following rateable categories are sourced from the VG.

- Rural Unimproved Valuations
- Urban Unimproved Valuations

The VG's data includes the area of land available for agricultural production for each local government in the State. Adjustments have been made for 'waste' area (i.e. salt and rock) to reflect its limited value.

The unimproved valuations are assessed by the Office of the Valuer General and are based on an ongoing analysis of property sales.

The Commission uses the rates levied from the following categories to create its agricultural formula.

- UV Primary Production
- UV Rural
- Minimum Rates - UV Primary Production
- Minimum Rates - UV Rural

The following categories are also often used:

- UV Rural Residential
- UV Rural Improved
- UV Rural Vacant
- UV Special Rural

- UV Urban Farmland
- UV Small Holding

If they do not fit the Agricultural standard for a local government, such as where the primary use is for residential purposes, they will be considered as part of the Residential, Commercial and Industrial Standard.

A regression formula is created based on the information provided by the Valuer General to assess each local government's agricultural rate capacity.

Agricultural Rates Standard

Formula = \$901.05 x assessments + \$0.00272 x valuations + \$3.30 x area (ha)

Pastoral Rates Standard

Pastoral rates are levied on pastoral stations. The Commission uses regression analysis to determine the formula to assess the pastoral rating capacity of local governments. The Commission uses three year averages of the valuation of pastoral land, area (Ha) and number of rateable properties. This is linked to rates levied by a local government.

The Commission uses the Rural Improved – Pastoral rateable category sourced from the VG for valuation, area (Ha) and rateable properties data. Rates levied data is based on UV Pastoral and Minimum Rates UV Pastoral information provided in the information return.

Pastoral Rates Standard

Formula = \$1,643.42 x assessments + \$0.022 x Valuations + \$0.01552 x Area (ha)

Mining Rates Standard

A local government that has a mining valuation is assessed by the Commission for mining rates, as it is viewed as having the capacity to raise mining revenue.

The information provided by the Valuer General provides information on rateable mining assessments (assessments, valuations and area) in each local government. This includes:

- Coal Mining Lease
- Exploration Licence
- General Purpose Lease
- Geothermal Exploration Permit
- Gold Mining Lease
- Mineral Claim
- Mineral Lease
- Mining Lease
- Petroleum Exploration Permit
- Petroleum Production Licence

- Prospecting Licence
- Retention Licence
- General Purpose State Agreement
- Mining Lease State Agreement

The following data is used to determine the Mining Rates Standard is:

- Total Number of Mining Assessments;
- Total Valuations;
- Total Mining Valuation Area and
- Total Mining Rates Levied.

Rates levied data is based on Information Return categories of UV Mining, UV Mining Improved and UV Mining Vacant. Exploration leases are also included in this category.

The Commission has found that there were a number of local governments that do not raise mining rates even though they had rateable assessments. This discrepancy occurred due to the low valuations of the mining assessments and the local government's decision not to rate due to the cost involved. It has been noted that some local governments also have only one UV rate, so where mining activity is low, these rates have sometimes been included in other categories. To ensure there is effort neutrality, the Commission assesses all local governments with mining assessments, based on the information provided by the Valuer General.

Mining Rates Standard

Formula = \$613.08 x assessments + \$0.0556 x area + \$0.1302 x valuations

PLEASE NOTE: Due to the significant influence the Shire of Ashburton's rates were having in influencing the Commission's formula, the formula was calculated without their input data. This improved a number of over-assessment issues for other local governments.

This formula used for Ashburton in 2021-22 was:

\$896.38 x assessments + \$0.78 x area + \$0.1831 x valuations

Investment Income Standard

The assessment of each local government's investment income has always been somewhat problematic due to the level of policy influence on a local government's investment activities. The review found that creating an investment base to assess each local government's income investment capacity, resulted in an inequitable assessment.

The Commission's previous methodology did not recognise interest expenditure, the majority of which was paid to Western Australian Treasury Corporation (WATC). To more fully provide for equalisation and be consistent with a recommendation made by the Commonwealth Grants Commission, the Commission now includes interest expenditure. The Commission acknowledges that borrowings are an essential part of a local government's financial operations and the assessment of this expenditure produces a more equitable assessment of a local government's investment income.

The methodology recognises interest paid on borrowings from WATC averaged over the past three years. The Commission nets state investment revenue against state interest expenditure. The total state investment revenue is greater than the total state interest expenditure. The net figure is then divided by the total state population to produce a per capita amount which is then applied to a local government's population.

The formula is as follows:

$$\frac{[(\text{Total State Investment Revenue} - \text{Total State Interest Expenditure}) / \text{State Population}] \times \text{Local Government's population}}$$

*State = all WA local governments

Investment Income Standard

$$\text{Formula} = (\$24.24 \times \text{LG Population})$$

Expenditure Standards

The Commonwealth legislation requires that the differences in expenditure for local governments across the State are considered. The expenditure standards are mathematical formulae used to assess the expenditure need of each local government. The Commission uses the following expenditure standards:

- Recreation and Culture;
- Governance;
- Community Amenities;
- Education, Health and Welfare;
- Law, Order and Public Safety; and
- Transport.

In some areas of local government operations, user fees and charges allow local governments to recover a portion of the costs associated with the provision of those services, such as Recreation and Culture. Previously the Commission calculated separate revenue and expenditure standards to account for this, but the Commission now deducts the revenue generated by each local government in the above functions directly from the expenditure.

To comply with the Other Grants Support Principle, the Commission includes other grants received by local governments. These grants are included with other revenues and are netted from expenditure. This reduces the expenditure total of each function by the total amount of available grants.

Consistent with natural weighting, the Commission's assessments are scaled to the actual amount of total revenue and total expenditure. To achieve this on the expenditure side, it requires that the cost adjustors are calculated prior to the expenditure Standard.

Therefore:

Actual Expenditure = Cost Adjustors + Preliminary Standard = Assessed Expenditure

Governance Standard

Governance includes:

- Expenditure and income directly associated with elected members e.g. travel, accommodation, conference fees, entertainment of dignitaries and visitors, meeting attendance, extraordinary meetings, naturalisation ceremonies, mayoral and presidential allowances
- Costs associated with employing staff, accommodation and administration required to service the operation of the Members of Council. These may include audit fees, conferences and staff training, consultant fees, and salaries and wages of those staff directly involved in supporting the Members of Council.

The Commission previously used adjusted population in the calculation of this standard. Following submissions from local governments, the Commission moved to a combination of adjusted population and rating assessments. Because of the methodology review, and given the difficulties in obtaining reliable data, the governance standard is now calculated solely with a per assessment variable.

To calculate the Governance Standard, all local government's governance expenditure is totalled to create a "state total". The amount allocated to the governance standard through cost adjusters is deducted from this. Then the remaining total is divided by the total number of rateable assessments to derive an average \$ per assessment figure. The Commission's view was that the number of rateable assessments was the appropriate determinant for the Governance Standard.

Governance Standard

$$\text{Formula} = (\$185.15 \times \text{Assessments})$$

Cost adjusters applied to the standard are:

- Location
- Socio-economic disadvantage
- Regional Centres
- Aboriginality

Law, Order and Public Safety Standard

The Law, Order and Public Safety (LOPS) standard includes expenditure and income associated with:

- Administration, promotion, support and operation of fire prevention services
- Contributions to volunteer fire brigades, payments to fire brigade boards, roadside clearing operations and other fire prevention costs
- Control of animals, beach inspectors and park rangers, lifesaving and beach patrols, contributions to state and voluntary emergency services and the enforcement of local laws.

In the past, the Commission used as many as four categories for assessing law, order and public safety expenditure requirements. This approach is no longer used, with one standard now applying to all local governments.

The process of calculating the LOPS Standard is very similar to the Governance Standard, whereby total net expenditure is calculated, cost adjusters removed and then the remaining amount divided by the State total number of rateable assessments to create a state average. This is then multiplied by each local government's total number of rateable assessments to determine their LOPS assessed expenditure requirement.

The Commission considers that the use of assessments provides a more equitable result compared to the former methodology which used dwellings and adjusted population. The Commission felt that the number of rate assessments is a better measure, recognising that services would be provided not only to homes and individuals but to businesses as well, through services such as security patrols.

Law, Order and Public Safety Standard

Formula = (\$69.99 x Assessments)

Cost adjustors which apply to this classification are:

- Location
- Socio-economic Disadvantage
- Population Dispersion
- Fire Mitigation
- Cyclone
- Aboriginality
- Special Needs

Education, Health and Welfare Standard

This Standard includes income and expenditure associated with:

- preschools, nurseries and other educational institutions
- operating school bus services, student hostels and migrant education centres
- the provision of infant health care, immunisation programmes, meat inspection services, health inspection services (including the employment of a medical health officer), other community health services such as ambulance services and nursing care
- pest control such as the eradication of mosquitoes and flies, and other preventative services, such as school health programmes
- care of families and children, such as the provision of crèches, child minding centres and emergency home help
- aged and disabled services, such as senior citizens' centres, meals on wheels, aged persons' homes
- other welfare services such as the employment of social and welfare workers, drop in centres for the unemployed, women's refuge centres and related institutions.

Local government feedback to the Commission supports population as the key driver for Education, Health and Welfare expenditure.

The Education, Health and Welfare Standard is calculated using the total state revenue and expenditure in this function. Revenue is subtracted from the expenditure, resulting in a net expenditure figure. The total of applicable cost adjustors is removed. This figure is

then divided by the State population to derive a per capita figure. This figure is then multiplied by each local government's population.

Education, Health and Welfare Standard

Formula = (\$46.09 x LG Population)

Cost adjustors which apply to this classification are:

- Location
- Population Dispersion
- Socio-economic Disadvantage
- Aboriginality
- Regional Centres
- Medical Facilities.

Community Amenities Standard

This Standard includes expenditure and income associated with:

- administration, inspection, support, operation etc. of town planning and regional development services. These include the preparation of town planning development schemes, zoning and rezoning either by consultants or local government staff, the purchase and resumption of land for public open space, community facilities etc. and any other expenditure incurred by a local government with respect to such activities. Excluded are town planning development schemes where the owners of land within particular schemes are responsible, on a contributory basis, for land development costs incurred by local governments in the scheme areas
- lining and barrelling of creeks, provision of open and deep drainage systems, flood mitigation works, such as construction and maintenance of levee banks, dredging of rivers and diversion channels. Drainage associated with road works is excluded from this classification as it is included in the asset preservation model.
- beach restoration, foreshore protection, removal of dead animals, debris, abandoned vehicles and other environmental programmes
- sanitation – Household - Administration and operation of general refuse collection and disposal services
- sanitation – Other - Operation of sanitary services other than for general refuse collection and disposal services.

Unlike other expenditure standards, Community Amenities has a large revenue component, mainly through sanitation (waste management charges). While previously the Commission had excluded sanitation and refuse revenue and expenditure from the Balanced Budget, in response to a number of submissions, the Commission has reintroduced sanitation to improve the integrity of the calculation of the Community Amenities Standard.

The standard is calculated using the three year average of net Community Amenities expenditure. The total has the applicable cost adjustors removed and is then divided by the number of assessments. The average is then multiplied by each local government's number of rating assessments.

Community Amenities Standard

$$\text{Formula} = (\$144.40 \times \text{Assessments})$$

Cost adjustors which apply to this classification are:

- Location
- Growth
- Socioeconomic Disadvantage
- Population Dispersion
- Regional Centres
- Off-Road Drainage Allowance
- Aboriginality
- Special Needs.

Recreation and Culture Standard

This Standard includes expenditure and revenue associated with:

- Swimming pools and other swimming areas on rivers and beaches and associated facilities
- Indoor and outdoor sporting facilities
- Recreational areas such as parks and gardens, public halls, function rooms, civic and community centres
- Cultural facilities such as libraries, performing arts, museums and art galleries, orchestras, art historical projects, presentation of festivals, exhibitions, anniversary and centenary celebrations, etc.

The calculation of the standard is based on the premise that all local governments provide a range of services based on the policy decisions of the individual local government. This is in line with the Commission's 'effort neutral' principle. A range of variables have been considered by the Commission in the past when calculating the standard, including, population, adjusted population, dwellings and the number of rate assessments.

Historically, Recreation and Culture revenue was calculated separate to the expenditure standard. This was primarily because the recreation and culture revenue raising capacity of local government, in the form of user pays fees or charges, is significant. However, recreation and cultural facilities are only partly funded by user fees. The Commission now calculates the Recreation and Culture Expenditure Standard net of revenue.

Recreation and Culture Standard

$$\text{Formula} = (\$299.59 \times \text{LG Population})$$

Cost adjustors which apply to the standard are:

- Location
- Growth
- Population Dispersion
- Socioeconomic Disadvantage
- Regional Centres
- Aboriginality
- Climate.

Transport

The Transport Expenditure Standard related to roads and bridges, footpaths, laneways, street lighting and aerodromes.

Road needs are assessed by the Asset Preservation Model, described in detail later in this publication. To assess all transport needs, the Asset Preservation Model was expanded to include the asset preservation needs of footpaths (including crossovers), laneways, aerodromes and street lighting. The expanded model provides a preliminary Transport Standard for every local government.

The treatment of aerodromes includes allowances for local government airstrips, airstrips servicing Aboriginal communities and airstrips on pastoral stations. Airstrips that have regular passenger services are deemed to be commercial operations and receive an allowance as if they were an emergency strip only.

The assessment for each local government under the preliminary Transport Standard is then discounted to exclude all road preservation grants.

The Commission, in recent years, has scaled back the total standard for the State to equal the total amount actually spent on road preservation by local government. The rationale for this is to prevent transport expenditure from exerting too large an influence on the Balanced Budget.

Transport Standard

Formula = Factored Back Transport Needs - Road Preservation Grants

Cost Adjustors

The Commission recognises that there are many potential influences on local government expenditure, many of which are beyond a local government's control. The Commission recognises these influences through the application of cost adjustors.

Cost adjustors are determined through a combination of data specific to the cost adjustor as well as a population component. This approach ensures that a local government's population needs are considered and small local governments do not receive excessive assessments (and vice versa).

Allocations and assessments can be seen in the annual release of the Balanced Budget made available on the Grants Commission's website, following the approval of the final grants by the Commonwealth Minister for Local Government.

The cost adjustors in order of significance as determined by the Commission are as follows:

1. Location
2. Socio-Economic Disadvantage
3. Population Dispersion
4. Climate
5. Aboriginality
6. Growth
7. Regional Centres
8. Fire Mitigation
9. Off-Road Drainage
10. Medical
11. Cyclone
12. Special Needs

Location

Applied to: Recreation and Culture, Community Amenities, Governance, Law, Order and Public Safety, Education, Health and Welfare

Data Used: Accessibility Remoteness Index of Australia ++ (ARIA++) Town Score (GISCA)

Purpose: The Location Cost Adjustor recognises the higher operating costs a local government faces due to its location. ARIA++ is used in the calculation of the Location Cost Adjustor.

The Location Cost Adjustor is applied to all expenditure standards except the Transport Standard. The Commission considers location to be the most significant issue impacting on the costs of a local government.

The formula uses the ARIA++ index (previously ARIA+) which was developed by the National Centre for Social Applications of GIS (GISCA) at the University of Adelaide. It assesses the remoteness of a town/location based on access via road networks to six different categories of service centres. Under ARIA++ a local government can receive a maximum score of 18. The Commission uses the administration centre ARIA++ score however the Commission has excluded Serpentine-Jarrahdale on the basis that it is classified as a metropolitan local government by the Commission. Simply stated, localities that are more remote have less access to these service centres and consequently face higher costs.

Socio-Economic Disadvantage

Applied to: Recreation and Culture, Community Amenities, Governance, Law, Order and Public Safety, Education, Health and Welfare

Data Used: Socio Economic Indexes for Area [SEIFA] (ABS)

Purpose: The Socio-Economic Disadvantage Cost Adjustor recognises the socio-economic circumstances of local governments and the impact on their operating costs.

The Commission recognises that local governments with higher proportions of disadvantaged people in their population incur higher operating expenditures in the delivery of services.

Under the methodology, the Commission uses the Socio Economic Index of Disadvantage. Only local governments below the mean SEIFA score of 1000 will receive a cost adjustor assessment that recognises their socio-economic circumstances. As the SEIFA is based on all areas of Australia, the Commission has used only Western Australian local governments and ranked them relative to each other. This is then used to compare local governments in Western Australia, rather than using the index based on all local government areas.

Growth

Applied to: Recreation and Culture, Community Amenities

Data Used: Western Australia Tomorrow 2015 (Western Australian Planning Commission), ABS population change from the last 5 years

Purpose: The Growth Cost Adjustor recognises growth over two periods; past, and future. An assessment is calculated based on a local government's growth during these time periods.

The Growth Cost Adjustor recognises local governments growing at a rate higher than the average and the associated demand for service delivery.

The cost adjustor takes into account two-time periods:

- The actual population change from the last 5 years (ABS data)
- The estimated change in population for the current/future 5-year period (WAPC data).

Every determination will have the periods updated to ensure the past 5 years and current/future 5-year period is included. The time period used in the current/future period is dependent on the data available in the WAPC WA Tomorrow publication at that time.

The Commission identifies each local government's population growth in each of these periods. Each period is weighted equally when determining the final allocation cost adjustor allocation for a local government. The Commission considers both the local government's percentage growth and the increase in the number of people. If the local government is above the state average for either of these, either in percentage growth or the average number of people growth, then they will receive a cost adjustor for that time period.

Population Dispersion

Applied to: Recreation and Culture, Community Amenities, Law, Order and Public Safety, Education, Health and Welfare

Data Used: Number of townsites, distance from town centre, State Suburb townsite populations (collected from Information Return and verified through the ABS and Google maps)

Purpose: The Population Dispersion Cost Adjustor recognises the costs of having to provide services to multiple towns/population sites.

The cost adjustor recognises the cost burden on a local government to provide services to a townsite other than the main service centre.

For a local government to receive recognition under the population dispersion cost adjustor, the Commission will first assess the appropriateness of recognising the townsite. This will include identifying whether the geographic area in question fits the Commission's view of a townsite.

This may include consideration of (but is not limited to) the existence of a main street, local government and non-local government facilities and the number of dwellings.

Once the Commission establishes a townsite exists and for a local government to receive recognition, the townsite will need to be:

- Further than 25km from the main service centre; and
- Have a population of more than 50 people.

The Commission may exercise judgement on any of the criteria where it believes it to be appropriate.

It is not the intention of the Commission to recognise suburbs. It is the intention to recognise standalone townsites.

The Commission has placed a cap on population, only providing recognition for a population of up to 2,000. If the population of a satellite town exceeds this amount, the population will be capped at 2,000.

Indigenous communities are not included in the Commission's calculation of the Population Dispersion Cost Adjustor.

The Commission uses information provided in the Information Return to determine the additional population centres. This information is cross referenced with the ABS 2016 Census information to verify the population for the town sites and Google Maps is used to ensure the road distances provided in the Information Return are accurate.

Climate

Applied to: Recreation and Culture

Data Used: Average Mean Maximum Temperature, Mean Rainfall, Number of Rain Days (Bureau of Meteorology)

Purpose: The Climate Cost Adjustor recognises the impact of climate on a local government's operating costs particularly those associated with water consumption and electricity charges.

The Commission recognises that Climate impacts on local government operating costs. The aforementioned meteorological data is used to derive a measure of the relative impact. The largest portion of these costs relate to the Recreation and Culture Standard as a result of the increased need for water for recreational spaces. Those local governments with low rainfall, low rain days and high temperatures are assessed as experiencing the greatest disadvantage. Due to the recognition of temperature, the Commission believes that electricity costs for cooling in warmer regions is also recognised.

The Climate Cost Adjustor uses four components in determining the Climate Cost Adjustor:

- Population
- Mean Maximum Temperature
- Mean Rainfall
- Rain Days.

A local government's share of each of the totals of population, mean maximum temperature, mean rainfall and rain days are calculated and are then used to determine a share of the overall Climate Cost Adjustor allocation.

Aboriginality

Applied to: Recreation and Culture, Community Amenities, Governance, Law, Order and Public Safety, Education, Health and Welfare.

Data Used: Aboriginal Population (ABS)

Purpose: The Aboriginality Cost Adjustor is included to comply with the National Principles under the *Local Government (Financial Assistance) Act 1995*. The cost adjustor recognises that local governments with proportionately higher aboriginal populations have potentially higher costs as a result of responding to the needs of aboriginal people.

To calculate the cost adjustor, each local government's aboriginal population is calculated as a percentage of the state's aboriginal population and also as a percentage of the local government's population. This is then compared to the State average.

If the local government is higher than the State average for either of the two categories, it will qualify for a cost adjustor allowance.

This factor only applies to those local governments that have a higher than state average number of Indigenous persons or above state average percentage of Indigenous persons.

Regional Centres

Applied to: Recreation and Culture, Community Amenities, Governance, Law, Order and Public Safety, Education, Health and Welfare.

Data Used: The Commission exercises its discretion on which local governments qualify as a regional centre.

Purpose: The Regional Centres Cost Adjustor recognises that local governments incur additional costs for the provision of services and facilities on a recurrent basis because of population inflow from other local governments.

The Regional Centres Cost Adjustor recognises the additional cost incurred by local governments providing services to non-residents. These non-resident populations can impact on all areas of local government expenditure.

The Commission applies the following definition to a regional centre:

A town site with a relatively large population within its region, providing most essential state and local government services. Consisting of a large diverse employment base and acting as a transport hub for major road networks to connect surrounding settlements to services that are beyond the boundary of the local government.

The Commission acknowledges the following local governments as regional centres:

Category A - Perth

Category B - Albany, Bunbury, Greater Geraldton, Kalgoorlie-Boulder

Category C - Armadale, Busselton, Carnarvon, Collie, Esperance, Joondalup, Katanning, Mandurah, Manjimup, Merredin, Narrogin, Northam, Swan.

Category C local governments are allocated a relativity of 2, Category B local governments are allocated a relativity of 5 and the City of Perth is allocated a relativity of 10. These relativities in combination with population share are used to calculate the Regional Centres Cost Adjustor.

Fire Mitigation

Applied to: Law, Order and Public Safety

Data Used: Biophysical Attributes of Local Government (Department of Home Affairs and Environment)

Purpose: The Fire Mitigation Cost Adjustor recognises that some local governments incur greater costs in bush fire prevention and control due to topographic conditions.

The cost adjustor assesses a local government's fire risk using the following data:

TABLE 4: Terrain Categories

Terrain	Relief
Undulating terrain	relief in 1km ² less than 50m
Rolling terrain	relief in 1km ² greater than 50m, less than 100m
Hill terrain	relief in 1km ² greater than 100m, less than 200m
Mountain terrain	relief in 1km ² greater than 200m

The cost adjustor recognises that terrain is a significant factor in managing and fighting bush fires.

A score is calculated for each local government based on their terrain profile. This score is then used to determine a relative share of the State's terrain. A population share is also calculated as part of the overall assessment.

Off-Road Drainage

Applied to: Community Amenities

Data Used: Modelling is based on existing infrastructure.

Purpose: The Off-Road Drainage Cost Adjustor relates to urban off-road drainage needs, as opposed to road drainage needs included in the Asset Preservation Model. A model is used to assess the cost of maintaining open drains and channels, natural watercourses, pumps, pipe drains and drainage sumps.

The Commission's model assesses the cost of maintenance of off-road drainage based on existing infrastructure. Adjustments are made to the data periodically to ensure costs

are accurately reflected. This cost adjustor remains unchanged from the former methodology.

The costs are assessed as follows:

TABLE 5: Off-Road Drainage Allowances

Off-Road Drainage Cost	
Storm water drains	\$2,461 - \$4,184 per km
Open drains and channels	\$2,675 - \$4,548 per km
Creeks that require maintenance	\$1,873 - \$3,183 per km
Basins	\$0.32 - \$0.55 per m2
Sumps	\$0.64 - \$1.82 per m2
Levee banks	\$1,498 - \$3,321 per km

The costs are increased for the northern regions.

Medical Facilities

Applied to: Education, Health and Welfare

Data Used: Medical Expenditure (Information Return)

Purpose: The Medical Facilities Cost Adjustor recognises the costs incurred by local governments in assisting with the costs of employing a doctor and nurse practitioners.

The Commission recognises that some local governments provide funding assistance to employ doctors. This is regarded as an essential service for which there is no other alternative. Expenditures by local governments on doctors (not capital) will be recognised when calculating the cost adjustor.

The cost adjustor uses net figures. Any revenues received by a local government for the provision of medical services will be offset against expenditures. Local governments receive an allowance from the Commission which recognises a percentage of their costs. The maximum allowance is capped at \$85,000. The cost adjustor does not recognise the full cost of the employment of a doctor, to provide a degree of effort neutrality and ensure that the cost adjustor is apportioned with some degree of equity. Local governments receiving the maximum cost adjustor were calculated first with the remaining local governments receiving a cost adjustor based on a percentage.

The Commission consider expenditure relating to salary/retainer, car, housing, surgery rent and surgery administrative staff.

The Commission does not recognise depreciation, loan interest, insurance, computer equipment/internet, "future services provisions", capital expenditure or office expenses. While requested in the past, at this time, dentists, paramedics, physiotherapists, general nurses and other medical professionals are not considered under this cost adjustor.

Cyclone

Applied to: Law, Order and Public Safety

Data Used: Australian Building Standards

Purpose: The Cyclone Cost Adjustor recognises local governments that incur pre-cyclone clean-up costs, planning costs and increased insurance costs.

Local governments are given a score according to risk with the highest given a score of 3 and the lowest a score of 1. These scores are then used to allocate a share of the total cost adjustor. The local governments considered at risk from cyclones are as follows:

3 - Category / Zone D (Severe Cyclones):

Applies to Ashburton, Carnarvon, Exmouth, Port Hedland, Roebourne

2 - Category / Zone C (Tropical Cyclones):

Applies to Broome, Derby/West Kimberley, Wyndham-East Kimberley

1 – Commission Discretion

Applies to Christmas Island, Cocos (Keeling) Islands, East Pilbara, Shark Bay and Halls Creek.

Special Needs

Applied to: Law, Order and Public Safety, Community Amenities

Data Used: Submission by local government

Purpose: The Special Needs Cost Adjustor recognises local governments in unusual circumstances.

The Special Needs Cost Adjustor recognises that a local government may experience special circumstances which result in extraordinary costs that are not captured by the existing cost adjustors. The calculation of any cost adjustor in these circumstances is at the discretion of the Commission. Currently the only local governments to receive a special needs allowance are Gingin and Murchison.

Indian Ocean Territory Specific Cost Adjustors

Indigenous

The Indigenous cost adjustor is not applied in the same manner as the mainland. Rather than using Indigenous population the Commission uses ancestry data. This recognises Malay, Indonesian and Javanese heritage of the people for Cocos (Keeling) Islands and Chinese and Malay people for Christmas Island. Using the different ancestries reflects the cultural diversity of the Shires and the difficulties faced in catering for a number of different ethnicities.

Special Needs

Applied to: Governance

Data Used: Submission by local government

Purpose: The Special Needs Cost Adjustor recognises local governments in unusual circumstances.

A special needs cost adjustor allocation has been made to reflect the special needs associated with high insurance premiums on residential properties on Home Island (Shire of Cocos (Keeling) Island).

Both local governments receive an allocation of funding due to the need to print their own newspaper to remain compliant with legislative requirements.

Asylum Seeker

Applied to: Governance

Data Used: Submission by local government

Purpose: Recognises the impact of asylum seekers on the Shire's facilities and services and reflects the Commonwealth Government's direct responsibility for asylum seekers.

Human Resources

Applied to: Governance

Data Used: Submission by local government

Purpose: The Human Resource Allowance seeks to recognise the additional impost of undertaking staff training and development and recruiting and retaining staff.

Sanitation

Applied to: Community Amenities

Data Used: Submission by local government

Purpose: The Special Sanitation allowance recognises additional costs associated with the difficulty in containment of residential, commercial and industrial waste products.

Special Function

Applied to: Governance

Data Used: Submission by local government

Purpose: The Special Functions allowance recognises the additional civic type functions performed by the Shire that are typically performed elsewhere by other levels of government such as:

- Providing a point of enquiry for residents about government services.
- Requirement to host a particularly large extraordinary number of civic receptions resulting from many special visitors to the island.
- Language translation.

Roads

The Commission has used an Asset Preservation Model to distribute Commonwealth road funds to local governments in Western Australia since 1991-92. This section describes the current version of the Asset Preservation Model.

The original Asset Preservation Model¹ was developed by Main Roads WA and local government in 1989-90 and was first used in 1990-91 for distributing Commonwealth local road funds. It was derived from a theoretical model developed by the Australian Road Research Board².

The Commission assumed responsibility for the distribution of Commonwealth local road funds in 1991-92, following the decision of the Special Premiers Conference in October 1990 to untie these funds. Although the funds were untied, the Commonwealth Government agreed to continue identifying the funds for roads. This meant that these funds would continue to be distributed in accordance with road needs.

When the Commission took over responsibility for distributing the identified Commonwealth road funds, it undertook a comprehensive review of the Asset Preservation Model and modified and refined it.

Principles for Distribution of Road Funds

The National Principle relating to the allocation of the identified road component of the Financial Assistance Grants under section 12 of the Commonwealth *Local Government (Financial Assistance) Act 1995* is as follows:

“The identified road component of the Financial Assistance Grants should be allocated to local governing bodies as far as practicable on the basis of the relative needs of each local governing body for roads expenditure and to preserve its road assets. In assessing road needs, relevant considerations include length, type and usage of roads in each local governing area.”

The following additional policies, developed in consultation with the Commonwealth are also applied.

1. Seven percent of the funds will be reserved for special projects: two-thirds for bridges and one-third for roads servicing Indigenous communities.
2. The remaining 93 percent of funds will be distributed according to Asset Preservation Needs as determined by the Western Australian Model.
3. The Asset Preservation Needs will be adjusted to provide for minimum standards as determined by the Western Australian model.

¹ Working Party for the distribution of Federal Local Road Funds, 1990, 'Distribution of Federal Local Road Funds among Local Government Authorities', Main Roads Western Australia, Perth.

² Australian Road Research Board, 'Study into Assessment of Inherent L.G.A. Cost Disabilities for Roads', P J Mulholland, ARRB, Melbourne

4. All roads that are the responsibility of local government will be used in assessing asset preservation needs.

Road Funding

In accordance with the above policies seven percent of the Commonwealth road funds are allocated for Special Projects and the remaining 93 percent distributed according to Asset Preservation Needs.

Two thirds of the seven percent for Special Projects is allocated for preservation of bridges. A committee, comprising representatives of the WA Local Government Association (WALGA), Main Roads WA (MRWA) and the Commission, recommends allocations for bridges. The Committee is advised by Main Roads WA, which assesses priorities in accordance with its bridge management program.

One third of the Special Project Funds are allocated to roads servicing remote Indigenous communities. A committee, comprising representatives from the WALGA, DLGSC, MRWA, Department of Planning, Lands and Heritage and the National Indigenous Australians Agency recommends allocations for roads servicing remote Aboriginal communities. The Committee has established funding criteria based on factors such as the population and the distance of a community from a sealed road. The aim of the criteria is to better meet the needs of Aboriginal communities.

In addition to the Commonwealth Special Project funds, MRWA contributes a third of the cost of all projects funded under the Special Projects Program. This contribution of state funds is subject to the condition that local governments spend the special project funds on the project for which they were allocated.

An Overview of the Asset Preservation Model

The Asset Preservation Model assesses the average annual cost of maintaining each local government's road network. It takes into account:

- Annual and recurrent maintenance costs; and
- Reconstruction at the end of the road's useful life.

The model recognises the different needs of urban and rural roads, and the different levels of development of these roads. Thus the needs of sealed, gravel and formed roads are each treated according to their particular needs.

The model calculates annual asset preservation expenditure needs for each work based on the following formula:

Unit cost per km x frequency factor x road length = Annual expenditure need

For example, the annual expenditure need for resealing for a local government that has 10 kilometres of road sealed 6 metres wide would be:

\$43,955 (Unit Cost per KM) x 1/15 (Frequency Factor) x 10 (Length) = \$29,303

The frequency factor refers to how often the work is carried out. In this example, resealing is carried out every 15 years.

The annual cost of all relevant road work activities is calculated in this way for each local government, to obtain its total asset preservation expenditure needs.

The Commission's Asset Preservation Model has the facility to equalise road standards through minimum standards. These standards help local governments that have not been able to develop their road systems to the same degree as the more affluent ones.

The model requires comprehensive road statistics, costs and work standards. These are discussed in the following sections of this document.

Road Statistics

WA's road classification has three categories – commonwealth roads, state roads and local government roads.

Statistics for all local government roads are used in assessing a local government's needs. These exclude private roads and National Park and Forestry roads that are the responsibility of the Department of Biodiversity, Conservation and Attractions.

Road statistics are obtained from MRWA in March each year. These represent a snapshot of the road inventory at the time they are provided by MRWA.

Built up areas are separately identified by the Commission because roads within them generally involve greater expenditure than roads in non-built up areas. This is because roads in built up areas:

- Have high traffic volumes;
- Have large numbers of intersections, necessitating intersection treatments, pavement markings, signs, etc;
- Require kerbing for traffic control and or drainage;
- Require an asphalt surface where traffic volumes are high, or where noise reduction is important;
- Require underground drainage because surface drainage is impractical;
- Involve high cost of service alterations during reconstruction;
- Involve high costs because road works have to be carried out under heavy traffic.

The following definition is intended to limit built up areas to localities where the above conditions prevail.

Residential localities, which have lots with areas less than 0.45 ha, and commercial and industrial areas that meet the following criteria are classed as built up:

- At least half the blocks are developed
- Existing roads have a minimum standard of a gravel road for old subdivisions and a sealed road for new subdivisions.

Areas servicing sporting complexes, schools and caravan parks are classed as built up where:

- They are located in an area which is developed as residential; or
- The existing roads servicing these facilities are already sealed and kerbed.

A road connecting two built up areas is classed as a road in a built-up area where the connecting road is less than 300m in length.

The road statistics used in the model are shown below:

TABLE 6: Road Classes and Statistics used in the Model

	Roads In Built Up Areas	Roads Outside Built Up Areas
Road Classes	Residential streets Local industrial and distributor roads	Local Roads
Statistics	Aggregate seal (L) x (W) Asphalt seal (L) x (W) Gravel (L) Kerbing (L) Longitudinal piped drainage (L) Bridges (A)	Aggregate seal (L) x (W) Gravel (L) Formed (L) Unformed (L) Bridges (A) River crossings (A)
(L = length in kilometres, W = width in metres, A = area in square metres)		

Sealed roads have many different widths. To simplify the model, the sealed road lengths are converted to lane kilometres with a standard width of 3.5 metres. One lane kilometre = 3,500 square metres.

Widening of Highways and Main Roads through Country Cities and Towns

In country cities and towns, MRWA are responsible for the through lanes on highways and main roads, and local governments are responsible for any widening required for local traffic and parking. To make allowance for local government responsibility on these roads, the widened sections of highways and main roads through country cities and towns are classed as local roads.

Roads Servicing Remote Aboriginal Communities

Aboriginal access and internal community roads are included in the statistics used in assessing asset preservation needs, provided that they are public roads included in local government road inventories and are regularly maintained by local governments.

Local governments have accepted responsibility for maintaining about 6,000 kilometres of access roads and these are included in the road statistics used in distributing road funds.

Unsealed Roads Carrying High Volumes of Traffic

The Commission makes allowances for unsealed roads carrying higher traffic volumes than they could carry efficiently.

Equivalent Average Annual Traffic [EQ AADT], based on the equivalence factors in the table below are used as the measure of traffic. For example, a class 12 Triple Road Train will attract a weight of 26 per vehicle compared to Class 1 vehicle.

TABLE 7: Equivalence Factors for Trucks on Gravel Roads

Vehicle	Number of axles	Equivalence Factor
Classes 1 and 2		1
Class 3 truck	2	4
Class 4 truck	3	6
Class 5 truck	4	8
Class 6	3	6
Class 7	4	8
Class 8	5	10
Class 9 semi-trailer	6	12
Class 10 B double	8	16
Class 11	8	16
Class 12 Triple road train	6-19	26

The equivalence factors apply to unsealed roads only.

Gravel or formed roads with an EQ AADT of 75 or greater qualify for an allowance.

The allowance for traffic is made by increasing the allowances provided in the Asset Preservation Model. The allowances are set out in the table below. The maximum of \$9,189 per km is equivalent to the allowance for a road sealed 7.0 metres wide.

TABLE 8: Allowances for Traffic on the Cost of Maintaining Gravel Roads (per kilometre) \$ per Year

EQ AADT	Allowance per km 2021/22 (\$)
Less than 75	3,683
75 to 99	5,020
100 to 149	6,294
150 to 200	8,000
Greater than 200	9,189

Local governments receive only 13.5 percent of these allowances because the available Commonwealth grants are 13.5 percent of assessed road preservation needs.

Local governments on minimum standards will not be eligible for an allowance because these local governments are already receiving higher road grants than they would receive in recognition of their road needs.

Gravel and formed roads that meet the criteria in the table below will be deemed to qualify for sealing, and these will be taken into account in setting minimum standards.

TABLE 9: Intervention Levels for Sealing Gravel Roads

Traffic EQ AADT	Seal Width
75 - 300	6.0 m
> than 300	7.0 m

Two traffic counts are required at each location, one taken during peak traffic such as wheat carting and one in the off peak period. The EQ AADT is estimated by weighting the counts using estimated periods of peak and non-peak traffic.

Bridges

The Asset Preservation Model makes provision for annual bridge maintenance, but not for major maintenance and replacement of bridges. The reason for this is that the Commission makes Special Project grants for major maintenance and replacement of bridges. These grants are matched with a one third contribution from MRWA.

The allowance for annual maintenance is based on deck area.

Traffic Control Devices

Provision for annual maintenance of traffic control devices is included in the allowance for road maintenance.

Growth in the Road Network

The different rates at which local governments’ road networks grow, are taken into account through updated road statistics that are used every year.

Road Costs

The reliability of the Asset Preservation Model depends on realistic unit costs and work standards.

The State is divided into 21 regions to properly reflect the main cost differences within the State. They were identified using the Commission’s cost adjustors, which take into account the effect of location, climate and terrain; and a report Environmental Regions of Australia³ which divided the State into regions based on climate, landform, lithology, soils etc.

Costs for each region were reviewed in 2019-20 with information provided by local governments. The costs currently used by the Commission are based on 2019 prices, adjusted in subsequent years using the ABS road and bridge construction price Index for WA. This ensure that the road costs used in the model each year are kept current and reflect inflationary movements.

³ ‘Environmental Regions of Australia’, Department of Home Affairs and Environment, 1983, AGPS, Canberra.

Cost Adjustors

The regional costs reflect regional factors such as isolation and climate that influence road costs. For example, the costs obtained from the Kimberley shires reflect the cost of labour, plant and transporting bitumen to the region. However, there are differences within a region that affect standards and costs, such as the distance that gravel has to be carted and terrain.

Four cost adjustors have been included in the model to take these differences into account. These factors are:

- The distance that gravel has to be carted for re-sheeting gravel roads and reconstructing sealed roads
- Soil conditions which affect the thickness of sealed pavements
- Terrain
- Salt.

Each of these cost adjustor factors has been calculated, using quantitative data. They are discussed in the next section.

Cost of Pavement Materials for Sealed Roads

The cost of pavement materials varies considerably depending on whether they are bought from a supplier or obtained from a local government controlled gravel pit.

The distance that pavement materials are carted has a big impact on road costs. The distance varies from 5 km to 50 km. These distances and the amounts paid for the materials were obtained from a questionnaire sent to all local governments. A model was developed to estimate the cost per cubic metre of sub base and base course materials delivered and placed on the road for every local government.

It was found that in the metropolitan area pavement material costs depend on individual contractual arrangements rather than geographical factors. Average costs were therefore used for the metropolitan region. Elsewhere, however, individual costs were used for each local government.

Pavement Thickness for Sealed Roads

Pavement thickness has a significant influence on reconstruction costs. Evaluating pavement thickness requires data on soil strengths and traffic volumes.

Data on soil types was obtained from the report 'Biophysical Attributes of Local Government Areas'⁴. The soil types were based on agricultural classifications rather than their suitability as a road subgrade. The Main Roads Materials Engineering Branch estimated design Californian Bearing Ratios (CBR) for each of these agricultural classifications, using CBR records which were available for many of the soil types in WA.

⁴ 'Biophysical Attributes of Local Government Areas', Department of Home Affairs and Environment, 1983, AGPS, Canberra.

The CBR is a measure of the bearing capacity of a soil obtained from a standard soil penetration resistance test.

The Materials Engineering report⁵ identified four ranges of design CBRs.

1. CBRs less than 5
2. CBRs between 5 and 10
3. CBRs between 10 and 15
4. CBRs greater than 15

The design CBRs take rainfall and drainage conditions into account. The Equivalent Standard Axles (ESAs) in the table below were used to calculate pavement thicknesses. The ESAs were estimated from information supplied by local governments and Main Roads. They were based on small samples and will require refinement in the future. However, as fairly large changes in ESAs are required to make an appreciable change to pavement thickness, the ESAs in the table below can be used with reasonable confidence.

TABLE 10: Equivalent Standard Axles for Local Government Roads

Road Type	Equivalent Standard Axles (ESA)	
	Metropolitan	Country
Roads in Built Up Areas		
Residential Streets	60 000	30 000
Local Industrial and Distributor Roads	2 000 000	800 000
Roads Outside Built Up Areas		
Local Roads	400 000	400 000

Pavement thicknesses were calculated using Australian Road Research Board report ARR 150⁶, and Main Roads Engineering Road Note No. 9⁷.

Terrain

Information on terrain, obtained from a report ‘Physical Attributes of Local Government Areas’, gave the percentage of each local government area in each of four terrain categories - plains, undulating, rolling and hilly.

Analysis of the questionnaires on road costs indicated the effect of terrain on the costs of forming a road would be:

⁵ Materials Engineering Report No, 92/25 M. ‘An Estimation of Subgrade Soil Strengths of all Local Government Authorities in Western Australia’, 1992, Main Roads Western Australia, Perth.

⁶ Research Report ARR150 ‘Structural Design Guide for Residential Street pavements; Preliminary Draft’, 1987, P J Mulholland, ARRB, Melbourne.

⁷ Engineering Road Note No. 9, ‘Procedure for Thickness Design of Flexible Pavements’ 1988, Main Roads Western Australia, Perth.

TABLE 11: Effect of Terrain on Road Costs

Terrain	Effect on Costs
Flat	1.0
Undulating	1.2
Rolling	1.4
Hilly	1.6

Based on this information, cost adjustor factors for terrain were calculated. The cost adjustor factors vary between 1.0 in shires that are predominantly flat to 1.3 in Shires that have extensive hilly areas. These were applied to the cost of formation in the reconstruction of sealed roads.

Salt

It is well known that roads built in salt affected areas cost more to maintain and do not last as long as roads elsewhere, but there is no quantitative information available to the Commission as to the increased costs and how long salt affected roads will last. Some local governments estimate that the presence of salt reduces road life by up to half. Discussions with MRWA and local government engineers resulted in agreement that a reduction of a third would be more realistic, and this reduction has been used in determining a cost adjustor factor. The estimated effect of salt is shown in the table below.

TABLE 12: Effect of Salt on Road Life

	Normal Life (Years)	Life in Salt Affected Areas (Years)
Unsealed gravel pavements	12	8
Sealed gravel pavements	45	30
Seal	15	10

Cost adjustor factors were calculated for each local government using data obtained in 2002 from the Department of Land Administration – Land Monitor Project. The project measured the area affected by salt using satellite imagery. Currently some 1.2 million hectares are affected and the projections are that the affected area will double in the next 15 to 25 years and will double again before equilibrium is reached. The Department of Primary Industries and Regional Development is currently updating the state-wide data and it is anticipated that this will enable an updated adjustment factor to be applied by the Grants Commission.

The cost adjustor factors were applied to all gravel and sealed roads.

Work Standards in the Model

Road works which have the largest effect on asset preservation needs are reconstruction and resealing of sealed roads, regravelling of gravel roads and reforming formed roads. Work standards for these operations were based on road engineering practice and were

adopted after discussions with local government and MRWA engineers. These work standards are set out below:

Resealing - Aggregate Seals

A resealing frequency of 15 years was used throughout the State, except in the Pilbara and Kimberley Regions where 12 years was used.

Resealing - Asphalt Seals

The thickness and frequency of asphalt reseals are shown in the table below.

TABLE 13: Standards for Resealing Asphalt Roads

Category	Thickness (mm)	Frequency (Years)
Residential Streets	25	25 ⁽¹⁾
Local Industrial and Distributor Roads	30 ⁽²⁾	20

⁽¹⁾ In the Pilbara and Kimberley the frequency for residential streets was reduced to 20 years.

⁽²⁾ Outside the metropolitan area a thickness of 25mm was used for local distributor roads.

Regravelling of Gravel Roads

The model recognises that part of the gravel pavement is lost each year through the wear of traffic, road grading and wind and water erosion, and makes provision for periodic replacement of the gravel. Estimates of how frequently regravelling is necessary, varied from about 6 years to 25, depending mainly on traffic. The model provided for all gravelled roads to be regravelled every 12 years to a thickness of 100mm.

Gravel and formed roads in pastoral and mining areas and on the fringes of the agricultural area are of a low standard. In order to provide for improvement of the standard of these roads, the allowance for regravelling was increased by 30 percent in pastoral and mining areas and 10 percent on the fringes of the agricultural area.

Reformation of Formed Roads

Formed roads lose their shape through traffic and repeated road grading and eventually reach the condition where the side drains are filled with material graded off the running surface. Roads in this condition present drainage problems and are difficult to maintain. Reformation is the process of restoring the raised formation and side drains. The Model provided for all formed roads to be reformed every five years.

As with the gravel roads, the allowance for reformation was increased by 30 percent in pastoral and mining areas, and 10 per cent in the fringe areas to allow for improvement of the standard of formed roads.

Reconstruction of Sealed Roads

Extensive consultation with Main Roads and local government engineers led to the adoption of the following road life criteria for sealed roads:

1. 45 years for sealed local government roads outside built up areas.
2. 45 years for local distributor roads.
3. 45 years for residential streets outside the Metropolitan area.
4. 55 years for residential streets within the Metropolitan area.

The longer life for residential streets in the Metropolitan area is because these streets carry very little heavy traffic and have very high standards of construction. The residential streets outside the Metropolitan area also have little heavy traffic but have been built to lower standards.

Minimum Standards

An earlier criticism of the Asset Preservation Model was that it favoured local governments with highly developed road networks and discriminated against those which were not able to develop their roads adequately.

The Commission addressed this criticism by using minimum standards that were assigned to each road type. Local governments that fell below the minimum standard had their asset preservation assessed on the minimum standards, while those above the minimum standards had their asset preservation assessed on their actual standards.

There are two sets of minimum standards, one for roads inside built up areas, and one for roads outside built up areas.

Minimum Standards for Roads within Built up Areas

Residential streets and other local roads in built up areas generally have similar functions throughout the State, so it is possible to set state-wide minimum standards for these roads. For example, if 97% of residential streets in the metropolitan area are kerbed, it would be reasonable to set a standard that 97% of all residential streets in the State should have kerbing.

Using this principle for roads inside built up areas, the average standards for the inner metropolitan area were used as the minimum standard throughout the State. The average width and the percentages in the table below were calculated for the inner metropolitan area. These were applied as a minimum standard for all gravel and sealed roads in built up areas throughout the State.

TABLE 14: Minimum Standards for Roads within Built Up Areas - Residential Streets

Type of Road	Standard
Seal	100%
Minimum Seal Width	7.4m
Asphalt Seal	90%
Kerbing	97%
Longitudinal Drainage	65%

In the case of local distributor roads no attempt was made to specify a minimum width, because the variations in traffic volumes are so great on these roads that the appropriate width could vary from a single 6 metre carriageway to dual 11 metre carriageways. The model is based on existing widths.

Minimum Standard for Local Roads outside Built up Areas

Roads outside built up areas vary from quite heavily trafficked sealed roads to tracks servicing isolated Indigenous communities and farms. Ideally traffic volumes are needed to define minimum standards. As traffic volumes are not universally available an alternative method was used.

For the purpose of determining minimum standards, the State was divided into regions, each composed of local governments with similar characteristics and development. In doing this, population density and geographical factors were taken into account. Percentages for the five road types, shown in the table below were calculated for each region and applied as minimum standards for that region.

TABLE 15: Criteria used in Applying Minimum Standards to Local Roads outside Built Up Areas, South West Region

Type of Road	Percentages are calculated for each region
Sealed roads - narrower than 4.6 m	0.65%*
Sealed roads - wider than 4.6 m	47.3%*
Gravel roads	40.9%*
Formed roads	3.6%*
Unformed roads	1.6%*

*Percentages vary between each region

The Commission is conscious of the subjective nature of the minimum standards for roads outside built up areas. A more objective method of defining minimum standards would be based on traffic volume, except for very lightly trafficked roads where soil conditions, and not traffic volumes, dictate standards. However, little progress can be made until comprehensive information on traffic volumes becomes available.

Distribution of Funds

The Commonwealth road funds (other than the seven percent allocated to special projects) are distributed among local governments in proportion to their asset preservation needs.

In 2021/22, \$116.146 million was allocated in accordance with road asset preservation needs. The total asset preservation needs for WA were \$755.920 million, which meant that local governments received 14.2 percent of their assessed asset preservation requirement.

Transparency

One of the Commonwealth Government’s requirements was that the method of distributing the funds should be ‘transparent’ to local government. This requirement is met by providing every local government with a simple statement showing how its asset preservation needs were calculated. This statement allows local governments to work

through the assessments for their local governments, and make submissions to the Commission if they feel that their needs have not been correctly assessed.

Consultation

Public Hearings

In accordance with the *Local Government (Financial Assistance) Act 1995*, the Commission undertakes public hearings with local governments. The hearings consist of a formal presentation about the operations of the Commission. During the hearing, local governments are given the opportunity to present submissions to the Commission on their grant determination and any issues relevant to the grants determination process.

The hearings facilitate discussion between councillors, staff, members of the public and the Commission. The Commission holds public hearings with each local government at least once every five years.

Through these hearings, the Commission can gain a greater understanding of the issues affecting local governments and their capacity to provide services and facilities to their communities.

Special Hearings

In addition to public hearings, local governments can request a special hearing with the Commission. This allows local governments to present their case for amendments to the grant methodology.

Submissions

Local governments in Western Australia are given the opportunity to highlight to the Commission any cost adjusters they face in the provision of local government services which may result in a higher cost of delivering local government services. The Commission then decides on whether the circumstance warrants further recognition in the methodology. Additionally, if a local government feels an improvement can be made to the methodology, this can also be suggested through submissions.

Submission Guidelines

Local governments may prepare a submission to the Commission for consideration for the following year's grant determination. This may be presented during the Commission's scheduled visiting program or posted/emailed to the Commission for consideration.

Submission Structure

Before making a submission, local governments should give consideration to:

- i. **Balanced Budget Detailed Calculations**
This document contains all the equations, key indicator variables and cost adjustor weightings used in the calculation of revenue and expenditure standards in the determination of equalisation grants.
- ii. **Principles and Methodology Publication**
This Report explains in detail the complete methodology of grant determinations for each Standard, including descriptions of recognised cost adjustors.
- iii. **The Commission's Annual Report.**
The Annual Reports detail changes made to the grants determination methodology since the publication of the Principles and Methods Report.
- iv. **Calculation of a local government's asset preservation needs.**
This data sheet is prepared to show how asset preservation needs are calculated. It itemises road statistics, costs and minimum standards for each local government, and can be requested from the Commission.

Publications are available from the Commission's website or Commission staff can be contacted to receive the most recent publications.

The following submission structure is suggested as a guideline.

Part A – Cover Page

Cover page with:

- Name of Local Government
- Name of Chief Executive Officer
- Date submission lodged.

Part B – Specific Cost Adjustor Claims

Part B should detail the local governments claim.

This section will include full documentation supporting each specific claim and is expected to include financial and non-financial information supporting the claim.

- a) The local government may make a claim regarding the Commission's revenue or expenditure standards.
- b) The local government may claim a cost adjustor currently not recognised within the Balanced Budget method.
- c) Claims for amendments to cost adjustor values or new cost adjustors must be justified with supporting figures. Cost adjustors apply where local governments have inherent problems that cause, or could cause, revenue to be lower than, or expenditure to be higher than, an average standard of revenue and expenditure.

The local government must clearly identify the issue it is seeking recognition/amendment of with as much information as possible provided to support the claim. Particularly for claims of new cost adjustors, this includes identifying a state-wide available data set. It is

up to local governments to provide sufficient evidence or reason for the Commission to investigate an issue.

Expenditure in excess of or revenue below the standard level of provision of service does not necessarily imply a cost adjustor. A local government may have a policy to provide a below-average standard service (the rate imposed is less) or an above-average standard of service (higher expenditure level). Thus, where possible, quantification of a cost adjustor should include evidence of the cause of the problem.

For example, a local government may have a very high level of expenditure in some areas because it has a significant number of houses owned by non-residents who use them on a seasonal basis. The additional seasonal population could impact on expenditure classifications such as Governance, Law Order & Public Safety, Community Amenities, Transport, etc. A local government in this situation should quantify the number of houses owned by non-residents and calculate the additional cost to local government of servicing these dwellings for each standard where it is thought to impact.

Submission on Local Roads Funding

There is no formal structure for Submissions on the local roads funding component.

Where a local government wishes to raise an issue, general comments are sufficient, provided that the claims are supported with statistics and verifiable data. For example, if the local government considers that a particular unit cost in the model used by the Commission is inadequate, it should submit details of actual expenditures to back up its claim.

Information Provided to Local Governments

The Commission has a policy of transparency in its operations and in the provision of information used in the grants determination process. Each year copies of the Financial Assistance Grant outcomes are provided to each local government.

Any changes or proposed changes to the methods of grant determination are detailed in the Annual Report, and in subsequent editions of this publication. The Commission has a policy of consultation with local government where major changes to the methodology are being considered.



Disclaimer: The information and advice within this document is provided voluntarily by Department of Local Government, Sport and Cultural Industries as a public service. The information and advice is provided in good faith and is derived from sources believed to be reliable and accurate. No representation or warranty, express or implied, is made as to the accuracy, completeness or fitness for purpose of this document. The reader of this document should satisfy themselves concerning its application to their situation. The State of Western Australia, the Department of Local Government, Sport and Cultural Industries and their officers expressly disclaim liability for any act or omission occurring in reliance on this document or for any consequences of such act or omission. Current as at September 2021.

Western Australian Local Government Grants Commission Methodology for the Distribution of Commonwealth Financial Assistance to Local Governments in Western Australia is available for viewing and download from the Department of Local Government, Sport and Cultural Industries website: www.dlgsc.wa.gov.au

For more information, please contact:

Department of Local Government, Sport and Cultural Industries
Gordon Stephenson House, 140 William Street, Perth WA 6000
PO Box 8349, Perth Business Centre WA 6849
Telephone: (08) 6551 8700
Fax: (08) 6552 7300
Freecall: 1800 634 541 (regional WA callers only)
Email: grants.commission@dlgsc.wa.gov.au
Website: www.dlgsc.wa.gov.au
Translating and Interpreting Service (TIS) – Telephone: 13 14 50

WA Local Government Grants Commission
Department of Local Government, Sport and Cultural Industries
PO Box 8349, Perth Business Centre WA 6849

Email: grants.commission@dlgsc.wa.gov.au

Dear Sir,

Grants Commission Submission – Shire of Derby/West Kimberley

We seek consideration from the Commission of an improvement to the methodology for the calculation of Western Australian local government General Purpose Grants, to achieve a fairer distribution methodology. Our submission is attached, and summarised below.

The National Principles for the distribution of funds are based on the objective of full horizontal equalisation which is defined in section 6(3)(a) of the Commonwealth Local Government (Financial Assistance) Act 1995 as:

“...a basis that ensures that each local governing body in the State is able to function, by reasonable effort, at a standard not lower than the average standard of other local government bodies in the State”.

The basis of this submission is that the WA Grants Commission does not in fact meet that legislatively required principle.

The Shire requests that an *average standard floor* be inserted into the methodology, to sit at the other extremity of the existing minimum grant guarantee provided via the 30% population base calculation. The *average standard floor* will protect the most disadvantaged local governments, providing a fairer system which will enable districts with “cost adjustor” levels above the average, to stabilise there district from further receding into unsustainability and suffering even greater levels of disadvantage. The result will be that no local government will be more disadvantaged year on year, than that of the average of all of the local government districts of Western Australia. The methodology change recommended is that:

The 70% proportion of the grant funding is allocated so that the districts with a higher than average need, can operate (funds permitting) to a standard not lower than the average standard of other local government bodies in Western Australia. A prioritised “bottom up” style of funding needs to be implemented, with funding being set at \$1 in grant funds for every \$1 of the district’s equalisation requirement until funds are exhausted.

We would welcome the opportunity to discuss the above with the Commission, so it can give due consideration of our request.

Yours faithfully,

Amanda Dexter
Chief Executive Officer

Shire of Derby/West Kimberley

Amanda Dexter (CEO)

30 June 2022

This submission seeks the WA Grants Commission's consideration to a change in the allocation methodology so that:

The 70% proportion of the grant funding is allocated so that the districts with a higher than average need, can operate (funds permitting) to a standard not lower than the average standard of other local government bodies in Western Australia. A prioritised "bottom up" style of funding needs to be implemented, with funding being set at \$1 in grant funds for every \$1 of the district's equalisation requirement until funds are exhausted.

The Commonwealth Local Government (Financial Assistance) Act 1995 outlines the mechanism for the federal government to provide financial assistance for local government. It requires that each state and territory has a Grants Commission and establishes *National Principles* for the distribution of those funds, and which the State Commissions must comply.

The National Principles for the distribution of funds are based on the objective of full horizontal equalisation which is defined in section 6(3)(a) of the Act as:

"...a basis that ensures that each local governing body in the State is able to function, by reasonable effort, at a standard not lower than the average standard of other local government bodies in the State".

The basis of this submission is that the WA Grants Commission does not in fact meet that legislatively required principle.

The Shire's grant allocation for 2021/22 was \$4,487,555 (not including road grant funds). The *Fiscal Equalisation* calculation for the district (as calculated by the WA Grants Commission) is \$10,260,325, which is \$5,772,770 more than the actual funding received.

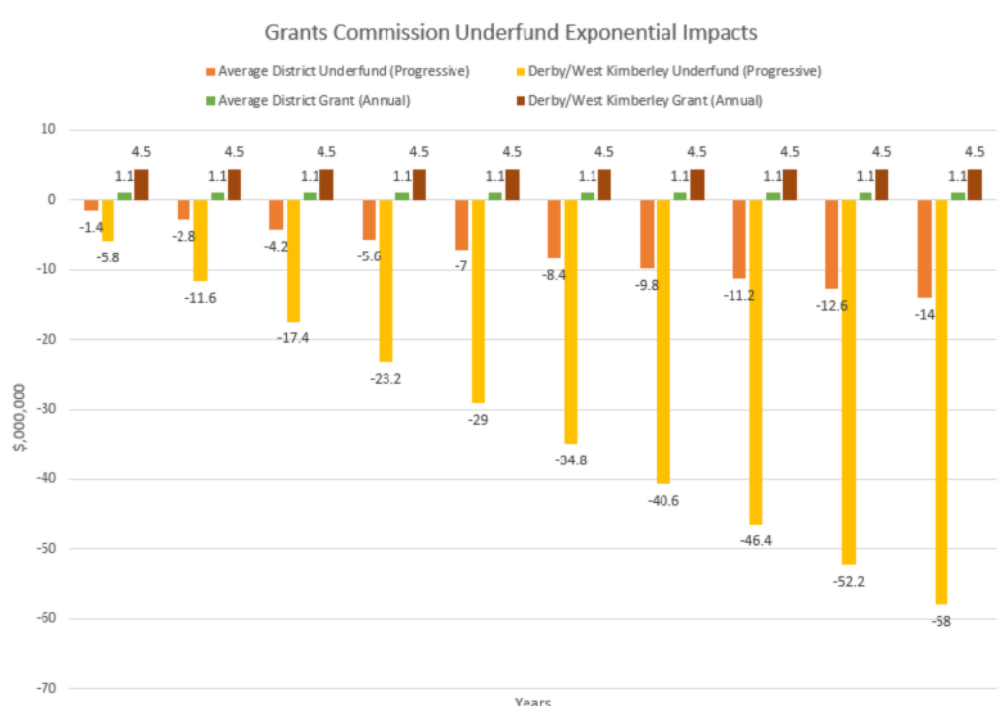
The Shire's *fiscal equalisation* requirement calculation of \$10,260,325 is the highest in Western Australia. The state average is \$0 with the most "sustainable" local government being Perth at -\$58,443,139. The average of all local governments with a positive fiscal equalisation requirement is \$2,470,581. This is effectively saying that the Shire of Derby/West Kimberley is four times more disadvantaged than the average of those local governments that have a positive fiscal equalisation requirement.

Excluding the Shire of Derby/West Kimberley, the Kimberley Region's total equalisation calculation (Broome @ \$2,681,004 + Whyndam-East Kimberley @ \$4,772,593 + Halls Creek @ \$6,263,585) is \$13,717,182 and its average, is \$4,572,394. This in effect converts to the Shire of Derby West Kimberley's assessed financial disadvantage position being the highest by far of the Kimberley local governments, and more than twice the Kimberley average.

Because the Federal Government does not fund 100% of the fiscal equalisation sum (the 2021/22 ratio was 44% for our district based on our population and disability factors) and that there is a component of the grant that provides some funding for even those local governments with negative fiscal equalisation requirements (e.g. the City of Perth received \$314,948 in 2021/22) it means that those local governments with the positive equalisation requirements slip further behind every other community, every year. And of course as Derby/West Kimberley has the highest disadvantage in the state, it is slipping behind at the fastest rate of every local government in Western Australia. This exponential disadvantage gap can be seen in the below graph which shows four components:

- the average local government grant of those local governments that have a positive fiscal equalisation requirement (\$1.1m);
- the Shire of Derby West Kimberley’s annual grant (\$4.5m);
- the average local government’s progressive funding gap per annum (\$1.4m); and
- the annual progressive funding gap for the Shire of Derby West Kimberley (\$5.8m).

The additional exponential disadvantage being suffered by the district of the Shire of Derby West Kimberley grows at approximately \$5.8m/annum and is clearly highlighted by the growing difference between the relevant (orange/yellow) bars below.



A floor needs to be inserted into the methodology, similar to the floor provided by the population calculation (where there is a provision in the legislation that requires that a local government’s General Purpose Grant cannot be less than 30% of what it would have received if the Grant was calculated on a per capita basis). This provision will protect the most disadvantaged local governments by requiring that those local government districts that have the largest positive equalisation calculation requirements receive a suitable funding priority. The way to secure compliance and assist very disadvantaged local governments would be to ensure that:

The 70% proportion of the grant funding is allocated so that the districts with a higher than average need, can operate (funds permitting) to a standard not lower than the average standard of other local government bodies in Western Australia. A prioritised “bottom up” style of funding needs to be implemented, with funding being set at \$1 in grant funds for every \$1 of the district’s equalisation requirement until funds are exhausted.

This would enable districts with the highest *cost adjustor* levels to stabilise there district from further receding into unsustainability and arrest the slide that is currently occurring. Importantly, the change would result in no local government being more disadvantaged year on year, than at least that of the average of the state’s local government districts that also have positive equalisation requirements.

The Shire of Derby/West Kimberley is well managed and operates with good levels of accountability and diligence, but its Federal Assistance Grant allocation for 2021/22 was only \$4,487,555 (not including road grant funds) \$5,772,770 less than the fiscal equalisation calculation for the district (\$10,260,325). This funding deficit severely impacts upon the Shire’s capacity to operate in a relevant fashion for its district and exponentially penalises the shire and its community more than any other in Western Australia.

It is appreciated that the funding to meet the above methodology change will come from those local governments that sit above the level of having a \$0 income equalisation requirement and the preferred option will in its simplest conclusion mean that a number of local governments will move from receiving a component of the 70% grants commission disability factor allocation, to now being “minimum grant local governments”, receiving only the dedicated 30% population component. It is considered that this outcome only serves to reinforce that the methodology ought to change as suggested, as the needs of the range of local governments that are exponentially underfunded now by comparison, will still with the change proposed, be no better off than any local government funded at the minimum grant level.

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12 CORPORATE SERVICES

12.1 WALGA 2022 ANNUAL GENERAL MEETING CONFIRMATION OF ATTENDEES AND VOTING DELEGATES

File Number: 4285

Author: Sarah Smith, Executive Services Coordinator

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Advocacy

SUMMARY

The Western Australian Local Government Association (WALGA) has advised of the Local Government Convention and Annual General Meeting (AGM) are to be held at the Crown, Perth on Monday, 3 and Tuesday, 4 October 2022, with the Opening Welcome Reception being held on the evening of Sunday, 2 October.

This Agenda seeks to confirm Elected Member Attendance at the Convention requests Council give consideration to nominating two Voting Delegates and two Proxy Voting Delegates, for the 2022 WALGA Annual General Meeting to be held on Monday, 3 October 2022.

DISCLOSURE OF ANY INTEREST

Nil from Author.

BACKGROUND

The Annual WALGA Local Government Convention and AGM is an opportunity to network and build knowledge through engagement with other Councillors, CEO’s, the trade exhibition and though presentations and seminars during the Convention.

In accordance with policy C2 – Elected Member and Employee Training and Professional Development, all Councillors are encouraged to attend the Annual WALGA Local Government Convention and AGM.

LEGISLATIVE IMPLICATIONS

Nil applicable

POLICY IMPLICATIONS

C2 – Elected Member and Employee Training and Professional Development

FINANCIAL IMPLICATIONS

Travel, Conference Registration, accommodation and associated disbursements will cost approximately \$3,000.00 per person.

STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Organisation's Operations:</p> <p>Inability to exercise voting rights as Member Council of WALGA. Inability to contribute to decisions made at WALGA AGM.</p>	Unlikely	Minor	Low	<p>Appoint Voting Delegates and Proxy Voting Delegates by required deadline of Friday, 23 September 2022.</p> <p>Appointed Delegates attend AGM.</p>
<p>Reputation:</p> <p>Attendance at State Conference Annual General Meeting without the ability to vote.</p>	Unlikely	Minor	Low	<p>Council nominate voting delegates and proxies as recommended.</p>

CONSULTATION

Nil

COMMENT

In accordance with policy C2 – Elected Member and Employee Training and Professional Development, all Councillors are encouraged to attend the Annual WALGA Local Government Convention and AGM. The Western Australian Local Government Association (WALGA) has advised of the Local Government Convention and Annual General Meeting (AGM) are to be held at the Crown, Perth on Monday, 3 and Tuesday, 4 October 2022, with the Opening Welcome Reception being held on the evening of Sunday, 2 October.

The theme for the 2022 WA Local Government Convention is *Embracing Change*. With increasing community expectations of Local Governments, legislative reform, and a rapidly changing economic, social and political environment, Local Governments must find new ways of serving and engaging with their communities, doing business and strengthening their influence. Agility, ingenuity, innovation and boldness will be required. This Convention will explore changes to the Local Government landscape over the coming years and how the sector can come together to inform, guide and embrace change.

Attendance at the Annual General Meeting can be undertaken by all representatives of the Shire. Voting delegates are required to be registered by Friday, 23 September 2022.

The Shire President and Deputy Shire President are generally the Council’s nominated delegates to attend the conference and vote on motions on the Council’s behalf, however if there are not enough Members available the Council can nominate its Chief Executive Officer or have the Chief Executive Officer as a proxy.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS**1. Notice of the WALGA Annual General Meeting 2022**  **RESOLUTION 76/22**

Moved: Cr Paul White

Seconded: Cr Andrew Twaddle

That Council:

1. Endorse the following Elected Members attendance at the 2022 Western Australian Local Government Association's Annual General Meeting and Local Government Convention to be held in Perth on the 2,3 & 4 October 2022:

- a) President (Voting Delegate);
- b) ~~Deputy President (Voting Delegate);~~
- c) Cr Linda Evans (Proxy Voting Delegate);
- d) Cr _____; (Proxy Voting Delegate) there is a vacant position should another Councillor wish to attend; and

2. Endorse the Chief Executive Officer (or her delegate) to attend the 2022 Western Australian Local Government Association's Annual General Meeting and Local Government Convention and endorse as a proxy should it be required.

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0



Notice
of
Annual General Meeting
and
procedural information
for submission of motions

Crown Perth
Monday, 3 October 2022

Deadline for submission of motions:
Friday, 12 August 2022



2022 Local Government Convention and AGM general information

WALGA Annual General Meeting

The Annual General Meeting (AGM) for the Western Australian Local Government Association (WALGA) will be held from 9:00am on **Monday, 3 October 2022**. The formal Agenda will begin at 11:30am after a short morning tea break. The AGM should be attended by up to two Voting Delegates from all Member Local Governments. Lunch will be provided at the conclusion of the meeting.

Cost for attending

Attendance at the AGM is **free of charge** to all Elected Members and staff from Member Local Governments. Voting Delegates and Proxies must register their attendance in advance. Please use the registration form provided at the end of this document. Observers (non-voting) are also welcome to attend the AGM, but registration is essential via our website.

Submission of Motions

Member Local Governments are invited to submit motions for inclusion on the Agenda for consideration at the AGM. Motions should be submitted in writing to the Chief Executive Officer of WALGA. A template motion can be found on our website [here](#).

The closing date for submission of motions is **5:00pm Friday, 12 August**.

*Please note that any motions proposing alterations or amendments to the WALGA Constitution must be received by **5:00pm Friday, 22 July** in order to satisfy the 60-day constitutional notification requirement.*

The following guidelines should be followed by Members in the formulation of motions:

- Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.
- Due regard should be given to the timeliness of the motion – will it still be relevant come the Local Government Convention or would it be better handled immediately by the Association?
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?
- The potential media interest of the subject matter should be considered.
- Annual General Meeting motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.



Criteria for Motions

As per the Corporate Governance Charter, prior to the finalisation of the agenda, the WALGA President and Chief Executive Officer will determine whether motions abide by the following criteria:

Motions will be included in the Agenda where they:

1. are consistent with the objects of the Association (refer to clause 3 of the [Constitution](#));
2. demonstrate that the issue/s raised will concern or are likely to concern a substantial number of Local Governments in WA;
3. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
4. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws); or
5. Are clearly worded and unambiguous in nature.

Motions will not be included where they are:

6. Consistent with current Association advocacy/policy positions as per the [Advocacy Positions Manual](#) (as the matter has previously been considered and endorsed by WALGA).

Motions of similar objective:

7. Will be consolidated as a single item.

Submitters of motions will be advised of the determinations.

Enquiries relating to the preparation or submission of motions should be directed to Kathy Robertson, Executive Officer Governance on (08) 9213 2036 or krobertson@walga.asn.au.

Further information about the 2022 Local Government Convention can be found on our website at www.walga.asn.au.

Emergency Motions

No motion shall be accepted for debate at the AGM after the closing date unless the WALGA President determines that it is of an urgent nature, sufficient to warrant immediate debate, and Delegates resolve accordingly at the meeting. Please refer to the [AGM Standing Orders](#) for details.

Handwritten signature of Karen Chappel in black ink.

President Cr Karen Chappel JP
WALGA President

Handwritten signature of Nick Sloan in black ink.

Nick Sloan
Chief Executive Officer

EMAIL BACK

Voting Delegate Registration 2022 WALGA Annual General Meeting



All Member Councils are entitled to be represented by two voting delegates at the Annual General Meeting of the WA Local Government Association to be held on Monday, 3 October 2022 at Crown Perth.

In the event one or both of the registered Voting Delegates is unable to attend, provision is made for two Proxy Voting Delegates to be registered.

Only registered Voting Delegates or Proxies will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or serving officers.

Please complete, sign and return this form before **5:00pm Friday, 23 September**.

VOTING DELEGATES	PROXY VOTING DELEGATES
Name of Voting Delegates:	Name of Proxy Voting Delegates:
Delegate 1:	Proxy 1:
Delegate 2:	Proxy 2:
<p>Local Government: Shire/Town/City of</p> <p>Signature of Chief Executive Officer:</p> <p style="text-align: right;">Date:</p>	

**ON COMPLETION, PLEASE EMAIL TO: krobertson@walga.asn.au
Attention: Kathy Robertson, Executive Officer Governance**

Please Note:

- All Voting Delegates must present at the WALGA Delegate Service Desk prior to the AGM to collect their electronic voting device (keypad) and identification tag to gain entry to the AGM.
- Observers (non-voting) are also welcome to attend the AGM, however registration is essential.
- Registration as a Voting Delegate is separate to any registration as a Convention Delegate.
- For further information or to register as an AGM Observer or Convention Delegate, please visit our website at www.walga.asn.au or contact Kathy Robertson on (08) 9213 2036.

www.walga.asn.au

12.2 ELECTED MEMBER REIMBURSEMENT 29 JUNE 2022 COUNCIL MEETING ATTENDANCE IN PERSON

File Number: .
Author: Jamie Bone, Senior Governance Officer
Responsible Officer: Amanda Dexter, Chief Executive Officer
Authority/Discretion: Executive

SUMMARY

This report is specific to the Ordinary Council Meeting being held on Wednesday 29 June 2022 at Wananami Remote Community School, Kupungarri Road, Wunaamin Milwundi Ranges and addresses the unforeseen expenses which may be incurred by Elected Members where remote travel is undertaken when participating in official business such as Council activities and/or meetings.

Post this report, future research in to be undertaken and a Policy is to be drafted and implemented, addressing endorsed Elected Members remote travel activities post 29 June 2022.

This report recommends Council accept the following:

- Approve the required process contained in this report for claiming any additional unforeseen expenses incurred while attending the Ordinary Council Meeting on Wednesday 29 June 2022 to the Wananami Remote Community School;
- Approve the development of a Policy to address Council Members claiming a reimbursement for unforeseen costs incurred as a result of travel to a remote location for the purposes of business related activities; and
- Accepts this report addresses travel to Wananami Remote Community School for Ordinary Council Meeting on 29 June 2022 only, and a Policy will be developed for future occurrences of remote travel.

DISCLOSURE OF ANY INTEREST

Nil applicable.

Note: Councillors are exempt from declaring interests (S. 5.63 - Some interests need not be disclosed) in decisions regarding Councillor costs reimbursements to endorsed Council activities.

BACKGROUND

The Shire of Derby West Kimberley (the Shire) is located in the North West of Western Australia. It has many remote areas within its over 100,000 square kilometres district.

Due to the unique and vast landscape of the Shire, individual Elected Members residential locations vary, where travel over a great distance is often required to attend to Council business, which includes Ordinary Council and Committee meetings. Often this travel is undertaken by Elected Members in their own personal motor vehicles, incurring expenses (fuel, insurance, maintenance etc) of which there is a process for reimbursement through completion of the 'Councillor Travel Allowance – Claim for Use of Own Vehicle on Official Business' document.

Travel by Elected Members when undertaken for official council endorsed business is often on sealed roads, although on occasions there may be instances where they are required to travel on

harsh and sometimes difficult unsealed roads, particularly when travelling to a remote location. As a result of this travel, additional unforeseen costs may be incurred by the Elected Members. A current example of when this may occur, is during travel to Wananami Remote Community School where the Ordinary Council Meeting if Wednesday 29 June 2022 is scheduled

Wananami Remote Community School is located in the Wunaamin Milwundi Ranges, Western Australia, approximately 300 kilometres from Derby, and some 350 kilometres from Fitzroy Crossing. Travelling to the Wananami Remote Community School can only be achieved via either the Gibb River Road, or a combination of Fairfield-Leopold Downs Road and the Gibb River Road.

The Gibb River Road is known for its rough and challenging drive and only to be travelled in a vehicle no less than a four wheel drive. It is possible that travel along this road may result in unforeseen travel events, which will result in a personal cost to the Elected Member.

This report will address the reimbursement of such costs to Elected Members traveling to the Wunaami Remote Community School on 29 June 2022. A Policy is to be researched and presented for Council consideration for future instances where remote travel on unsealed roads, is undertaken by Elected Members.

STATUTORY ENVIRONMENT

Local Government Act 1995 S. 5.98 (Fees etc. for council members)

- (2) A council member who incurs an expense of a kind prescribed as being an expense —
- (a) to be reimbursed by all local governments; or
 - (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement, is entitled to be reimbursed for the expense in accordance with subsection (3).

Local Government Administration Regulations R.32. (Expenses that may be approved for reimbursement)

- (1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —
- (a) an expense incurred by a council member in performing a function under the express authority of the local government; and.....

Salaries and Allowances Act 1975 – section 7B (Determination as to Fees and Allowances of Local Government Councillors)

Part 8 (Expenses to be Reimbursed) as per current determination of the Salaries and Allowances Tribunal as at April 2020 stipulates the following:

- 8.1.2 (b) ...travel costs incurred by a Council member because of the Member's attendance at a Council Meeting or a meeting of a Committee of which he or she is also a member
- 8.2.4 The extent to which a Council Member of a regional Local Government can be reimbursed for reasonable travel costs referred to in regulation 31(1)(b) of the Local Government (Administration) Regulations is **the actual costs** for the person to travel from the person's place of residence or work to the meeting and back

8.2.5 For the purposes of subsections (3) and (4), travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in s30.6 of the Local Government Officers’ (Western Australia) Interim Award 2011 as at the date of this determination

s30 Local Government Officers (Western Australia) Interim Award 2011 (Travelling Expense Reimbursement) stipulates

30.2.1 Where an Officer is requested and authorised to use his/her own motor vehicle in the course of his/her duties, he/she shall be paid an allowance no less than that prescribed in the table set out hereunder

30.6 Rates of hire for use of an Officer’s own motor vehicle on official business shall be as follows:

Engine displacement (in cubic centimetres)

	Over 2600cc	Over 1600cc to 2600cc	1600cc and under	
Metropolitan Area	93.97	67.72	55.85	cents per km
South West Land Division	95.54	68.66	56.69	cents per km
North of 23.5 Latitude	103.52	74.12	61.21	cents per km
Rest of State	99.01	70.87	58.37	cents per km

POLICY IMPLICATIONS

A new Policy is to be developed/existing Policy to be modified for future Council consideration.

FINANCIAL IMPLICATIONS

There is an existing budget for the reimbursement of Councillor expenses, but any additional costs reimbursed as a result of an incident involving an Elected Member’s private vehicle when travelling to a remote location for official business does have the potential to increase that cost beyond historic levels. A thorough and accountable vetting process will be expected by all parties prior to a determination of any reimbursement being approved.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK	MITIGATION
------	------------	-------------	------	------------

			ANALYSIS	
Financial: Cost involved in any subsequent reimbursement	Likely	Minor	Medium	Minimise such events and develop Policy position on reimbursements
Community: Shire community perception when allocating financial resources for reimbursement	Possible	Minor	Medium	Consideration and future Policy to be developed

CONSULTATION

Nil

COMMENT

Elected Members currently have the statutory entitlement to be reimbursed for travel costs incurred which arise due to the Member’s attendance at a Council Meeting or a meeting of a Committee of which they are a member. The calculated cost of reimbursement for expenses incurred as a result of that travel is prescribed in *s30 of the Local Government Officers (Western Australia) Interim Award 2011 - Travelling Expense Reimbursement*.

For Elected Members in this Shire, the rate is calculated at the reimbursement cost for being north of the 23.5 Latitude. The current reimbursement value for Elected Member travel allowance when claiming for use of their privately owned vehicle on official business (which is based on a engine capacity fee/kilometre rate) will not change as a result of this report. That fee is designed to cover all vehicle travel costs (like capital depreciation, fuel, servicing, insurance, tyres, etc).

The purpose of this report, it is to determine what unforeseen expenses may be incurred by Elected Members when traveling to remote locations, and particularly when traveling on harsh and challenging roads when attending to official business, and whether any subsequent claim for travel costs are reasonable to be reimbursed.

The following list is an example of incidents which may occur, causing unforeseen expense/s to be incurred by Elected Members when travelling in their privately owned or leased vehicle (rather than a commercially hired vehicle or a shire provided vehicle) to reach a remote location for the purpose of attending to official business:

-
- Damage incurred as a result of impact with stray wildlife (Cattle/Kangaroo) etc.;
- Damage caused to windows (e.g.: rock damaged windscreen);
- Tyre damage/replacement;
- Breakdown / incident requiring vehicle to be recovered; and/or
- Damaged caused to equipment as a result of vehicle recovery

There is a statutory environment currently in place (vis. Local Government Administration Regulations R.32. (Expenses that may be approved for reimbursement)) to address unforeseen expenses incurred by Elected Members, but this requires a case by case assessment by the CEO. A

Policy is proposed to be developed to address the situation, outlining the process to be followed when claiming for such a reimbursement.

Until time can be allocated to and subsequent approval of a Policy addressing the matter, the following is suggested to be put in place for travel to Wananami Remote Community School on Wednesday 29 June 2022 by Elected Members for the Ordinary Council Meeting:

1. Elected members travelling in their private or leased vehicle (excluding commercially hired vehicles) must ensure the vehicle is licenced with current registration in place; and the driver holdd a valid driver's licence for their specific personal vehicle utilised for the travel;
2. Elected members ought to have comprehensively vehicle insurance in place, but for claims where that is not the case, a maximum \$500 will be considered for an insurable event claim;
3. During the journey and once transitioning from a sealed road onto a unsealed road, should any incident occur which was reasonably unavoidable given the circumstances, and the relevant Elected Member believes the result of such incident will incur a unforeseen expense as a result of the journey undertaken, they are to execute the following:
 - 3.1. Contact the CEO as soon as practicable to provide a briefing of the incident;
 - 3.2. Obtain relevant details (photographs/time etc) for the purposes of fulfilling their individual insurance requirements and make subsequent contact if required; and
 - 3.3. Deal with the incident as appropriate to the circumstances.
4. Within a reasonable time, the Elected Member is to provide receipts for the unforeseen expense which has been incurred, minus any deduction from relevant insurance policies;
5. CEO to liaise with the Elected Member and make a determination on total cost to be reimburse for the unforeseen expense incurred; and
6. Costs to be recorded in accordance with the Shire's appropriate financial processes.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RESOLUTION 77/22

Moved: Cr Andrew Twaddle

Seconded: Cr Peter McCumstie

That Council:

- 1. Approve the required process contained in the comment section of this report for claiming any additional expenses incurred while attending in person the Wananami Remote Community School Ordinary Council Meeting on Wednesday 29 June 2022; and**
- 2. Requires that to address future situations of Council Member entitlement to claim a reimbursement for unforeseen costs incurred as a result of travel to remote locations for the purposes of Council endorsed business, a draft Policy be developed for Council consideration.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

13 TECHNICAL SERVICES

13.1 OUTCOME OF DISPOSAL OF PLANT FOR THE DERBY DEPOT

File Number: 8055

Author: Dean Wyber, Manager Assets and Projects

Responsible Officer: Wayne Neate, Director Technical and Development Services

Authority/Discretion: Administrative

SUMMARY

This item is to advise Council of the outcome of the Derby Depot Auction. These items were not included in the budget process for disposal.

DISCLOSURE OF ANY INTEREST

Nil from Author and Responsible Officer.

BACKGROUND

The items disposed of were plant and equipment made redundant due to replacement or end of life.

STATUTORY ENVIRONMENT

S. 3.58 (Disposing of property) of the **Local Government Act** sets out a defined process for the sale of property, which generally requires a public auction or tender; or separate local public notice of the proposed disposition.

Reg. 30(3) (a) (Dispositions of property excluded from Act s. 3.58) of the **Local Government (Functions and General) Regulations 1996** provides an exemption if the market value of property is less than \$20 000.

POLICY IMPLICATIONS

AF3 – Asset Management

FINANCIAL IMPLICATIONS

There is a potential benefit to remove some of these items from the Shires list of equipment. This benefit can come from a decrease in insurance costs, registration costs and ongoing maintenance costs. Additionally the net income received from the disposal of the assets can offset the costs of replacement capital items.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.2 Maximise local opportunities
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: Items being left unsold	Possible	Moderate	Medium	Not to set a reserve on the majority of items.
Financial: Not able to recoup cost	Possible	Moderate	Low	Not to set a reserve on the majority of items.

CONSULTATION

Advertisements were placed in the West Australian and the Broome Advertiser to notify of the Auction.

All works staff assisted to identify redundant and unused plant and equipment that was to be disposed of.

COMMENT

The Auction was coordinated by Pickles Auctioneers between May 19-23 and the total funds released was \$98,595.82. The Pickles total valuation of all items was \$33,876.00. There was one item with a reserve price of \$20,000 so it was advertised according to Local Government Act S3.58 prior to the Auction. This achieved significantly more than the auctioneers had estimated, validating the decision to offer state wide advertising and to follow the Local Government Act process for disposal of assets above \$20,000. Only one item was passed in. A list of the assets and realised values is attached.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Pickles Auction Report  
2. Sales Proceeds Pickles  

RESOLUTION 78/22

Moved: Cr Paul White

Seconded: Cr Andrew Twaddle

That Council:

1. Notes the outcome of the Pickles Auction between May 19-23 and the total funds released of \$98,595.82; and
2. Considers using these funds in the 2022/2023 Budget to assist in the purchase of new plant and equipment.

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0



Pickles Auctions

ABN 32 003 417 650
Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

POST AUCTION REPORT

Sale Date From: 00/00/0000 To: 00/00/0000
Sale: 4809 Online Trucks Machinery 19/05/2022
Vendor: Shire of Derby West Kimberley
Department: <All>

Lot No.	Description	Rego.	Valuation	Incl Reserve	Incl GST	Selling Price	Incl GST	Vendor Reference	Buyer Type	No. of Aucts	Load No.
Shire of Derby West Kimberley Vendor No: 26005278											
Sold Items											
15	09/95, International, ACCO 1850E, 6x4, Fuel Tanker, Diesel, Manual, 20,895 Kms (Showing On Odometer), Rego. No.:9JX746, Vin:6F2147800SDB11076. For Inquiries Contact Luke McCann 0490 428 463. 004 THIS LICENCE IS NOT TRANSFERABLE WITHOUT PRIOR APPROVAL OF DEPARTMENT OF TRANSPORT, DRIVER AND VEHICLE SERVICES. , 001. LICENCE TO BE CARRIED IN VEHICLE AT ALL TIMES, CONCESSIONAL LICENCE UPGRADE FEE APPLICABLE WHEN TRANSFERRING THIS VEHICLE, 1995 Holmwood Highgate Fuel Tank, Hose Reels, 5 Stud Spider Rims,	9JX746	\$30,000	\$20,000	<input checked="" type="checkbox"/>	\$46,250	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198637
19	10/09, Mitsubishi, Canter 7/800, 4 x 2, Tipper, Manual, Odometer Not Visible, White, Rego. No.:NP(1DGH370), Vin:JLFFE84DE0KJ00465, UNREGISTERED, PLEASE NOTE: ENGINE DISMANTLED, PARTS ONLY, 2009 Kevrek 700 Crane, Drop Down Sides, 1 Way Tailgate	1DGH370	\$5,000	\$1	<input checked="" type="checkbox"/>	\$9,500	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198631
55	, Kubota, F3560, Outfront Mower, Serial No.:20890, 2,551 Hrs (Showing On Odometer), Fitted With:72" Cut Deck, Canopy,		\$1,500	\$1	<input checked="" type="checkbox"/>	\$3,900	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198638
	Working Condition Unknown. UNREGISTERED., Rego. No.:NP()										
56	, Kubota, F3680, Outfront Mower, Serial No.:14166, 1,521 Hrs (Approximately), Fitted With:Canopy,		\$1,500	\$1	<input checked="" type="checkbox"/>	\$6,700	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198630
	PLEASE NOTE: WORKING CONDITION UNKNOWN< PARTS MAY BE MISSING. UNREGISTERED, Rego. No.:NP()										
57	, Kubota, R420S, Wheeled Loader, Serial No.:10169, 5,961 Hrs (Showing On Odometer), Fitted With:Canopy, Beacon,		\$4,000	\$1	<input checked="" type="checkbox"/>	\$15,600	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198628
	PLEASE NOTE: WORKING CONDITION UNKNOWN UNREGISTERED, Rego. No.:NP()										
58	, Kubota, ZD331, Zero Turn Ride On Mower, 1,537 Hrs (Showing On Odometer), Fitted With:Canopy, 72" Cutting Deck,	1DVG848	\$1,500	\$1	<input checked="" type="checkbox"/>	\$8,700	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198632
	PLEASE NOTE: WORKING CONDITION UNKNOWN, DID NOT START ON INSPECTION. UNREGISTERED., Rego. No.:NP(1DVG848)										
59	, Massey Ferguson, 4225, 4x4 Tractor, 4,908 Hrs (Approximately), Fitted With:PTO, 3 Point Linkage, Slasher Deck,		\$5,000	\$1	<input checked="" type="checkbox"/>	\$2,400	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198634
	DOES NOT RUN UNREGISTERED., Rego. No.:NP()										



Pickles Auctions

ABN 32 003 417 650
Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

POST AUCTION REPORT

Sale Date From: 00/00/0000 To: 00/00/0000
 Sale: 4809 Online Trucks Machinery 19/05/2022
 Vendor: Shire of Derby West Kimberley
 Department: <All>

Lot No.	Description	Rego.	Valuation	Incl Reserve	Incl GST	Selling Price	Incl GST	Vendor Reference	Buyer Type	No. of Aucts	Load No.
Shire of Derby West Kimberley Vendor No: 26005278											
Sold Items											
94	Circa 1995, Park Body Builders, Tandem Axle Fuel Tanker Trailer, Trailer, Vin: 6J9T24000S2EJ1001, Odometer Not Visible, Fitted With:Pintle Hitch, Tool Box, UNREGISTERED. , Rego. No.:NP()		\$3,500	\$1	<input checked="" type="checkbox"/>	\$1,000	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198633
99	04/00, Unknown, Trailer Mounted Chipper, Single Axle Trailer, Vin: 6T9T26WA1Y1AAK059, Odometer Not Visible, Fitted With:ATM 3950KG's, Morebark 2400 Chipper, Working Condition Unknown, Inspection Recommended. UNREGISTERED, Rego. No.:NP()		\$4,500	\$1	<input checked="" type="checkbox"/>	\$4,200	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198636
100	, Unknown, Single Axle Box Trailer, Odometer Not Visible, Fitted With:CONTENTS NOT INCLUDED UNREGISTERED, Rego. No.:NP(KW2285)	KW2285	\$250	\$1	<input checked="" type="checkbox"/>	\$28	<input checked="" type="checkbox"/>	Shire Of D erby	P	1	26198629
101	Circa 1983, Unbranded, Single Axle Plant Trailer, Chassis#: WCC63, Odometer Not Visible, Fitted With:Winch, Jockey Wheel, Ball Hitch CONCESSIONAL LICENCE UPGRADE FEE APPLICABLE WHEN TRANSFERRING THIS ITEM. , Rego. No.:6RJ797, Rego. Expiry:31/01/2023	6RJ797	\$750	\$1	<input checked="" type="checkbox"/>	\$159	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198635
111	3x Foggers & Stihl Chainsaw, Working Condition Unknown, Inspection Highly Recommended		\$200	\$1	<input checked="" type="checkbox"/>	\$63	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
113	6x Commercial Lighting Units, Working Condition Unknown, Inspection Highly Recommended		\$50	\$1	<input checked="" type="checkbox"/>	\$1	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
115	Auger & Compacter,, Stihl Auger, 2 Auger Attachments, Working Condition Unknown, Inspection Highly Recommended		\$500	\$1	<input checked="" type="checkbox"/>	\$72	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
116	Bomford Kite Flail Mower Attachment, Working Condition Unknown, Inspection Highly Recommended		\$500	\$1	<input checked="" type="checkbox"/>	\$1,050	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
120	Cigweld Transmig 165 Welder, Working Condition Unknown, Inspection Highly Recommended		\$75	\$1	<input checked="" type="checkbox"/>	\$1	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627



Pickles Auctions

ABN 32 003 417 650
Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

POST AUCTION REPORT

Sale Date From: 00/00/0000 To: 00/00/0000
 Sale: 4809 Online Trucks Machinery 19/05/2022
 Vendor: Shire of Derby West Kimberley
 Department: <All>

Lot No.	Description	Rego.	Valuation	Incl Reserve	Incl GST	Selling Price	Incl GST	Vendor Reference	Buyer Type	No. of Aucts	Load No.
Shire of Derby West Kimberley Vendor No: 26005278											
Sold Items											
123	Concrete Cutter, Powered By Honda 9.0 Motor, Working Condition Unknown, Inspection Highly Recommended		\$100	\$1	<input checked="" type="checkbox"/>	\$21	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
125	Deutscher Self Propelled Mower, Serial# 1417, Powered by Honda GXV340 Motor, Working Condition Unknown, Inspection Highly Recommended		\$350	\$1	<input checked="" type="checkbox"/>	\$650	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
129	Fire Fighting Unit, 300L Tank, Hose Reel, Powered By Honda GX160 Motor, Working Condition Unknown, Inspection Highly Recommended		\$650	\$1	<input checked="" type="checkbox"/>	\$700	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
130	Greenfield Under Belly Ride On Mower, Approx 531 Hours, Catcher Working Condition Unknown, Inspection Highly Recommended		\$300	\$1	<input checked="" type="checkbox"/>	\$800	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198639
131	Greenfield Under Belly Ride On Mower, 649 Hours Showing, Cutting Deck Included. Working Condition unknown, Inspection Highly Recommended		\$300	\$1	<input checked="" type="checkbox"/>	\$453	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198640
132	Honda HRU 216 Self Propelled Mower, Working Condition Unknown, Inspection Highly Recommended		\$100	\$1	<input checked="" type="checkbox"/>	\$61	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
133	Honda HRU 216 Self Propelled Mower, Working Condition Unknown, Inspection Highly Recommended		\$100	\$1	<input checked="" type="checkbox"/>	\$52	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627



Pickles Auctions

ABN 32 003 417 650
Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

POST AUCTION REPORT

Sale Date From: 00/00/0000 To: 00/00/0000
 Sale: 4809 Online Trucks Machinery 19/05/2022
 Vendor: Shire of Derby West Kimberley
 Department: <All>

Lot No.	Description	Rego.	Valuation	Incl Reserve	Incl GST	Selling Price	Incl GST	Vendor Reference	Buyer Type	No. of Aucts	Load No.
Shire of Derby West Kimberley Vendor No: 26005278											
Sold Items											
134	John Deere 260 Backhoe Attachment, Spare Mud Bucket, Working Condition Unknown, Inspection Highly Recommended		\$500	\$1	<input checked="" type="checkbox"/>	\$850	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
135	Kevrek2012 700 Crane, Serial #3809, Working Condition Unknown, Inspection Highly Recommended		\$250	\$1	<input checked="" type="checkbox"/>	\$112	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
136	Megajet Workstation, Air Compressor, generator, Welder , Powered by Honda GX390 Motor. Working Condition Unknown, Inspection Highly Recommended		\$350	\$1	<input checked="" type="checkbox"/>	\$451	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
137	Mosquito Mister, Powered By Briggs & Startton 18HP Motor, Working Condition Unknown, Inspection Highly Recommended		\$250	\$1	<input checked="" type="checkbox"/>	\$3	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
138	Pallet of Assorted Filters, Working Condition Unknown, Inspection Highly Recommended		\$1	\$1	<input checked="" type="checkbox"/>	\$6	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
140	Pressure Cleaner, Powered By Honda Motor, Working Condition Unknown, Inspection Highly Recommended		\$100	\$1	<input checked="" type="checkbox"/>	\$1	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627



Pickles Auctions

ABN 32 003 417 650
 Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

POST AUCTION REPORT

Sale Date From: 00/00/0000 To: 00/00/0000
 Sale: 4809 Online Trucks Machinery 19/05/2022
 Vendor: Shire of Derby West Kimberley
 Department: <All>

Lot No.	Description	Rego.	Valuation	Incl Reserve	Incl GST	Selling Price	Incl GST	Vendor Reference	Buyer Type	No. of Aucts	Load No.
Shire of Derby West Kimberley Vendor No: 26005278											
Sold Items											
143	Skid Mounted Water Tank, Size Unknown, Working Condition Unknown, Inspection Highly Recommended		\$1,500	\$1	<input checked="" type="checkbox"/>	\$1	<input checked="" type="checkbox"/>	Shire of D erby	P	1	26198627
				Total:		\$103,785					
Unsold Items											
142	Silvan Spreader Unit, 3 Point Linkage, Working Condition Unknown, Inspection Highly Recommended		\$200	\$1	<input checked="" type="checkbox"/>	\$0	<input checked="" type="checkbox"/>	Shire of D erby	Passed In No I	1	26198627
Total Lotted:	31										
Total Sold:	30										
Total Unsold:	1										



Pickles Auctions

ABN 32 003 417 650
 AUCTIONEERS AND VALUERS (As Agent for the Vendor)
 Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Ref.: 26005278

Account Sales Summary

Summary	Amount Excl GST	GST	Amount Incl GST
Gross Proceeds of Sale	\$ 94,349.98	\$ 9,435.02	\$ 103,785.00
Less Charges			
Commission	\$ 3,107.39	\$ 310.79	\$ 3,418.18
Inspection Fee	\$ 350.00	\$ 35.00	\$ 385.00
OH&S Report	\$ 1,260.00	\$ 126.00	\$ 1,386.00
Total Charges	\$ 4,717.39	\$ 471.79	\$ 5,189.18
Net Proceeds	\$ 89,632.59	\$ 8,963.23	\$ 98,595.82

Number of Items per Sale: 30

EFT Ref No: PICKPERT4809	Date: 30th May 2022	\$ 98,595.82
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Pickles Auctions

ABN 32 003 417 650
 AUCTIONEERS AND VALUERS (As Agent for the Vendor)
 Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198627

Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
4	111	3x Foggers & Stihl Chainsaw, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$63.00 @ 7.50% = \$4.73	1	\$ 57.27	\$ 5.73	\$ 63.00
11	113	6x Commercial Lighting Units, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$1.00 @ 7.50% = \$0.08	1	\$ 0.91	\$ 0.09	\$ 1.00
3	115	Auger & Compacter,, Stihl Auger, 2 Auger Attachments, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$72.00 @ 7.50% = \$5.40	1	\$ 65.45	\$ 6.55	\$ 72.00
8	116	Bomford Kite Flail Mower Attachment, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$1,050.00 @ 7.50% = \$78.75	1	\$ 954.55	\$ 95.45	\$ 1,050.00
14	120	Cigweld Transmig 165 Welder,	1	\$ 0.91	\$ 0.09	\$ 1.00



Pickles Auctions

ABN 32 003 417 650
 AUCTIONEERS AND VALUERS (As Agent for the Vendor)
 Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198627

Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
		Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$1.00 @ 7.50% = \$0.08				
15	123	Concrete Cutter, Powered By Honda 9.0 Motor, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$21.00 @ 7.50% = \$1.58	1	\$ 19.09	\$ 1.91	\$ 21.00
13	125	Deutscher Self Propelled Mower, Serial# 1417, Powered by Honda GXV340 Motor, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$650.00 @ 7.50% = \$48.75	1	\$ 590.91	\$ 59.09	\$ 650.00
2	129	Fire Fighting Unit, 300L Tank, Hose Reel, Powered By Honda GX160 Motor, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$700.00 @ 7.50% = \$52.50	1	\$ 636.36	\$ 63.64	\$ 700.00



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TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198627 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
17	132	Honda HRU 216 Self Propelled Mower, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$61.00 @ 7.50% = \$4.58	1	\$ 55.45	\$ 5.55	\$ 61.00
16	133	Honda HRU 216 Self Propelled Mower, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$52.00 @ 7.50% = \$3.90	1	\$ 47.27	\$ 4.73	\$ 52.00
9	134	John Deere 260 Backhoe Attachment, Spare Mud Bucket, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$850.00 @ 7.50% = \$63.75	1	\$ 772.73	\$ 77.27	\$ 850.00
6	135	Kevrek2012 700 Crane, Serial #3809, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$112.00 @ 7.50% = \$8.40	1	\$ 101.82	\$ 10.18	\$ 112.00



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TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198627

Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	136	Megajet Workstation, Air Compressor, generator, Welder , Powered by Honda GX390 Motor. Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$451.00 @ 7.50% = \$33.83	1	\$ 410.00	\$ 41.00	\$ 451.00
5	137	Mosquito Mister, Powered By Briggs & Startton 18HP Motor, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$3.00 @ 7.50% = \$0.23	1	\$ 2.73	\$ 0.27	\$ 3.00
18	138	Pallet of Assorted Filters, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$6.00 @ 7.50% = \$0.45	1	\$ 5.45	\$ 0.55	\$ 6.00
12	140	Pressure Cleaner, Powered By Honda Motor, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022	1	\$ 0.91	\$ 0.09	\$ 1.00



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198627

Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
7	143	Commission on \$1.00 @ 7.50% = \$0.08 Skid Mounted Water Tank, Size Unknown, Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$1.00 @ 7.50% = \$0.08	1	\$ 0.91	\$ 0.09	\$ 1.00
Gross Proceeds of Load No. 26198627				\$ 3,722.72	\$ 372.28	\$ 4,095.00
Less Charges						
Commission				\$ 307.16	\$ 30.74	\$ 337.90
OH&S Report				\$ 180.00	\$ 18.00	\$ 198.00
Total Charges				\$ 487.16	\$ 48.74	\$ 535.90
Net Proceeds of Load No. 26198627				\$ 3,235.56	\$ 323.54	\$ 3,559.10



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198628 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	57	Kubota, R420S, Wheeled Loader, Serial No.:10169, 5,961 Hrs (Showing On Odometer), Fitted With:Canopy, Beacon, PLEASE NOTE: WORKING CONDITION UNKNOWN UNREGISTERED, Rego. No.:NP() Date of sale: 23/05/2022 Commission on \$15,600.00 @ 2.75% = \$429.00	1	\$ 14,181.82	\$ 1,418.18	\$ 15,600.00
Gross Proceeds of Load No. 26198628				\$ 14,181.82	\$ 1,418.18	\$ 15,600.00
Less Charges						
Commission				\$ 429.00	\$ 42.90	\$ 471.90
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
OH&S Report				\$ 180.00	\$ 18.00	\$ 198.00
Total Charges				\$ 644.00	\$ 64.40	\$ 708.40
Net Proceeds of Load No. 26198628				\$ 13,537.82	\$ 1,353.78	\$ 14,891.60



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198629 Vendor Ref.: Shire Of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	100	, Unknown, Single Axle Box Trailer, Odometer Not Visible, Fitted With:CONTENTS NOT INCLUDED UNREGISTERED, Rego. No.:NP(KW2285) Date of sale: 23/05/2022	1	\$ 25.45	\$ 2.55	\$ 28.00
Gross Proceeds of Load No. 26198629				\$ 25.45	\$ 2.55	\$ 28.00
Net Proceeds of Load No. 26198629				\$ 25.45	\$ 2.55	\$ 28.00



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198630 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	56	Kubota, F3680, Outfront Mower, Serial No.:14166, 1,521 Hrs (Approximately), Fitted With:Canopy, PLEASE NOTE: WORKING CONDITION UNKNOWN< PARTS MAY BE MISSING. UNREGISTERED, Rego. No.:NP() Date of sale: 23/05/2022 Commission on \$6,700.00 @ 2.75% = \$184.25	1	\$ 6,090.91	\$ 609.09	\$ 6,700.00
Gross Proceeds of Load No. 26198630				\$ 6,090.91	\$ 609.09	\$ 6,700.00
Less Charges						
Commission				\$ 184.25	\$ 18.43	\$ 202.68
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
OH&S Report				\$ 180.00	\$ 18.00	\$ 198.00
Total Charges				\$ 399.25	\$ 39.93	\$ 439.18
Net Proceeds of Load No. 26198630				\$ 5,691.66	\$ 569.16	\$ 6,260.82



Pickles Auctions

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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198631 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	19	10/09, Mitsubishi, Canter 7/800, 4 x 2, Tipper, Manual, Odometer Not Visible, White, Rego. No.:NP(1DGH370), Vin:JLFFE84DE0KJ00465, UNREGISTERED, PLEASE NOTE: ENGINE DISMANTLED, PARTS ONLY, 2009 Kevrek 700 Crane, Drop Down Sides, 1 Way Tailgate Date of sale: 23/05/2022 Commission on \$9,500.00 @ 2.75% = \$261.25	1	\$ 8,636.36	\$ 863.64	\$ 9,500.00
Gross Proceeds of Load No. 26198631				\$ 8,636.36	\$ 863.64	\$ 9,500.00
Less Charges						
Commission				\$ 261.25	\$ 26.13	\$ 287.38
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
Total Charges				\$ 296.25	\$ 29.63	\$ 325.88
Net Proceeds of Load No. 26198631				\$ 8,340.11	\$ 834.01	\$ 9,174.12



Pickles Auctions

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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198632 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	58	Kubota, ZD331, Zero Turn Ride On Mower, 1,537 Hrs (Showing On Odometer), Fitted With: Canopy, 72" Cutting Deck, PLEASE NOTE: WORKING CONDITION UNKNOWN, DID NOT START ON INSPECTION. UNREGISTERED., Rego. No.: NP(1DVG848) Date of sale: 23/05/2022 Commission on \$8,700.00 @ 2.75% = \$239.25	1	\$ 7,909.09	\$ 790.91	\$ 8,700.00
Gross Proceeds of Load No. 26198632				\$ 7,909.09	\$ 790.91	\$ 8,700.00
Less Charges						
Commission				\$ 239.25	\$ 23.93	\$ 263.18
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
Total Charges				\$ 274.25	\$ 27.43	\$ 301.68
Net Proceeds of Load No. 26198632				\$ 7,634.84	\$ 763.48	\$ 8,398.32



Pickles Auctions

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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198633 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	94	Circa 1995, Park Body Builders, Tandem Axle Fuel Tanker Trailer, Trailer, Vin: 6J9T24000S2EJ1001, Odometer Not Visible, Fitted With:Pintle Hitch, Tool Box, UNREGISTERED. , Rego. No.:NP() Date of sale: 23/05/2022 Commission on \$1,000.00 @ 2.75% = \$27.50	1	\$ 909.09	\$ 90.91	\$ 1,000.00
Gross Proceeds of Load No. 26198633				\$ 909.09	\$ 90.91	\$ 1,000.00
Less Charges						
Commission				\$ 27.50	\$ 2.75	\$ 30.25
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
OH&S Report				\$ 180.00	\$ 18.00	\$ 198.00
Total Charges				\$ 242.50	\$ 24.25	\$ 266.75
Net Proceeds of Load No. 26198633				\$ 666.59	\$ 66.66	\$ 733.25



Pickles Auctions

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 AUCTIONEERS AND VALUERS (As Agent for the Vendor)
 Cnr Phoenix and Sudlow Rd Bibra Lake WA 6163 Australia PH: 08 6595 0777 FAX: 08 6595 0700

TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198634 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	59	Massey Ferguson, 4225, 4x4 Tractor, 4,908 Hrs (Approximately), Fitted With:PTO, 3 Point Linkage, Slasher Deck, DOES NOT RUN UNREGISTERED., Rego. No.:NP() Date of sale: 23/05/2022 Commission on \$2,400.00 @ 2.75% = \$66.00	1	\$ 2,181.82	\$ 218.18	\$ 2,400.00
Gross Proceeds of Load No. 26198634				\$ 2,181.82	\$ 218.18	\$ 2,400.00
Less Charges						
Commission				\$ 66.00	\$ 6.60	\$ 72.60
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
Total Charges				\$ 101.00	\$ 10.10	\$ 111.10
Net Proceeds of Load No. 26198634				\$ 2,080.82	\$ 208.08	\$ 2,288.90



Pickles Auctions

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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198635 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	101	Circa 1983, Unbranded, Single Axle Plant Trailer, Chassis#: WCC63, Odometer Not Visible, Fitted With: Winch, Jockey Wheel, Ball Hitch CONCESSIONAL LICENCE UPGRADE FEE APPLICABLE WHEN TRANSFERRING THIS ITEM. , Rego. No.:6RJ797, Rego. Expiry:31/01/2023 Date of sale: 23/05/2022 Commission on \$159.00 @ 2.75% = \$4.37	1	\$ 144.55	\$ 14.45	\$ 159.00
Gross Proceeds of Load No. 26198635				\$ 144.55	\$ 14.45	\$ 159.00
Less Charges						
Commission				\$ 4.37	\$ 0.44	\$ 4.81
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
Total Charges				\$ 39.37	\$ 3.94	\$ 43.31
Net Proceeds of Load No. 26198635				\$ 105.18	\$ 10.51	\$ 115.69



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198636 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	99	04/00, Unknown, Trailer Mounted Chipper, Single Axle Trailer, Vin: 6T9T26WA1Y1AAK059, Odometer Not Visible, Fitted With:ATM 3950KG's, Morebark 2400 Chipper, Working Condition Unknown, Inspection Recommended. UNREGISTERED, Rego. No.:NP() Date of sale: 23/05/2022 Commission on \$4,200.00 @ 2.75% = \$115.50	1	\$ 3,818.18	\$ 381.82	\$ 4,200.00
Gross Proceeds of Load No. 26198636				\$ 3,818.18	\$ 381.82	\$ 4,200.00
Less Charges						
Commission				\$ 115.50	\$ 11.55	\$ 127.05
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
OH&S Report				\$ 180.00	\$ 18.00	\$ 198.00
Total Charges				\$ 330.50	\$ 33.05	\$ 363.55
Net Proceeds of Load No. 26198636				\$ 3,487.68	\$ 348.77	\$ 3,836.45



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198637 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	15	09/95, International, ACCO 1850E, 6x4, Fuel Tanker, Diesel, Manual, 20,895 Kms (Showing On Odometer), Rego. No.:9JX746, Vin:6F2147800SDB11076, For Inquiries Contact Luke McCann 0490 428 463, 004 THIS LICENCE IS NOT TRANSFERABLE WITHOUT PRIOR APPROVAL OF DEPARTMENT OF TRANSPORT, DRIVER AND VEHICLE SERVICES. , 001. LICENCE TO BE CARRIED IN VEHICLE AT ALL TIMES, CONCESSIONAL LICENCE UPGRADE FEE APPLICABLE WHEN TRANSFERRING THIS VEHICLE, 1995 Holmwood Highgate Fuel Tank, Hose Reels, 5 Stud Spider Rims, Date of sale: 23/05/2022 Commission on \$46,250.00 @ 2.75% = \$1,271.88	1	\$ 42,045.45	\$ 4,204.55	\$ 46,250.00
Gross Proceeds of Load No. 26198637				\$ 42,045.45	\$ 4,204.55	\$ 46,250.00
Less Charges						
Commission				\$ 1,271.88	\$ 127.19	\$ 1,399.07
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
OH&S Report				\$ 180.00	\$ 18.00	\$ 198.00
Total Charges				\$ 1,486.88	\$ 148.69	\$ 1,635.57
Net Proceeds of Load No. 26198637				\$ 40,558.57	\$ 4,055.86	\$ 44,614.43



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198638 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	55	Kubota, F3560, Outfront Mower, Serial No.:20890, 2,551 Hrs (Showing On Odometer), Fitted With:72" Cut Deck, Canopy, Working Condition Unknown. UNREGISTERED., Rego. No.:NP() Date of sale: 23/05/2022 Commission on \$3,900.00 @ 2.75% = \$107.25	1	\$ 3,545.45	\$ 354.55	\$ 3,900.00
Gross Proceeds of Load No. 26198638				\$ 3,545.45	\$ 354.55	\$ 3,900.00
Less Charges						
Commission				\$ 107.25	\$ 10.73	\$ 117.98
Inspection Fee				\$ 35.00	\$ 3.50	\$ 38.50
OH&S Report				\$ 180.00	\$ 18.00	\$ 198.00
Total Charges				\$ 322.25	\$ 32.23	\$ 354.48
Net Proceeds of Load No. 26198638				\$ 3,223.20	\$ 322.32	\$ 3,545.52



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TAX INVOICE - ACCOUNT SALES

TO:
 Shire of Derby West Kimberley
 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198639 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	130	Greenfield Under Belly Ride On Mower, Approx 531 Hours, Catcher Working Condition Unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$800.00 @ 7.50% = \$60.00	1	\$ 727.27	\$ 72.73	\$ 800.00
Gross Proceeds of Load No. 26198639				\$ 727.27	\$ 72.73	\$ 800.00
Less Charges						
Commission				\$ 60.00	\$ 6.00	\$ 66.00
Total Charges				\$ 60.00	\$ 6.00	\$ 66.00
Net Proceeds of Load No. 26198639				\$ 667.27	\$ 66.73	\$ 734.00



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TAX INVOICE - ACCOUNT SALES

TO:
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 Attn: Dean Wyber
 PO BOX 94
 DERBY WA 6728
 ABN: 99 934 203 062

Sale: 6004809
Date: 19 May 2022

Load No.: 26198640 Vendor Ref.: Shire of Derby

Item	Lot	Description	Qty	Amount Excl GST	GST	Amount Incl GST
1	131	Greenfield Under Belly Ride On Mower, 649 Hours Showing, Cutting Deck Included. Working Condition unknown, Inspection Highly Recommended Date of sale: 23/05/2022 Commission on \$453.00 @ 7.50% = \$33.98	1	\$ 411.82	\$ 41.18	\$ 453.00
Gross Proceeds of Load No. 26198640				\$ 411.82	\$ 41.18	\$ 453.00
Less Charges						
Commission				\$ 33.98	\$ 3.40	\$ 37.38
Total Charges				\$ 33.98	\$ 3.40	\$ 37.38
Net Proceeds of Load No. 26198640				\$ 377.84	\$ 37.78	\$ 415.62

14 DEVELOPMENT SERVICES**14.1 PROPOSED SECTION 91 LICENSE OVER A PORTION OF RESERVE 22256 – PORTION OF LOT 352 ON DEPOSITED PLAN 419175 AND PORTION OF LOT 2065 ON DEPOSITED PLAN 419175 – SHIRE OF DERBY-WEST KIMBERLEY****File Number: I53108****Author: Robert Paull, Manager Development Services****Responsible Officer: Wayne Neate, Director Technical and Development Services****Authority/Discretion: Administrative****SUMMARY**

Australian Wildlife Conservancy is seeking a non-exclusive License pursuant to Section 91 of the LAA for a period of 24 months for the purpose of “Access to Tourist Camp, Station and Sanctuary” over Reserve 22256 – Portion of Lot 352 on Deposited Plan 419175 and Portion of Lot 2065 on Deposited Plan 419175. Council is recommended to offer ([subject to conditions](#)) no objection.

DISCLOSURE OF ANY INTEREST

Nil by author and Responsible Officer.

BACKGROUND

The Department of Planning, Lands and Heritage (DPLH) has received a proposal from the Australian Wildlife Conservancy (AWC) for the granting of a non-exclusive License pursuant to Section 91 of the LAA for a period of 24 months for the purpose of “Access to Tourist Camp, Station and Sanctuary.” The land, known Reserve 22256 – Portion of Lot 352 on Deposited Plan 419175 and Portion of Lot 2065 on Deposited Plan 419175 is marked on the accompanying plan.

The AWC is the current lessee of Mornington Station (Lease N049733) and operates a tourism business under Diversification Permits. DPLH advise that following a review it was identified that part of the operation was outside of pastoral lease and AWC requires a right of access while a more appropriate tenure arrangement is being negotiated with the Department. The licence will not permit the construction of any new buildings or developments

STATUTORY ENVIRONMENT

Land Administration Act 1997 (Section 48) (LAA)

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

There are no known direct financial implications, but the potential of the Shire rating the “tourism business” area should be explored, which if approved, could provide up to several thousands of dollars in annual rates payments (if the lessee cannot substantiate a Local Government Act rates exemption classification).

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
Priority 1: Leadership and Governance	1.1 Collaboration and Partnerships 1.2 Capable, inclusive and effective organisation 1.3 Effective Communication	1.1.1 Maximise local opportunities 1.2.4 Attract and effectively use resources to meet community needs 1.3.3 Listen to and respond to the needs of our communities

RISK MANAGEMENT CONSIDERATIONS

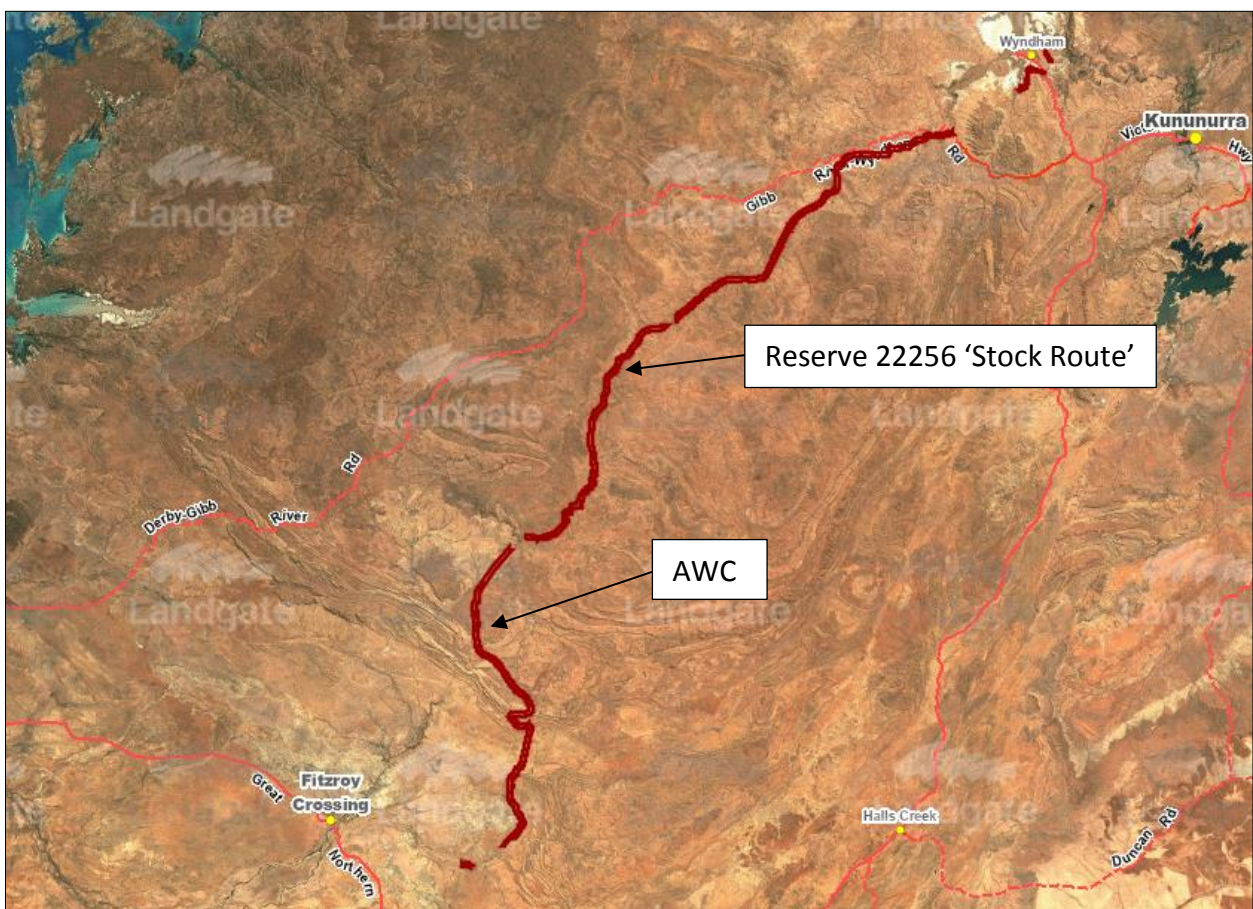
RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance:	Possible	Moderate	Medium	Council to consider the implications of the s.91 License.

CONSULTATION

The Shire is responding to statutory consultation required under the LAA.

COMMENT

The purpose of Reserve 22256 is ‘Stock Route’ and links with the Shire of Derby West/Kimberley as well as the Shire of Halls Creek and the Shire of Wyndham-East Kimberly as follows:





The request for the License is supported in principle as it will enable AWC to operate Mornington Station outside of its existing pastoral lease. However, any support should be prefaced by the Shire not being responsible for any road works or similar improvements associated with the License.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Attachment 1 - Tenure Map  

RESOLUTION 79/22

Moved: Cr Paul White

Seconded: Cr Peter McCumstie

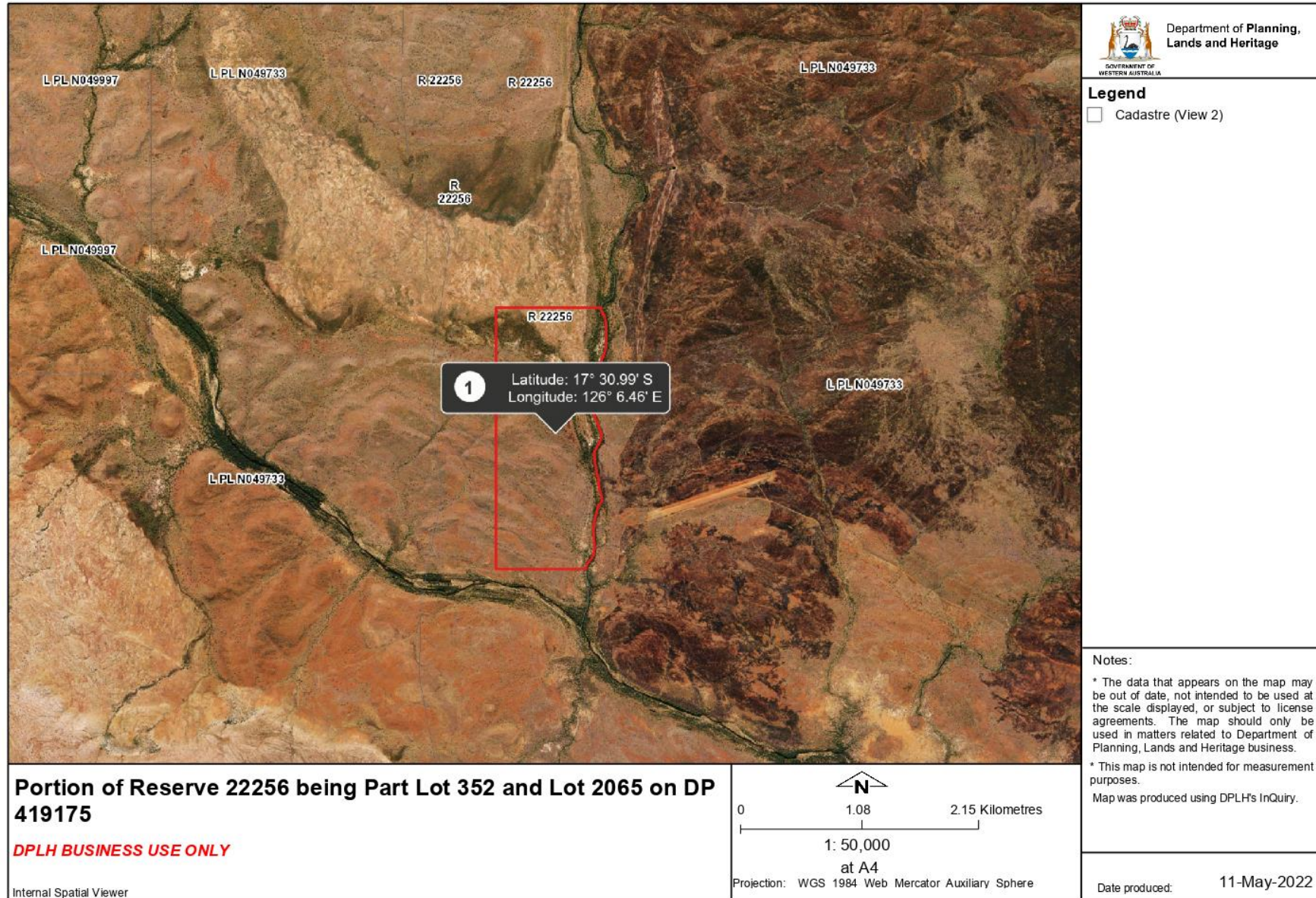
That with respect to proposed Section 91 License over a portion of Reserve 22256 – portion of Lot 352 on Deposited Plan 419175 and portion of Lot 2065 on Deposited Plan 419175 – Shire of Derby-West Kimberley, Council:

1. Note the Shire report;
2. Resolve that subject to the Shire not being responsible for any road works or similar improvements associated with the License, Council has no objection to the application proposed Section 91 License; and
3. Request the Chief Executive Officer to advise the Department of Planning, Lands and Heritage of Council's resolution, including raising the matter of the potential of having the license include the requirement to make local government rates payments for the "tourism business area".

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0



14.2 ADOPTION OF THE 2022 LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS**File Number: 4212****Author: Robert Paull, Manager Development Services****Responsible Officer: Wayne Neate, Director Technical and Development Services****Authority/Discretion: Executive****SUMMARY**

Council is requested to adopt the 2022 Local Emergency Management Arrangements.

DISCLOSURE OF ANY INTEREST

Nil for Author and Responsible Officer

BACKGROUND

Local governments have a legislated responsibility under s.36(a) of *the Local Government Act 2005* to “ensure that effective local emergency management arrangements are prepared and maintained for its district”.

The aim of the Shire of Derby/West Kimberley (SDWK) Local Emergency Management Arrangements (LEMA) is to document the emergency management arrangements that are in place and ensure a common understanding between agencies and stakeholders involved in managing emergencies within the Shire, which will facilitate a coordinated and consistent approach to managing emergencies.

The SDWK Local Emergency Management Committee (LEMC) has developed the Local Emergency Management Arrangements (LEMA) in accordance with the requirements of Section 41 of the Emergency Management Act 2005, and State Emergency Policy 2.5 – Local Arrangements.

The LEMA has been prepared in accordance with the State Emergency Management procedures and endorsed by the SDWK LEMC at its meeting held on 7 June 2022 where it resolved as follows:

“That Shire of Derby West Kimberley Local Emergency Management Committee:

- 1. Endorse the Shire of Derby West Kimberley Local Emergency Management Arrangements (LEMA) as provided in Attachment 6.10.1;*
- 2. Recommends that the Council of the Shire of Derby West Kimberley adopt the LEMA as endorsed; and*
- 3. Once adopted, recommends Council forward a copy of the LEMA to the State Emergency Management Committee.”*

Under the State EM Preparedness Procedure 8 – Local Emergency Management Arrangements, local government should table the LEMA at a local government council meeting as soon as reasonably practicable for approval following endorsement by LEMC.

STATUTORY ENVIRONMENT

Local Government Act 2005

Emergency Management Act 2005

POLICY IMPLICATIONS

None known

FINANCIAL IMPLICATIONS

The responsibilities for funding of emergency response activities is outlined in the State Emergency Management Policy 5.12 – Funding for Emergency Response and State Emergency Management Plan 5.4 - Funding for Emergency Response.

The LEMA states that the Shire is committed to expending such necessary funds within its current budgetary constraints as required to ensure the safety of its residents and visitors.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
Priority 1: Leadership and Governance	1.1 Collaboration and Partnerships 1.2 Capable, inclusive and effective organisation 1.3 Effective Communication	1.1.1 Maximise local opportunities 1.2.4 Attract and effectively use resources to meet community needs 1.3.3 Listen to and respond to the needs of our communities

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Council does not have effective LEMA in place they are in breach of s.36 of the <i>Emergency Management Act 2005</i>	Possible	Moderate	Medium	Council to adopt the SDWK Arrangements to ensure a common understanding between agencies and stakeholders involved in managing emergencies within the Shire, which will facilitate a coordinated and consistent approach to managing emergencies

CONSULTATION

Consultation has occurred through the SDWK LEMC


COMMENT

Local governments have an obligation under State legislation and policy to ensure LEMA’s are in place as part of the State emergency management framework. Approval by Council is required as part of the SEMC approval process. For privacy reasons, **Attachment 1** does not included those LEMA appendices that refer to persons and/or operations of specified organisations. A complete draft LEMA may be requested under separate cover.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Attachment 1 - Draft LEMA [↓](#) 

RESOLUTION 80/22

Moved: Cr Andrew Twaddle

Seconded: Cr Keith Bedford

That Council:

1. **Adopt the Local Emergency Management Arrangements (LEMA), in accordance with the requirement of the *Emergency Management Act 2005*.**
2. **Request the Chief Executive Officer to forward a copy of the LEMA to the State Emergency Management Committee.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0



Shire of Derby / West Kimberley

Shire of Derby/West Kimberley Local Emergency Management Arrangements 2022

Endorsed by Local Emergency Management Group (LEMC):
Endorsed by the Council of the Shire of Derby/West Kimberley:
Noted by the District Emergency Management Committee (DEMC):
Noted by the State Emergency Management Committee (SEMC):

Public Version

Restricted Version

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DISCLAIMER

The Shire of Derby/West Kimberley makes no representations about the suitability of the information contained in this document or any material related to this document for any purpose. The document is provided without warranty of any kind to the extent permitted by law. The Shire of Derby/West Kimberley hereby disclaims all warranties and conditions of merchantability, fitness for particular purpose, title and non- infringement.

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The Shire of Derby/West Kimberley Emergency Management Arrangements have been prepared pursuant to Section 41(1) of the Emergency Management Act 2005 and endorsed by the Local Emergency Management Committee.

A copy of the arrangements has been submitted to the Kimberley District Emergency Management Committee (DEMC) for noting in accordance with State Emergency Management Preparedness Procedure 8: Local Emergency Management Arrangements and then for noting with the State Emergency Management Committee (SEMC) pursuant to Section 41(5) of the Emergency Management Act 2005.

1. ENDORSEMENT

These Local Emergency Management Arrangements have been produced and issued under the authority of S. 41(1) of the [Emergency Management Act 2005](#), endorsed by the Derby/West Kimberley Local Emergency Management Committee and the Council of the Shire of Derby/West Kimberley. The Arrangements have been tabled for noting with the Kimberley District Emergency Management Committee and State Emergency Management Committee.

_____ Date: _____

Shire President
 Shire of Derby/West Kimberley
 Chair Derby/West Kimberley Local Emergency Management Committee

_____ Date: _____

Officer In Charge
 Fitzroy Crossing
 Derby/West Kimberley Local Emergency Management Committee

_____ Date: _____

Officer In Charge
 Derby
 Derby/West Kimberley Local Emergency Management Committee

_____ Date: _____

Chief Executive Officer
 Shire Derby/West Kimberley

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3. DISTRIBUTION LIST

3.1 Full Unrestricted Version

Official copies of this document are distributed in pdf format only and are provided electronically to the organisations and individuals named below. Members of the public wishing to obtain a copy of this document can do so by application to the Shire of Derby/West Kimberley through the following email address: sdwk@sdwk.wa.gov.au.

Hard copy versions of this document may not be accurate.

Table 1 Distribution List

Organisation	Copies
Shire of Derby/West Kimberley Administration	1
Shire of Derby/West Kimberley Chief Executive Officer	1
Kimberley District Emergency Management Committee (Executive Officer to distribute to members)	1
District Emergency Management Advisor – Department Fire and Emergency Services	1
WA Police – Derby Police Station	1
WA Police – Fitzroy Crossing Police Station	1
WA Police – Looma Police Station	1
Department of Fire & Emergency Services – Shire of Derby/West Kimberley	1
Shire of Wyndham/East Kimberley, Shire of Broome, Shire of East Pilbara and Shire of Halls Creek	1ea
Derby Hospital	1
Fitzroy Crossing Hospital	1

3.2 Restricted Version – Public Access

Table 2 Public Access List

Public Access	Copies
Shire of Derby/West Kimberley Administration Office – Reception 30 Loch Street Derby	1
Fitzroy Crossing Administration Office - Front Reception - Flynn Drive Fitzroy Crossing	1
Derby Public Library	1
Fitzroy Crossing Public Library	1
Shire of Derby/West Kimberley website: https://www.sdwk.wa.gov	

3.3 Amendment Record

Suggestions and comments from the community and stakeholders can help improve the arrangements and subsequent amendments.

Feedback can include:

- What you do or do not like about the arrangements;
- Unclear or incorrect expression;
- Out of date information or practices; Inadequacies;
- Errors, omissions or suggested improvements.

To forward feedback, copy the relevant section, mark the proposed changes and forward it to:

The Chairperson
 Local Emergency Management Committee
 Shire of Derby/West Kimberley
 PO Box 94
 DERBY WA 6728
 Alternatively email – sdwk@sdwk.wa.gov.au

The Chairperson will refer any correspondence to the LEMC for consideration and or approval. Amendments promulgated are to be certified in the below table when updated.

Table 3 Versions

Version No.	Amendment Date	Details of Amendment	Author
1	31/10/2012	Draft LEMA 2012	Greg Cook
2	29/12/2015	Review	Wayne Neate
3	May 2021	Complete review and re-write of LEMA 2022	Lewis Winter
4	March 2022	Review/Update	Robert Paull

3.4 Glossary of Terms and Acronyms

Terminology used throughout this document shall have the meaning as prescribed in either section 3 of the Emergency Management Act 2005 or as defined in the [State EM Glossary](#) or the [WA Emergency Risk Management procedure](#).

District: means an area of the State that is declared to be a district under section 2.1 Local Government Act 1995.

Municipality: Means the district of the local government.

3.5 General acronyms used in these arrangements

BFS	Bush Fire Service
CEO	Chief Executive Officer
Communities	Department of Communities
DBCA	Department of Biodiversity, Conservation and Attractions
DEMC	District Emergency Management Committee
ECC	Emergency Coordination Centre
EM	Emergency Management
DFES	Department of Fire and Emergency Services
HMA	Hazard Management Agency
ISG	Incident Support Group

<i>LEC</i>	<i>Local Emergency Coordinator</i>
<i>LEMA</i>	<i>Local Emergency Management Arrangements</i>
<i>LEMC</i>	<i>Local Emergency Management Committee</i>
<i>LRC</i>	<i>Local Recovery Coordinator</i>
<i>LRCC</i>	<i>Local Recovery Coordination Group</i>
<i>SEC</i>	<i>State Emergency Coordinator</i>
<i>SEMC</i>	<i>State Emergency Management Committee</i>
<i>SES</i>	<i>State Emergency Service</i>
<i>SEWS</i>	<i>Standard Emergency Warning Signal</i>
<i>Shire</i>	<i>Shire of Derby/West Kimberley</i>
<i>SOP</i>	<i>Standard Operating Procedures</i>

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4. OVERVIEW - SHIRE OF DERBY/WEST KIMBERLEY

4.1 Community consultation

The Shire of Derby/West Kimberley Local Emergency Management Committee sought community consultation through the Local Emergency Management Committee, District Emergency Management Committee and public comment in regard to the Local Emergency Management Arrangements for a period of three weeks, having published a draft copy on the Shire website inviting public comment.

4.2 Document Availability

Restricted copies of these arrangements are available free of charge and can be found as follows:

Hardcopy: Shire Administration Centre – Derby
30 Lock Street Derby – during normal business hours

Online: Shire website: <https://www.sdwk.wa.gov>

4.3 Area Covered

The Shire encompasses an area of about 104,080 square kilometres. It is 2,375 kilometres north of Perth (Note 4.9 Geographic Location Map (page 4)). Local Governments adjoining the Shire:

- Shire of East Pilbara to the south,
- Shire of Wyndham East Kimberley to the north,
- Shire of Halls Creek to the east.
- Shire of Broome to the south west.

The Shire maintains coastal positioning to the west. The Derby town-site is located in the west in the King Sound coastal area. There are three townsites in the Shire comprising **Derby**, **Camballin** and **Fitzroy Crossing**. The two main towns are Derby and Fitzroy Crossing

4.1.1 Derby

Located on the King Sound, Derby has the highest tides in Australia with peak tide differential of 11.8 metres. Derby supports a population of approximately 3,325 people (2016 census). Derby is rich in cultural diversity with some 47% of the population of Aboriginal and Torres Strait Islander descent. The Mowanjum Community is 10km south of Derby with a seasonal population that varies between 300 to 500 people (2016 census).

4.1.2 Fitzroy Crossing

The town of Fitzroy Crossing is located 400 kilometres east of Shire of Derby/West Kimberley and 300 kilometres west of Halls Creek and is approximately 2,524 kilometres from Perth. Fitzroy Crossing is 114 metres above sea level and is situated on a low rise surrounded by the vast floodplains of the Fitzroy River and its tributary Margaret River. This gives rise to susceptibility to flooding as experienced in February 2022.

4.1.3 Camballin

The town of Camballin is located on the Camballin Station approximately 110km south of Derby and Fitzroy Crossing. The population at last census (2016) was 729. The Department of Water, Environment and Regulation has prepared this Drinking Water Source Protection Plan to report on the activities and risks to water quality within the Camballin Water Reserve and to recommend management strategies to minimise the identified risks.

4.2 Topography of the Shire

Yampi Peninsula lies in a transitional area between the high-rainfall of tropical north Kimberley and the drier conditions characteristic of central Western Australia. These different environments meet in a complex landscape of plains, dissected sandstone plateaus and rugged mountains. The central Kimberley, which includes the periphery of north Kimberley plateau country and the King Leopold Ranges, are very rugged physical structures. This coastline is subject to one of the highest tidal ranges anywhere in the world.

4.3 Climate

Derby is 8m above sea level. The climate here is considered a local steppe climate. During the year, there is little rainfall in Derby. The average annual temperature is 28.2°C. The rainfall is around 655 mm per year.

The driest month is August, often with 0 mm of rain. Most precipitation falls in January, with an average of 204 mm. November is the warmest month of the year where temperature averages 31.3°C. In July, the average temperature is 23.5°C and is the lowest average temperature of the whole year. Fitzroy Crossing has a prevailing semi-arid climate. It is warm to hot all year round stifling tree growth because of drought like conditions. It consists mainly of sand with grasses and sometimes shrubs. The average annual temperature for Fitzroy Crossing is 18°C and there is about 330 mm of rain in a year. It is dry for 199 days a year with an average humidity of 75%.

4.4 Power Supply

Electricity in Derby and Fitzroy Crossing is supplied by Horizon Power and is distributed through a mixture of overhead and underground assets. The outlying communities have their own diesel power generation and distribution systems.

4.5 Transport

The area is accessible by road and air and Derby is accessible by sea.

4.5.1 Road

Access to the Derby town site is by the Derby Highway carrying on from the Great Northern Highway, which then leads to Fitzroy Crossing and further east to Halls Creek and Kununurra. The Gibb River Road also provides access to part of the Shire.

4.5.2 Air

Derby Airport is an all-weather airport servicing the towns and district area. Whilst the Shire owned Airport the runway length is 1736m and has a PCN of 24 no larger carrier currently operates out of this airport but numerous smaller private and commercial aircraft use this airport and a limited Cessna Caravan based passenger service operates between Derby and Broome (Aviair).

RAAF Base Curtin, is a joint use Royal Australian Air Force (RAAF) military air base and civil airport located 35 km southeast of the town of Derby. No RAAF units are permanently based at Curtin and a small caretaker staff maintains it during peacetime. Runway length is 3049m and has a PCN of 41.

Fitzroy Crossing Airport is located 3.7 km northwest of Fitzroy crossing. The Shire owned Airport has basic amenities including an undercover waiting area, water fountain and toilet facility for passengers. The airport has a number of private hangars and helipads for light aircraft and small regional air services. Runway length is 1300m and has a PCN of 10.

4.5.3 Sea

The townsite of Derby is serviced via the Derby Harbour and wharf where a variety of light shipping enters and utilises wharf facilities.

4.6 Water Supply

The all three towns are entirely dependent on groundwater for its water supply. For Derby, its groundwater is sourced from the Lower Erskine Sandstone Formation, which is considered a confined aquifer system, situated at a minimum depth of approximately 200 metres from the surface. The same applies for Camballin, Fitzroy Crossing and communities which all rely on ground water being extracted.

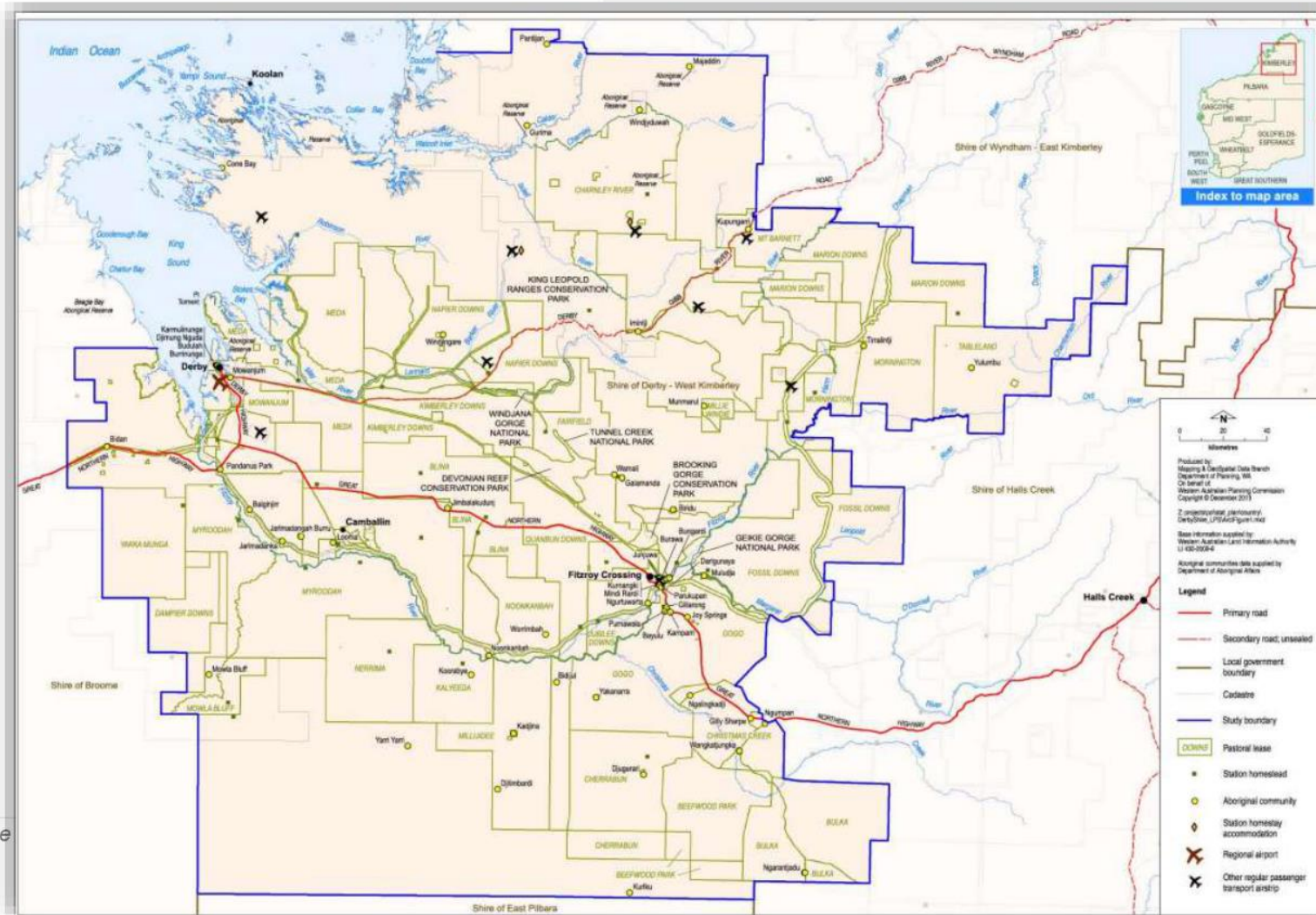
4.7 Sewerage

Wastewater is the used water from households and business that is disposed of through the sewerage network (or into septic tanks in some areas). Wastewater is 99.97 per cent water as the majority is sourced from showers, baths and washing machines. The remainder is dissolved and suspended matter.

4.8 Communications

The Shire has an extensive Telstra network with associated support facilities for cable, microwave, digital and analogue phones. The Royal Flying Doctor Service operates a radio network that takes in Derby and Fitzroy Crossing and all remote communities.

4.9 Geographic Location Map



5. EMERGENCY MANAGEMENT PLANNING

5.1 Aim

The aim of these arrangements is to provide an understanding of the emergency management arrangements for the district and ensure collaboration and a consistent approach to emergency management between agencies and stakeholders in the event of an emergency within the Shire boundaries.

5.2 Purpose

The purpose of these emergency management arrangements is to set out:

- a) the Shire's policies for emergency management;
- b) the roles and responsibilities of public authorities and other persons involved in emergency management in the Shire;
- c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph b);
- d) a description of emergencies that are likely to occur in the Shire;
- e) strategies and priorities for emergency management in the Shire;
- f) other matters about emergency management in the Shire prescribed by the regulations; and
- g) other matters about emergency management in the Shire that the local government considers appropriate (s.41(2) of the Emergency Management Act 2005 (EM Act)).

5.3 Scope

These arrangements are to ensure the community is prepared to deal with the identified emergencies should they arise. It is not the intent of this document to detail the procedures for Hazard Management Agencies (HMA) in dealing with an emergency. These should be detailed in the HMAs' individual plans. Furthermore:

- This document applies to the local government district of the Shire;
- This document covers areas where the Shire provides support to HMAs in the event of an incident;
- This document details the Shire capacity to provide resources in support of an emergency, while still maintaining business continuity; and
- The Shire's responsibilities in relation to recovery management.

These arrangements are to serve as a guideline to be used at the local level. Incidents may arise that require action or assistance from district, state or federal level.

6. RELATED DOCUMENTS AND ARRANGEMENTS

6.1 Local Emergency Management Policies

The Shire does not currently have any formal local emergency management policies.

6.2 Existing Plans and Arrangements

To enable integrated and coordinated delivery of emergency management within the Shire, these arrangements are consistent with State Emergency Management Policies and State Emergency Management Plans. Copies of relevant state plans including State Hazard Plans (WESTPLANS) are available on the SEMC website. Reference is made to local plans and documents throughout these arrangements and hard copies can be found in the 'Local Emergency Management Arrangements' file.

6.2.1 State:

- SEMC Arrangements
- State Hazard Plans (WESTPLAN) and Support Plans
- State Emergency Welfare Plan

6.2.2 Local Plans

Table 4 Local Plans

Document	Owner	Location	Date
Derby Cyclone Plan	Shire of Derby/West Kimberley	Shire Office Derby	Undated
Derby Airport	Shire of Derby/West Kimberley	Shire Office Derby	Undated
Derby Port Cyclone Response Plan	Shire of Derby/West Kimberley	Shire Office Derby	Undated

Document	Owner	Location	Date
Shire of Derby/West Kimberley Community Disaster Recovery Plan	Shire of Derby/West Kimberley	Shire Office Derby	Undated
Shire of Derby/West Kimberley Waste Management Facility Fire Management Plan	Shire of Derby/West Kimberley	Shire Office Derby	2012
Local Emergency Welfare Plan (Derby) Local Emergency Welfare Plan (Fitzroy Crossing)	Department of Communities -	Shire of Derby/West Kimberley Website	May 2022

6.3 Agreements, Understanding and Commitments

Table 5: Agreements, Understanding and Commitments

Parties to the Agreement	Summary of the Agreement
Shire of Derby/West Kimberley, Shire of Derby/West Kimberley, Shire East Pilbara and Shire of Halls Creek	Memorandum of Understanding for the provision of mutual aid during emergencies and post incident recovery
DFES, Shire of Derby/West Kimberley, Shire of Derby/West Kimberley, Shire East Pilbara and Shire of Halls Creek	Memorandum of Understanding for ongoing management and control of bush fire brigades and bush fire and emergency services in the Kimberley Region of Western Australia

6.4 Special Considerations

The Shire has a number of special considerations, which may contribute to the likelihood or severity of an emergency event.

Table 6: Special Considerations

Description	Time of Year	Potential Impact / No of People
Cyclone Season	November – April	Severe damage throughout Shire.
Wet Season	November - April	Flooding from cyclonic activity
Dry Season	May – October	Bushfire
Bushfire Season – ‘permits to burn’ required all year round	All year round	Bushfire
Dry Season	May – October	Large numbers of tourists throughout the Shire
The Gibb Challenge	Mid May	Large number of competitors. Bush fire risk
Mowanjum Festival	Late July	Large numbers – several hundred people at any one time Bushfire risk.
Boab Festival (Derby including Mardi Gras)	First Friday of July Scholl holidays for 2 weeks)	Large numbers – several hundred people at any one time
Rodeo (Derby Rodeo Fitzroy Crossing)		Large numbers – several hundred people at any one time
Picnic Races (Derby)		

6.5 Resources

The Hazard Management Agency (HMA) or its Control Agency (CA) is responsible for the determination of resources required for their specific hazards and operations.

Resources within the community and Shire have been identified in the Shire’s ‘Welfare Centres Facilities and Assets Directory’ (Refer **Appendix 1**) and within the Shire’s ‘Contacts Directory’ (**Appendix 2**) and ‘Resources Directory’ (**Appendix 3**).

Where possible the Shire’s resources will be made available upon request.

6.6 Roles & Responsibilities

6.6.1 Local roles and responsibilities

Table 7: Local roles and responsibilities

Local role	Description of responsibilities
Local government	The responsibilities of the Shire are defined in section 36 of the EM Act .
Locale emergency coordinator	The responsibilities of the LEC are defined in section 37 of the EM Act .
Local recovery coordinator	To ensure the development and maintenance of effective recovery management arrangements for the local government. In conjunction with the local recovery committee to implement a post incident recovery action plan and manage the recovery phase of the incident. The Shire has designated the Director Technical and Development Services to perform the duties of the Local Recovery Coordinator. Should the Director Technical and Development Services not be available, the role will be performed by the Manager Development Services or another senior staff member at the direction of the CEO.
LG welfare liaison officer	During an evacuation where a local government facility is utilised by the Department of Communities provide advice, information and resources regarding the operation of the facility in accordance with the Shire of Derby/West Kimberley Emergency Welfare Shelter Procedures.
LG welfare liaison officer (con't)	The Shire has designated the Director Community Services to perform the duties of the Local Government welfare liaison officer. In the event the Director Community Services is not available the role will be performed by another senior staff member at the direction of the CEO.

Local role	Description of responsibilities
<i>LG liaison officer (to the ISG/IMT)</i>	<p><i>During a major emergency, the liaison officer attends ISG meetings to represent the Shire and provide local knowledge input and details in the LEMA. The Shire has designated the Senior Environmental Health Officer to perform the duties of the Local Government liaison officer.</i></p> <p><i>Where an ISG has not been formed, the liaison officer may be called upon to represent the local government directly to the Incident Controller. The LG liaison officer has authority to offer Shire resources and services to support the emergency response.</i></p>
<i>Local government – Incident management</i>	<ul style="list-style-type: none"> • <i>Ensure planning and preparation for emergencies is undertaken.</i> • <i>Implement procedures that assist the community and emergency services deal with incidents.</i> • <i>Ensure all personnel with emergency planning and preparation, response and recovery responsibilities are properly trained in their role.</i> • <i>Keep appropriate records of incidents that have occurred to ensure continual improvement of the Shires emergency response capability.</i> • <i>Liaise with the incident controller (provide liaison officer).</i> • <i>Participate in the ISG and provide local support.</i> • <i>Where an identified evacuation centre is a building owned and operated by local government, provide a liaison officer to support the Department of Communities.</i>

6.6.2 LEMC roles and responsibilities

The Shire has established a Local Emergency Management Committee (LEMC) under section 38(1) of [the EM Act](#) to oversee, plan and test the local emergency management arrangements.

The LEMC includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the community.

The LEMC plays a vital role in assisting our communities become more prepared for major emergencies by:

- Developing, enhancing and testing preparedness planning from a multi-agency perspective having local knowledge of hazards, demographic and geographic issues; they provide advice to Hazard Management Agencies to develop effective localised hazard plans;
- providing a multi-agency forum to analyse and treat local risk;
- providing a forum for multi-agency stakeholders to share issues and learnings to ensure continuous improvement.

The LEMC has the following functions under section 39 of [the EM Act](#):

- To advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- To liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- To carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

The LEMC membership must include at least one local government representative and the Local Emergency Coordinator.

Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC. The term of appointment of LEMC members shall be determined by the local government in consultation with the parent organisation of the members.

Table 8: Local Emergency Management Committee executive roles and responsibilities

Local role	Description of responsibilities
LEMC Chair	The Chairperson of the LEMC is appointed by the local government (s. 38 of the Emergency Management Act 2005). Responsibilities of the Chair include, provide leadership and support to the LEMC to ensure effective meetings and high levels of emergency management planning and preparedness for the local government district is undertaken.

Local role	Description of responsibilities
LEMC Executive Officer	<p>Provide executive support to the LEMC by:</p> <ul style="list-style-type: none"> • Providing secretariat support including: <ul style="list-style-type: none"> ○ Meeting agenda; ○ Minutes and action lists; ○ Correspondence; ○ Committee membership contact register; • Coordinate the development and submission of committee documents in accordance with legislative and policy requirements including: <ul style="list-style-type: none"> ○ Annual Report; ○ Annual Business Plan; ○ Local Emergency Management Arrangements; • Facilitate the provision of relevant emergency management advice to the Chair and committee as required.

6.7 LEMC administration

The Shire LEMC is comprised of and is reflective of the community:

- A Chairperson, as appointed by the Shire;
- The Local Emergency Coordinator (LEC), as appointed by the State Emergency Coordinator (SEC);
- Local Recovery Coordinator;
- At least one Local Government representative;
- Representatives from local emergency management agencies located in the Shire;
- Welfare support agencies;
- State Government agencies;
- Local Industry representatives;
- Local Indigenous representatives;
- Special needs group representatives;
- Any other representatives as determined by the Shire (e.g. community champions); and
- Secretarial and administration support provided by the Shire.

6.8 Agency roles and responsibilities

In the event of an emergency, the local government will need to liaise with a range of state agencies who will be involved in the operational aspects of the emergency. Table 9 summarises the key roles:

Table 9: Agency roles and responsibilities

<p><i>Controlling agency</i></p>	<p><i>The Controlling Agency as defined by the State Emergency Management Policy section 5.2.1 as the agency with responsibility, either through legislation other than the Emergency Management Act 2005, or by agreement between a Hazard Management Agency (HMA) and one or more agencies, to control the response activities to an incident, as specified in the appropriate State Hazard Plan (formerly WESTPLAN).</i></p> <p><i>In most instances, when an incident escalates to become an emergency, the Controlling Agency and the HMA are the same agency. In response to an incident the Controlling Agency must appoint an Incident Controller (IC). The Incident Controller is responsible for:</i></p> <ul style="list-style-type: none"> <i>• The overall control of an incident within a defined incident area, which may include the whole State in some incidents;</i> <i>• Leading an incident management team;</i> <i>• Assessing the incident level - if an incident is assessed as a Level 2 or Level 3 incident, the IC must make an incident level declaration in accordance with State EM Response Procedure 2;</i> <i>• Ensuring the accuracy of the 'emergency public information', approving its release in coordination with all relevant agencies and terminating its broadcast;</i> <i>• In consultation with the HMA, ensuring effective strategies for evacuation are implemented; and</i> <i>• Management of traffic during an emergency response. Where the Controlling Agency is not also the Hazard Management Agency, they shall conduct the above duties in consultation with the HMA.</i> <p><i>In the instance of an event requiring an emergency response where it is not clear who the Controlling Agency should be under existing statutory law or agency responsibilities, and a satisfactory agreement cannot be reached, then the WA Police shall assume control of the incident until such time as the appropriate Controlling Agency can be determined.</i></p>
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<p><i>Hazard management agency</i></p>	<p><i>A Hazard Management Agency (HMA) is 'to be a public authority or other person who or which, because of that agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for emergency management, or the prescribed emergency management aspect, in the area prescribed of the hazard for which it is prescribed.' (S.4 of the Emergency Management Act 2005).</i></p> <p><i>The HMA is prescribed in the Emergency Management Regulations 2006.</i></p> <p><i>The function of the HMA is to:</i></p> <ul style="list-style-type: none"> <i>• Undertake responsibilities where prescribed in the Emergency Management Regulations 2006 for these aspects;</i> <i>• Appointment of Hazard Management Officers (s.55 of the Emergency Management Act 2005);</i> <i>• Declare/ Revoke Emergency Situation (s.50 and s.53 of the Emergency Management Act 2005);</i> <i>• Coordinate the development of the WESTPLAN for that hazard SEMP No 1.5 Development and Review of State Emergency Management Plans; and</i> <p><i>Ensure effective transition to recovery by local government.</i></p>
<p><i>Combat agencies</i></p>	<p><i>A combat agency is defined by the State Emergency Management Policy section 5.3.3 as being responsible for response tasks at the request of the Controlling Agency/HMA in accordance with their legislative responsibilities or specialised knowledge.</i></p> <p><i>An example of this is the Fire and Rescue Service undertaking extrication of casualties at a motor vehicle accident where WA Police is the HMA and Controlling Agency.</i></p>
<p><i>Support organisation</i></p>	<p><i>A Support Organisation is responsible for specific activities in support of the Controlling Agency/HMA and may also support Combat Agencies and other Support Organisations upon request. An example may be the Salvation Army providing meals to a welfare centre.</i></p>

6.9 Special Threats/Risks Considerations

Description	Impacts
Culturally and Linguistically Diverse (CaLD)	The Shire has a multi-cultural population with a variety of languages being spoken in the home. During an emergency event, language may become a communication barrier. Local Agencies will be engaged to provide specific communications to our indigenous communities.
West Kimberley Industries	The area within the Shire of Derby/West Kimberley is host to a number of potential hazard facilities and industries. These may also trigger additional recovery requirements to be considered where an emergency event has resulted in a catastrophic failure of infrastructure in the area. A transient workforce is based in this area, which can fluctuate.
Transport	A substantial number of dangerous goods and heavy haulage vehicles enter and exit the Derby/West Kimberley area and rely on certain routes authorised for transportation. Any road closure affecting these roads will need to be communicated as a priority to the industries within the area, Main Roads WA and the WA Police.
Cultural and Environmental Values	The area is subject to strict cultural and environmental values. There are many locations identified as culturally sensitive, declared rare flora, threatened and priority ecological colonies.

6.10 Financial Arrangements

The principle of funding for emergencies is to ensure accountability for the expenditure incurred. The organisation with operational control of any resource shall be responsible for the payment for all related expenses associated with its operation during emergencies, unless other arrangements are established.

[State EM Policy Section 5.12](#), [State EM Plan Section 5.4 and 6.10](#) and [State EM Recovery Procedures 1-2](#) outlines the responsibilities for funding during multi-agency emergencies. While recognising the above, the Shire is committed to expending such necessary funds within its current budgetary constraints as required to ensure the safety of its residents and visitors.

6.10.1 Authority to Incur Expense

The Chief Executive Officer, or delegate authority (e.g. Local Recovery Coordinator), should be approached immediately where an emergency event occurs that requires resourcing by the Shire, to ensure the desired level of support is achieved.

6.10.2 Response

All Shire resources are registered and identified in **Appendix 3** 'Contacts and Resources Directory'. Staff and resources are available for response to emergencies in accordance with section 38 and section 42 of the *Emergency Management Act 2005*.

7. LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

7.1 Introduction

The Shire has established a Local Emergency Management Committee/s (LEMC) under section 38(1) of the [Emergency Management Act \(2005\)](#) to oversee, plan and test the local emergency management arrangements. The LEMC is not an operational committee but a working group, which includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the Shire of Derby/West Kimberley area. LEMC/s will assist in developing local emergency management arrangements and planning, and coordinating its emergency management partners/stakeholders within its district.

7.2 LEMC Role

Performs a vital role in assisting the Shire of Derby/West Kimberley and its community become aware and prepared for major emergencies by:

- *Developing, enhancing and testing preparedness planning from a multi-agency perspective having local knowledge of hazards, demographic and geographic issues.*
- *Providing advice to HMA/CAs so localised hazard plans can be developed.*
- *Providing a multi-agency forum to analyse and treat local risk.*
- *Providing a forum for multi-agency stakeholders to share issues and learnings to ensure continuous improvement.*

7.3 LEMC Procedures

The LEMC shall meet quarterly or as required (minimum of four (4) meetings per annum). Each meeting of the LEMC shall consider, but not be restricted to:

- **Confirming local emergency management contact details of key stakeholders.**
- **Reviewing any post-incident reports and post-exercise reports generated since last meeting.**
- **Assessing progress of emergency risk management processes.**
- **Assessing progress of treatment strategies arising from emergency risk management process.**
- **Assessing progress of development or review of local emergency management arrangements.**

7.4 Other matters determined by the local government and SEMC direction

LEMC will also consider other issues including annual reporting, training, grant funding applications, special projects and other matters as necessary.

7.5 Membership

LEMC membership includes the Shire of Derby/West Kimberley representatives and the Local Emergency Coordinator (OIC WAPOL Derby & Fitzroy Crossing). Relevant government agencies, industries and other statutory authorities will nominate their representatives to be members of the LEMC.

Shire's LEMC Role	Description of Responsibilities
LEMC Chair	Chair - Shire appointed elected member
	Provide leadership and support to the LEMC to ensure effective meetings and high levels of emergency management planning and preparedness for the local government district is undertaken
	Deputy Chair - Local Emergency Coordinator – OIC, Derby, and Fitzroy Crossing Police Station/s
LEMC Executive Officer	Executive Officer - Shire – Emergency Services Coordinator/or staff position as determined
	Provides secretariat support including:
	Meeting agenda
	Minutes and action lists
	Correspondence
	Committee membership contact register
	Coordinate development and submission of committee documents in accordance with legislative and policy requirements including:
	Annual Report
	LEMC Business Plan (Note Appendix 4)
	Local Emergency Management Arrangements
	Facilitate the provision of relevant emergency management advice to the Chair and committee as required
	Participate as a member of sub-committees and working groups as required

Council in consultation with the parent organisation members determines the appointment term of LEMC members.

Representatives from community and community groups will be invited to attend as required. All LEMC secretarial and admin support is to be provided by the Shire.

7.6 Core Members

Agency	Position
Delegate – Elected member - Councillor	Chair
Shire of Derby/West Kimberley	Deputy Chair
	Councillor
	Local Recovery Coordinators
	Local Welfare Liaison Officer
	Executive Officer
	Chief Bush Fire Control Officer
	Animal Welfare Liaison
Environmental Health Services	
WA Police	Local Emergency Coordinator
Dept. of Communities	Local Welfare Coordinator
Industry Reps.	Industry Representative
SES	Agency Representative
DFES	Agency Representative
Community Members – as appropriate	Representatives

7.7 Support Members

Agency	Position
Indigenous Communities reps	Agency Representative
Utilities Representatives	Agency Representatives
Main Roads Authority	Agency Representative
Dept. Biodiversity Conservation & Attractions	Agency Representative
Dept. of Regional Development and Industries	Agency Representative
Dept. of Health	Agency Representative
Dept. of Education	Agency Representative
District Emergency Management Advisor	Agency Representative

The list above is not limited, with members co-opted as and when required.

8. MANAGING RISK

8.1 Emergency Risk Management

The Emergency Risk Management (ERM) process forms the foundation of local emergency management arrangements. The ERM process supports the negotiation and development of shared responsibilities necessary for the establishment of effective arrangements within local government.

Emergencies cause great damage to property and cause even greater economic loss through damage to infrastructure and livestock. ERM is an essential part of a community's ability to identify what risks exist within the community and how these risks should be dealt with to minimise future harm to the community.

As part of the ERM process it is essential that community stakeholders are consulted when developing measures that reflect the ERM project being conducted. Through the development of related mitigation initiatives, the community is then able to work towards reducing the likelihood and/or consequence of further emergencies order to develop a more sustainable community.

One of the ERM outputs should be to identify critical infrastructure in the community and its vulnerability to hazards. The Shire's 'Emergency Risk Management Statement' can be accessed at **Appendix 5**.

The Shire and its LEMC recognise the critical component of risk management to the EM process. A sound risk management process paves the way for the Shire and its LEMC partner agencies to work together to implement treatments to mitigate risks to the community.

The Shire, over coming months, will endeavour to undertake a risk analysis within its district using the current models based on AS/NZS ISO 31000 2018 standards and utilising the National Emergency Risk Assessment Guidelines (NERAG 2018).

8.2 Description of emergencies likely to occur

The following is a table of emergencies that are likely to occur within the Shire area which have been derived through the Emergency Risk Management process:

Table 9: Description of emergencies likely to occur in local area

Hazard	Controlling Agency	HMA	Local Combat Role	Local Support Role	WESTPLAN/ State Hazard Plans	Local Plan (Date)
Air Crash	WAPOL	WAPOL	Derby VFRS, Fitzroy Crossing VFES	DC	Air Crash	TBD
Bushfire	DCBA/DFES	DCBA/DFES	Derby VFRS, Fitzroy Crossing VFES	DC	Fire	TBD
Cyclone	DFES	DFES	SES	DC	Cyclone	TBD
Flood	DFES	DFES	SES	DC	Flood	TBD
Hazmat	DFES	DFES	DFES	DC	Hazardous Materials Emergencies [HAZMAT]	TBD
Human epidemic	Dept. of Health	Dept. of Health	Dept. of Health	WA Country Health Services	Human Biosecurity	State Plan 2020
Land Search	WAPOL	WAPOL	SES	CPFS	Land Search	TBD
Road Transport Emergency	WAPOL	WAPOL	Derby VFRS, Fitzroy Crossing VFES	DC	Road Crash	TBD

These arrangements are based on the premise that the Controlling Agency is responsible for the above risks and will develop; test and review appropriate emergency management plans for their hazard. It is recognised that the HMA's and Combat agencies may require Shire resources and assistance in emergency management. The Shire is committed to providing assistance/support if the required resources are available through the Incident Support Group when and if formed.

8.3 Local Emergency Management Strategies and Priorities

The Shire’s emergency management strategies and priorities are as follows:

Table 10: Local Emergency Management Strategies and Priorities

Priority	Strategy
LEMA endorsed by LEMC, Council, then noted by DEMC and SEMC	Review and development of compliant LEMA and LRP which is compliant with legislation; LEMA to then be exercised
Current compliant Emergency Risk Management process	Completion of Emergency Risk Management Process which complies with State EM Policy 1 and the National Emergency Risk Assessment Guidelines 2018; prioritisation and implementation of treatments
LEMCs to comply with legislation and policy	The two Shire of Derby/West Kimberley LEMCs to meet quarterly and submit annual report in accordance with State EM Policies and procedures

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9. RESPONSE AND COORDINATION EMERGENCY OPERATIONS

9.1 Activation of Local Arrangements

On becoming aware of, or on advice from the HMA Incident Controller (IC), the Local Recovery Coordinator (LRC) will assess the need for activating the recovery plan and advise the Chairman of the need to convene the Shire appropriate Recovery Group if necessary.

Upon deciding not to convene and activate the appropriate Shire's Recovery Group and Shire's Recovery Plan, due to statutory and/or other agencies adequately addressing the situation, the Shire Local Recovery Coordinator will continue to monitor the situation and keep the Shire President and CEO briefed accordingly.

9.2 Incident Support Group

Incident Support Group (ISG) provides support to the incident management team (IMT). ISG is a group of people represented by different agencies that may/are involved in the incident ISG is convened by the Controlling Agency (CA) appointed Incident Controller (IC) to assist in overall coordination of services and information during a major incident.

Coordination achieved through clear identification of priorities by agencies sharing information and resources. HMAs and combat agencies may require the Shire resources and assistance in emergency management. The Shire is committed to providing assistance/support, if required resources are available, through the ISG if, and when formed.

9.2.1 Triggers for the Incident Support Group

Defined in the State Emergency Management Policy statement 5.2.2 and State Emergency Management Plan section 5.1 being:

- **Where an incident is designated as a Level 2 or higher;**
- **Multiple agencies need to be coordinated; or**
- **Community interests need to be represented.**

9.2.2 Incident Support Group membership

Made up of agency representatives that provide support to the CA. Emergency management agencies may be called on to provide liaison officers for the ISG.

The Shire Local Recovery Coordinator (LRC) should be a member of the ISG from the onset, ensuring consistency of information flow, situational awareness and efficacious transition handover to recovery. Representation on ISG may change regularly depending upon the incident, agencies involved and consequences caused by emergency. Agencies supplying staff for ISG must ensure that the representative(s) have authority to commit resources and/or direct tasks within their organisation/agency.

9.2.3 ISG Meeting Location and Frequency

The IC determines the frequency of meetings depending on the nature and complexity of incident. As a minimum, there should be at least one meeting per incident. Coordination is achieved through clear identification of priorities and objectives by agencies sharing information and resources.

The IC is responsible for the location of meetings and given its part in the ISG, the meetings are generally convened in close proximity to, or within the Incident Control Centre (ICC).

9.3 Emergency Coordination Centre

The Shire has identified a primary and secondary emergency coordination centre and the locations detailed below have been identified as suitable ECCs:

Locality	Possible Locations	Contact
Derby	Shire Administration Offices.	91910999
Derby	SES HQ	Lot 550 Sutherland & Derby Highway, Derby derbyes@bigpond.com
Fitzroy Crossing	Council Administration Office	91910999

10. MEDIA MANAGEMENT AND PUBLIC INFORMATION

Communities threatened or impacted by emergencies have an urgent and vital need for information and direction.

Communities require adequate, timely information and instruction to be aware of the emergency and take appropriate actions to safeguard life and property.

In the response phase of an incident, information dissemination is the responsibility of the HMA/CA.

State Support Plan – Public Information, provides that the HMA is responsible ‘for the provision and management of public information during emergencies’.

Media and Public Information management is to reflect multi-agency involvement and authorised by the IC/Manager and the following principles will apply:

- ***HMA is to manage all media releases under State Support Plan – Public Information.***
- ***All media releases and public information alerts for the incident are to be authorised by Incident Controller/Manager after consultation with the Emergency Coordinator and other CA’s.***
- ***All media releases are to reflect Multi-Agency Incident Management and detail all agencies’ involvement.***
- ***Must relate to incident only, not to operational protocols, procedures or administration. These issues will be referred to the relevant agency.***
- ***All media releases are to carry the agencies’ identification.***
- ***Copies of multi-agency incident media releases are to be provided to each agency as soon as possible before release.***
- ***All Media releases issued by any agency at State level will reflect multi- agency involvement.***

10.1 Shire of Derby/West Kimberley Media Release

Any information for release to media or public must be forwarded to and approved by the Chief Executive Officer. The coordinating officer for the Shire is the Director Technical and Development Services or a CEO delegated officer. The Shire President or the CEO shall only make statements to the press on behalf of the Shire.

10.2 Public Warning Systems

10.2.1 Local Systems

The Shire presently uses the local ABC radio station, Shire website, the Shire Facebook page and other electronic mediums, and relevant HMA media outlets. Where lives and property are directly threatened, as a result of an emergency, information may be disseminated via Emergency Alert and/or using the State Emergency Warning Signal (SEWS).

10.2.2 Standard Emergency Warning System

SEWS is a distinctive sound broadcast used immediately before an urgent safety message over radio or television. SEWS should only be used when critical, urgent information is required to be delivered to the public via a radio or television broadcast.

10.2.3 DFES Public Information Line

DFES recorded information line	1300 657 209
Emergency WA website	www.emergency.wa.gov.au
DFES website	www.dfes.wa.gov.au
SES assistance	132 500

10.2.4 ABC Radio

Local ABC Radio ABC Kimberley (08) 9191 3011
Derby – 873 AM
Fitzroy Crossing – 106.1FM

10.3 Emergency Alert System

Emergency Alert automatically delivers emergency warnings direct to an area when lives may be in danger in that area. It does not replace current public information tools or the need for community to remain vigilant and look after their own safety. It is an additional tool used to alert people in a specific location in immediate danger.

All home phones (landlines), including silent numbers, are automatically registered on Emergency Alert. Mobile phones are automatically registered to the billing address.

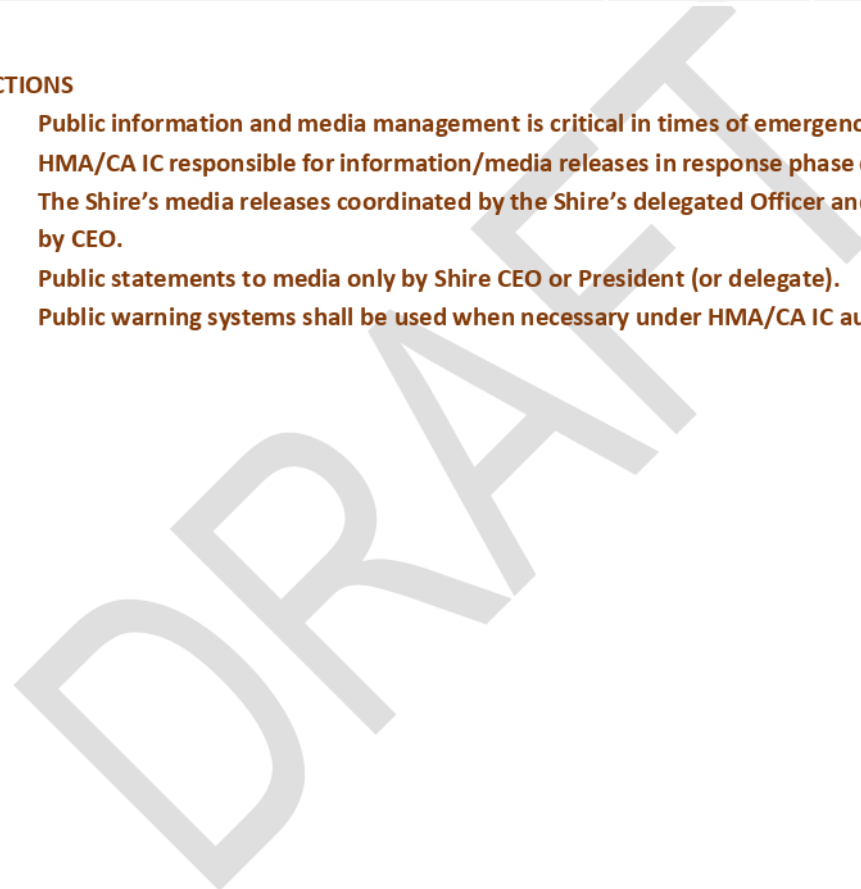
Messages broadcast by Emergency Alert are made with authority of HMA in emergencies. (Refer to DFES Standard Operating Procedure 70 for activation).

10.4 Local Communication Channels and Tools

Description	Contact Person	Contact Number
Public notice boards in Derby and Fitzroy Crossing	Shire Offices	9175 8029
Website https://www.sdwk.wa.gov	Shire Offices	9175 8029
Facebook	Shire Offices	9175 8029

ACTIONS

- **Public information and media management is critical in times of emergency.**
- **HMA/CA IC responsible for information/media releases in response phase of incident.**
- **The Shire’s media releases coordinated by the Shire’s delegated Officer and approved by CEO.**
- **Public statements to media only by Shire CEO or President (or delegate).**
- **Public warning systems shall be used when necessary under HMA/CA IC authority.**



11. EVACUATION

11.1 Evacuation Management

11.1.1 Decision

Decision to evacuate is made by Incident Controller (IC) appointed by designated HMA/CA or an authorised officer when the members of community at risk do not have the capability to make an informed decision when loss of life or injury is imminent.

11.1.2 Timeliness

Alternatives as, '*shelter in place*' or, "*prepare, stay and defend*", should be considered.

Decision to evacuate or recommend evacuation made as early as is practical, as late evacuation may compound risk by potentially exposing communities to greater levels of risk.

11.1.3 Combat Agency for Evacuation

Evacuation will occur in a planned and safe manner, coordinated by WAPOL. Determining risk, need for long or short-term evacuation and immediate or planned evacuation may be necessary

11.1.4 Evacuation Centres

WAPOL will be requested to effect and control evacuations of persons to a location predetermined by the HMA. The HMA will liaise with the Shire or appropriate neighbouring LGs and Department of Communities (DC) to ensure appropriate arrangements for welfare support for evacuees are in place.

It is the Shire's responsibility (in partnership with the HMA/CA) to ensure adequate arrangements are in place to support evacuation. This includes the provision of evacuation centres and applicable support functions.

11.1.5 Evacuation Considerations

Shire and LEMC partners are aware of roads becoming impassable due to cyclonic and flooding activities.

11.2 At-Risk Persons and Groups

The Shire of Derby/West Kimberley relies on agencies responsible for At-Risk persons and groups to ensure suitable planning, and response capabilities are supporting those special needs clients.

Appendix 6 'At-Risk Persons and Groups Plan' provides guidance around working with and actions in evacuation with these persons and groups.

11.3 Evacuation Routes and Maps

Owing to the varying complexity within different emergencies, the IC HMA/CA and WAPOL will determine strategic evacuation routes at the time, particularly concerning timeliness of the evacuation. Extensive mapping information can be sourced from the Shire's website, Google Maps and agencies such as Dept. of Biodiversity Conservation and Attractions.

11.4 Return

Responsibility for decisions relating to return of evacuated residents, rests with HMA/CA. Return of evacuated residents will be conducted in consultation with affected community and relevant health and welfare agencies including DC and the Department of Health and Shires Environmental Health Officers.

Evacuations will be carried out in the Shire of Derby/West Kimberley as per [Western Australian Community Evacuation in Emergencies Guideline](#).

ACTIONS

- *Decision to evacuate made by HMA/CA IC*
- *LEMC and the Shire assist by pre-planning for evacuation*
- *All alternatives to be considered*
- *Decision to evacuate made as soon as possible*
- *At-Risk Persons and Groups to be considered (refer Appendix 5)*
- *Routes and maps sourced via internet or partner agencies*
- *Ensure Welfare Centre protocols and procedures are enacted.*

12. WELFARE

The Department of Community Services (DC) has the role of managing welfare described as, “the provision of both physical and psychological needs of a community affected by an emergency”. This includes the functional areas of:

Personal services	Financial assistance	Personal requisites
Emergency accommodation	Registration and inquiry services	Emergency catering

12.1 Department of Communities - Local Welfare Coordinator

DC shall appoint a Local Welfare Coordinator Officer (refer 6.6.1 Local roles and responsibilities– Welfare).

12.2 Shire of Derby/West Kimberley – Local Welfare Coordinator

The Shire’s Manager Community Development is the designated local Welfare Liaison Officer (refer 6.6.1 Local roles and responsibilities– Welfare).

12.3 Register Find Reunite

DC is responsible for recording displaced persons on the National Register allowing friend and relatives to locate each other. DC has reciprocal arrangements with Australian Red Cross (ARC) to undertake this process.

12.4 Welfare Centres

The Shire in conjunction with DC has identified suitable facilities within different localities. These centres have been assessed providing extensive information within the ‘Emergency Evacuation/ Welfare Centres Register’ available for activation as required by the HMA IC. See **Appendix 8**.

12.5 Animals (including assistance animals)

The Shire’s Senior Ranger in close consultation with other stakeholders on animal welfare matters arising from evacuation emergency and welfare centres and shall agree on the distribution of duties, depending on resources available in each instance. The Shire may use its animal impoundment facilities during emergencies for the purposes of accommodating domestic animals.

ACTIONS

- **DC responsible for managing welfare.**
- **DC develops and maintains and enacts the Shires Local Emergency Welfare Support Plan.**
- **The Shire's Manager Community Development is the Local Welfare Liaison Officer.**
- **Register Unite Find responsibility actioned by DC. ARC undertakes process.**
- **Identified Welfare Centres refer Appendix 7 – 'Emergency Evacuation/ Welfare Centres Register'.**
- **Emergency Animal Welfare is coordinated by Senior Ranger Service.**

13. RECOVERY

Managing recovery is a legislated function of local government and the Local Recovery Management Plan is a compulsory sub-plan of the LEMA. The Shire has prepared a Local Recovery Plan.

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14. EXERCISING REVIEW AND REPORTING

14.1 Exercising

The aim of conducting an exercise is:

- *Test effectiveness of local arrangements and provide a pathway for improvement.*
- *Bring together members of emergency management agencies and give them knowledge of, and confidence in, their roles and responsibilities.*
- *Help educate community about local arrangements and programs.*
- *Allow participating agencies the opportunity to test their operational procedures and skills in simulated emergency conditions.*
- *Test the ability of separate agencies to work together on common tasks, and to assess effectiveness of co-ordination between them.*

14.2 Exercise Frequency

In accordance with State EM Policy, Plans and Procedures, which outline arrangements for exercising, the LEMC is required to **conduct at least one exercise annually**.

14.3 Exercise Reporting

Exercise schedule and post exercise reports will be forwarded to the Kimberly District Emergency Management Committee as part of LEMC's annual report.

14.4 Review of Local Emergency Management Arrangements (LEMA)

The LEMA are to be reviewed in accordance with State EM Policy section 2.5 and amended or replaced whenever the local government considers it appropriate (s.42 of the EM Act). Reviewed and amended will be:

- *Contact lists are reviewed and updated quarterly (Refer Appendix 2).*
- *A review is conducted after training that exercises the arrangements.*
- *An entire review will be undertaken every five (5) years, as risks may vary due to climate, environment and population changes.*
- *Circumstances may require more frequent reviews.*

15. REPORTING

Exercises are to be reported to the DEMC via the LEMC Annual Report using the format as detailed in SEMP 2.5 – Annual Reporting.

DRAFT

16. APPENDICES

Appendix No.	Appendix Title
1	Welfare Centres Facilities and Assets Directory
2	Contacts Directory
3	Resources Directory
4	LEMC Business Plan
5	Emergency Risk Management Statement
6	At-Risk Persons and Groups
7	Emergency Evacuation/ Welfare Centres Register

DRAFT

14.3 ADOPTION OF THE 2022 LOCAL RECOVERY PLAN**File Number: 4212****Author: Robert Paull, Manager Development Services****Responsible Officer: Wayne Neate, Director Technical and Development Services****Authority/Discretion: Legislative****SUMMARY**

Council is requested to adopt the 2022 Local Recovery Plan

DISCLOSURE OF ANY INTEREST

Nil for Author and Responsible Officer

BACKGROUND

Local governments have a legislated responsibility under s.36(a) of the Local Government Act 2005 to “ensure that effective local emergency management arrangements are prepared and maintained for its district”.

The Shire of Derby/West Kimberley (SDWK) Local Emergency Management Committee (LEMC) is an advisory committee to Council in response to the obligations placed upon local government arising from the proclamation of the *Emergency Management Act 2005*. Part of the function of the LEMC is to review the Local Emergency Management Arrangements which also includes a Local Recovery Plan (LRP) to guide the management of community driven recovery following an emergency incident. An LRP has been prepared by the Shire (**ATTACHMENT 1**) in accordance with the State Emergency Management procedures and endorsed by the SDWK LEMC at its meeting held on 7 June 2022 where it resolved as follows:

“That Shire of Derby West Kimberley Local Emergency Management Committee:

- 1. Endorse the Shire of Derby West Kimberley Local Recovery Plan (LRP) as provided in Attachment 6.10.2.*
- 2. Recommends that the Council of the Shire of Derby West Kimberley adopt the LRP as endorsed; and*
- 3. Once adopted, recommends Council forward a copy of the LRP to the State Emergency Management Committee.”*

STATUTORY ENVIRONMENT

Local Government Act 2005

Emergency Management Act 2005

POLICY IMPLICATIONS

None known

FINANCIAL IMPLICATIONS

There are no known financial implications associated with this item.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
Priority 1: Leadership and Governance	1.1 Collaboration and Partnerships 1.2 Capable, inclusive and effective organisation 1.3 Effective Communication	1.1.1 Maximise local opportunities 1.2.4 Attract and effectively use resources to meet community needs 1.3.3 Listen to and respond to the needs of our communities

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Council does not have effective LRP in place they are in breach of s.41 of the <i>Emergency Management Act 2005</i>	Possible	Moderate	Medium	Council to adopt the SDWK LRP provide a process for effectively managing recovery operations following an emergency, along with suggested methods to engage the affected community in facilitating its own recovery.

CONSULTATION

Consultation has occurred through the SDWK LEMC.

Comment

Local Community Recovery, driven by the local government, is recognised as the most important role for local governments as part of the emergency management process.

The SDWK LRP has been developed as part of the Local Emergency Management Arrangements in accordance with the requirements of Section 41(4) of the Emergency Management Act 2005 as a subsidiary plan to the Local Emergency Management Arrangements. The SDWK LRP is subject to formal adoption by Council.

The purpose of these arrangements is to provide a process for effectively managing recovery operations following an emergency, along with suggested methods to engage the affected community in facilitating its own recovery.

The objectives set out within this plan as part of the LEMA are to:

- Clearly set out the roles, responsibilities, available resources and procedures for the effective management of recovery from emergencies within the district;

- Establish a basis for the coordination of recovery activities at the local level;
- Promote effective liaison between all involved Hazard Management Agencies (HMA's), Emergency Services, Supporting Agencies and Shire staff who may become involved in the recovery management process.

The overall scope of this Recovery Plan includes:

- the geographical boundaries of the Shire;
- the relationship to the Local Emergency Management Arrangements;
- existing legislation, plans and Local Laws;
- statutory or agreed responsibilities;
- relevant supporting documents and plans; and
- involvement of the affected community in recovery management.

The LRP also provide substantial information to an external Incident Controller/HMA in a significant emergency regarding the make-up/communications within our community, prior to the responsibility for recovery being handed over to the Shire.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Attachment 1 draft LRP [↓](#) 

RESOLUTION 81/22

Moved: Cr Paul White

Seconded: Cr Andrew Twaddle

That Council:

1. **Adopt the Local Recovery Plan (LRP), in accordance with the requirement of the Emergency Management Act 2005; and**
2. **Request the Chief Executive Officer to forward a copy of the LRP to the State Emergency Management Committee.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0



**Shire of Derby /
West Kimberley**

LOCAL RECOVERY PLAN

2022

Endorsed by LEMC: 2022
Endorsed by the Shire of Derby/West Kimberley:
Full Review Date: 2027

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Disclaimer

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The Shire of Derby/West Kimberley Local Recovery Plan has been prepared pursuant to Section 41(1) of the Emergency Management Act 2005 and endorsed by the Local Emergency Management Committee (LEMC). A copy of the Local Recovery Plan has been submitted to the Kimberley District Emergency Management Committee (DEMC) for noting in accordance with State Emergency Management Preparedness Procedure 8: Emergency Management for Local Government and then for noting with the State Emergency Management Committee (SEMC) pursuant to Section 41(5) of the Emergency Management Act 2005.



1. CERTIFICATE OF ENDORSEMENT

The Shire of Derby/West Kimberley Local Recovery Plan (LRP) has been developed in accordance with Section 41(4) of the *Emergency Management Act 2005 (WA)* (the Act) and forms part of the Emergency Management Plans and Arrangements for the Shire of Derby West Kimberley (the Shire). The LRP has been submitted to the LEMC and Council for endorsement. A copy has been forward to the District Emergency Management Committee for endorsement and State Emergency Management Committee for noting.

Chair: _____ Date: _____
 Shire of Derby/West Kimberley LEMC (Derby)

Chair: _____ Date: _____
 Shire of Derby/West Kimberley LEMC (Fitzroy Crossing)

_____ Date: _____
 Shire of Derby/West Kimberley President
 Endorsed by Council

_____ Date: _____
 Shire of Derby/West Kimberley CEO

_____ Date: _____
 Endorsed by DEMC:

_____ Date: _____
 Noted SEMC:



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3. DISTRIBUTION LIST

3.1 Full Unrestricted Version

Official copies of this document are distributed in pdf format only and are provided electronically to the organisations and individuals named below. Members of the public wishing to obtain a copy of this document can do so by application to the Shire of Derby/West Kimberley through the following email address: sdwk@sdwk.wa.gov.au.

Hard copy versions of this document may not be accurate.

Table 1 Distribution List

Organisation	Copies
Shire of Derby/West Kimberley Administration	1
Shire of Derby/West Kimberley Chief Executive Officer	1
Kimberley District Emergency Management Committee (Executive Officer to distribute to members)	1
District Emergency Management Advisor – Department Fire and Emergency Services	1
Fitzroy Crossing LEMC (Executive Officer to distribute to members)	1
WA Police – Derby Police Station	1
WA Police – Fitzroy Crossing Police Station	1
WA Police – Looma Police Station	1
Department of Fire & Emergency Services – Shire of Derby/West Kimberley	1
Shire of Wyndham/East Kimberley, Shire of Broome and Shire of Halls Creek	1
Derby Hospital	1
Fitzroy Crossing Medical Campus	1
St. John Ambulance Derby	1



3.2 Restricted Version – Public Access

Table 2 Public Access List

Public Access	Copies
Shire of Derby/West Kimberley Administration Office – Reception 30 Loch Street Derby	1
Fitzroy Crossing Administration Office - Front Reception - Flynn Drive Fitzroy Crossing	1
Derby Public Library, Clarendon Street, Derby	1
Fitzroy Crossing Public Library, Flynn Drive Fitzroy Crossing	1
Shire of Derby/West Kimberley website: https://www.sdwk.wa.gov	

3.3 Amendment Record

Suggestions and comments from the community and stakeholders can help improve the arrangements and subsequent amendments. Feedback can include:

- What you do or do not like about the arrangements;
- Unclear or incorrect expression;
- Out of date information or practices; Inadequacies;
- Errors, omissions or suggested improvements.

To forward feedback, copy the relevant section, mark the proposed changes and forward it to:

The Chairperson
 Local Emergency Management Committee
 Shire of Derby/West Kimberley
 PO Box 94
 DERBY WA 6728
 Alternatively email – sdwk@sdwk.wa.gov.au

The Chairperson will refer any correspondence to the LEMC for consideration and or approval. Amendments promulgated are to be certified in the below table when updated.



Table 3 Versions

Version No.	Amendment Date	Details of Amendment	Author
1	31/10/2012	Draft LEMA 2012	Greg Cook
2	29/12/2015	Review	Wayne Neate
3	May 2021	Complete review and re-write of LEMA 2022	Lewis Winter
4	March 2022	Review/Update	Robert Paull

3.4 Glossary of Terms and Acronyms

Terminology used throughout this document shall have the meaning as prescribed in either section 3 of the Emergency Management Act 2005 or as defined in the [State EM Glossary](#) or the [WA Emergency Risk Management procedure](#).

- *District: means an area of the State that is declared to be a district under section 2.1 Local Government Act 1995.*
- *Municipality: Means the district of the local government.*

3.5 General acronyms used in these arrangements

<i>BFS</i>	<i>Bush Fire Service</i>
<i>CEO</i>	<i>Chief Executive Officer</i>
<i>Communities</i>	<i>Department of Communities</i>
<i>DBCA</i>	<i>Department of Biodiversity, Conservation and Attractions</i>
<i>DEMC</i>	<i>District Emergency Management Committee</i>
<i>ECC</i>	<i>Emergency Coordination Centre</i>
<i>EM</i>	<i>Emergency Management</i>
<i>DFES</i>	<i>Department of Fire and Emergency Services</i>
<i>HMA</i>	<i>Hazard Management Agency</i>
<i>ISG</i>	<i>Incident Support Group</i>
<i>LEC</i>	<i>Local Emergency Coordinator</i>
<i>LEMA</i>	<i>Local Emergency Management Arrangements</i>
<i>LEMC</i>	<i>Local Emergency Management Committee</i>



<i>LRC</i>	<i>Local Recovery Coordinator</i>
<i>LRCC</i>	<i>Local Recovery Coordination Group</i>
<i>SEC</i>	<i>State Emergency Coordinator</i>
<i>SEMC</i>	<i>State Emergency Management Committee</i>
<i>SES</i>	<i>State Emergency Service</i>
<i>SEWS</i>	<i>Standard Emergency Warning Signal</i>
<i>Shire</i>	<i>Shire of Derby/West Kimberley</i>
<i>SOP</i>	<i>Standard Operating Procedures</i>

3.6 Agreements and Understanding

The following agreements (Memorandums of Understanding) are currently in place:

Table 4: Agreements, understandings and commitments

Parties to the Agreement	Summary of the Agreement
Shire of Derby/West Kimberley, Shire of Derby/West Kimberley, Shire East Pilbara and Shire of Halls Creek	Memorandum of Understanding for the provision of mutual aid during emergencies and post incident recovery
DFES, Shire of Derby/West Kimberley, Shire of Derby/West Kimberley, Shire East Pilbara and Shire of Halls Creek	Memorandum of Understanding for ongoing management and control of bush fire brigades and bush fire and emergency services in the Kimberley Region of Western Australia



4. RECOVERY

4.1 Overview

The *Emergency Management Act 2005 (WA)* (the Act) defines recovery as ‘the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community psychosocial and economic wellbeing’. During, and following, an emergency event, the Shire is the closest form of government to the local community and is in the best position to lead, manage and coordinate community recovery. State Government departments, supporting agencies, community members, community groups and community service organisations cooperate with or directly support the Shire.

The Shire recognises disaster recovery is more than simply replacing what has been destroyed and the rehabilitation of those affected. **Disaster recovery** is a complex, dynamic and potentially protracted process, rather than just a remedial process. For this reason, the Shire and its LRG adopt the national principles of disaster recovery while also aligning these to strong recovery values when engaged in recovery activities.

4.2 Authority

This LRP is prepared in accordance with the Act and endorsed by the Shire’s LEMC and Shire’s Council. The Plan is tabled for noting with the District Emergency Management Committee (DEMC) and State Emergency Management Committee (SEMC).

4.3 Purpose

To detail planning, arrangements and processes established to restore, as quickly as possible, the quality of life in an affected community so it can continue to function as part of the wider community.

4.4 Our Recovery Principles

The Shire’s LRP and its LRG will be aligned to all aspects of recovery, incorporating the Australian National Disaster Recovery Principles that are considered central to successful recovery, being:

Understanding the CONTEXT

The Shire recognises that successful recovery hinges on an understanding of its diverse and rich community heritage within its local government area, having its own history, values and dynamics and will always consider them.



Recognising COMPLEXITY

The Shire acknowledges the complex and dynamic nature of both emergencies and the diverse nature of its communities.

Using COMMUNITY-LED approaches

The Shire recognises that successful recovery is based on involving the community and commits to being responsive, flexible and engaging to support communities into the future.

COORDINATING all activities

The Shire acknowledges that it will need to be the hub for a successful recovery ensuring a planned, coordinated and adaptive approach between communities, partner agencies and industry, based on continuing assessment of impacts and needs.

COMMUNICATING effectively

The Shire understands the imperative of effective communication for successful recovery and will ensure the Recovery Communication Plan (located as **Appendix 1**) is activated to ensure community and partners are always informed and heard.

Building CAPACITY

The Shire acknowledges that successful recovery recognises, supports and builds on individual community and organisational capacity and resilience and, at every opportunity, will allow programs and processes to do this.

4.5 Our Recovery Values

The Shire will apply sound disaster recovery **Values** to all activities by:

- | | |
|----|--|
| 1. | Considering consequences of actions ensuring NO HARM to disaster affected communities |
| 2. | Providing LEADERSHIP for the Shire’s communities |
| 3. | Recognising the Shire’s key role is to foster COLLABORATION between partner agencies, community and Council |
| 4. | EMPOWERING individuals and groups to effectively carry out recovery activities |
| 5. | ACTING as quickly as possible, however, planning for LONG-TERM (Value 1) |
| 6. | TRANSITION to normal services will be part of the Recovery Long-Term Strategy |
| 7. | CAPTURING lessons learnt for providing capacity building and resilience |

Shire of Derby West Kimberley Local recovery Plan 2022



4.6 Threats

As the Shire is diverse, several impacts need to be considered that may affect how the Plan is implemented in times of emergency:

Description	Time of Year	Impact / No of People
Cyclone Season	November – April	Severe damage throughout shire.
Wet Season	November - April	Flooding from cyclonic activity
Dry Season	May – October	Bushfire
Bushfire Season – ‘permits to burn’ required all year round	All year round	Bushfire
Dry Season	May – October	Large numbers of tourists throughout the Shire

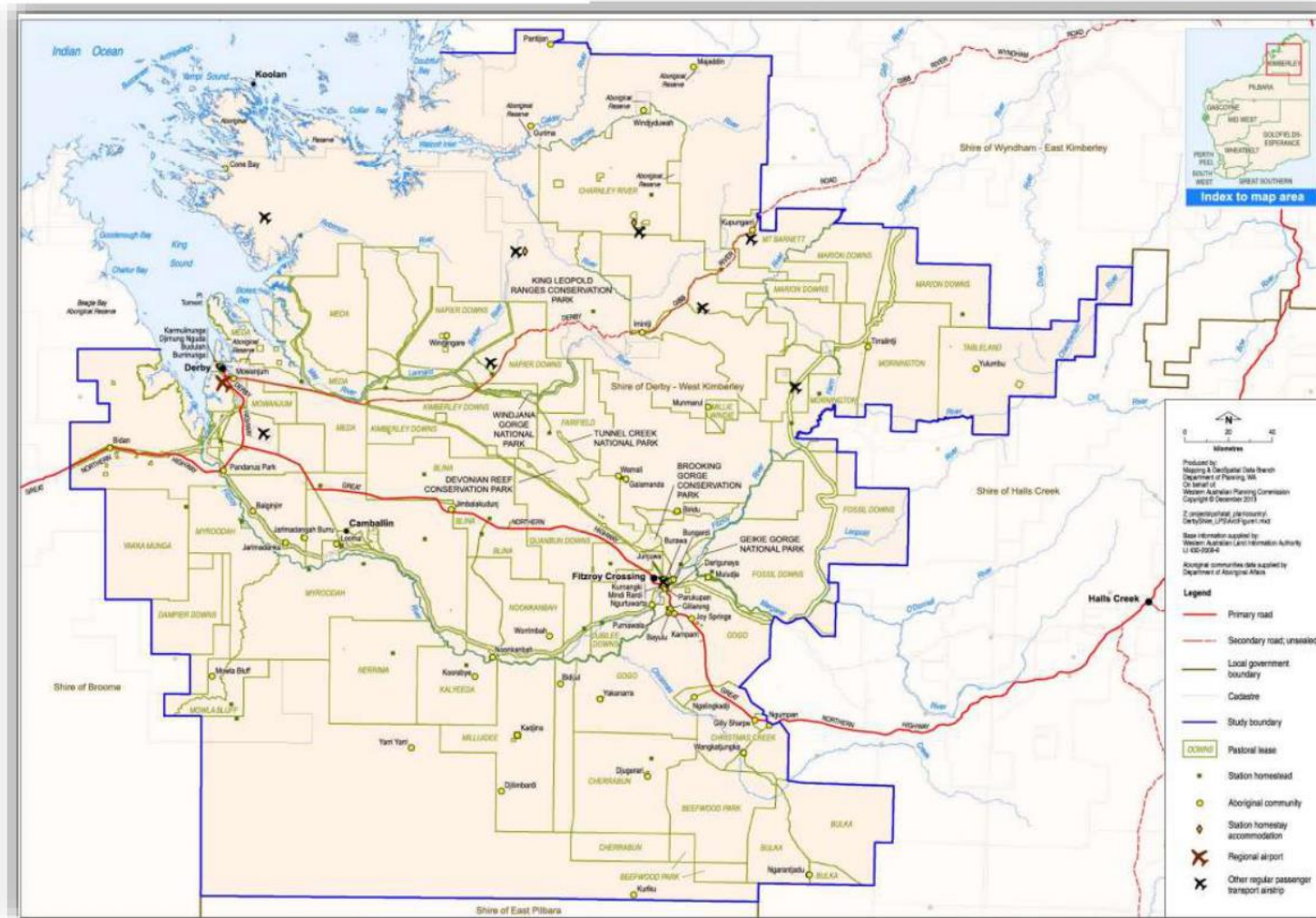
4.6 Scope

This LRP is limited to the boundaries of the Shire of Derby West Kimberley. It details the recovery plan for the community and will not detail how individual organisations will conduct recovery activities within their core business areas.

The LRP is a support plan to the Shire’s Local Emergency Management Plans and Arrangements. The Plan is a guide to managing recovery at a local level.



4.7 Geographic Location Map



Shire of Derby West Kimberley Local Recovery Plan 2022



5. ACTIVATION AND ACTIONS

5.1 Activation of Recovery

The Shire’s CEO will activate the LRP on advice from the Local Recovery Coordinator (LRC). Assistance required for recovery will be assessed by:

- The Incident Support Group (ISG)
- Consultation between Hazard Management Agency (HMA)/ Controlling Agency (CA), Incident Controller (IC) and Local Emergency Coordinator (LEC), and
- The Shire of Derby West Kimberley’s Chief Executive Officer (CEO) and Local Recovery Coordinator (LRC).

The LRG Chairman, together with the LRC, is responsible for implementing the recovery processes of the LRP, once it is activated.

5.1.1 Emergency Management Phases

The Australian approach to managing emergencies recognises four phases of emergency management known as Preparedness, Prevention, Response and Recovery (PPRR). These are not distinct linear segments independent of each other, but can overlap and run concurrently.

As illustrated in Figure 1, recovery starts at response and is the process of adjusting to the new normal after an emergency incident.

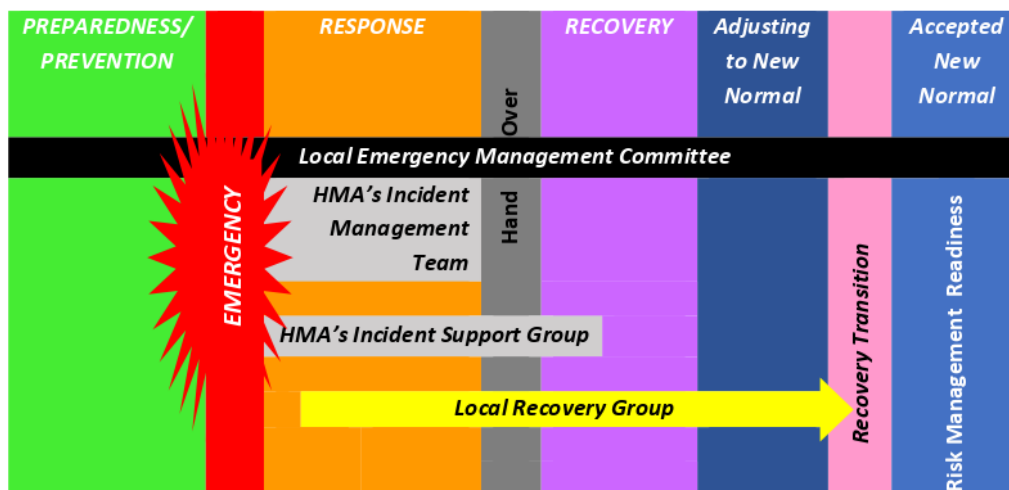


Figure 1: Groups, teams and committees through preparedness, response and recovery



ACTION

- LRC consults and advises Shire’s CEO of recovery activation.
- Assessment of assistance determined.
- Local Recovery Plan is activated.

5.2 Response to Recovery Event Responsibilities

Initiate the LRP while response activities are still in progress, as key decisions during the response phase are likely to directly influence and shape recovery. Regardless of response engagement, as soon as possible assemble the LRG so it can be briefed on the emergency incident and to detail contingencies. This will allow for a smooth transition from response to recovery. The LRG also represents the community (advocates) to advise on priorities and impacts. The LRG will:

- Align response and transitional recovery priorities
- Connect with key agencies and community
- Understand key impacts and tasks
- Identify recovery requirements and priorities as early as possible, and
- Include the LRC in ISG meetings from onset

Transfer of management from response to recovery handover to Shire shall be formalised in line with HMA/CA responsibilities and procedures. An Impact Statement (IS) is a key element of the handover process, and the HMA/CA is responsible for delivering this to the Shire’s CEO. The CEO has discretion regarding accepting this handover of responsibility and can take advice from LRC and LRG, in consultation with HMA/CA.

The acceptance of this handover is to occur at the discretion of the Shire CEO on advisement from LRC and LRG, in consultation with HMA/CA. Acceptance of this Impact statement and its responsibilities should not occur unless the CEO and the Local Recovery Coordinator and Group are satisfied with its content and are willing to take on that responsibility.

ACTION

- Recovery initiated while response still in progress.
- LRC to attend ISG meetings and liaise with Incident Controller.
- LRG convened and briefed on incident ensuring coordinated recovery recommendations.
- CEO to sign off response to recovery handover with HMA/CA on completion of Impact Statement providing an acceptable and agreeable standard.
- CEO to sign off response to recovery handover with HMA/CA Impact Statement completed.



5.3 Impact Statement and Needs Assessment

5.3.1 Impact Statement

The event CA will complete an IS in consultation with the ISG. It will contain a detailed description of the impact on the affected community and provides the LRC and the LRG with a starting point for recovery of individuals, community and infrastructure. The IS will be completed as recommended in the [State Emergency Management Procedure](#).

5.3.2 Outreach Needs Assessment

An Outreach Needs Assessment should be completed as soon as possible to the affected area. The requirements of the impacted community will change over time and therefore it is necessary to determine the **NEEDS** of the community periodically and broadly be defined as:

Physical Needs:	Food, water, shelter, clean breathable air
Psychological needs:	Psychological first aid/support, bonding
Societal needs:	Community infrastructure, power, drainage, shops, telephone, schools, industry, transport

Outreach involves visiting people in their homes or temporary accommodation to provide access to core recovery information and services. Trained volunteers from Australian Red Cross could partner with the local government and other identifiable volunteers who speak directly to affected individuals to determine their requirements:

What has been affected?	Wish to be contacted for further information?
What information is needed?	Their best contact details?
What assistance is required?	Information on assistance for neighbours

Conducting an Outreach Needs Assessment establishes contact ASAP with the affected community and is an effective way to capture data to assist the LRG in prioritising the allocation of resources. It also provides the opportunity to share critical information directly to the affected community. A form for Outreach Needs Assessment can be found in **Appendix 1** within the Recovery Communication Plan listed as **Form 3**.

5.3.3 Sources of Information – Impact and Needs Assessment

The IS and Needs Assessment (NA) process must be undertaken as soon as possible after the emergency event. Sources that may assist in the collection of this data may include:

- HMA/CA;
- Welfare agencies – identifying persons in need of immediate assistance;
- Shire Building Surveyors, Engineers and Environmental Health Officers and Rangers
- Insurance assessors;
- Business associations (e.g. Chamber of Commerce, Kimberley Development Commission);



- Recovery Outreach Needs Assessment form (Recovery Comm. Plan **Appendix 1**); and
- Australian Red Cross (ARC) have systems to register individuals presenting at Welfare Centre's and resources to assist in outreach activities and will be activated by HMA/CA.

ACTION

- Recovery initiated while response still in progress.
- LRC to attend ISG meetings and liaise with Incident Controller.
- LRG gathered and briefed ensuring recovery commencement.
- CEO to sign off response to recovery handover with HMA/CA Impact Statement provided.
- Recovery initiated while response still in progress.
- LRG Outreach Needs Assessment will be carried out ASAP, when safe, after event.
- Aust. Red Cross contacted ASAP to establish partnership in recovery activities.

5.4 Operational Recovery Plan

Where significant reconstruction and restoration is required, the LRC/LRG should prepare an Operational Recovery Plan (ORP). The ORP shall provide a full description and extent of damage, both physical and human, and detail plans for restoration and reconstruction of the affected community including community activities and community development activities. A template of an ORP is offered in **Appendix 2**.

ACTION

- LRG/LRC to prepare Operational Recovery Plan where significant reconstruction and restoration is required.

5.5 Long-Term Recovery Strategy

Recovery must evolve, change and assist the affected community towards management of its own recovery. This transition from recovery to ongoing community activities and services, requires a comprehensive strategy (Long Term Recovery Strategy) that gradually integrates the recovery services into mainstream services, which existed prior to the emergency or have emerged since and require minimal support to continue.

The Long-Term Recovery Strategy process will need to be considered and developed to achieve holistic, enduring recovery for individuals, families, and communities, taking into consideration the economic environment, infrastructure and natural environment affects an emergency has had and to build resilience for future emergencies.

The Shire, where appropriate, will develop a collaborative, comprehensive recovery strategy with the community and for the community. This will also incorporate how community's needs have changed over time. A further outreach program may be instigated to check on the community's wellbeing and changes in its needs.

Shire of Derby West Kimberley Local recovery Plan 2022



ACTION

- Shire to develop a collaborative, comprehensive and inclusive long-term community recovery strategy which may include any changes in community needs and further outreach activities.
- Shire to identify potential partnerships with existing community organisations and services and ascertain their capacity to support recovery process in the medium and long term.

5.6 Managed Withdrawal

The Shire and its LRG will provide a clear path in the transition of recovery activities, programs, services and communications to mainstream service provisions and ongoing community development, while working towards maintaining the community's health and wellbeing.

ACTION

- Shire will communicate via the LRG sub-committees when relevant service providers and agencies will be withdrawing services from the affected area.
- LRG to identify recovery programs that will 'phase down', 'phase out' or be 'handed over' to community to continue.



6. OPERATIONAL RECOVERY MANAGEMENT

6.1 Management Structure

Full details of the Management Structures and Sub-Committee functions is displayed in **Appendix 3**.

6.2 Local Recovery Group (LRG)

The LRG will coordinate and support local management of the recovery processes within the community, subsequent to a major emergency, in accordance with State Emergency Management Policy and Local Recovery Plan. LRG membership will expand or contract depending on recovery and community needs and requirements.

6.2.2 Membership

Chairperson	Shire President or CEO
Local Recovery Coordinator	LG Representative, as appointed by the CEO
Executive Officer	Shire CEO or nominated Senior Officer
Local Government	Shire Local Emergency Management Committee – members are required
State Government	<p>Relevant government agencies and other statutory authorities will nominate their representatives to be members depending on incident type. Recommended:</p> <ul style="list-style-type: none"> ➤ HMA/CA (initially) ➤ Dept. of Fire and Emergency Services (initially) ➤ WA Police (initially) ➤ Dept. Biodiversity Conservation & Attractions ➤ Department of Communities ➤ Lifelines ➤ Main Roads WA ➤ St John Ambulance Service (initially) ➤ Dept. of Health ➤ Dept. Primary Industries and Regional Development ➤ Insurance Council of Australia
Non-Government Organisations	Australian Red Cross, local service clubs, aged care providers, schools, etc. and others as required
Key Identified Community Members	To be identified depending on event and location



6.2.3 Functions

Appoints key positions within the LRG
Establishes sub-committees as required
Assesses requirements for recovery activities relating to physical/psychological/social wellbeing of the community, along with economic, infrastructure and natural environment with assistance from partnering agencies
Develops an Operational Recovery Plan to coordinate a recovery process that considers:
➤ Long-term planning and goals for the Shire
➤ Assessing recovery needs and determining recovery functions still required
➤ Developing a timetable, identifying responsibilities for completing major functions
➤ Considering needs of youth, aged, disabled, culturally linguistically diverse (CaLD)
➤ Allowing full community participation and access
➤ Allowing monitoring and reporting of the recovery process
Facilitates provision of services, exchange of public information and acquisition of resources
Negotiates effective use of available resources and support from State and Commonwealth
Monitors progress of recovery, receives periodic reports from recovery agencies
Ensures a coordinated multi-agency approach to community recovery
Makes appropriate recommendations, based on lessons learnt, to the LEMC to improve the community's recovery readiness and planning

6.3 Community Involvement – Cultural and Diversity Inclusiveness

Diversity is an integral part of the Shire's history, culture and identity. Inclusion is the way the Shire treats and perceives all differences. During the Shire's recovery activities, it will endeavour to create an inclusive culture, within the affected communities, by striving to involve all cultures and diversity within the recovery priorities, strategies and decision-making.

Key stakeholders and representatives will be sought from the community while acknowledging the significance of cultural and diversity makeup. These representatives will be considered for inclusion on relevant LRG sub-committees, depending on the nature and impact of the emergency. When threatened or affected by an emergency, everyone within that community is encouraged to be actively involved in their own and collaborative recovery. It is the role of formal recovery agencies to provide structured support, communications and coordination to assist the community's efforts.



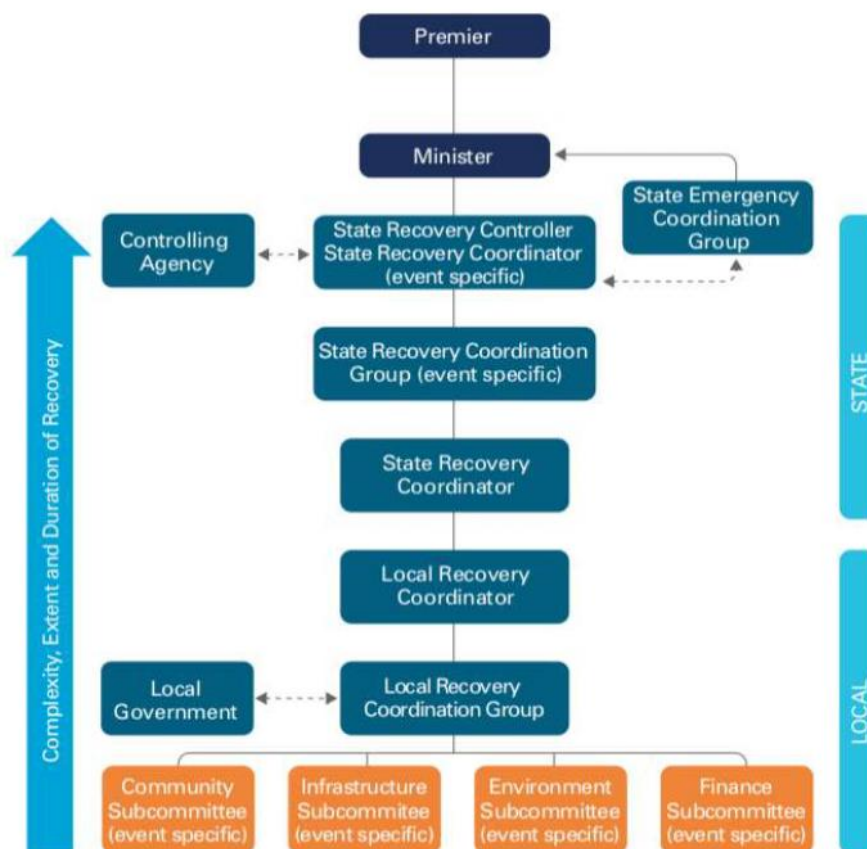
6.4 Local Recovery Group Sub Committees

Depending on the size of an emergency event, sub-committees may be established to assist LRC by addressing a specific component of the recovery process. Each sub-committee will report its activities, through its nominated Chair, to the LRG. A full list of functions of various sub-committees can be viewed in **Appendix 4**.

6.5 State Government Involvement

During the recovery process, the State government may provide support and assistance to the Shire. The structure of the State Recovery Coordination is shown below.

Figure 1: State Government Coordination Structure





6.5.1 State Recovery Coordinator/State Recovery Controller

The **State Recovery Coordinator** supports a whole of government approach and coordinates the maintenance of the State recovery arrangements and plans, through the SEMC recovery sub-committee. The State Recovery Coordinator supports the operation of State level recovery coordination through the State Recovery Coordination Group (SRCG).

The Premier appoints the **State Recovery Controller**. The Controller will usually be appointed when an emergency affects several communities, is ongoing, requires State level assistance to resolve issues and needs a regional coordination approach.

6.5.2 State Recovery Coordination Group

The SRCG is responsible for coordinating State level recovery in complex or prolonged recovery operations and develops a State level operational recovery plan. Its effectiveness must be evaluated after the State-level recovery coordination process has occurred.

ACTION

- The Shire will establish an LRG management structure relevant to event size and complexity.
- LRG will establish membership from Shire staff, supporting agencies and community members.
- LRG will operate within recognised functions and relevant sub-committee structure.
- LRG will actively encourage and invite community participation within the LRG.
- LRG will actively engage with State Government to maximise recovery resources and synergies between Local and State recovery activities.



7. FINANCIAL MANAGEMENT

7.1 Financial Management

7.1.1 Insurance

The owner has primary responsibility for safeguarding and restoring public and private assets affected by an emergency. The Shire's assets are registered for insurance and financial reporting in line with the Department of Local Government, Sport and Cultural Industries Integrated Planning and Reporting Asset Management Guidelines. Shire assets are insured through policies with the Local Government Insurance Scheme (LGIS).

7.1.2 Financial Records

Records/invoices of costs associated to an emergency event are to be assigned to specific emergency cost centres by Local Government. To ensure accurate records associated with recovery process, are easily identifiable and accessible at any time.

7.1.3 Internal Finance

In an emergency, the Local Government Act 1995, Section 6.8(c) allows expenditure from municipal funds, not included in the annual budget, to be authorised by the Mayor/President at the time of an emergency. Within this section 6.8(1) of the same act, tenders do not have to be publicly invited if goods and services are obtained from this expenditure.

7.1.4 Responsibilities for expending Shire funds

Where possible, expenditure of funds should be discussed with the CEO or nominated senior officer. The nominated senior officer must have an appropriate authorisation level required to enable funds expenditure.

ACTION

- All invoicing and costs associated with the emergency event to be allocated against emergency cost centre.
- CEO and/or nominated senior officer have authority to expend funds on emergency event.



7.2 Financial Assistance

7.2.1 The State Emergency Management Policy (SEMP)

SEMP Policy Section 5.12 outlines the responsibility of the Hazard Management Agency/Control Agency to meet costs associated with an emergency.

7.2.2 Financial Assistance in Recovery

The owner has primary responsibility for safeguarding and restoring public and private assets affected by an emergency. Government recognises that communities and individuals do not always have resources to provide for their own recovery and financial assistance is available in some circumstances.

Information on these relief arrangements can be found in the State Emergency Management Plan for State Level Recovery Coordination ([SEMC EM Plan Section 6.10](#)).

7.2.3 Disaster Recovery Funding Arrangements-Western Australia (DRFAWA)

DRFAWA is an arrangement between the State and Commonwealth. It provides certain measures to support relief and recovery efforts following a disaster deemed 'eligible'. To be eligible, it must be a natural disaster or terrorist act for which:

- A coordinated multi-agency response is required;
- State expenditure exceeds the small disaster criterion (\$240,000 not including insurance related expenditure); and
- It must be a terrorist event or one of 10 specific natural disasters.

Once it has been determined that the emergency is a large-scale costly event, the Shire shall immediately contact the WA State Administrator of DRFAWA.

DRFAWA Officers can be contacted via:

Email: drfawa@dfes.wa.gov.au
Phone: 9395 9341 or 9395 9973 or 9395 9374
Website: <https://www.dfes.wa.gov.au/recovery/Pages/DRFA-WA.aspx>

7.2.4 Centrelink

When a major disaster has significantly affected individuals and families, the Australian Government may provide the Disaster Recovery Payments which may vary from time to time. For more information, visit <https://www.humanservices.gov.au/individuals/help-emergency>

**ACTION**

- On advice an emergency is an eligible event and significant resources have been expended LRC will direct Shire to contact with DRFAWA Officers for advice and guidance.
- In an eligible major disaster LRC will assist affected individuals connect with Centrelink for assistance payments.
- For significant emergency events, immediately begin to track costs in case claims can be presented to DRFAWA.



8. APPEALS, DONATIONS AND VOLUNTEERS

8.1 Appeals and Donations

8.1.1 Lord Mayor's Distress Relief Fund (LMDRF)

The Shire will advise and direct the distribution of monetary donations through the LMDRF, which operates under specific guidelines and policy. LMDRF will provide aid to Western Australian victims of disastrous events. The Fund will primarily focus on the relief of individuals' distress and hardship of individuals.

LMDRF should work closely with the LRG, ensuring local issues are considered before deciding on a disbursement plan. LRG authenticates applications and provides recommendations to LMDRF for financial assistance to be disbursed. For more information see: <http://www.appealswa.org.au>

8.1.2 Donations of goods

At every opportunity, donations of physical goods should be discouraged due to significant difficulties when managing physical items. Cash donations are easier to manage and provide the opportunity to use local services, which in turn assists with the recovery of local businesses.

View the [National Guidelines for Managing Donated Goods](#) for best strategy management.

8.1.3 Donations of Cash

LRG will encourage the use of the LMDRF for cash donations and if deemed necessary, a separate account will be opened. ([State EM Procedures](#) Pg. 176, Management of Public Fundraising and Donations)

8.1.4 Non-Government Organisations (NGO) Assistance

NGOs may offer assistance by way of emergency relief funds, shelter or supplies. Where possible all offers or requests should be coordinated through the LRG to avoid duplication of effort and confusion.

8.1.5 Donations of Service and Labour

The Shire or its LRG should coordinate donations of services/labour to assist with recovery.

**ACTION**

- On advice of eligibility following a disaster LRC will direct Shire Officers to contact LMDRF for advice and guidance.
- Spokesperson to advise that the Shire will not accept donations of goods.
- All financial donations will be direct through the LMDRF.
- Offers of assistance will be directed to LRG.

8.1.6 Spontaneous Volunteers

Spontaneous volunteers may emerge offering support and assistance to the affected community. In the first instance, the Shire and its LRG will determine the process to deal with this situation and if support agencies are required to assist with managing these volunteers. The likely sources of volunteers are:

- Clubs
- Community groups
- Non-government organisations, and
- Members of the public.

ACTION

- LRG will refer the management of volunteers to local service clubs and support organisations.



9. FACILITIES AND RESOURCES

9.1 Hazard Management Agency Response Resources

The Hazard Management Agency (HMA) is responsible for certain resources and should determine which are required to combat the hazards.

9.2 Shire of Derby West Kimberley Contacts, Resources and Assets Directory

The Shire has conducted a broad analysis of resources it has available and collated these in the 'Shire Emergency Contacts and Resources Directory' and the 'Shire Welfare Centre Assets Directory' found in the Shire's Local Emergency Management Plan. Both documents shall be reviewed and updated quarterly at each LEMC meeting. The Shire Emergency Contacts and Resource Directory contains:

- Contact Names
- Contact Details (Business/After Hours), and
- Resources and Service Providers.

9.3 Australian Red Cross

The Australian Red Cross has over `100 years' experience of dealing with people in crisis. A wide range of helpful resources can be found on the [Australian Red Cross](#) website to help communities prepare for, respond to and recover from disasters.

9.4 Recovery Facilities and Staff

9.4.1 Recovery Centre and One-Stop-Shop

The purpose of a **Recovery Centre** (RC) and a **One-Stop-Shop** (OSS) is to bring together all agencies involved in the recovery process to ensure effective communication and coordination of resources, information and tasks.

The LRC will decide where to establish the RC (which could be on-going for a significant length of time) and the OSS (usually immediate and shorter length of time), which will depend upon the location, extent and severity of the emergency. Alternative centres will be explored as required on availability of premises following an event.



The following locations have been identified as suitable RCs:

Location One - Shire of Derby West Kimberley Council Chambers – 24 Loch Street, Derby			
Contact	Name	Phone	Mobile
1 st Contact	Chief Executive Officer	0891910999	
2 nd Contact	Executive Manager Technical & Development Services	0891910999	0418922415
3 rd Contact	Manager Community Development	0891910999	
Location Two - Derby Recreation Centre, Ashley Street Derby			
Contact	Name	Phone	Mobile
1 st Contact	Chief Executive Officer	0891910999	
2 nd Contact	Executive Manager Technical & Development Services	0891910999	0418922415
3 rd Contact	Manager Community Development	0891910999	
Location Three –Fitzroy Crossing Visitors Centre, Crn., Flynn Dv. /Forrest Rd. Fitzroy Crossing			
Contact	Name	Phone	Mobile
1 st Contact	Senior Customer Service Officer	0891915116	
2 nd Contact	Ken McLeod - Ranger-Works Supervisor	0891915201	0427915201

Depending on the incident’s severity, the OSS may be established to provide a central location for the public to receive assistance from all the relevant agencies in the short term. The OSS is to be located as close as possible to the affected community area.

Often the nominated evacuation centre may make a natural transition into the OSS. Where this option is not viable, other facilities should be considered in consultation with the Department of Communities and other relevant stakeholders.

ACTIONS

- LRC/LRG to determine location for RC and establish as soon as possible.
- OSS to be established immediately following event and located appropriately.



9.4.2 Shire of Derby West Kimberley Staff

9.4.2.1 Staff considerations

To ensure the continuity of regular business processes, the demands of recovery operations on staff should be considered. It may be necessary to employ additional staff to ensure the Shire continues to fulfil critical service obligations to the community.

The extent of the recovery operations should not be underestimated, as recovery can be a complex and lengthy process. Depending on the nature of the event, some recovery services may be required for months or even years after.

9.4.2.2 Staffing levels

In the event of a large-scale emergency, the Shire’s management should assess staffing needs, as soon as possible, to ensure adequate resourcing is available. If appropriate, a request for assistance may be forwarded to the LRG for consideration.

9.4.2.3 Stress and fatigue

Senior staff are responsible for considering and monitoring the effects of fatigue, stress, and pressure on staff throughout the recovery process. Additionally, there may be situations where some staff members live in the affected community and have been personally affected by the disaster. Dependent on the nature and impact of the disaster, Council and Human Resources Officers should consider additional support for staff. The Shire’s current Employee Assistance Programs (EAP) should be used as necessary.

9.4.2.4 Staff communication

It is imperative that all staff be regularly briefed and kept up-to-date with all activities and progress of recovery. Every day staff communicate with a broad range of community members so can confidently understand and relate the extensive activities and actions the Shire and its LRG are currently engaged in. Situation Reports should be posted prominently within the workplace.

The Shire will instigate a formal debriefing arrangement for all staff as they transition from recovery back to their normal duties.

ACTION

- Shire staff to be regularly briefed on current situation and activities within recovery.
- Stress and fatigue of Shire staff to be monitored and assistance provided where appropriate.
- As soon as possible determine increase in staffing level to meet demands (refer 1.7.3.).



10. ROLES AND RESPONSIBILITIES

10.1 Local Emergency Management Committee

The Shire's LEMC is a planning committee with the role of developing local emergency management plans (arrangements) for its district. To assist the Shire manage its recovery activities, during the response phase, some members may be part of the ISG while also forming part of the LRG.

10.2 Local Recovery Coordinator

The Shire's LRC has been appointed in accordance with the [Emergency Management Act 2005](#), Section 41(4). A deputy has also been appointed and trained to undertake the role in case the primary appointee is unavailable when an emergency occurs.

10.3 Local Recovery Group

The Shire's LRG is the strategic decision-making body that oversees the recovery process. The LRG has a key role in coordinating recovery activities to rebuild, restore and rehabilitate the social, built, economic and natural environments of the affected community. LRG is formed from LEMC members responsible for specific recovery and restoration tasks, Support organisations, Non-Government Organisations and significant community representatives.

10.4 Shire Recovery Roles and Responsibilities

A comprehensive list of all roles and responsibilities for disaster recovery duties of the LRC and identified Shire staff can be viewed at **Appendix 5**.

10.5 External Agencies Recovery Roles and Responsibilities

The WA State Government along with Non-Government Organisations should provide a range of services and resources to the recovery effort and should be used wherever possible. A complete list of agencies and their roles and responsibilities can be viewed in the [State Emergency Management Plan](#) at [Appendix E](#).

ACTION

- All Shire staff could be engaged in various stages of disaster recovery.
- Specific Shire staff identified in this plan should be familiar with the roles and responsibilities involved with disaster recovery.
- External agencies should be engaged and used wherever possible.



11. COMMUNICATIONS

Recovery communication is the practice of sending, gathering, managing, evaluating and disseminating information. In an emergency and during the response phase, the HMA/CA manages communications. The CA officially hands responsibility for communication to the local government leading the recovery complete with the Impact Statement, as the transfer of event management to recovery is conducted. The local government coordinates the recovery of the affected community, including communications.

Communities threatened by, or experiencing, an emergency have an urgent and vital need for information and direction. They need to know what is likely to happen (or has happened), what to do and what to expect. They also need to know what the authorities are doing.

11.1 Recovery Communication Plan

A template for the Recovery Communication Plan has been developed to guide recovery communications. It details a vision, mission and direction for communication to the affected community and is provided to the LRG. The Recovery Communication Plan can be found at **Appendix 1**.

11.2 Spokesperson/s

During recovery, the Shire's spokesperson will be the Shire's President and/or the CEO. The CEO may delegate authority for specific person/s to act as a spokesperson.

11.3 Provisions for Non-English Speaking Communities

The Shire's current strategy for communicating with Non-English speaking areas of the Derby West Kimberley communities will be utilised within recovery communications.

ACTION

- The Recovery Communications Plan will be used to provide guidance in public information and communications.
- For further guidance refer Communication in Recovery Guidelines <https://semc.wa.gov.au/emergency-management/em-tools/Documents/CommunicatingInRecoveryGuidelines.pdf>



12. STAND DOWN

Recovery doesn't have a definite end date; however, the Shire will consult with all interested parties to decide when it will resume normal service delivery. This decision will be made depending on the severity and nature of the emergency, and the impact on the Shire and the community.

12.1 Debriefing

A representative from the Shire's People & Culture section will instigate a formal debriefing arrangement for all staff through the Employee Assistance Program (EAP) as required, while the Shire transits from recovery back to normal duties.

12.2 Evaluation

Under State emergency management guidelines, the one-year anniversary of the emergency marks the time when the local government must provide an evaluation report of its activities in recovery. ([State EM Policy](#) 6.10 - Review of Recovery Activities).

The LRC will provide the State Recovery Coordinator with a formal report that reflects on the recovery process undertaken by the Shire and its LRG. See **Appendix 6** Post Recovery Analysis, and **Appendix 7** Reporting template.

ACTION

- A formal Post Recovery Analysis will be held for LRG for evaluation and application of lessons learnt. (see Appendix 11)
- A formal debrief will be held for Shire staff for evaluation and application of lessons learnt.
- Assistance will be made available through EAP for any staff working in the recovery process.
- Formal report compiled by LRC for council and State Recovery Coordinator.

15 COMMUNITY AND RECREATION SERVICES**15.1 DISABILITY ACCESS AND INCLUSION PLAN 2022 -2027****File Number:** CS/050/6**Author:** Shane Edwards, Manager Community Development**Responsible Officer:** Christie Mildenhall, Acting Director of Community Services**Authority/Discretion:** Executive**SUMMARY**

This report is for Council to endorse the DAIP 2022 – 2027, which incorporates strategies and an action plan to improve access and inclusion within the Shire.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer

BACKGROUND

The *Disability Services Act 1993* (the Act) requires all local government and State Government agencies to develop a Disability Access and Inclusion Plan.

DAIPs assist public authorities to plan and implement improvements to ensure people with disability have the same opportunities as other people to access;

1. Services and events;
2. Buildings and facilities;
3. Information;
4. Quality of service;
5. Complaints;
6. Consultation processes; and
7. Employment.

For the purposes of the legislation a disability is considered to be any continuing condition that restricts everyday activities. Disability is usually permanent, but may be episodic. Disabilities can be sensory, neurological, physical, intellectual, cognitive and psychiatric. Whilst DAIPs are specifically targeted at people with disability, the plans will also benefit people, the elderly, parents of young children and people from culturally and linguistically diverse backgrounds.

Under the Act agencies who are required to have a DAIP must review them every five years. The Shire's most recent plan expired in October 2021 and is therefore required to conduct a review of the DAIP. In June 2021 the Shire engaged the services of E-Qual Disability Consultants review the existing DAIP and assist with the development of a new DAIP.

STATUTORY ENVIRONMENT

DAIPs are governed by the *Disability Services Act 1993 – Part 5* which sets out that each public authority must have a DAIP to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles applicable to people with disabilities and meets the objectives for services and programmes. The Act also outlines the

process for developing the DAIP, publication of the DAIP and implementation and reporting requirements.

Whilst not specific to DAIPs a number of other pieces of legislation are applicable in the delivery of access and inclusion initiatives, including the *Commonwealth Disability Discrimination Act (1992)* and the *Equal Opportunity Act (1984, amended 1988)*.

POLICY IMPLICATIONS

The Shire does not have a standalone policy regarding disability services, however there is a policy statement contained within the DAIP 2016 – 2021. This policy has been reviewed and is also included in the DAP 2022 – 2027.

The following Shire should also be considered in the context of developing the DAIP;

Policy AF6 – Risk and Opportunity provides guidance around applying a risk management process to “decision making through all levels of the organisation in relation to planning or executing any function, service or activity”

Policy FM1 – Forward Planning provides guidance around council setting objectives for all its services and that forward plans will be established for all new major items showing their financial impact.

FINANCIAL IMPLICATIONS

Adopting and implementing the recommendations of the DAIP may have relevant financial impacts. Generally any major impacts will be part of longer term planning and development and will need to be considered to ensure DAIP requirements are being met.

In many areas there will be little to no financial impact as recommendations are focussed more around policy/procedure change than financial investment for change. Where funding is required this will be accommodated through the operational budget or by seeking grant funding where appropriate.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.1 Engage with our communities
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.3 Strive for a Council and workforce that reflects our communities
1. Leadership and Governance	1.3 Effective Communication	1.3.2 Listen to and respond to the needs of our communities
2. Community	2.1 Safe Communities	2.1.1 Encourage community safety to be a whole-of-community responsibility
2. Community	2.1 Safe Communities	2.1.2 Endeavour to provide safe, clean and well-lit streets and public spaces
2. Community	2.2 Healthy Communities	2.2.1 Build, maintain and maximise the use of community facilities
2. Community	2.2 Healthy Communities	2.2.2 Facilitate a range of accessible

		sporting and recreational activities
2. Community	2.4 Sustainable Communities	2.4.2 Collaborate with key agencies, groups and service providers to improve community services, programs and facilities
4. Environment	4.2 Liveable Communities	4.2.3 Encourage and facilitate the maintenance and development of infrastructure that connects our communities

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Non-compliance with Disability Services Act	Unlikely	Major	Medium	Ensure Plan is generated and endorsed in appropriate timeframe
Organisation's Operations: Organisation may not be providing full access and equity to community	Possible	Minor	Medium	Ensure plan is comprehensive enough to cover all aspects of Shire operations and the impact on access and inclusion.
People Health & Safety: The health and safety of staff and community may be at risk	Possible	Minor	Medium	Ensure action plan is adhered to so as to minimise any possible OSH implications
Reputation: Organisation may be seen as not progressive and inclusive	Possible	Moderate	Medium	Adopt the DAIP strategies and Action Plan

CONSULTATION

Extensive consultation was undertaken as part of the DAIP Review. Officers working on the project engaged with SDWK staff, community members and organisations across the SDWK geographic footprint to obtain feedback. Feedback was obtained through pop-up stalls, postcards, online surveys and workshops. From October to December 2021 consultations resulted in 95 submissions from staff, community members and other key stakeholders/organisations.

E-Equal Disability Consultants collated the feedback received, along with feedback obtained through the Strategic Community Plan consultations in the attached DAIP Report Review (provided as Attachment 1).

In March 2022, Shire staff met to review the findings of the consultation and develop a draft set of strategies across the seven DAIP outcome areas.

On 14 April 2022 a draft strategy and Action Plan DAIP document was created and presented to council at an agenda briefing/workshop for comment/discussion.

A copy of the DAIP has also been sent to the Department of Communities for a compliance check. The feedback received has been provided as Attachment 3. All feedback has been incorporated into the plan.

COMMENT

After extensive consultation and review a new DAIP has been developed. The plan identifies a set of strategies that address the seven identified outcome areas identified in the Act. An action plan, which includes outcome measurements for each action, is also provided to inform the delivery of the strategies. The Action Plan provides a measurable, direction for the Shire to take regarding Disability Access and Inclusion across all divisions.


This plan is intended to cover the period 2022 to 2027 at which time it will need to be reviewed in line with the Act.

Following extensive Shire and community input, into its development, it is considered appropriate that councillors endorse the DAIP which will allow staff to move forward with the implementation of the Strategies and Action Plan, ensuring compliance with legislative requirements.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. DAIP Review Report [↓](#) 
2. SDWK 2022-2027 Disability Access and Inclusion Plan [↓](#) 
3. Feedback - DAIP Compliance Check - Department of Communities [↓](#) 

RESOLUTION 82/22

Moved: Cr Peter McCumstie

Seconded: Cr Paul White

That Council

1. Endorses the SDWK Disability Access and Inclusion Plan 2022 – 2027.

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

Shire of Derby and West Kimberley Review and Consultation for Development of Disability Access and Inclusion Plan 2022 - 2028

This report has been prepared by:

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Background

It is a requirement of the WA Disability Services Act (1993) that all public authorities develop and implement a Disability Access and Inclusion Plan (DAIP) that outlines the ways in which the authority will ensure that people with disability have equal access to its facilities and services. The DAIP must be lodged with the Department of Communities, reported on annually and reviewed at least every five years.

The Shire of Derby and West Kimberley (DWK) contracted E-QUAL Disability Consultants to review their existing policies and practices, consult with stakeholders and develop a new DAIP which would comply with the WA Disability Services Act (1993).

This report describes the findings of the review and stakeholder consultation. A number of recommendations are made for consideration in the development of the new DAIP.

Disability Demographics

The Australian Bureau of Statistics conducts a survey of Disability, Ageing and Carers every five years. Data from the 2018 Survey estimated that 17.7% of the Australian population (4.4 million), have a disability. If you add to that the estimated 2.65 million Australians who are carers, then disability impacts approximately one third of the population.

In relation to the Shire of DWK, the 2018 survey estimated that 12.6% of the remote, very remote and outer regional Western Australian population have some form of disability. The Shire of DWK's estimated resident population is 8,211 so approximately 1,034 residents plus carers are likely to be impacted by disability.

The number of people with disability in Western Australia is expected to increase due mainly to our ageing population.

Legislative and Strategic Context

A review of relevant legislation and strategic initiatives provides insights into considerations for the DAIP.

Western Australian Disability Services Act 1993

The WA Disability Services Act (1993) mandates the requirement to have a DAIP.

Recommendation 1

The Shire of DWK should monitor any changes as a result of reviews of the Disability Services Act.

State Disability Strategy

The State Government has developed a 10 year plan to build an inclusive community which supports and empowers people with disability. The Plan notes that “Over the next 10 years, the role of DAIPs will be strengthened by encouraging and rewarding ambitious, local solutions in addition to monitoring and reporting on compliance across the community.”

Recommendation 2

The Shire of DWK should monitor the implementation of the State Disability Strategy and any opportunities arising that will support the Shire’s DAIP.

Commonwealth Disability Discrimination Act 1992

The Commonwealth Disability Discrimination Act (1992), known as the DDA, provides protection for everyone in Australia against discrimination based on disability. The DDA applies to many areas of life including education, employment, access to premises and provision of services.

A DAIP can be lodged with the Australian Human Rights Commission to demonstrate an organisations commitment to eliminate discrimination.

Recommendation 3

The Shire of DWK should consider lodging their DAIP with the Australian Human Rights Commission.

United Nations Convention on the Rights of Persons with Disabilities 2006

Article 9 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), requires Australia, as a signatory, to take appropriate measures to enable persons with disability to live independently and participate fully in all aspects of life on an equal basis with others. This includes access to the physical environment, transportation, information and communications (including information

and communications technologies and systems), and to other facilities and services open or provided to the public.

Australia has been a signatory to the convention since 2007 and has celebrated the UN proclaimed International Day of Persons with Disability on 3 December since 1996.

Recommendation 4

The Shire of DWK should consider opportunities to celebrate International Day of Persons with Disability and their commitment to access and inclusion.

Australian Disability Strategy 2021-2031

The Commonwealth, State and Territory and Local Governments, in consultation with people with disability, and their families, carers, and representatives have developed the Australian Disability Strategy 2021-2031. Over the next decade, the Strategy will drive initiatives to ensure greater inclusion and participation of people with disability in all areas of Australian life including employment, housing, education and health and wellbeing.

National Disability Insurance Scheme Act 2013

The aim of the National Disability Insurance Scheme (NDIS) is to provide nationally consistent delivery of individualised services for people with disability. People with disability can use their funding in a variety of ways to participate in the community including to access local services, recreation or volunteering.

Recommendation 5

The Shire of DWK should monitor the implementation of the NDIS and Australian Disability Strategy as there may be opportunities to support the DAIP.

The Shire of DWK Strategic Community Plan 2021-2031, Corporate Business Plan 2019-2023 and other associated plans

The Shire of DWK Strategic Community Plan 2021-2031 outlines a long-term vision for the community including goals, priorities, and how progress and success will be measured.

The Corporate Business Plan details the actions and resources (human, asset and financial) to achieve each strategy and acts as an organisational guide for the Council and management.

The four key strategic goals within the Strategic Community Plan align with some of the mandated DAIP Outcome areas.

The new DAIP could clearly link Strategic Community Plan goals to the mandated DAIP Outcomes to demonstrate that access and inclusion is an integral part of the Shire of DWK vision. A similar strategy was included in the previous DAIP.

Recommendation 6

The Shire of DWK should include in the DAIP the links between the Strategic Community Plan goals and the DAIP Outcomes.

Trends and Good Practice

In addition to the legislative and strategic context regarding access and inclusion, it is useful to be aware of trends and good practice when considering the development of the DAIP.

Self Advocacy Movement – “Nothing about us without us”

The voice of people with disability, families and carers has grown stronger over the past 15-20 years. This has been supported through legislative and policy directions providing significant investment in leadership development for people with disability and funding for self advocacy/peer support groups. Other factors also include strong campaigning for the NDIS bringing people together and greater connectivity through social media.

The Connect with Me project was launched by People with disability WA (PWdWA) on 22 August 2018. The Connect with Me project provides a guide and toolkit to support organisations to engage, connect and co-design with people with disability.

Co-design with Aboriginal and Torres Strait Islander people is also highly valued and can result in better outcomes.

Recommendation 8

The Shire of DWK should consider strengthening its collaboration with stakeholders with disability.

Access to Technology

In August 2016 the Australian government adopted an internationally aligned standard for ICT accessibility in procurement. The *Accessibility requirements suitable for public procurement of ICT products and services* establish a minimum standard to ensure that websites, software and digital devices are accessible.

The new standard ensures that all Australians can access information and use services electronically by public authorities and other public sector agencies during the procurement process.

The new standard provides a framework for developing and procuring a wide range of accessible ICT applications, products and services and could be used by the Shire of DWK to guide and support their ICT procurement process.

Recommendation 9

The Shire of DWK should consider using the Australian Standard *Accessibility requirements suitable for public procurement of ICT products and services* to guide and support their ICT procurement process.

Changing Places

Changing Places are secure, private facilities for people with disability who need extra space and assistance to use the bathroom in public spaces. The WA State Government provided funding for a network of Changing Places facilities including at Broome Recreation Aquatic Centre.

Recommendation 10

The Shire of DWK should monitor funding opportunities for Changing Places facilities.

Other Good Practice Ideas

A review of good practice initiatives around access and inclusion provides examples of good practice that the Shire of DWK could also consider including:

- Free entry for Companion card holders e.g. to recreation or aquatic centre
- Dedicated email address and phone number for access enquiries and complaints
- Compliance with the Public Sector employment requirements – *People with disability: Action Plan to Improve WA Public Sector Employment Outcomes 2020–2025*
- Internships and mentoring programs for staff with disability
- Information on website (or brochures/ fliers) about:
 - availability of accessible toilets
 - quiet times and quiet spaces at Council facilities e.g. library
- Accessible Events Guidelines provided to people who use or hire the Councils venues and spaces
- Staff provided with disability confidence training.

Recommendation 11

The Shire of DWK should consider other good practice ideas in light of community and staff feedback.

Progress in Access and Inclusion at the Shire of DWK

The Shire of DWK has implemented a number of initiatives over the years to improve access and inclusion. Some examples include:

- Upgrade of Derby Public Library, Council Chambers and Council Offices
- Re-marking of ACROD bays
- Improvements to the footpath on Knowsley Street West in Derby
- Road improvements at the Sandford and Skuthorp Road intersection in Fitzroy Crossing
- New event management plan with a specific section addressing event and site accessibility
- Derby Library home delivery service
- New website launched which meets WCAG 2.0 Level A standards
- Staff advised of the Shire's DAIP during induction process
- Improvements to internal record management system
- Development of Shire of DWK Facebook page

Stakeholder Consultation for the DAIP 2022-2028

Background and Methodology

As part of the review and development of the DAIP, a consultation was carried out with Shire of DWK staff and community members to identify barriers to access and inclusion as well as potential strategies to be incorporated into the new DAIP.

Staff and community members could have their say by:

- Completing an online or hard copy survey
- Attending a meeting with the Shire staff
- Contacting E-QUAL for a phone interview
- Filling in one or more of five postcards on different topics e.g. access to buildings and facilities, access to information and so on

The promotion of the consultation included:

- Advertising on the Shire's website (www.sdwk.wa.gov.au) over the last quarter of 2021. This included links for all forms of feedback including online, print, public consultation booths and appointments with administration staff to assist people who had difficulties communicating their answers by other methods.
- Website links for survey information on Facebook™ during the last quarter of 2021.
- Pop Up Stalls to engage with the public and fill out surveys and postcards at Derby Woolworths and IGA Fitzroy Crossing.
- A presentation on the consultation to approximately 50 staff and a follow up email in November 2021 to remind all staff to do the survey.
- Meetings/presentations to the local HACC, Juniper in Derby and Fitzroy Crossing, Far North Community Services, Nindilingarri Cultural Health Services, Multiple NDIS providers and Aboriginal corporations to explain the DAIP and get input from key stakeholders who work in the disability sector.

Demographics of Respondents¹

A total of 95 submissions were received during the consultation. This included:

- 14 community surveys
- 44 postcards (completed by community members)
- 37 staff surveys

¹ Not all survey respondents answered every question

One of the respondents to the community survey said they had a disability and two said they were a family member or carer of a person with disability. Most community surveys came from Fitzroy Crossing (60%) and Derby (30%).

Two respondents to the staff survey said they had a disability. Staff survey respondents principally came from the Depot. Table 1 provides further details.

Demographic information was not collected on postcards.

Table 1: Work area of staff survey respondents

Which area do you work in?	Responses	
Answer Choices		
Assets, Building Maintenance, Engineering	10.34%	3
Waste Management	3.45%	1
Parks and Reserves	6.90%	2
Depot Operation	41.38%	12
Planning and Building	3.45%	1
Environmental Health	10.34%	3
Rangers and Compliance	6.90%	2
Sustainability	0%	0
Finance and Purchasing	13.79%	4
Customer Service	13.79%	4
HR	0%	0
Governance and Property	0%	0
Communications, IT, Records	6.90%	2
Recreation & Culture, Community Safety	3.45%	1
Youth & Senior Services	6.90%	2
Library	3.45%	1
Aquatic Centre, Community Facilities	6.90%	2
Other (please specify)		
• Community Development		
• Executive	6.90%	2
	Answered	29

Consultation Findings

The findings from the consultation are summarised under each of the seven mandated DAIP Outcomes. As much as possible verbatim quotes are used.

Outcome 1 – People with disability have the same opportunities as other people to access the services of, and any event organised by, a public authority.

50% of all survey respondents said that they agreed or strongly agreed that the Shire of DWK provides an environment which is inclusive of people with disability.

Issues

36% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding accessing the Shire of DWK programs, services and events. A summary of the key themes and comments follows.

Concerns about physical access to some services

- All the Shire building doors are push/pull which makes it hard for people in wheelchairs to access the doors without the risk of tripping over. Automatic doors would be a great effort towards Inclusion.
- Access to buildings in Fitzroy. Doors are hard to get through and wheelchair access not always available.
- Access and egress to private facilities and services (wilderness parks, remote scenic tourist destinations).
- Rec Centre access is unsuitable just about at every level for anyone in a wheelchair.
- Multiple doors at the Tourist Centre/Library could provide difficulty for people with disabilities. The only footpath into the oval amenities is via the pool entrance yet the footpaths do not extend to the rec hall.
- The Shire office/ Library / Department of Transport building In Fitzroy Crossing has a carpark that has been in need of redevelopment for at least 8 to 10 years. There are potholes and loose gravel everywhere making it hard for people with a disability to navigate.
- My daughter has her own home and is in a wheelchair and has issues getting her rubbish bin out to the side of the road in time for the rubbish truck and often misses out.
- Toilets access as distance too great for people between stops.

Concerns about physical access to some events

- Some venues where events are held are not overly accessible.
- Not sure how to include people with wheelchairs or walking difficulties on grassed events.

- To my knowledge there is no consideration or catering for people with a disability in any mainstream event programming.

Lack of services and supports

- Hearing impaired youth - it's hard to communicate with those participants who don't have a hearing aide.
- NDIS cannot find enough qualified or appropriate carers.
- Major issues accessing NDIS services in Fitzroy Crossing and surrounding communities.
- Disturbing lack of visibility of people with disabilities. We urgently need a place where people with disabilities can enjoy the sort of public amenities everyone else does. It is very dangerous to hide vulnerable people away. Where are they all?
- No taxi service for wheel chairs.
- Lack of services - autism plus ADHD only one visit every 3 weeks.
- No respite available.

Suggested actions from comments

- Stop footpath at end of creek. Client fell out of chair.
- Level up paths to ensure not cut off when wet season comes.
- Footpaths need to have no gravel e.g. Flynn Road as you go around bend.
- Provide a bus with wheelchair access.
- Engage schools in events.
- Have story telling with elderly and young people.
- Approach churches to engage with the elderly people.
- Shire to talk to Aboriginal organisations to have collaborated input from communities.
- More services for old people.
- Tourist destinations could be encouraged to display a rating sign that details the level of access they have available to guests.
- Branch out with advertising.
- Closer seating at events for people with hearing difficulties.
- Think of impaired seating at events.
- More holding bars in community housing and bathrooms (slippery floors) on each side of bathroom.
- Doors need to be automatic sliding/opening.
- Acquisition is in progress, however the installation of a hoist at the Derby memorial swimming pool will greatly increase the opportunity for people with disability involvement in aquatic programs and learn to swim.
- Fitzroy should have more education facilities and more job employment services, more churches, better youth involvement councils with case managers managing children and more security.

- Develop a safe hub for people with disabilities, where they can go to and feel welcome, have a cuppa, do activities, training etc, or just hang out and meet other people, bit like a recovery centre.
- Locate a suitable venue in the centre of town as an Activity Centre for people with disabilities and their carers.
- Invite people with disability to participate in a Shire event for people with disability.
- Continue support of awareness days like International day of disability.
- Community Inclusion programs could be developed and run.
- Start up the picture gardens again to keep community connected.

Outcome 2- People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Issues

48% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding access to the Shire of DWK buildings, facilities, outdoor environments and other public spaces. A summary of the key themes and comments follows.

Footpaths in poor condition

- Footpath between Kimberley home and Woolies - there is a big drop off that may cause a gopher to tip.
- Some footpaths around the Derby town centre not good for anyone walking.
- Kerbing can be difficult to get over to gain access to locations.
- Appalling footpaths and transitions onto roadways, dated design of access ways and disability access ramps are barely acceptable.
- There is a resident who lives on McLarty Road in Fitzroy Crossing who uses a wheelchair. There are no wheelchair access points or a continual footpath to the IGA which is on the same street meaning this resident has to maneuver her wheelchair onto the road (without any ramp access) to get to the shops.
- Unsealed, uneven and non-existent pathways to key services such as rec centre and hospital.
- Insufficient footpaths - many instances where the footpath just ends, and people have to cross the road to get to the other one yet there is no ramp which makes this incredibly difficult and unsafe. Specific examples include the footpath along McLarty Road, the absence of any footpath to the hospital (Fallon Road) and the lack of footpath all the way along Sandford Road and to the Shell Roadhouse.
- Most places in Fitzroy Crossing are almost impossible to get to if you are in a wheelchair or of frail body. Paths that do not go the entire distance they are supposed to, gravel tracks for access to some facilities.
- Cracks in footpath hurt neck if riding mobility scooter.

Concerns about access to specific buildings and facilities

- Access to jetty.
- Lap pool could be difficult to access.
- Swimming pool water access could be improved.
- No aquatic ramp/hoist for disabled access into the swimming pool.
- The Derby Sportsmen's Club has no accessibility into the building apart from an outside ramp and has no disabled toilets.
- Disabled access to Rusty's as doors too heavy.

Concerns about doors and entrances

- Doors to many of the buildings are the type which swing out and are quite heavy (e.g. library, reception).
- Limited number of automatic entrance doors.
- Some steps leading into facilities creating access concerns. Non-automatic opening doors at the Administration Centre in both Derby and Fitzroy Crossing.
- Access to both Admin Buildings in Derby and Fitzroy - people have to navigate doors and small reception spaces.
- Shire office door is an issue with people in wheelchairs, trying to access either the library or the tourist shop/ office. area. The front door is quite heavy to open and people in wheelchairs have to wait on others to come along and open it for them.

Concerns re lighting

- Lighting at night around the Shire complex could be improved for everyone's safety.
- Many of the streetlights around town do not provide adequate lighting especially Flynn Road near Henwood Close.

Lack of facilities

- Need for more accessible toilets
- People with disabilities, aged and people with chronic health conditions have issues accessing the public toilets in front of the IGA, due to the distance away from the main building. This causes shame to them as they often have accidents trying to get to the toilet in time.
- Sensory reduced areas needed.
- No shade around town.

Suggested actions from comments

- More shaded seating areas around town for people to sit and rest.
- More benches in shopping centres and outside in cool areas.
- Move seating at the jetty.
- More parking - signage - prevent people from parking in multiple space or even disabled parking.
- Woolworths- Disabled sign missing off pole and no one has noticed.
- No disabled sign near Spinifex. Upgrades to paint with clear signs.
- Loch Street think of disabled parking.
- Clarendon street freshen up painting. Tourist info centre parking.
- Wider paths around town as well so people don't get stuck.
- More dual-use footpaths for wheelchair/gophers to avoid using motor ways.
- Better maintenance of existing footpaths, keep clear of broken glass, prickles etc.
- Preventative works on truck bays so everyone can get out.
- More guides like braille for vision impaired people especially in toilets etc.
- More accessible pathways/roads for wheelchair users in Fitzroy.
- Road needs fixing Shell and visitor centre.
- Shops need doors for people on wheelchair.
- More pathways to access public areas.
- More gazebos/covered shade areas in parks with suitable tables for wheelchair access. Currently tables that have seating attached are not suitable for wheelchair users.
- Better policing of ACROD bays. Currently anyone and everyone uses these bays with no repercussions.
- Consultation with business owners about adequate disabled bay parking E.g. outside the chemist. People need access to the footpath from both side of vehicles, as people with disabilities who are passengers have to walk around the back of the car to get to ramp as access is only on driver's side.
- The repainting of yellow lines on the edging of steps would greatly assist those who are able to see partially but cannot tell depth due to vision loss. e.g. the steps in front of the civic centre.
- Automatic doors to public buildings.
- Braille scripts could be used.
- Allocate more money to asset improvement and upgrades.
- Renovate Sportsmen's Club to have disabled access toilets.
- Speak with the people who are disabled and ask them what they think of the facilities.
- Make the town wheelchair friendly, and also easier to navigate for an aging demographic.

Outcome 3 – People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Issues with written/printed information

17% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding written/printed information.

Comments about issues included:

- A lot of programs don't provide hard copy information.
- Some restrictions for people with reading/learning difficulties. No Braille or assistance for blind people.
- Not easily accessed or written in a way for them to understand information.

Issues with on-line information

15% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding online information.

Comments about issues included:

- Website is not easy to navigate - difficult to find information.
- There is no town internet service (for example - community WIFI in Bayulu Community) so it may be difficult for people to access online services.
- The Shire website is at time hard to navigate and is really Derby centric.
- If people don't have access to the internet/our website, it makes it harder for them to access information that is accessible to those that have it (for e.g. ReadSpeaker on website, colour contrasting etc. on website).

Issues with obtaining information in alternative formats

7% of all survey respondents said that they were aware of difficulties obtaining information in alternative formats, however 20% did not know.

Comments about issues included:

- Not aware if anything available for the blind.
- There are no facilities that provide alternative formats in the Fitzroy Valley area for people with disabilities to access.

Suggested actions from comments

Community respondents said they would like the Shire of Derby and West Kimberley to keep them up to date with information about support and services available to people with disability through E-Newsletters or the Shire social media. Other suggested actions included:

- Increase ANZ Bank opening hours. Not all people have access to online banking.
- More pictorial information - a lot of the older community have had limited education or have poor eyesight, making reading small print difficult.
- Information on notice boards needs to be at a height where people in wheelchairs can see it better - currently information is simply too high for them to see.
- The current Facebook notices and posts are quite good- the only suggestion would be a bit more notice for things or people/organisations coming to town. Some people need more than just a couple of days' notice.
- Let the people know they are going out to communities.
- Advertising in shops - IGA, Woollies notice board and notice board.
- Do mail drops for people that don't use technology.
- Advertise in newspaper as that is the only way I get important local information
- Subtitles need to be on all videos.
- Height adjustable tables to work from. Maybe changing the layout of the front office for space to move around.
- Make alternative formats available on SharePoint.

Outcome 4 - People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Approximately half of all the survey respondents (48%) agreed or strongly agreed that staff have a reasonable level of awareness and skills regarding people with disability.

Comments about issues included:

- Most knowledge and awareness is based on personal experience. Little training given.
- Limited knowledge/training for staff on how to handle communication with blind, deaf or mute persons.
- Focus on wheelchairs. Need to also consider vision.
- Staff are not aware of the many varied things which can be considered a disability. It is usually seen as a wheelchair or something physically in front of staff. Poor vision, learning disability are not always understood.

Suggested actions from comments

Staff survey respondents said they would like the Shire to keep them up to date with information about support and services available to people with disability through the website and social media. Other suggestions included:

- More customer service training to deal with elderly /people with disabilities. E.g. a number of our clients have experienced poor understanding and patience when dealing with some front office staff and found them abrupt and sometimes rude. Sometimes people with differing cognitive abilities need time and patience to absorb and understand information. Some people simply don't understand the bureaucratic process with some issues and this needs to be allowed for.
- Care, understand, promote, have a policy about how to be inclusive, enact.

Outcome 5 – People with disability have the same opportunities as others to make complaints to a public authority.

38% of all survey respondents said that the Shire of DWK provided adequate opportunities for people with a disability to provide feedback or make complaints, however 53% of respondents didn't know.

The most common reasons people with disability do not have the same opportunities as others to make complaints were:

- Lack of staff knowledge and skills to advise/support person
- Lack of information on how to provide feedback or make a complaint
- Lack of feedback about outcomes of complaints
- Inaccessible feedback or complaints procedure e.g. some people can't read or write

Comments about issues included:

- My daughter and I have been complaining to the Shire about the footpath along McLarty Road, directly behind the Tarunda caravan park where the footpath comes to a dead end, onto a sandy boggy area (next to the creek). This is where my daughter who is a wheelchair has fallen out a number of times, and still nothing has been fixed, so therefore this puts my daughter at more risk of using the road to get home to her property on the other side of the creek.
- 8 years I've been complaining about footpaths but no one responds. My buggies keep breaking and it is expensive.

Suggested actions from comments

- When a complaint is made, acknowledge that the complaint has been received and looked into, and advise of the outcome.

Outcome 6 – People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

43% of all survey respondents said that the Shire of DWK provided adequate opportunities for people with a disability to provide feedback in consultations however 43% of respondents didn't know.

The most common reasons people with disability do not have the same opportunities as others to provide feedback in consultations were:

- Lack of skilled staff to support participation
- Consultation venue not accessible
- Information promoting the consultation not in accessible formats
- Processes to provide comment not accessible

Comments about issues included:

- There is a no process for people who do not have adequate literacy level because of learning difficulties.
- People with poor vision or cognitive abilities struggle with written pamphlets. Not everyone has access to a smart device to access websites/online information.

Suggested actions from comments

- More videos and face to face so people can give their opinions.
- Consultations could be done better by working with agencies to provide transport to and from events.
- Provide feedback via different mediums, such as the local radio station or in pictorial form.
- Face to face consultations.
- Community meetings.
- House visits - hard paper copies.
- Promoting events and activities on 6DBY.

Outcome 7 – People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

43% of all survey respondents said that the Shire of DWK provides adequate opportunities for people with a disability to obtain and maintain employment however 43% didn't know.

The main reasons why the Shire of DWK does not provide adequate opportunities for people with disability to obtain and maintain employment included:

- Staff not aware of support available for employees with disability e.g. funding for adaptive equipment, disability employment services
- Staff don't understand the benefits of employing a person with disability
- Vacancies not promoted in ways that are accessible

65% of staff survey respondents said that the Shire of DWK provides an accessible and inclusive workplace.

The main reasons staff believe the Shire of DWK does not provide an accessible and inclusive workplace include:

- Workplaces not accessible e.g. doors in buildings not likely to be able to accommodate people using mobility aids, doors difficult to open for staff who are in a wheelchair, toilet facilities too narrow for a wheelchair, no disabled toilet at Coleman centre.
- Lack of support for employees with disability e.g. adaptive equipment, flexibility.

Suggested actions from comments

- Improve workstations. Improve knowledge of supports available.
- Renovate Shire admin buildings to have wider doors and passageways, disabled toilets and automatic opening entry doors.
- Upgrade facilities to include ramps, easy to open doors and wider halls/toilet stalls. Remove steps internally.
- Promote knowledge of engaging with the people with disability in communities.
- Staff and managers should undertake particular tasks or a day in the life for a person who has a disability and use council facilities to see how difficult or easy it would be to carry out work.
- Staff training.
- Have advertisements encouraging people with a disability to apply for jobs. E.g. we'll flip your disability into an ability!

- Maybe having job/volunteering opportunities which are casual or part-time to allow for people with disabilities to work when they are able to if they cannot maintain a fulltime position.

Recommendations

On the basis of the findings of the review and consultation, the following recommendations are made for consideration by the Shire of DWK DAIP Working Group:

Recommendation 1

The Shire of DWK should monitor any changes as a result of reviews of the Disability Services Act.

Recommendation 2

The Shire of DWK should monitor the implementation of the State Disability Strategy and any opportunities arising that will support the Shire's DAIP.

Recommendation 3

The Shire of DWK should consider lodging their DAIP with the Australian Human Rights Commission.

Recommendation 4

The Shire of DWK should consider opportunities to celebrate International Day of Persons with Disability and their commitment to access and inclusion.

Recommendation 5

The Shire of DWK should monitor the implementation of the NDIS and Australian Disability Strategy as there may be opportunities to support the DAIP.

Recommendation 6

The Shire of DWK should include in the DAIP the links between the Strategic Community Plan goals and the DAIP Outcomes.

Recommendation 7

The Shire of DWK should consider strengthening its collaboration with stakeholders with disability.

Recommendation 8

The Shire of DWK should consider using the Australian Standard *Accessibility requirements suitable for public procurement of ICT products and services* to guide and support their ICT procurement process.

Recommendation 9

The Shire of DWK should monitor funding opportunities for Changing Places facilities.

Recommendation 10

The Shire of DWK should consider other good practice ideas in light of community and staff feedback.

Recommendation 11

The Shire of DWK should consider the feedback received through the DAIP consultation, in particular the suggested actions, when considering the potential strategies and actions in the DAIP and DAIP Implementation Plan.

Shire of Derby and West Kimberley Review and Consultation for Development of Disability Access and Inclusion Plan 2022 - 2028

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Background

It is a requirement of the WA Disability Services Act (1993) that all public authorities develop and implement a Disability Access and Inclusion Plan (DAIP) that outlines the ways in which the authority will ensure that people with disability have equal access to its facilities and services. The DAIP must be lodged with the Department of Communities, reported on annually and reviewed at least every five years.

The Shire of Derby and West Kimberley (DWK) contracted E-QUAL Disability Consultants to review their existing policies and practices, consult with stakeholders and develop a new DAIP which would comply with the WA Disability Services Act (1993).

This report describes the findings of the review and stakeholder consultation. A number of recommendations are made for consideration in the development of the new DAIP.

Disability Demographics

The Australian Bureau of Statistics conducts a survey of Disability, Ageing and Carers every five years. Data from the 2018 Survey estimated that 17.7% of the Australian population (4.4 million), have a disability. If you add to that the estimated 2.65 million Australians who are carers, then disability impacts approximately one third of the population.

In relation to the Shire of DWK, the 2018 survey estimated that 12.6% of the remote, very remote and outer regional Western Australian population have some form of disability. The Shire of DWK's estimated resident population is 8,211 so approximately 1,034 residents plus carers are likely to be impacted by disability.

The number of people with disability in Western Australia is expected to increase due mainly to our ageing population.

Legislative and Strategic Context

A review of relevant legislation and strategic initiatives provides insights into considerations for the DAIP.

Western Australian Disability Services Act 1993

The WA Disability Services Act (1993) mandates the requirement to have a DAIP.

Recommendation 1

The Shire of DWK should monitor any changes as a result of reviews of the Disability Services Act.

State Disability Strategy

The State Government has developed a 10 year plan to build an inclusive community which supports and empowers people with disability. The Plan notes that “Over the next 10 years, the role of DAIPs will be strengthened by encouraging and rewarding ambitious, local solutions in addition to monitoring and reporting on compliance across the community.”

Recommendation 2

The Shire of DWK should monitor the implementation of the State Disability Strategy and any opportunities arising that will support the Shire’s DAIP.

Commonwealth Disability Discrimination Act 1992

The Commonwealth Disability Discrimination Act (1992), known as the DDA, provides protection for everyone in Australia against discrimination based on disability. The DDA applies to many areas of life including education, employment, access to premises and provision of services.

A DAIP can be lodged with the Australian Human Rights Commission to demonstrate an organisations commitment to eliminate discrimination.

Recommendation 3

The Shire of DWK should consider lodging their DAIP with the Australian Human Rights Commission.

United Nations Convention on the Rights of Persons with Disabilities 2006

Article 9 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), requires Australia, as a signatory, to take appropriate measures to enable persons with disability to live independently and participate fully in all aspects of life on an equal basis with others. This includes access to the physical environment, transportation, information and communications (including information

and communications technologies and systems), and to other facilities and services open or provided to the public.

Australia has been a signatory to the convention since 2007 and has celebrated the UN proclaimed International Day of Persons with Disability on 3 December since 1996.

Recommendation 4

The Shire of DWK should consider opportunities to celebrate International Day of Persons with Disability and their commitment to access and inclusion.

Australian Disability Strategy 2021-2031

The Commonwealth, State and Territory and Local Governments, in consultation with people with disability, and their families, carers, and representatives have developed the Australian Disability Strategy 2021-2031. Over the next decade, the Strategy will drive initiatives to ensure greater inclusion and participation of people with disability in all areas of Australian life including employment, housing, education and health and wellbeing.

National Disability Insurance Scheme Act 2013

The aim of the National Disability Insurance Scheme (NDIS) is to provide nationally consistent delivery of individualised services for people with disability. People with disability can use their funding in a variety of ways to participate in the community including to access local services, recreation or volunteering.

Recommendation 5

The Shire of DWK should monitor the implementation of the NDIS and Australian Disability Strategy as there may be opportunities to support the DAIP.

The Shire of DWK Strategic Community Plan 2021-2031, Corporate Business Plan 2019-2023 and other associated plans

The Shire of DWK Strategic Community Plan 2021-2031 outlines a long-term vision for the community including goals, priorities, and how progress and success will be measured.

The Corporate Business Plan details the actions and resources (human, asset and financial) to achieve each strategy and acts as an organisational guide for the Council and management.

The four key strategic goals within the Strategic Community Plan align with some of the mandated DAIP Outcome areas.

The new DAIP could clearly link Strategic Community Plan goals to the mandated DAIP Outcomes to demonstrate that access and inclusion is an integral part of the Shire of DWK vision. A similar strategy was included in the previous DAIP.

Recommendation 6

The Shire of DWK should include in the DAIP the links between the Strategic Community Plan goals and the DAIP Outcomes.

Trends and Good Practice

In addition to the legislative and strategic context regarding access and inclusion, it is useful to be aware of trends and good practice when considering the development of the DAIP.

Self Advocacy Movement – “Nothing about us without us”

The voice of people with disability, families and carers has grown stronger over the past 15-20 years. This has been supported through legislative and policy directions providing significant investment in leadership development for people with disability and funding for self advocacy/peer support groups. Other factors also include strong campaigning for the NDIS bringing people together and greater connectivity through social media.

The Connect with Me project was launched by People with disability WA (PWdWA) on 22 August 2018. The Connect with Me project provides a guide and toolkit to support organisations to engage, connect and co-design with people with disability.

Co-design with Aboriginal and Torres Strait Islander people is also highly valued and can result in better outcomes.

Recommendation 8

The Shire of DWK should consider strengthening its collaboration with stakeholders with disability.

Access to Technology

In August 2016 the Australian government adopted an internationally aligned standard for ICT accessibility in procurement. The *Accessibility requirements suitable for public procurement of ICT products and services* establish a minimum standard to ensure that websites, software and digital devices are accessible.

The new standard ensures that all Australians can access information and use services electronically by public authorities and other public sector agencies during the procurement process.

The new standard provides a framework for developing and procuring a wide range of accessible ICT applications, products and services and could be used by the Shire of DWK to guide and support their ICT procurement process.

Recommendation 9

The Shire of DWK should consider using the Australian Standard *Accessibility requirements suitable for public procurement of ICT products and services* to guide and support their ICT procurement process.

Changing Places

Changing Places are secure, private facilities for people with disability who need extra space and assistance to use the bathroom in public spaces. The WA State Government provided funding for a network of Changing Places facilities including at Broome Recreation Aquatic Centre.

Recommendation 10

The Shire of DWK should monitor funding opportunities for Changing Places facilities.

Other Good Practice Ideas

A review of good practice initiatives around access and inclusion provides examples of good practice that the Shire of DWK could also consider including:

- Free entry for Companion card holders e.g. to recreation or aquatic centre
- Dedicated email address and phone number for access enquiries and complaints
- Compliance with the Public Sector employment requirements – *People with disability: Action Plan to Improve WA Public Sector Employment Outcomes 2020–2025*
- Internships and mentoring programs for staff with disability
- Information on website (or brochures/ fliers) about:
 - availability of accessible toilets
 - quiet times and quiet spaces at Council facilities e.g. library
- Accessible Events Guidelines provided to people who use or hire the Councils venues and spaces
- Staff provided with disability confidence training.

Recommendation 11

The Shire of DWK should consider other good practice ideas in light of community and staff feedback.

Progress in Access and Inclusion at the Shire of DWK

The Shire of DWK has implemented a number of initiatives over the years to improve access and inclusion. Some examples include:

- Upgrade of Derby Public Library, Council Chambers and Council Offices
- Re-marking of ACROD bays
- Improvements to the footpath on Knowsley Street West in Derby
- Road improvements at the Sandford and Skuthorp Road intersection in Fitzroy Crossing
- New event management plan with a specific section addressing event and site accessibility
- Derby Library home delivery service
- New website launched which meets WCAG 2.0 Level A standards
- Staff advised of the Shire's DAIP during induction process
- Improvements to internal record management system
- Development of Shire of DWK Facebook page

Stakeholder Consultation for the DAIP 2022-2028

Background and Methodology

As part of the review and development of the DAIP, a consultation was carried out with Shire of DWK staff and community members to identify barriers to access and inclusion as well as potential strategies to be incorporated into the new DAIP.

Staff and community members could have their say by:

- Completing an online or hard copy survey
- Attending a meeting with the Shire staff
- Contacting E-QUAL for a phone interview
- Filling in one or more of five postcards on different topics e.g. access to buildings and facilities, access to information and so on

The promotion of the consultation included:

- Advertising on the Shire's website (www.sdwk.wa.gov.au) over the last quarter of 2021. This included links for all forms of feedback including online, print, public consultation booths and appointments with administration staff to assist people who had difficulties communicating their answers by other methods.
- Website links for survey information on Facebook™ during the last quarter of 2021.
- Pop Up Stalls to engage with the public and fill out surveys and postcards at Derby Woolworths and IGA Fitzroy Crossing.
- A presentation on the consultation to approximately 50 staff and a follow up email in November 2021 to remind all staff to do the survey.
- Meetings/presentations to the local HACC, Juniper in Derby and Fitzroy Crossing, Far North Community Services, Nindilingarri Cultural Health Services, Multiple NDIS providers and Aboriginal corporations to explain the DAIP and get input from key stakeholders who work in the disability sector.

Demographics of Respondents¹

A total of 95 submissions were received during the consultation. This included:

- 14 community surveys
- 44 postcards (completed by community members)
- 37 staff surveys

¹ Not all survey respondents answered every question

One of the respondents to the community survey said they had a disability and two said they were a family member or carer of a person with disability. Most community surveys came from Fitzroy Crossing (60%) and Derby (30%).

Two respondents to the staff survey said they had a disability. Staff survey respondents principally came from the Depot. Table 1 provides further details.

Demographic information was not collected on postcards.

Table 1: Work area of staff survey respondents

Which area do you work in?	Responses	
Answer Choices		
Assets, Building Maintenance, Engineering	10.34%	3
Waste Management	3.45%	1
Parks and Reserves	6.90%	2
Depot Operation	41.38%	12
Planning and Building	3.45%	1
Environmental Health	10.34%	3
Rangers and Compliance	6.90%	2
Sustainability	0%	0
Finance and Purchasing	13.79%	4
Customer Service	13.79%	4
HR	0%	0
Governance and Property	0%	0
Communications, IT, Records	6.90%	2
Recreation & Culture, Community Safety	3.45%	1
Youth & Senior Services	6.90%	2
Library	3.45%	1
Aquatic Centre, Community Facilities	6.90%	2
Other (please specify)		
• Community Development		
• Executive	6.90%	2
	Answered	29

Consultation Findings

The findings from the consultation are summarised under each of the seven mandated DAIP Outcomes. As much as possible verbatim quotes are used.

Outcome 1 – People with disability have the same opportunities as other people to access the services of, and any event organised by, a public authority.

50% of all survey respondents said that they agreed or strongly agreed that the Shire of DWK provides an environment which is inclusive of people with disability.

Issues

36% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding accessing the Shire of DWK programs, services and events. A summary of the key themes and comments follows.

Concerns about physical access to some services

- All the Shire building doors are push/pull which makes it hard for people in wheelchairs to access the doors without the risk of tripping over. Automatic doors would be a great effort towards Inclusion.
- Access to buildings in Fitzroy. Doors are hard to get through and wheelchair access not always available.
- Access and egress to private facilities and services (wilderness parks, remote scenic tourist destinations).
- Rec Centre access is unsuitable just about at every level for anyone in a wheelchair.
- Multiple doors at the Tourist Centre/Library could provide difficulty for people with disabilities. The only footpath into the oval amenities is via the pool entrance yet the footpaths do not extend to the rec hall.
- The Shire office/ Library / Department of Transport building In Fitzroy Crossing has a carpark that has been in need of redevelopment for at least 8 to 10 years. There are potholes and loose gravel everywhere making it hard for people with a disability to navigate.
- My daughter has her own home and is in a wheelchair and has issues getting her rubbish bin out to the side of the road in time for the rubbish truck and often misses out.
- Toilets access as distance too great for people between stops.

Concerns about physical access to some events

- Some venues where events are held are not overly accessible.
- Not sure how to include people with wheelchairs or walking difficulties on grassed events.

- To my knowledge there is no consideration or catering for people with a disability in any mainstream event programming.

Lack of services and supports

- Hearing impaired youth - it's hard to communicate with those participants who don't have a hearing aide.
- NDIS cannot find enough qualified or appropriate carers.
- Major issues accessing NDIS services in Fitzroy Crossing and surrounding communities.
- Disturbing lack of visibility of people with disabilities. We urgently need a place where people with disabilities can enjoy the sort of public amenities everyone else does. It is very dangerous to hide vulnerable people away. Where are they all?
- No taxi service for wheel chairs.
- Lack of services - autism plus ADHD only one visit every 3 weeks.
- No respite available.

Suggested actions from comments

- Stop footpath at end of creek. Client fell out of chair.
- Level up paths to ensure not cut off when wet season comes.
- Footpaths need to have no gravel e.g. Flynn Road as you go around bend.
- Provide a bus with wheelchair access.
- Engage schools in events.
- Have story telling with elderly and young people.
- Approach churches to engage with the elderly people.
- Shire to talk to Aboriginal organisations to have collaborated input from communities.
- More services for old people.
- Tourist destinations could be encouraged to display a rating sign that details the level of access they have available to guests.
- Branch out with advertising.
- Closer seating at events for people with hearing difficulties.
- Think of impaired seating at events.
- More holding bars in community housing and bathrooms (slippery floors) on each side of bathroom.
- Doors need to be automatic sliding/opening.
- Acquisition is in progress, however the installation of a hoist at the Derby memorial swimming pool will greatly increase the opportunity for people with disability involvement in aquatic programs and learn to swim.
- Fitzroy should have more education facilities and more job employment services, more churches, better youth involvement councils with case managers managing children and more security.

- Develop a safe hub for people with disabilities, where they can go to and feel welcome, have a cuppa, do activities, training etc, or just hang out and meet other people, bit like a recovery centre.
- Locate a suitable venue in the centre of town as an Activity Centre for people with disabilities and their carers.
- Invite people with disability to participate in a Shire event for people with disability.
- Continue support of awareness days like International day of disability.
- Community Inclusion programs could be developed and run.
- Start up the picture gardens again to keep community connected.

Outcome 2- People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Issues

48% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding access to the Shire of DWK buildings, facilities, outdoor environments and other public spaces. A summary of the key themes and comments follows.

Footpaths in poor condition

- Footpath between Kimberley home and Woolies - there is a big drop off that may cause a gopher to tip.
- Some footpaths around the Derby town centre not good for anyone walking.
- Kerbing can be difficult to get over to gain access to locations.
- Appalling footpaths and transitions onto roadways, dated design of access ways and disability access ramps are barely acceptable.
- There is a resident who lives on McLarty Road in Fitzroy Crossing who uses a wheelchair. There are no wheelchair access points or a continual footpath to the IGA which is on the same street meaning this resident has to maneuver her wheelchair onto the road (without any ramp access) to get to the shops.
- Unsealed, uneven and non-existent pathways to key services such as rec centre and hospital.
- Insufficient footpaths - many instances where the footpath just ends, and people have to cross the road to get to the other one yet there is no ramp which makes this incredibly difficult and unsafe. Specific examples include the footpath along McLarty Road, the absence of any footpath to the hospital (Fallon Road) and the lack of footpath all the way along Sandford Road and to the Shell Roadhouse.
- Most places in Fitzroy Crossing are almost impossible to get to if you are in a wheelchair or of frail body. Paths that do not go the entire distance they are supposed to, gravel tracks for access to some facilities.
- Cracks in footpath hurt neck if riding mobility scooter.

Concerns about access to specific buildings and facilities

- Access to jetty.
- Lap pool could be difficult to access.
- Swimming pool water access could be improved.
- No aquatic ramp/hoist for disabled access into the swimming pool.
- The Derby Sportsmen's Club has no accessibility into the building apart from an outside ramp and has no disabled toilets.
- Disabled access to Rusty's as doors too heavy.

Concerns about doors and entrances

- Doors to many of the buildings are the type which swing out and are quite heavy (e.g. library, reception).
- Limited number of automatic entrance doors.
- Some steps leading into facilities creating access concerns. Non-automatic opening doors at the Administration Centre in both Derby and Fitzroy Crossing.
- Access to both Admin Buildings in Derby and Fitzroy - people have to navigate doors and small reception spaces.
- Shire office door is an issue with people in wheelchairs, trying to access either the library or the tourist shop/ office. area. The front door is quite heavy to open and people in wheelchairs have to wait on others to come along and open it for them.

Concerns re lighting

- Lighting at night around the Shire complex could be improved for everyone's safety.
- Many of the streetlights around town do not provide adequate lighting especially Flynn Road near Henwood Close.

Lack of facilities

- Need for more accessible toilets
- People with disabilities, aged and people with chronic health conditions have issues accessing the public toilets in front of the IGA, due to the distance away from the main building. This causes shame to them as they often have accidents trying to get to the toilet in time.
- Sensory reduced areas needed.
- No shade around town.

Suggested actions from comments

- More shaded seating areas around town for people to sit and rest.
- More benches in shopping centres and outside in cool areas.
- Move seating at the jetty.
- More parking - signage - prevent people from parking in multiple space or even disabled parking.
- Woolworths- Disabled sign missing off pole and no one has noticed.
- No disabled sign near Spinifex. Upgrades to paint with clear signs.
- Loch Street think of disabled parking.
- Clarendon street freshen up painting. Tourist info centre parking.
- Wider paths around town as well so people don't get stuck.
- More dual-use footpaths for wheelchair/gophers to avoid using motor ways.
- Better maintenance of existing footpaths, keep clear of broken glass, prickles etc.
- Preventative works on truck bays so everyone can get out.
- More guides like braille for vision impaired people especially in toilets etc.
- More accessible pathways/roads for wheelchair users in Fitzroy.
- Road needs fixing Shell and visitor centre.
- Shops need doors for people on wheelchair.
- More pathways to access public areas.
- More gazebos/covered shade areas in parks with suitable tables for wheelchair access. Currently tables that have seating attached are not suitable for wheelchair users.
- Better policing of ACROD bays. Currently anyone and everyone uses these bays with no repercussions.
- Consultation with business owners about adequate disabled bay parking E.g. outside the chemist. People need access to the footpath from both side of vehicles, as people with disabilities who are passengers have to walk around the back of the car to get to ramp as access is only on driver's side.
- The repainting of yellow lines on the edging of steps would greatly assist those who are able to see partially but cannot tell depth due to vision loss. e.g. the steps in front of the civic centre.
- Automatic doors to public buildings.
- Braille scripts could be used.
- Allocate more money to asset improvement and upgrades.
- Renovate Sportsmen's Club to have disabled access toilets.
- Speak with the people who are disabled and ask them what they think of the facilities.
- Make the town wheelchair friendly, and also easier to navigate for an aging demographic.

Outcome 3 – People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Issues with written/printed information

17% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding written/printed information.

Comments about issues included:

- A lot of programs don't provide hard copy information.
- Some restrictions for people with reading/learning difficulties. No Braille or assistance for blind people.
- Not easily accessed or written in a way for them to understand information.

Issues with on-line information

15% of all survey respondents said that they were aware of difficulties experienced by people with disability regarding online information.

Comments about issues included:

- Website is not easy to navigate - difficult to find information.
- There is no town internet service (for example - community WIFI in Bayulu Community) so it may be difficult for people to access online services.
- The Shire website is at time hard to navigate and is really Derby centric.
- If people don't have access to the internet/our website, it makes it harder for them to access information that is accessible to those that have it (for e.g. ReadSpeaker on website, colour contrasting etc. on website).

Issues with obtaining information in alternative formats

7% of all survey respondents said that they were aware of difficulties obtaining information in alternative formats, however 20% did not know.

Comments about issues included:

- Not aware if anything available for the blind.
- There are no facilities that provide alternative formats in the Fitzroy Valley area for people with disabilities to access.

Suggested actions from comments

Community respondents said they would like the Shire of Derby and West Kimberley to keep them up to date with information about support and services available to people with disability through E-Newsletters or the Shire social media. Other suggested actions included:

- Increase ANZ Bank opening hours. Not all people have access to online banking.
- More pictorial information - a lot of the older community have had limited education or have poor eyesight, making reading small print difficult.
- Information on notice boards needs to be at a height where people in wheelchairs can see it better - currently information is simply too high for them to see.
- The current Facebook notices and posts are quite good- the only suggestion would be a bit more notice for things or people/organisations coming to town. Some people need more than just a couple of days' notice.
- Let the people know they are going out to communities.
- Advertising in shops - IGA, Woolies notice board and notice board.
- Do mail drops for people that don't use technology.
- Advertise in newspaper as that is the only way I get important local information
- Subtitles need to be on all videos.
- Height adjustable tables to work from. Maybe changing the layout of the front office for space to move around.
- Make alternative formats available on SharePoint.

Outcome 4 - People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Approximately half of all the survey respondents (48%) agreed or strongly agreed that staff have a reasonable level of awareness and skills regarding people with disability.

Comments about issues included:

- Most knowledge and awareness is based on personal experience. Little training given.
- Limited knowledge/training for staff on how to handle communication with blind, deaf or mute persons.
- Focus on wheelchairs. Need to also consider vision.
- Staff are not aware of the many varied things which can be considered a disability. It is usually seen as a wheelchair or something physically in front of staff. Poor vision, learning disability are not always understood.

Suggested actions from comments

Staff survey respondents said they would like the Shire to keep them up to date with information about support and services available to people with disability through the website and social media. Other suggestions included:

- More customer service training to deal with elderly /people with disabilities. E.g. a number of our clients have experienced poor understanding and patience when dealing with some front office staff and found them abrupt and sometimes rude. Sometimes people with differing cognitive abilities need time and patience to absorb and understand information. Some people simply don't understand the bureaucratic process with some issues and this needs to be allowed for.
- Care, understand, promote, have a policy about how to be inclusive, enact.

Outcome 5 – People with disability have the same opportunities as others to make complaints to a public authority.

38% of all survey respondents said that the Shire of DWK provided adequate opportunities for people with a disability to provide feedback or make complaints, however 53% of respondents didn't know.

The most common reasons people with disability do not have the same opportunities as others to make complaints were:

- Lack of staff knowledge and skills to advise/support person
- Lack of information on how to provide feedback or make a complaint
- Lack of feedback about outcomes of complaints
- Inaccessible feedback or complaints procedure e.g. some people can't read or write

Comments about issues included:

- My daughter and I have been complaining to the Shire about the footpath along McLarty Road, directly behind the Tarunda caravan park where the footpath comes to a dead end, onto a sandy boggy area (next to the creek). This is where my daughter who is a wheelchair has fallen out a number of times, and still nothing has been fixed, so therefore this puts my daughter at more risk of using the road to get home to her property on the other side of the creek.
- 8 years I've been complaining about footpaths but no one responds. My buggies keep breaking and it is expensive.

Suggested actions from comments

- When a complaint is made, acknowledge that the complaint has been received and looked into, and advise of the outcome.

Outcome 6 – People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

43% of all survey respondents said that the Shire of DWK provided adequate opportunities for people with a disability to provide feedback in consultations however 43% of respondents didn't know.

The most common reasons people with disability do not have the same opportunities as others to provide feedback in consultations were:

- Lack of skilled staff to support participation
- Consultation venue not accessible
- Information promoting the consultation not in accessible formats
- Processes to provide comment not accessible

Comments about issues included:

- There is a no process for people who do not have adequate literacy level because of learning difficulties.
- People with poor vision or cognitive abilities struggle with written pamphlets. Not everyone has access to a smart device to access websites/online information.

Suggested actions from comments

- More videos and face to face so people can give their opinions.
- Consultations could be done better by working with agencies to provide transport to and from events.
- Provide feedback via different mediums, such as the local radio station or in pictorial form.
- Face to face consultations.
- Community meetings.
- House visits - hard paper copies.
- Promoting events and activities on 6DBY.

Outcome 7 – People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

43% of all survey respondents said that the Shire of DWK provides adequate opportunities for people with a disability to obtain and maintain employment however 43% didn't know.

The main reasons why the Shire of DWK does not provide adequate opportunities for people with disability to obtain and maintain employment included:

- Staff not aware of support available for employees with disability e.g. funding for adaptive equipment, disability employment services
- Staff don't understand the benefits of employing a person with disability
- Vacancies not promoted in ways that are accessible

65% of staff survey respondents said that the Shire of DWK provides an accessible and inclusive workplace.

The main reasons staff believe the Shire of DWK does not provide an accessible and inclusive workplace include:

- Workplaces not accessible e.g. doors in buildings not likely to be able to accommodate people using mobility aids, doors difficult to open for staff who are in a wheelchair, toilet facilities too narrow for a wheelchair, no disabled toilet at Coleman centre.
- Lack of support for employees with disability e.g. adaptive equipment, flexibility.

Suggested actions from comments

- Improve workstations. Improve knowledge of supports available.
- Renovate Shire admin buildings to have wider doors and passageways, disabled toilets and automatic opening entry doors.
- Upgrade facilities to include ramps, easy to open doors and wider halls/toilet stalls. Remove steps internally.
- Promote knowledge of engaging with the people with disability in communities.
- Staff and managers should undertake particular tasks or a day in the life for a person who has a disability and use council facilities to see how difficult or easy it would be to carry out work.
- Staff training.
- Have advertisements encouraging people with a disability to apply for jobs. E.g. we'll flip your disability into an ability!

- Maybe having job/volunteering opportunities which are casual or part-time to allow for people with disabilities to work when they are able to if they cannot maintain a fulltime position.

Recommendations

On the basis of the findings of the review and consultation, the following recommendations are made for consideration by the Shire of DWK DAIP Working Group:

Recommendation 1

The Shire of DWK should monitor any changes as a result of reviews of the Disability Services Act.

Recommendation 2

The Shire of DWK should monitor the implementation of the State Disability Strategy and any opportunities arising that will support the Shire's DAIP.

Recommendation 3

The Shire of DWK should consider lodging their DAIP with the Australian Human Rights Commission.

Recommendation 4

The Shire of DWK should consider opportunities to celebrate International Day of Persons with Disability and their commitment to access and inclusion.

Recommendation 5

The Shire of DWK should monitor the implementation of the NDIS and Australian Disability Strategy as there may be opportunities to support the DAIP.

Recommendation 6

The Shire of DWK should include in the DAIP the links between the Strategic Community Plan goals and the DAIP Outcomes.

Recommendation 7

The Shire of DWK should consider strengthening its collaboration with stakeholders with disability.

Recommendation 8

The Shire of DWK should consider using the Australian Standard *Accessibility requirements suitable for public procurement of ICT products and services* to guide and support their ICT procurement process.

Recommendation 9

The Shire of DWK should monitor funding opportunities for Changing Places facilities.

Recommendation 10

The Shire of DWK should consider other good practice ideas in light of community and staff feedback.

Recommendation 11

The Shire of DWK should consider the feedback received through the DAIP consultation, in particular the suggested actions, when considering the potential strategies and actions in the DAIP and DAIP Implementation Plan.

From: Access Improvement <Access@communities.wa.gov.au>
Sent: Wednesday, 15 June 2022 9:31 AM
To: Christie Mildenhall
Cc: Shane Edwards
Subject: I53434 - RE: O32897 - SDWK Draft DAIP for compliance check

Good morning Christie

Thank you for sending this through.

It is looking very good, its clear to the reader that a wide range of consultation was undertaken, and that the feedback is reflected in the strategies. It is great to see some indicators of success included, as its important for any type of plan to set a line as to what the expectations and deliverables are, otherwise its difficult to know whether you have ever achieved the outcomes, and plans can essentially go in circles.

Also great to see recognition of access and economic development as tourism to the area is a drawcard. While its not core business for local government, there is a significant market share of people with disability and they will make their travel decisions based on whether accommodation and activities are accessible. Across regional WA there are many areas which don't even offer any accessible accommodation, although this is slowly changing.

There are some minor suggestions below, there is no obligation at all to follow these, it is your plan.

- While the term people with a disability, or people with disabilities is also widely used, the preferred WA terminology has been people with disability. Whichever you choose, it may be slightly better to stay consistent throughout
- While we are not able to fully assess document accessibility, its suggested to ensure alt text with images so that people using screenreaders can understand the image. Likewise the Action Plan parts, if they are pasted in that can be more challenging for screenreaders. Potentially because the layout changes to portrait as well, you may consider leaving the action plan till the end as an appendix.
- Suggest clarifying -there are some references to 2022-2028, there is a max of 5 years under the Act so if the DAIP is finalised and submitted in July, max expiry would be 31 July 2027 or earlier if the Shire prefers
- You'll likely pick this up in final proofing anyway, but some minor formatting on page 11 'postcardswhich'. Also the numbering in the strategies section has some minor issues
- Page 13 at the end, and a few other instances, we are now just Department of Communities

Once Council has adopted, if you could please send us a final version of the plan by email for our records. Any questions please let me know.

Best wishes

Richard Struik
Department of Communities
M 0432835850
W communities.wa.gov.au



Government of **Western Australia**
Department of **Communities**

From: Christie Mildenhall <christie.mildenhall@sdwk.wa.gov.au>
Sent: Tuesday, 14 June 2022 11:47 AM
To: Access Improvement <Access@communities.wa.gov.au>

Cc: Shane Edwards <Shane.Edwards@sdwk.wa.gov.au>
Subject: O32897 - SDWK Draft DAIP for compliance check

Hi Richard,

As discussed please find attached a copy of the Shire's draft 2022 – 2027 for your review.

I have the DAIP listed on the Council agenda for endorsement this month so if there is any feedback it would be appreciated if we could be sent it by Thursday, 16 June as the agenda will be sent out on Friday, 17th.

Kind regards,
Christie

Christie Mildenhall
Acting Director Community Services

P 9191 0999

E christie.mildenhall@sdwk.wa.gov.au



30 Loch Street
PO Box 94, Derby WA 6728

 www.sdwk.wa.gov.au

The Shire of Derby/West Kimberley acknowledges the Traditional Owners of the lands on which we live, learn and work, and pay our respects to Elders past and present.

The Department of Communities acknowledges the traditional owners of country throughout Western Australia and their connection to land, waters and community. We pay our respects to them and their cultures, and to their elders past and present.

The Department of Communities (Communities) formed on 1 July 2017 and is responsible for the delivery of child protection and family support, community grants, funding and initiatives, education and care regulation, disability services, housing and regional services reform. During the transition phase emails sent from the Housing Authority domain will be converted to the Communities email address. This message may contain privileged and confidential information and is intended for the exclusive use of the addressee(s). You must not disclose this communication to anyone without the prior consent of Communities. If you have received this email in error, please notify us by return mail, delete it from your system and destroy all copies. Communities has exercised care to avoid errors in the information contained in this email but does not warrant that it is error or omission free.

15.2 REQUESTING FUNDING FITZROY VALLEY DISTRICT HIGH SCHOOL FOR THE YOUNG LEADERSHIP PROGRAM

File Number: GS/045

Author: Megan Neshoda, Team Leader Community Development Fitzroy Crossing

Responsible Officer: Christie Mildenhall, Acting Director of Community Services

Authority/Discretion: Executive

SUMMARY

This report is for Council to consider a funding request from the Fitzroy Valley District High School. This funding request is for a cash donation of \$3,000 to go towards a school camp in term 3 for the Young Leadership Group.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

Students at Fitzroy Valley District High School (FVDHS) are given the opportunity at the beginning of each year to apply to be on the Student Representative Council (SRC). The SRC comprises of high school students in the year 7-12 range, and year 6 primary school students.

In May 2022 a representative of FVDHS approached the Shire to request assistance with a fundraising sausage sizzle being held at the Federal election polling booth two weeks later. The request consisted of the donation approximately \$4,500 worth of consumable items (sausages, bread, sausages, onions, drinks, serviettes and gas) and use of our BBQ to run the sausage sizzle, along with a \$500 donation towards the camp. Funds raised at the sausage sizzle would be going towards the camp.

As this request was not able to be assessed through the Quick Grants Program as FVDHS does not meet the eligibility criteria and the amount requested being in excess of the maximum amount funded through the program they were advised the request would need to be considered by Council, however there was insufficient time for this to occur before the event.

FVDHS has since submitted a subsequent request for a \$3,000 cash donation towards the Youth Development Camp for Council to consider.

STATUTORY ENVIRONMENT

Part 6 – Financial Management of the *Local Government Act 1995* applies to this report in that each year Council allocates an annual budget to donate to community organisations through the Community Funding Scheme.

POLICY IMPLICATIONS

Policy F19 – Community Funding Scheme provides guidance as to the provision of financial and non-monetary assistance to community groups and not-for-profit organisations by the Shire. Generally funding is distributed through various grants programs, however the policy stipulates that funding requests received which are not eligible for the grants programs are to be presented to Council. This funding request does not meet the guidelines of any of the Shire's current funding programs.

FINANCIAL IMPLICATIONS

The Fitzroy Valley District High School has requested funding of \$3,000 (ex GST). Funding requested are normally accommodated within the operational budget of 2040129 (MEMBER-Donations to Community Groups). The budgeted amount of \$30,000 has already been expended this year, however could be covered by cost savings in other areas of the budget. Alternatively funding could be made available through the Youth Engagement budget (EP0020).

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.3 Effective Communication	1.3.2 Listen to and respond to the needs of our communities
2. Community	2.1 Safe Communities	2.1.3 Provide activities, programs, places and spaces that engage young people
2. Community	2.3 Vibrant and culturally rich communities	2.3.1 Support the growth and development of arts and cultural programs, services, places and spaces

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: Potential for misuse of funding	Unlikely	Minor	Low	Require of an acquittal will be applied to this funding.
Reputation: Public perception of Shire if funding is denied	Possible	Moderate	Medium	Council to provide funding as requested.

CONSULTATION

Shire staff have been in direct consultation with the Fitzroy Valley District High School regarding this funding request.

COMMENT

FVDHS’s youth leadership program consists of students who have been selected by their peers to represent them on the SRC. In 2022 6 high school students and 5 students from Year 6 were selected. The youth leadership program seeks to challenge students inside and outside of the classroom, aiming to bring students, community, adults and families together.

So far this year these students have been provided with a variety of in-school opportunities for leadership and involvement to showcase the schools values (responsibility, respect and resilience). Examples of tasks undertaken include;

- Planning and delivering the high school, primary school and early childhood assemblies (with full agenda, preparation and specific roles).

- Engage with other students to identify opportunities for improvements or initiatives to encourage engagement with school.
- Modelling reading and literacy practices to younger students through the Indigenous Literacy Foundation donations (books and other valuable resources).
- Assist Shooting Stars and Clontarf day camps/excursions.
- Represent the school at events such as the virtual National Reconciliation Day Breakfast at the Lodge.
- Spent their own time during Pupil free days and community days in representing their country by doing Acknowledgement of Country or other cultural practices.
- Helping with logistics and ideas for the Young Leadership Camp.
- Aided during Term 1's Swimming Carnival held at the community pool, with scoring, judging, building confidence in younger students, organising students for their races etc

If awarded the funding requested will ensure all students in the Youth Leadership program are able to participate in the Youth Leadership Camp being held in term 3. The funding will be combined with an allocation from the school to provide a high quality, but challenging 3 or 4 day intense camp that will comprise of full independence from students throughout, with guidance only coming through teaching and support staff. Often these kind of activities come with a higher cost due to the nature of the task that not all students get the opportunity to experience, such as:

- Climbing Walls
- Low Ropes course
- Raft Building
- Waste Reduction Programs
- Camp & fire making
- Survivor Challenges
- Orienteering
- Walking trials
- University and/or TAFE visit
- Emergency Services (Police, Ambulance, Fire etc) visit
- Sports or mini games
- Individual leadership journals throughout camp
- Cross-Cultural experiences
- Bushwalking
- Rationing
- Cooking
- Team building games
- Individual challenges
- Escape Room type collaboration games

The camp aims to give the leaders a chance to showcase their skills of responsibility, resilience and respect in a context that will push and confront them to think outside the box, use teamwork, problem solve, collaborate, be flexible and use communication skills to achieve goals.

The camp and other future excursions or incursions will all have a component of self-reflection of their positives and improvements, followed by a post evaluation of these skills from their peers and self. The use of feedback will guide future activities and challenges to allow further opportunities to grow the skills that are noted as requiring more improvements over the remainder of the year.

Acknowledgement of this appreciated contribution would be noted on the Fitzroy Valley District High School social media accounts, newsletters, and named in the camp program attached to any specific activities and experiences.

There is currently a high emphasis at local, state and federal level on youth engagement within the Fitzroy Valley, as well as the wider Kimberley and Pilbara region as a result of the well documented high levels of youth crime. Whilst this Youth Development Camp is unlikely to target those youth who are viewed as being high risk of offending this project will provide other youth the opportunity to develop their personal leadership skills. These skills can then be used to develop them as a leader in their community, engaging with fellow youth on a peer-to-peer basis and helping to drive change themselves. It will also provide these students with the skills and experience that is likely to improve their chances to be workforce ready when they leave school.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS

1. **Letter - Request for Funding for Youth Development Camp** 

RESOLUTION 83/22

Moved: Cr Andrew Twaddle

Seconded: Cr Paul White

That Council:

1. **APPROVES a donation of \$3000 (ex GST) be made to the Fitzroy Valley District High School as contribution to Young Leadership Camp, subject to:**
 - (a) **An acquittal being provided to the Shire within 28 days of the conclusion of the camp.**
 - (b) **Fitzroy Valley District High School providing recognition of the Shire's contribution through promotional and other materials associated with the camp.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0 BY ABSOLUTE MAJORITY



04/05/22
 Megan Neshoda
 Shire of Derby/West Kimberley
 PO Box 101, Fitzroy Crossing WA 6765

Dear Megan,

During a period of time in the Kimberley where there has been some uncertainty, there has been a group of young people who have steering the way in leadership and creating confidence and hope for the many young students who are at Fitzroy Valley District High School. At the beginning of the year, 5 students from the Year 6 cohort and 6 students from the Senior/High school cohort applied, rallied, and eventually won positions on the Student Council.

With recent restrictions impacting on opportunities for all Young Leaders to meet, we are looking to provide this group of students with as many experiences to upskill on their leadership skills, such as collaboration, creative thinking, flexibility, problem solving, planning and communication skills. Throughout the remainder of the school year, this driven group of students will be involved in school events, community events, fundraisers, assemblies, sporting competitions, cultural days, celebrations and camps to advance their range of skills to grow into adult leaders.

Fitzroy Valley District High School and the Young Leadership group are seeking funds of \$3,000 from the Shire of Derby / West Kimberley to go towards a community barbeque on the 21st of May 2022 and a Young Leaders Camp currently planned for end of Term 3. The community barbeque will allow for our young leaders to collaborate and team build throughout the day while developing relationships with local residents and strengthen public speaking skills.

The Young Leaders camp donation will go towards activities and experiences that develop their individual and teamwork skills, with an emphasis on responsibility, respect and resilience which are the core values of all students who attend Fitzroy Valley District High School. Additionally, these young leaders will be challenged to problem solve, value perspectives of others in a team, find solutions using planning and efficient communication. We plan on running this camp using a variety of hands-on activities, practice scenarios, open-ended challenges and discussion with reflection opportunities.

Acknowledgement of this appreciated contribution would be noted on the school social media account, school newsletters, and named in the camp program attached to any specific activities and experiences.

I am looking forward to creating an even stronger link between the school, its young leaders and the Shire and this opportunity is exciting to show our community the future coming through.

Thank you,

Joshua Rees (Year 5/6)

Nicholas Latham (High School)

Stephen Traynor (Principal)

15.3 TEMPORARY POOL CLOSURE - DERBY MEMORIAL SWIMMING POOL**File Number:** CP/040**Author:** Christie Mildenhall, Acting Director of Community Services**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Executive**SUMMARY**

This report requests Council to endorse the temporary closure of the Derby Memorial Swimming Pool for maintenance and capital works being facilitated by the Local Roads and Infrastructure Program (LCRIP).

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

At the Ordinary Council Meeting on the 31 March 2022, Council made the following resolution:

RESOLUTION 32/22**Moved:** Cr Andrew Twaddle**Seconded:** Cr Rowena Mouda**That Council:**

1. **Endorses the allocation of the Phase 3 Local Community and Roads Infrastructure Program – Phase 3 Funding of \$1,485,660.00 to the following projects, which subject to Federal approval will be included in the 2022- 23 annual budget:**
 - **DERBY MEMORIAL POOL – REFURBISHMENT AND UPGRADES \$434,200.00;**
 - **FIZROY CROSSING VISITORS CENTRE CAR PARK UPGRADE, AND INSTALLATION OF SHADE AND DUMP POINT \$910,460.00; and**
 - **CCTV UPGRADE AT FITZROY CROSSING \$139,000.00 (subject to available funds).**

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Rowena Mouda, Keith Bedford, Linda Evans and Peter McCumstie

Against: Nil

CARRIED 8/0

It was proposed the Derby Memorial Swimming Pool refurbishment and upgrades included the following;

DERBY MEMORIAL POOL – REFURBISHMENT AND UP GRADES Project Outline/ Background	The Upgrade of the Pool includes: <ol style="list-style-type: none"> 1. Repair and re grouting of Pipe Work Leaks; 2. Repair and replacement of Tiles and Headers; 3. Acid wash and repaint of pool; 4. Supply and installation of new silicon to control joints; 5. Balance Tank Maintenance and replacement of waterproof membrane; 6. Upgrade and repair of Wet Deck Gutters; 7. Electrical safety upgrade; 8. Installation of Disabled Hoist; 9. Replacement/ Remediation of corrosion on all posts/ columns and lighting towers at the Pool; 10. Minor Change Room upgrades; and 11. Miscellaneous minor upgrades and safety initiatives.
LCRI Estimated Cost	\$434,200.00
Other funding required?	Nil
Project Delivery and Completion	Project will be completed by Dec 2022
Project Benefits	The Pool will have 5 – 7 years of increased life and, give Council adequate time to plan and seek further funding for the strategic capital reconstruction of the pool within the next 5 – 7 years. The repairs and improvements will also assist in decreasing the budgetary impost of emergency repairs and maintenance.
Project Issues and Risks	Whilst no significant risks have been identified, a 25% contingency has been added to the project to provide a financial allowance to accommodate unplanned, unbudgeted, and unexpected works, once the renovation commences.

The scope of works have been identified through several recent audits and inspections which have checked the facilities maintenance and operations against the *Code of Practice for the Design, Construction, Operation, Management & Maintenance of Aquatics Facilities* and relevant Australian Standards.

STATUTORY ENVIRONMENT

Aquatics facilities are required to comply with the *Health (Miscellaneous Provisions) Act 1911*, *Health (Aquatic Facilities) Regulations 2007* and the *Code of Practice for the Design, Construction, Operation, Management & Maintenance of Aquatics Facilities*.

POLICY IMPLICATIONS

Whilst there is not an overarching policy related to the operation of the Derby Memorial Swimming Pool the following policies relate to aspects of the management and therefore should be considered;

- F2- Asset Management;
- PC1- Risk and Opportunity Management Policy; and
- PC2- Occupational Safety and Health Policy.

FINANCIAL IMPLICATIONS

The capital works and maintenance to be undertaken have been funded by the LCRIP. There will be some minor financial impact from closing, predominately through lost revenue, however the works are essential to maintaining and improving the amenity of the pool.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
2. Community	2.2 Healthy Communities	2.2.1 Build, maintain and maximise the use of community facilities
2. Community	2.4 Sustainable Communities	2.4.2 Collaborate with key agencies, groups and service providers to improve community services, programs and facilities
2. Community	1.1 Collaboration and partnership	1.2.4 Attract and effectively use resources to meet community needs
2. Community	2.2 Healthy Communities	2.1.3 Provide activities, programs, places and spaces that engage young people

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Business Interruption: In order to undertake these works it is necessary to temporarily close the pool. Failure to undertake the works may result in on-going maintenance issues and the pool being non-compliant with the Code of Practice.</p>	Possible	Severe	High	Undertake works identified.
<p>Financial: The Shire may experience a financial impact whilst the pool be closed however failure to address identified issues may result in more significant impacts.</p>	Likely	Major	High	Undertake works identified.
<p>Legal & Compliance: Failure to rectify issues will result in aspects of the pools operation not being compliant with</p>	Possible	Moderate	Medium	Address issues identified during the project planning process.

legislation, code of practice and Australian Standards.				
People Health & Safety: Maintenance included in this project address safety risks which may result in accident, injury or illness to facility users and staff.	Unlikely	Severe	High	Undertake works identified.

CONSULTATION

Officers from the assets, aquatics and recreation team have been consulted, along with the contractor selected to undertake the main component of the works.

Community and frequent users considerations have been taken into account, and the Shires Disability Access and Inclusion Plan has also informed the proposed works.

COMMENT

The scope of works for this project necessitates the draining of the pools and for the filter system to be turned off. As a result the pool will be required to close for the duration of the works.

The contractor has advised he expects the works to take approximately three weeks to complete. His team will arrive in Derby on Saturday, 30 July 2022 with works commencing Sunday 31st July.

The pool will need to be drained prior to works commencing. The preferred method for this would be for the Aquatics and Recreation Team to commence draining the pool prior to their arrival (allowing 2-3 days for this process). This would be done by backwashing the pool water into the balance tanks where it will be dechlorinated. It then goes out through the waste water system, where it gets treated and recycled on sporting fields or the golf course, providing a more environmentally friendly approach to draining the pool. Alternatively, the contractor can drain the pool upon their arrival. They will drain the chlorinated pool water straight into storm water drains. There is the potential for the drains to not cope with volume of water going through the system and flood the streets. Therefore the first option is the preferred option.

Following the completion of the works the water chemistry of the pool will need to be rebalanced which is expected to take a few days. Water samples will then be sent to the Department of Health for testing to ensure the microbiological standards are the water. The pool is unable to reopen until the Department of Health confirms the safety of the pool water. Environmental Health Officers have advised to allow about four weeks for the balancing and testing on the water.

It is recommended that approximately eight weeks should be allowed for the works project. This includes one weeks contingency should be issues be experienced which delay the works on the pool. The expected reopening date of the pool would be Sunday, 25 September 2022. Should the project be completed ahead of the expected timeframe the pool will reopen earlier.

During the closure Aquatics and Recreation staff will also undertake other works which are separate to the LRCIP funded activities, including;

- Annual filter system servicing,
- Rectification of the issues impacting the splash park,

- Addressing issues identified in the recent Royal Lifesaving WA Safety Assessment, and
- Undertaking training (including meeting annual requalification requirements).

Staff will also be encouraged to take a period of leave to reduce leave liability over the busy wet season.

Due to the timing of the works and the expected length of pool closure no swimming lessons will be held during term three.

Whilst this will impact somewhat on the community it is an opportunity to undertake extensive maintenance and upgrades which will significantly improve the user's experience.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RESOLUTION 84/22

Moved: Cr Peter McCumstie

Seconded: Cr Paul White

That Council:

- 1. Endorses the closure of the pool from Thursday 28 July 2022 until Sunday 25 September 2022 to undertake maintenance and capital works.**
- 2. Approves the plan for the CEO to reopen the pool earlier should the works and water testing process be completed ahead of schedule.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17 NEW BUSINESS OF AN URGENT NATURE

18 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)**RESOLUTION 85/22****Moved: Cr Andrew Twaddle****Seconded: Cr Keith Bedford**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0**18.1 Derby Airport - Lease to Frontier Helicopters (Area #18)**

This matter is considered to be confidential under Section 5.23(2) - e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

Confidential Ordinary Council Item 18.1 was adjourned in accordance with Standing Orders Local Law 2001 Part 6:

6.2 - Loss of Quorum During a Meeting

(1) If at any time during the course of a meeting of the Council or a committee a quorum is not present -

(a) in relation to a particular matter because of a member or members leaving the meeting after disclosing a financial interest, the matter is adjourned until either -

(i) a quorum is present to decide the matter.

RESOLUTION 86/22**Moved: Cr Keith Bedford****Seconded: Cr Andrew Twaddle**

That Council moves out of Closed Council into Open Council.

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

19 CLOSURE

19.1 Date of Next Meeting

The next ordinary meeting of Council will be held Thursday, 28 July 2022 in the Council Chambers, Clarendon Street, Derby.

19.2 Closure of Meeting

The Presiding Member closed the meeting at 11:35am.

These minutes were confirmed at a meeting on

28 July 2022
.....

Signed:

Presiding Person at the meeting at which these minutes were confirmed.

30 August 2022
Date: