



**Shire of Derby /
West Kimberley**

CONFIRMED MINUTES

Ordinary Council Meeting Thursday, 26 October 2023

Date: Thursday, 26 October 2023

Time: 5:30pm

Location: Council Chambers
Clarendon Street
Derby



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**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CLARENDON STREET, DERBY
ON THURSDAY, 26 OCTOBER 2023 AT 5:30PM**

PRESENT: Mr Peter McCumstie (President), Cr Geoff Haerewa (Deputy President), Cr Geoff Davis, Cr Andrew Twaddle, Cr Wayne Foley, Cr Brian Ellison, Cr Kerrissa O'Meara, Cr Brett Angwin and Cr Paul Bickerton

IN ATTENDANCE: Neil Hartley (Acting Chief Executive Officer / Director of Strategic Business), Wayne Neate (Director Technical and Development Services), Christie Mildenhall (Acting Director of Community Services – via MS Teams), Tamara Clarkson (Deputy Chief Executive Officer– via MS Teams) left the meeting at 6:47pm, Bob Hoogland (Manager Corporate Services), Kylie Hartley (Media and Communications Advisor) and Sarah Smith (Executive Services Coordinator).

VISITORS: Terri Buckley and Peter Jackson.

GALLERY: Nil

APOLOGIES: Nil

APPROVED LEAVE OF ABSENCE: Nil

ABSENT: Nil

1 DECLARATION OF OPENING, ANNOUNCEMENTS OF VISITORS

The meeting was opened at 5:31pm by President Mr Peter McCumstie.

2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

A Councillor may attend council or committee meetings by electronic means if the member is authorised to do so by the President or the Council. Electronic means attendance can only be authorised for up to half of the Shire's in-person meetings they have attended in total, in any rolling 12 months prior period. Authorisation can only be provided if the location and the equipment to be used by the Councillor are suitable to enable effective, and where necessary confidential, engagement in the meeting's deliberations and communications.

- Nil.

3 DISCLOSURE OF INTERESTS

3.1 Declaration of Financial Interests

- Nil.

3.2 Declaration of Proximity Interests

- Nil.

3.3 Declaration of Impartiality Interests

- Nil.

4 APPLICATIONS FOR LEAVE OF ABSENCE

LEAVE OF ABSENCE

RESOLUTION 117/23

Moved: Cr Andrew Twaddle

Seconded: Cr Brett Angwin

That the Leave of Absence request received from Cr Geoff Davis for the Ordinary Council Meeting on 30 November 2023 be accepted and leave of absence granted.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0

LEAVE OF ABSENCE

RESOLUTION 118/23

Moved: Cr Paul Bickerton

Seconded: Cr Kerrissa O'Meara

That the Leave of Absence request received from Cr Geoff Haerewa for the Ordinary Council Meeting on 30 November 2023 be accepted and leave of absence granted.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0

5 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

- Nil applicable.

6 PUBLIC TIME

6.1 Public Question Time

- Nil.

6.2 Public Statements

- Nil.

7 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

- Nil.

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

- Mr Peter McCumstie – President
 - Attended a meeting with Hon. Neil Thomson MLC – Member for the Mining and Pastoral Region to discuss Derby and Fitzroy Crossing Boat Ramp (funding) and raised SDWK's concerns regarding the FAGS grant system – one of the Shire's main sources of income.
 - Phone conversation with Richard Patterson Founder and CEO of Bio Mass Project regarding Derby Port exports – Bio Mass to present to Council on 15 December 2023 at 4:00pm.
 - Attended a meeting with Michael McConachy regarding Aviair's flight services into Derby. Tenders with the State Government close in approximately two weeks. Mr McCumstie has contacted our local member (Ms Divina Grace D'Anna MLA) for a response. There is no current capacity for the Shire to recover any of its airport costs for this service presently. This regular air service was vital in the community during the recent flooding events.

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION 119/23

Moved: Cr Geoff Haerewa

Seconded: Cr Geoff Davis

That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 12 October 2023 and the Special Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 23 October 2023 be CONFIRMED AS BEING ACCURATE.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0

10 RECOMMENDATIONS AND REPORTS OF COMMITTEES**10.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 19 OCTOBER 2023****File Number: 4110****Author: Sarah Smith, Executive Services Coordinator****Responsible Officer: Neil Hartley, Acting CEO / Director - Strategic Business****Authority/Discretion: Administrative****SUMMARY**

For Council to receive the minutes of the Audit Committee Meeting held on 19 October 2023.

ATTACHMENTS**1. Minutes of the Audit Committee Meeting held on 19 October 2023****RESOLUTION 120/23****Moved: Cr Geoff Davis****Seconded: Cr Brian Ellison**

That the Minutes of the Audit Committee Meeting held on 19 October 2023 be received and the recommendations therein be adopted.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0**COMMITTEE RESOLUTION AC86/23****Moved: Cr Peter McCumstie****Seconded: Cr Geoff Haerewa**

That the Audit Committee recommends that Council:

- 1. Notes the List of Accounts for September 2023 paid under Delegated Authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 attached to this report, totalling \$5,527,761.06.**

In Favour: Crs Geoff Haerewa, Peter McCumstie and Andrew Twaddle

Against: Nil

CARRIED 3/0

COMMITTEE RESOLUTION AC87/23**Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie****That the Audit Committee recommends that Council:****Receive the information contained in the report detailing outstanding rates and sundry debtors as at 30 September 2023.**In Favour: Crs Geoff Haerewa, Peter McCumstie and Andrew TwaddleAgainst: Nil**CARRIED 3/0****COMMITTEE RESOLUTION AC90/23****Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie****That the Audit Committee recommends that Council:**

- 1. Receives the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 30 September 2023.**

In Favour: Crs Geoff Haerewa, Peter McCumstie and Andrew TwaddleAgainst: Nil**CARRIED 3/0****11 REPORTS**

- NIL.

12 EXECUTIVE SERVICES

12.1 ADOPTING COUNCIL MEETING DATES FOR THE 2024 CALENDAR YEAR

File Number: 4150

Author: Sarah Smith, Executive Services Coordinator

Responsible Officer: Neil Hartley, Acting CEO / Director - Strategic Business

Authority/Discretion: Administrative

SUMMARY

Every Western Australian local government is required to give local public notice of the dates, times and places at which their Ordinary Council Meetings and their Committee Meetings (that are open to the public) are to be held for the next 12 months. This item sets out proposed dates for the 2024 calendar year, taking into consideration other relevant commitments of the Council. It also invites Council to consider allocating if it wished to have any of its meetings held using electronic means.

DISCLOSURE OF ANY INTEREST

Nil by Author or Responsible Officer.

BACKGROUND

Ordinary Council Meeting:

At the October 2022 Ordinary Council Meeting, Council determined its meeting dates for the 2023 calendar year. Consideration of the meeting dates for the next 12 months (2023) in accordance with the *Local Government (Administration) Regulations 1996* is now required.

New requirements around “electronic meetings” were introduced recently and the 30 March 2023 Council dealt with that matter of attendance at meetings by electronic means. It resolved to “consider at the time of setting the 2024 Council/Committee Meeting Schedule, whether to allocate any of those meetings (up to the 50% cap) as electronic meetings”.

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996 – Regulation 12 (Publication of meeting details) outlines that at least once each year local public notice of the dates, times, and places at which ordinary council, and committee meetings that are required to be open to the public, are to be held in the next 12 months.

Local Government (Administration) Regulations 1996 – 14D (Meetings held by electronic means) outlines that Council can determine that up to a maximum of 50% of its Council meetings, and its Committee meetings that are required to be open to the public, be held by electronic means.

POLICY IMPLICATIONS

Council Policy C5 – Council Meetings – Date, Time and Venue.

FINANCIAL IMPLICATIONS

The cost of advertising is estimated at \$500.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.1 Provide strong civic leadership
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
Legal & Compliance: Failure to set and advertise meeting dates will contravene the requirements of the Local Government Act 1995.	Unlikely	Moderate	Medium	That Council and Committee Meeting times and dates are approved and advertised (noting that dates and times may be subject to change).

CONSULTATION

Once dates are approved by Council, they will be advertised throughout the Shire in accordance with the requirements of the Local Government Act. There is no need for public consultation to occur in addition to the above.

COMMENT

It is recommended that Council continue holding its Ordinary Meetings of Council on the last Thursday of each month (excluding January when Council is in recess). In accordance with Council's Policy – *C5 Council Meetings – Date, Time and Venue*, eight meetings are scheduled to be held in Derby and three in Fitzroy Crossing (March, September and November). Once adopted by Council, Officers will advertise this information to the public by way of public notices as per statutory regulations, and to upload to the Shire's website.

With regard to the December 2024 meeting, it is proposed to hold the Audit & Risk Committee Meeting on 10 December 2024 and the Ordinary Council Meeting on 12 December 2024, as opposed to the usual schedule to ensure availability of Elected Members in the Christmas holiday period.

Meeting dates are not impacted by the Easter holiday period for 2024.

Audit & Risk Committee Meeting: Council has usually held monthly Audit meetings mid-month (i.e. two weeks prior to the Ordinary Council Meeting). The Committee currently has a membership of five Councillors and an independent person, and the Terms of Reference for the Committee are attached to this item. The purpose of the Committee is to facilitate:

- Compliance with laws and regulations with reference to best practice guidelines relative to auditing, risk management, internal control and legislative compliance;

- The provision of an effective means of communication between the external auditor, the CEO and the Council;
- Integrated Planning review and adoption;
- Policy review and adoption; and
- Upon request of the Council, other matters with potential impact on finances, resources, strategic direction and policy of the Shire.

The Audit & Risk Committee meeting can be attended by all Elected Members.

At the Audit Committee Meeting of 23 March 2023, Elected Members recommended to Council that future meetings are held quarterly. It is suggested that the Audit & Risk Committee Meetings be held on the third Thursday of the month (one week prior to the Ordinary Council Meeting, excluding January when Council is in recess).

Agenda Review, Briefings and Forums/Workshops: This meeting is to allow Councillors to informally view a draft Agenda for the Ordinary Council meeting, seek clarification and ask questions. The meeting is bound by the same requirements regarding declarations and interests but does not make decisions and can be attended by all Elected Members.

The Agenda Review, Briefing and Forum Meetings in 2023 were held on the second Thursday of each month. It is recommended that no changes be made to the schedule in 2024 and the Agenda Review, Briefing and Forum/Workshop Meetings remain to be held on the second Thursday of each Month (excluding January when Council is in recess).

Below are the annual events that are appropriate to be taken into consideration when adopting Council Meeting dates for the 2024 calendar year. Most dates will not interfere with Council's traditional meeting dates (i.e. last Thursday of each month). ANZAC Day falls on the last Thursday of the month in 2024, Ordinary Council Meeting has been scheduled for the last Wednesday on the month in April.

- Joint Pilbara/Kimberley Forum: TBD – 2023 Dates: 24-26 May 2023
- Local Government Week, Perth (including Kimberley Zone meeting) was held 17-19 September 2023 – Dates for 2024 are yet to be confirmed.

The following is a list of public holidays for Western Australia in 2024:

Name of Public Holiday	Date (2024)
New Year Public Holiday	Monday, 1 January
Australia Day	Friday, 26 January
Labour Day	Monday, 4 March
Good Friday	Friday, 29 March
Easter Monday	Monday, 1 April
Anzac Day	Thursday, 25 April
Western Australia Day	Monday, 3 June
King's Birthday	Monday, 23 September
Christmas Day	Wednesday, 25 December
Boxing Day	Thursday, 26 December

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Council Meeting Dates - 2024 [!\[\]\(c13f85b6bd34a0f17d58af3b47648df4_img.jpg\)](#) [!\[\]\(01295fe08c78d8fc3e7bc951fc1132bf_img.jpg\)](#)
2. Audit & Risk Committee Terms of Reference [!\[\]\(482a2be5600b9ff916e087b345667239_img.jpg\)](#) [!\[\]\(2738f3d4079316da10a955986288d3b4_img.jpg\)](#)

OFFICER RECOMMENDATION

That Council:

1. **APPROVE** the following Audit & Risk Committee and Ordinary Meeting of Council (OCM) dates, times and venues for the 2024 calendar year:

DAY	MEETING	DATE	TIME	VENUE
Thursday	Audit	22 February	4.00pm	Council Chambers, Derby
Thursday	OCM	29 February	5.30pm	Council Chambers, Derby
Thursday	OCM	28 March	5.30pm	Fitzroy Crossing*
Wednesday	OCM	24 April	5.30pm	Council Chambers, Derby
Thursday	Audit	23 May	4.00pm	Council Chambers, Derby
Thursday	OCM	30 May	5.30pm	Fitzroy Crossing*
Thursday	OCM	27 June	5.30pm	Council Chambers, Derby
Thursday	OCM	25 July	11.00am	On Country – Remote Aboriginal Community*
Thursday	Audit	22 August	4.00pm	Council Chambers, Derby
Thursday	OCM	29 August	5.30pm	Council Chambers, Derby
Thursday	OCM	26 September	5.30pm	Fitzroy Crossing*
Thursday	OCM	31 October	5.30pm	Council Chambers, Derby
Thursday	OCM	28 November	5.30pm	Fitzroy Crossing*
Tuesday	Audit	10 December	4.00pm	Council Chambers, Derby
Thursday	OCM	12 December	5.30pm	Council Chambers, Derby

*location to be advised

2. **Agrees** that the following 2024 Council/Committee Meetings be allocated electronic meetings":
 - a. [include dates – up to the 50% cap] or ["nil"]
3. **REVIEW** the Audit and Risk Committee Terms of Reference; and
4. **DIRECTS** that the Chief Executive Officer advertise the approved dates by Public Notice and on the Shire of Derby/West Kimberley website.

RESOLUTION 121/23**Moved: Cr Paul Bickerton****Seconded: Cr Wayne Foley****That Council:**

- 1. APPROVE the following Audit & Risk Committee and Ordinary Meeting of Council (OCM) dates, times and venues for the 2024 calendar year:**

DAY	MEETING	DATE	TIME	VENUE
Thursday	Audit	22 February	4.00pm	Council Chambers, Derby
Thursday	OCM	29 February	5.30pm	Council Chambers, Derby
Thursday	OCM	28 March	5.30pm	Fitzroy Crossing*
Wednesday	OCM	24 April	5.30pm	Council Chambers, Derby
Thursday	Audit	23 May	4.00pm	Council Chambers, Derby
Thursday	OCM	30 May	5.30pm	Fitzroy Crossing*
Thursday	OCM	27 June	5.30pm	Council Chambers, Derby
Thursday	OCM	25 July	11.00am	On Country – Remote Aboriginal Community*
Thursday	Audit	22 August	4.00pm	Council Chambers, Derby
Thursday	OCM	29 August	5.30pm	Council Chambers, Derby
Thursday	OCM	26 September	5.30pm	Fitzroy Crossing*
Thursday	OCM	31 October	5.30pm	Council Chambers, Derby
Thursday	OCM	28 November	5.30pm	Fitzroy Crossing*
Tuesday	Audit	10 December	4.00pm	Council Chambers, Derby
Thursday	OCM	12 December	5.30pm	Council Chambers, Derby

*location to be advised

- 2. Agrees that the following 2024 Council/Committee Meetings be allocated electronic meetings”:**
 - a) Nil at this point in time – dates of full electronic meetings to be chosen on an as needs basis.**
- 3. REVIEW the Audit and Risk Committee Terms of Reference; and**
- 4. DIRECTS that the Chief Executive Officer advertise the approved dates by Public Notice and on the Shire of Derby/West Kimberley website.**

AMENDMENT**RESOLUTION 122/23****Moved: Cr Andrew Twaddle****Seconded: Cr Brian Ellison**

That the meeting times for the four 2024 Fitzroy Crossing Ordinary Council Meetings be modified to commence at 11:00am.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0**RESOLUTION 123/23**

The Amendment was incorporated into the motion to read:

That Council:

1. **APPROVE** the following Audit & Risk Committee and Ordinary Meeting of Council (OCM) dates, times and venues for the 2024 calendar year:

DAY	MEETING	DATE	TIME	VENUE
Thursday	Audit	22 February	4.00pm	Council Chambers, Derby
Thursday	OCM	29 February	5.30pm	Council Chambers, Derby
Thursday	OCM	28 March	11.00am	Fitzroy Crossing*
Wednesday	OCM	24 April	5.30pm	Council Chambers, Derby
Thursday	Audit	23 May	4.00pm	Council Chambers, Derby
Thursday	OCM	30 May	11.00am	Fitzroy Crossing*
Thursday	OCM	27 June	5.30pm	Council Chambers, Derby
Thursday	OCM	25 July	11.00am	On Country – Remote Aboriginal Community*
Thursday	Audit	22 August	4.00pm	Council Chambers, Derby
Thursday	OCM	29 August	5.30pm	Council Chambers, Derby
Thursday	OCM	26 September	11.00am	Fitzroy Crossing*
Thursday	OCM	31 October	5.30pm	Council Chambers, Derby
Thursday	OCM	28 November	11.00am	Fitzroy Crossing*
Tuesday	Audit	10 December	4.00pm	Council Chambers, Derby
Thursday	OCM	12 December	5.30pm	Council Chambers, Derby

*location to be advised

2. Agrees that the following 2024 Council/Committee Meetings be allocated electronic meetings”:

a. Nil at this point in time – dates of full electronic meetings to be chosen on an as needs basis.

3. REVIEW the Audit and Risk Committee Terms of Reference; and

4. DIRECTS that the Chief Executive Officer advertise the approved dates by Public Notice and on the Shire of Derby/West Kimberley website.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0



Ordinary Council Meetings and Audit & Risk Committee Meetings 2024

DAY	MEETING	DATE	TIME	LOCATION
Thursday	Audit & Risk Committee Meeting	22 February	4:00pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – February	29 February	5:30pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – March	28 March	5:30pm	Fitzroy Crossing*
Wednesday	Ordinary Council Meeting – April	24 April	5:30pm	Derby Council Chambers
Thursday	Audit & Risk Committee Meeting	23 May	4:00pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – May	30 May	5:30pm	Fitzroy Crossing*
Thursday	Ordinary Council Meeting – June	27 June	5:30pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – July	25 July	11:00am	On Country – Remote Aboriginal Community*
Thursday	Audit & Risk Committee Meeting	22 August	4:00pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – August	29 August	5:30pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – September	26 September	5:30pm	Fitzroy Crossing*
Thursday	Ordinary Council Meeting – October	31 October	5:30pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – November	28 November	5:30pm	Fitzroy Crossing*
Tuesday	Audit & Risk Committee Meeting	10 December	4:00pm	Derby Council Chambers
Thursday	Ordinary Council Meeting – December	12 December	5:30pm	Derby Council Chambers

*Location to be advised

Derby

☎ (08) 9191 0999 | 30 Loch Street
✉ sdwk@sdwk.wa.gov.au | PO Box 94, Derby WA 6728

Fitzroy Crossing

☎ (08) 9191 5355 | Flynn Drive
✉ sdwk@sdwk.wa.gov.au | PO Box 101, Fitzroy Crossing

ABN: 99 934 203 062

www.sdwk.wa.gov.au

Audit & Risk Committee

Terms of Reference

Committee Title:	Audit & Risk Committee
Role and Function:	<p>To undertake the tasks as outlined in the Local Government (Audit) Regulations, namely:</p> <ol style="list-style-type: none"> 1. guide and assist the local government in carrying out: <ol style="list-style-type: none"> a) its functions under Part 6 (Financial management) – like fees & charges, borrowing, rates etc; b) its functions relating to other audits and other matters related to financial management; and c) the local government’s functions in relation to audits; 2. review the CEO’s Systems & Procedures (“Regulation 17” report) and progress its implementation; 3. support the auditor to conduct the Shire’s audits and the auditor’s other functions; 4. oversee the implementation of any action that the local government is required to take in respect to: <ol style="list-style-type: none"> a) examining an audit report received by the local government; determining if any matters raised by the audit report require action to be taken by the local government; and ensure that appropriate action is taken in respect of those matters; b) what it has stated it has taken or intends to take in a report prepared addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and ensures that a copy of that report is provided to the Minister within three months after the audit report is received by the local government; and c) what it has stated it has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c); 5. review the Compliance Audit Return and report to the Council the results of that review; and 6. to advise on how the Shire should proactively consider and deal with risk management issues relevant to it.
Membership:	<p>Up to five Councillors, plus, up to one independent person.</p> <p>All members are to be selected by Council.</p> <p>All members’ terms will expire at the same time.</p>

Independent Person:	<p>The Audit & Risk Committee is to recommend for Council's consideration, an attraction and selection process for the independent person position.</p> <p>Ideally, the independent person would have qualifications and experience in either the field of accounting, auditing, or risk management.</p> <p>If following the completion of the selection process, the Committee agrees it has attracted a suitable person for the position of independent person, it shall recommend to the Council that person be appointed. Council must decide whether to accept, or reject the Committee's recommendation.</p> <p>The remuneration of the independent person will be set by Council as part of each year's budget adoption process.</p>
Meeting Frequency:	<p>At least four meetings per year (to deal with for example, the Audit Report; the Regulation 17 report from the CEO; the Compliance Audit Return; and considering matters to do with risk) with special meetings being called on an "as required" basis.</p>

12.2 APPOINTMENTS OF COUNCIL COMMITTEES AND EXTERNAL COMMITTEES**File Number:** 4285**Author:** Sarah Smith, Executive Services Coordinator**Responsible Officer:** Neil Hartley, Acting CEO / Director - Strategic Business**Authority/Discretion:** Administrative**SUMMARY**

Following the outcome of the Ordinary Local Government Election on 21 October 2023, Council is required to consider its representation on various Council Committees and Working Groups, and also its appointments to external committees.

DISCLOSURE OF ANY INTEREST

Nil by Author or Responsible Officer.

BACKGROUND

As per section 5.11 of the *Local Government Act 1995*, Council representatives on its Committees and Working Groups established under the Act are discontinued following a local government election and as such, fresh nominations for Council representation are required.

There are three current committees established in this manner and their status is outlined in the *comment* section of this report:

- Audit & Risk Committee;
- CEO Performance Review Committee; and
- Shire of Derby West Kimberley Recovery Committee.

Council may also wish to consider the current appointments to other statutory committees and its representatives on external bodies, and review membership of external committees requiring Council Member representation.

The following information details the various committees and groups that Council has established or is represented upon. Council is requested to review its representation on such bodies, whether to disband some internal working parties and to nominate council members to those bodies to which Council wishes to continue providing representation.

COUNCIL COMMITTEES

Council Committees (formed per s5.8 of the Local Government Act 1995)

Audit & Risk Committee

Committee Title:	Audit & Risk Committee
Role and Function:	To undertake the tasks as outlined in the Local Government (Audit) Regulations, namely: <ol style="list-style-type: none">1. guide and assist the local government in carrying out:<ol style="list-style-type: none">a) its functions under Part 6 (Financial management) – like fees & charges, borrowing, rates etc;b) its functions relating to other audits and other matters related to financial management; and

	<p>c) the local government's functions in relation to audits;</p> <p>2. review the CEO's Systems & Procedures ("Regulation 17" report) and progress its implementation;</p> <p>3. support the auditor to conduct the Shire's audits and the auditor's other functions;</p> <p>4. oversee the implementation of any action that the local government is required to take in respect to:</p> <p>a) examining an audit report received by the local government; determining if any matters raised by the audit report require action to be taken by the local government; and ensure that appropriate action is taken in respect of those matters;</p> <p>b) what it has stated it has taken or intends to take in a report prepared addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and ensures that a copy of that report is provided to the Minister within three months after the audit report is received by the local government; and</p> <p>c) what it has stated it has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);</p> <p>5. review the Compliance Audit Return and report to the Council the results of that review; and</p> <p>6. to advise on how the Shire should proactively consider and deal with risk management issues relevant to it.</p>
Membership:	<p>Up to five Councillors, plus, up to one independent person. All members are to be selected by Council.</p> <p>All members' terms will expire at the same time.</p>
Independent Person:	<p>The Audit & Risk Committee is to recommend for Council's consideration, an attraction and selection process for the independent person position.</p> <p>Ideally, the independent person would have qualifications and experience in either the field of accounting, auditing, or risk management.</p> <p>If following the completion of the selection process, the Committee agrees it has attracted a suitable person for the position of independent person, it shall recommend to the Council that person be appointed. Council must decide whether to accept, or reject the Committee's recommendation.</p> <p>The remuneration of the independent person will be set by Council as part of each year's budget adoption process.</p>
Meeting Frequency:	<p>At least four meetings per year (to deal with for example, the Audit Report; the Regulation 17 report from the CEO; the Compliance Audit Return; and considering matters to do with risk) with special meetings being called on an "as required" basis.</p>

Shire of Derby/West Kimberley Recovery Committee

Committee Title:	Shire of Derby West Kimberley Recovery Committee
Role and Function:	Oversee local government procedures following an emergency event.
Membership:	<p>Previous membership was:</p> <ul style="list-style-type: none"> • Cr Haerewa • Cr Twaddle • Cr White • Cr Mouda • Cr Davis • Amanda Dexter (Chief Executive Officer) • Wayne Neate (Director of Technical and Development Services)
Meeting Frequency:	As required.

CEO Performance Review Committee/CEO Appointment Committee

Committee Title:	CEO Performance Review Committee/CEO Appointment Committee
Role and Function:	<p>Undertakes the performance review of the CEO and negotiates changes to the CEO's contract of employment for subsequent Council approval. All Councillors have historically been appointed to the Committee.</p> <p>Consider and appoint a Chief Executive Officer.</p>
Membership:	<p>President (and Panel Presiding Member) and Deputy President</p> <p>Additional Councillor members can be considered at the point in time when the Panels (vis. Performance Review and CEO Appointment) are needed to operate.</p> <p>Note: If there were to be a separate <i>CEO Appointment Committee</i>, it would only be established for a defined period and as part of any CEO appointment process.</p>
Independent Person:	The calling of applications for the independent person position (to sit on both of the Panels) be deferred until the CEO Appointment Panel is required.
Meeting Frequency:	Annually for the performance review, and "as required" for CEO appointments.

COUNCIL REPRESENTATION ON FORMAL EXTERNAL COMMITTEES

External Representation listed below are the external committees as having a requirement for representation:

- Kimberley Zone (of Western Australian Local Government Association)
- Kimberley Regional Group (KRG)
- Local Government Development Assessment Panel (DAP)
- Local Emergency Management Committee (LEMC)
- Derby/West Kimberley Liquor Accord

- Derby Interagency Group
- North West Defence Alliance
- Kimberley Development Commission Board
- Regional Road Group
- Roadwise Committee
- District Health Advisory Council for Derby

Optional Committees:

- Pastoralists and Graziers Association (PGA) and Kimberley Pilbara Cattlemen's Association (KPCA)
- Derby Landcare Group
- Derby Chamber of Commerce
- Fitzroy Valley Development (In Recess until FX Recovery process concludes)

Previously appointed external committees:

External representation listed below are the external committees to which Council currently provides representation:

ORGANISATION	CURRENT REPRESENTATIVE/S
EXTERNAL COMMITTEES	
Kimberley Zone (of Western Australian Local Government Association)	
Membership:	Western Australian Local Government Association and all Kimberley local governments.
Role and Function:	To provide advice and feedback to the Western Australian Local Government Association on issues affecting local governments across Western Australia and particularly the Kimberley.
Shire Representatives:	Member: Cr G Haerewa Deputy Member: Cr P White Proxy: Cr G Davis Proxy: Cr R Mouda
Meeting Frequency:	Generally two monthly.

Kimberley Regional Group (KRG)	
Membership:	All Kimberley local governments.
Role and Function:	To discuss and progress specific Kimberley local government and community issues with all four Kimberley Shires.
Shire Representatives:	Member: Cr G Haerewa Deputy Member: Cr P White Proxy: Cr G Davis Proxy: Cr R Mouda
Meeting Frequency:	Generally two monthly (meets on the same day as Kimberley Zone)
Local Government Development Assessment Panel (DAP)	
Membership:	Members selected by the Minister for Planning, plus Kimberley local government representatives.
Role and Function:	To decide on planning matters either too significant, or as opted by developers not forwarded to the individual Kimberley local governments, (within the limits of the planning legislation) to dealt with.
Shire Representatives:	Member 1: Cr A Twaddle* Member 2: Cr C Kloss* Proxy 1: Cr G Haerewa* Proxy 2: Cr C P White* (*) All existing local government DAP members are currently appointed for a term ending 26 January 2024. New appointee terms will commence from that same date. New appointees must undertake compulsory training prior to attending DAP meetings.
Meeting Frequency:	As required.

Local Emergency Management Committee (LEMC)	
Membership:	Representatives from essential services including the, Local Police, Department of Fire and Emergency Service, State Emergency Service, Child Protection Family Services, WA Country Health, Saint John Ambulance, local Industry representatives, utilities and other government agencies.
Role and Function:	To plan and test through exercises, strategies to prevent emergencies occurring and to be prepared when they do occur.
Shire Representatives:	Member (Chair): Cr G Haerewa Proxy: Cr A Twaddle Fitzroy Crossing Proxy: Cr G Davis
Meeting Frequency:	Monthly during (Nov-April) and two monthly thereafter.
Derby/West Kimberley Liquor Accord	
Membership:	Local liquor industry representatives, the Shire, Racing, Gaming and Liquor (DLGSC), WA Police, and WA Department of Health. Note: The Shire has provided the secretariat for the group.
Role and Function:	To help reduce the harm associated with the misuse of alcohol and develop safe and well managed environments in and around licensed premises in the local context, including by requesting that the licensing authority impose, vary or cancel a condition of a Liquor Control Act licence.
Shire Representatives:	Member: Cr G Haerewa Proxy: Cr McCumstie
Meeting Frequency:	Quarterly and as required.

Derby Interagency Group	
Membership:	Senior staff from government and non-government agencies who are based in or provide services to Derby. Note: The Shire has provided the secretariat for the group.
Role and Function:	The group meets to share information and consider issues which are impacting the community, the service providers ability to deliver services and to identify opportunities to work together in a strategic and cohesive manner.
Shire Representatives:	Member (and Chair of the Group): Cr G Haerewa Proxy: Cr McCumstie
Meeting Frequency:	Monthly (2 nd Thursday of the month).
North West Defence Alliance	
Membership:	The Alliance is a voluntary grouping of the interested local governments in the North West of WA.
Role and Function:	To assist in lobbying the Federal and State Governments, to increase their investment in defence-related infrastructure and personnel in the northern half of Western Australia.
Shire Representatives:	Member: Cr Geoff Haerewa Proxy: CEO: Amanda Dexter
Meeting Frequency:	As required, Annual General Meeting annually.

Kimberley Development Commission Board	
Membership:	Members selected by the Minister for Development.
Role and Function:	To provide advice and feedback to the Western Australian State Government on grant applications and other economic development opportunities affecting the Kimberley.
Shire Nominees:	Cr G Haerewa* Cr G Davis*
Meeting Frequency:	Generally monthly. *Appointments are by application and selected by the Minister.
Regional Road Group	
Membership:	Main Roads WA and all Kimberley local governments.
Role and Function:	To prioritise eligible local government road projects for funding receipt, and to provide advice and feedback to Main Roads and the State Government on Kimberley road issues.
Shire Representatives:	Member: Cr P White Proxy: Cr S Ross (resigned) Proxy: Cr G Haerewa
Meeting Frequency:	September and March and as required.
Roadwise Committee	
Membership:	Shire and the Western Australian Local Government Association, Police, Main Roads, Emergency Services, and community members/key stakeholders.
Role and Function:	To address road safety issues at a community level, through partnerships, by developing strategies which encourage community participation and promote education aimed at achieving a safer road environment for all road users.
Shire Representatives:	The Committee meets on a monthly basis to discuss Member: Cr P White Proxy: Cr G Haerewa
Meeting Frequency:	Quarterly

District Health Advisory Council for Derby	
Membership:	Council representative
Role and Function:	<p>State Government appointed committee to provide advice to WA Country Health Services regarding issues in the district.</p> <p>This is an independent external group providing advice to the state government on local health issues. Shire representatives to engage and learn of the contemporary issues of the committee, and to provide input as warranted on the Shire's activities and positions on issues raised.</p>
Shire Representatives:	<p>Member: Cr R Mouda</p> <p>Proxy: Cr P Riley</p>
Meeting Frequency:	Monthly and as required.
OPTIONAL COMMITTEES:	
Pastoralists and Graziers Association (PGA) and Kimberley Pilbara Cattlemen's Association (KPCA)	
Membership:	Members of the PGA and KPCA, with Shire representatives invites as observers.
Role and Function:	<p>This is an independent external group that addresses local and external issues impacting on the pastoral areas of the district. Shire representatives to engage and learn of the contemporary issues of the Association, and to provide input as warranted on the Shire's activities and positions on issues raised.</p>
Shire Representatives:	<p>Member: Cr A Twaddle</p> <p>Proxy: Cr G Haerewa</p>
Meeting Frequency:	Generally two monthly and as required.

Derby Landcare Group	
Membership:	Members of the local Landcare group.
Role and Function:	This is an independent external group engaged in Landcare and other environmental initiatives across the district. Shire representatives to engage and learn of the contemporary issues of the Group, and to provide input as warranted on the Shire's activities and positions on issues raised.
Shire Representatives:	Previous membership was (2020) Member: Cr C Kloss Proxy: Cr P Riley
Meeting Frequency:	Monthly and as required.
Derby Chamber of Commerce	
Membership:	Members of the Derby Chamber of Commerce/Small Business Centre.
Role and Function:	This is an independent external group promoting economic and other business development opportunities across the district. Shire representatives to engage and learn of the contemporary issues of the Chamber, and to provide input as warranted on the Shire's activities and positions on issues raised.
Shire Representatives:	Member: Cr P White Proxy: Cr G Haerewa
Meeting Frequency:	Generally monthly.
Fitzroy Valley Development (In Recess until FX Recovery process concludes)	
Membership:	Members of the Fitzroy Valley Development group.
Role and Function:	This is an independent external group promoting economic and community development opportunities across the Fitzroy Valley. Shire representatives to engage and learn of the contemporary issues of the group, and to provide input as warranted on the Shire's activities and positions on issues raised.
Shire Representatives:	Member 1: Cr G Davis Member 2: Cr K Bedford Proxy: Cr A Twaddle Proxy: Cr G Haerewa
Meeting Frequency:	Generally two monthly and as required.

STATUTORY ENVIRONMENT

Local Government Act 1995 S. 5.8 (Establishment of committees) outlines that a Council may establish (Absolute Majority required) committees of three or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Local Government Act 1995 S. 5.9 (Committees, types of) provides that a committee is to comprise –

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only (noting that “other persons” means a person who is not a council member or an employee).

Local Government Act 1995 S. 5.10 (Committee members, appointment of)

This section highlights that:

- The president is to be appointed to any committee the President seeks to be appointed to;
- Every council member is entitled to be a member of at least one committee; and
- The CEO is to be appointed to any committee that has an employee representative that the CEO seeks to be appointed to.

Local Government Act 1995 S. 5.11A (Deputy committee members)

The Shire may appoint (Absolute Majority required) a person to be a deputy of a member of a committee (and may terminate such an appointment at any time). The deputy must have the same status as the primary member (e.g. Councillor or employee).

Local Government Act 1995 S. 5.11 (Committee membership, tenure of)

Appointments continue until the person no longer holds the relevant office by virtue of which the person became a member, resigns, the committee is disbanded, or the next ordinary elections day, whichever happens first.

Council may review membership at any time.

Local Government Act 1995 S 7.1A (Audit committee) outlines that every local government is to establish (Absolute Majority required) an audit committee of three or more persons. At least three of the members, and the majority of the members, are to be council members. The CEO is not to be a member of the audit committee.

Emergency Management Act 2005 S. 38 (Local emergency management committees) outlines that every local government is to establish one or more local emergency management committees for the local government’s district consisting of a chairman and other members (including the local emergency coordinator coordinator).

The constitution and procedures, and the terms and conditions of appointment of members, are to be determined by the SEMC.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

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 ANALYSIS	MITIGATION
Legal & Compliance: Elected Members not appointed to at least one Committee.	Unlikely	Moderate	Medium	Ensure Elected Members are aware of their legal right to be appointed to at least one Committee.

CONSULTATION

No community consultation is required.

COMMENT

When Council establishes a committee, it is required to detail what authority is delegated (if any) to that committee. A formal committee established in this manner is required to observe Council's Standing Orders and the *Local Government Act 1995* in its meetings. For example, all meetings are required to be advertised, produce a formal agenda and minutes, open to the public and include a public question time.

An acceptable alternative to the establishment of committees per the *Local Government Act 1995* is the formation of working parties, working groups, or teams. Such bodies are not delegated specific authority from Council and therefore act as an advisory body only. Recommendations from such bodies are presented to Council through officer reports.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS

Nil

SUSPENSION OF STANDING ORDERS**RESOLUTION 124/23****Moved: Cr Andrew Twaddle****Seconded: Cr Geoff Haerewa**

That Council suspend standing orders (all of Parts 9, 10, and 11) to enable discussions to occur on the numerous council committees and external groups that require Elected Member representations.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0**RESUMPTION OF STANDING ORDERS****RESOLUTION 125/23****Moved: Cr Geoff Davis****Seconded: Cr Brett Angwin**

That Council resume standing orders.

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0

RESOLUTION 126/23**Moved: Cr Andrew Twaddle****Seconded: Cr Brett Angwin****That Council by Absolute Majority Council APPOINTS the following memberships/representatives:****In Favour:** President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton**Against:** Nil**CARRIED 9/0****COUNCIL COMMITTEES****1. AUDIT & RISK COMMITTEE – no delegated power****Mr Peter McCumstie****Cr Geoff Davis****Cr Andrew Twaddle****Cr Brett Angwin****Cr Geoff Haerewa****2. SHIRE OF DERBY/WEST KIMBERLEY RECOVERY COMMITTEE – HAS delegated power****Mr Peter McCumstie****Cr Geoff Davis****Cr Paul Bickerton****Cr Wayne Foley****Cr Kerrissa O'Meara****Officer: Amanda Dexter – Chief Executive Officer****Officer: Wayne Neate – Director of Technical and Development Services****3. CEO PERFORMANCE REVIEW COMMITTEE/CEO APPOINTMENT COMMITTEE – no delegated power****President: Mr Peter McCumstie****Deputy President: Cr Geoff Haerewa****Cr Kerrissa O'Meara****FORMAL EXTERNAL COMMITTEES****4. KIMBERLEY ZONE (of Western Australian Local Government Association) & Kimberley Regional Group (KRG)****Member: Mr Peter McCumstie****Deputy Member: Cr Geoff Haerewa****Proxy Member: Cr Brett Angwin**

5. LOCAL GOVERNMENT DEVELOPMENT ASSESSMENT PANEL (DAP) (to be appointed from 26 January 2024):

Member 1: Cr Andrew Twaddle

Member 2: Cr Brett Angwin

Proxy 1: Cr Geoff Davis

Proxy 2: Cr Geoff Haerewa

***Note:** completed nomination forms must be submitted to the DAP Secretariat by 24 November 2023.*

6. LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

Member: Cr Andrew Twaddle

Proxy: Mr Peter McCumstie

7. DERBY/WEST KIMBERLEY LIQUOR ACCORD (DWKLA)

Member: Cr Brian Ellison

Proxy: Cr Kerrissa O'Meara

8. DERBY INTERAGENCY GROUP

Member: Mr Peter McCumstie

Proxy: Cr Paul Bickerton

9. NORTH WEST DEFENCE ALLIANCE

Member: Cr Geoff Haerewa

10. KIMBERLEY DEVELOPMENT COMMISSION BOARD

Nominations to be selected as required.

11. REGIONAL ROAD GROUP

Member: Cr Brian Ellison

Proxy: Cr Paul Bickerton

12. ROADWISE COMMITTEE

Member: Cr Brian Ellison

Proxy: Cr Kerrissa O'Meara

13. DISTRICT HEALTH ADVISORY COUNCIL FOR DERBY

Member: Cr Kerrissa O'Meara

Proxy: Cr Brett Angwin

OPTIONAL COMMITTEES:
<p>14. PASTORALISTS AND GRAZERS ASSOCIATION (PGA) AND KIMBERLEY PILBARA CATTLEMEN'S ASSOCIATION (KPCA)</p> <p>Member: Cr Andrew Twaddle</p> <p>Proxy: Cr Paul Bickerton</p>
<p>15. DERBY LANDCARE GROUP</p> <p>Member: Nil appointed at this point in time</p> <p>Proxy: Nil appointed at this point in time</p>
<p>16. DERBY CHAMBER OF COMMERCE</p> <p>Member: Cr Paul Bickerton</p> <p>Proxy: Cr Brett Angwin</p>

Tamara Clarkson left the meeting at 6:47pm.

12.3 MINUTES OF THE JOINT MEETING OF THE KIMBERLEY ZONE AND KIMBERLEY REGIONAL GROUP HELD 24 AUGUST 2023**File Number:** 4221**Author:** Sarah Smith, Executive Services Coordinator**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Advocacy**SUMMARY**

This report presents for Council endorsement the Minutes from the Joint Meeting of the Kimberley Zone of the Western Australian Local Government Association (WALGA) and the Kimberley Regional Group held on 24 August 2023.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

A copy of the minutes from the joint meeting held 24 August 2023 between members of the Kimberley Zone of WALGA (Zone) and Kimberley Regional Group (KRG) is attached for Council consideration.

As a result of a past decision of the group, both the Kimberley Zone and KRG meetings are joined.

It should be remembered that the Kimberley Zone of WALGA is a group established to represent regional issues to the State Council of WALGA. This group includes the four Kimberley Shires in addition to the Shires of Christmas Island and Cocos Keeling Islands.

The KRG is a group defined through a deed of agreement between the four Kimberley local governments with the Minister for Local Government.

The Shire of Wyndham East Kimberley accepted the Secretariat role for the Kimberley Zone / KRG late in 2021, with the formal transition to the Secretariat underway. WALGA is also supporting the Zone/ Group with a level of secretariat provided through them as well.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation.	1.2.1 Provide strong civic leadership.

		1.2.2 Provide strong governance.
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RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Community: That the Shire's interests and contribution to the zone are represented and reflect the views of the community	Unlikely	Minor	Low	Minutes received and endorsed by Council to allow for transparency and assist zone attendees with clear direction

CONSULTATION

Nil.

COMMENT

Key discussion points for Councillors Consideration

Watching Brief
Aboriginal Heritage Act: Now pending Department updates on rescinded legislation
WA Development Index – response received from the Department of Local Government, Sport and Cultural Industries.
Banned Drinkers Register – Bill progressing
State government funding to address juvenile crime in the Kimberley Aboriginal Youth Wellbeing Steering Committee is key to recommending funding partnerships with government for youth projects across the Kimberley. The KRG is an observer on this committee. Cr McCumstie to provide updates as appropriate
Tanami Road funding – Letter sent to Minister Catherine King on 28/05/23. No response as yet and this is being followed up by the Executive Team. The Executive Officer raised this matter with both the Minister for Emergency Services and Director General of Communities at his recent briefings.
Office of the Auditor General – Audit issues

Resolved
Media and Communications Policy and Stakeholder Engagement Plan
Letters of congratulations to new State Ministers
Audited statements circulated
KRG meeting dates set and circulated
Service Level Agreement
Policy Position Papers
Investment Prospectus
North West Defence Alliance (NWDA) Funding Request
Media Policy
Lord Mayors Distress Relief Funding
MOU finalised and signed
Insurance Costs relief as a result of flood impacts
Potential tourism opportunities for total eclipse events, provided by Kym Francesconi
Regional Road Group: Shire allocations

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Minutes - Kimberley Regional Group - 24 August 2023 [!\[\]\(eb23ef412eb7e26d34b05bea2d5c4c8b_img.jpg\)](#) [!\[\]\(4011736c834c1166e9120df823fb6201_img.jpg\)](#)
2. Minutes - Kimberley Country Zone - 24 August 2023 [!\[\]\(f1429b4467dfe44115c3cdc5103b94ca_img.jpg\)](#) [!\[\]\(36c4295cd01c657db309eff09659426f_img.jpg\)](#)

RESOLUTION 127/23

Moved: Cr Geoff Haerewa

Seconded: Cr Andrew Twaddle

That Council:

1. **Receives and endorses the resolutions of the Kimberley Zone of WALGA and Kimberley Regional Group as attached in the minutes from the Joint Meeting held 24 August 2023.**

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0



THE
KIMBERLEY
REGIONAL GROUP

Meeting Minutes

24 August 2023

Join Zoom Meeting

<https://us02web.zoom.us/j/84787139647?pwd=V1J0UUQ2MW0vRnQraGMjUjAxc0tnZz09>

Meeting ID: 847 8713 9647

Passcode: 879133

Kimberley Regional Group: Minutes 24 August 2023



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1. Meeting Open: 8:45

Chair acknowledged the Traditional Custodians of the different lands on which people met today, and paid respect to all the Elders past, present and emerging.

2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
Members		
Cr David Menzel (Chair)	President, Shire of Wyndham East Kimberley	In person
Cr Geoff Haerewa	President, Shire of Derby West Kimberley	In person
Cr Malcolm Edwards	President, Shire of Halls Creek	In person
Cr Desiree Male	President, Shire of Broome	In person
Observers		
Cr Chris Mitchell,	Deputy Shire President, Shire of Broome	In person
Sam Mastrolembro	CEO, Shire of Broome	In person
Peter McCumstie	Deputy President, Shire of Derby West Kimberley	Zoom
Amanda Dexter	CEO, Shire of Derby West Kimberley	In person
Phillip Cassell	CEO, Shire of Halls Creek	In person
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	In person
Executive Support Team		
Paul Rosair	Principal, NAJA Business Consulting Services	Zoom
Michelle Mackenzie	Principal, Mira Consulting	Zoom
Jane Lewis	Principal, Redit Research	Zoom
Apologies	Nil	
Cr Tony Chafer	Deputy Shire President, SWEK	
Nick Kearns	Director of Planning / Community SWEK	
Guests		
Grant Robinson	Assistant Auditor General	In person
Mala Hajiali	CEO West Kimberley Futures – Empowered Communities	Zoom
Christy Hawker	CEO Binari-binyja Yarrwooo Aboriginal Corporation	Zoom

Kimberley Regional Group: Minutes 24 August 2023



3. Disclosures, Conflicts and Declarations of Interest:

Financial Interest / Impartiality			
Member	Item Number	Item	Nature of Interest
Nil			

4. Minutes of the last meeting

Item for Decision

Submitted by: Secretariat

Attachment 1: Matters Arising and Outstanding Business

Confirmation of Previous Minutes

Resolution/s		Action(s) / Budget Implications	
That the Minutes of the Kimberley Regional Group held on 15 June 2023, as published and circulated, be confirmed as a true and accurate record of that meeting.		See Attachment 1 – Matters Arising and Outstanding Business	
Moved:	Shire of Derby West Kimberley	Responsible:	See Attachment
Seconded:	Shire of Broome	Due date:	As appropriate
Carried: 4 / 0			

Kimberley Regional Group: Minutes 24 August 2023



Attachment 1 Matters Arising and Outstanding Business

Date / Item	Action / Progress	Responsible
Resilience and Recovery		
15/06/2023 Item 14	<p>Action:</p> <ol style="list-style-type: none"> 1. The Executive Team will seek to engage with the WALGA Working Group on behalf of the KRG 2. Members note that the KRG will make a written submission to the two inquiries taking into consideration the State Emergency Services Minister's advice 3. Members approve the drafting of a Emergency Services position paper <p>Status / Progress:</p> <ol style="list-style-type: none"> 1. In progress: The Executive has sought information from WALGA on how local governments can have input into the Disaster Recovery Funding Arrangements (DRFA) Review. 2a. Complete: A submission to the Independent Review of Commonwealth Disaster Funding was lodged along with a case study from the Shire of Wyndham East Kimberley directly to the Review team 2b. In Progress: The WA LEMA Review, progressed by the WA Local Government Association and the Department of Fire and Emergency Services, has been presented to the State Emergency Management Committee for consideration. 3. In progress <p>See Item 9</p>	Executive Officer and CEO SDWK
KRG Website and Social Media		
15/06/2023 Item 17	<p>Action:</p> <p>The members provide feedback on the KRG website and Linked In pages by 29/06/2023 for potential go-live date on 1/07/2023</p> <p>Status / Progress:</p> <p>Complete: Website is live and is being updated regularly with LinkedIn Posts and submissions as appropriate. Linked In page is live.</p>	Executive Team

Kimberley Regional Group: Minutes 24 August 2023



Date / Item	Action / Progress	Responsible
Banned Drinkers Register		
15/6/2023	Action: <ol style="list-style-type: none"> 1. That the KRG writes to the Minister and the Opposition to support the progress of the Bill and to reinforce the KRG's policy positions. 2. Seeks clarification whether the banned drinkers register will be enforced in public bars 3. Shire of Broome to send a copy of their current restrictions to the Shire of Derby West Kimberley Status / Progress: <ol style="list-style-type: none"> 1. Complete: Letters sent. See Correspondence Item 5 2. In Progress 3. In Progress: Broome to advise 	Executive Team
BBY and WKFEC invitation to present to KRG		
15/6/2023	Action: <p>That the KRG invites the CEOs of Binarri-binyja yarrowoo and West Kimberley Futures – Empowered Communities to present at Kimberley Regional Group meetings.</p> Status / Progress: <p>Complete: Emails sent, CEOs of BBY and WKFEC to attend meeting 24 August 2023</p>	Executive Team
Governance		
15/6/2023	Action: <p>Executive Team to simplify governance compliance papers.</p> Status / Progress: <p>In Progress</p>	Executive Team
Priority Action List		
15/6/2023	Action: <ol style="list-style-type: none"> 1. KRG members to provide any feedback to the Executive Team before 7/7/2023. 2. Executive Team allocates resources from contract hours to implement. 3. Executive Team scope out project costings for additional consultancy work as required 	Executive Team

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Date / Item	Action / Progress	Responsible
	Status / Progress: 1. Complete 2. Complete 3. In progress See Item 8	

Watching Brief
Aboriginal Heritage Act: Now pending Department updates on rescinded legislation
WA Development Index – response received from the Department of Local Government, Sport and Cultural Industries.
Banned Drinkers Register – Bill progressing
State government funding to address juvenile crime in the Kimberley Aboriginal Youth Wellbeing Steering Committee is key to recommending funding partnerships with government for youth projects across the Kimberley. The KRG is an observer on this committee. Cr McCumstie to provide updates as appropriate
Tanami Road funding – Letter sent to Minister Catherine King on 28/05/23. No response as yet and this is being followed up by the Executive Team. The Executive Officer raised this matter with both the Minister for Emergency Services and Director General of Communities at his recent briefings.
Office of the Auditor General – Audit issues

Resolved
Media and Communications Policy and Stakeholder Engagement Plan
Letters of congratulations to new State Ministers
Audited statements circulated
KRG meeting dates set and circulated
Service Level Agreement
Policy Position Papers
Investment Prospectus
North West Defence Alliance (NWDA) Funding Request
Media Policy
Lord Mayors Distress Relief Funding
MOU finalised and signed
Insurance Costs relief as a result of flood impacts
Potential tourism opportunities for total eclipse events, provided by Kym Francesconi
Regional Road Group: Shire allocations

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5. Correspondence

Item for Noting

Submitted by: Secretariat

Attachment 2: Correspondence In: Roger Cook MLA Premier WA

Attachment 3: Correspondence In: Appointment Secretary for David Michael, MLA

Attachment 4: Correspondence Out: Media Release: Tanami Road – Concerns re delays

Attachment 5: Correspondence Out: Jennifer Shelton, Executive Director Racing, Gaming and Liquor

Attachment 6: Correspondence Out: Hon. Reece Whitby MLA, Minister for Environment, Climate Action, Racing and Gaming

Attachment 7: Correspondence Out: Ms Divina D'Anna MLA, Parliamentary Secretary to the Deputy Premier; Treasurer; Minister for Transport; Tourism

Attachment 8: Correspondence Out: Hon. John Carey MLA, Minister for Planning; Lands; Housing; Homelessness

Attachment 9: Correspondence Out: Hon. David Michael MLA, Minister for Ports, Local Government; Road Safety; Minister assisting the Minister for Transport

Attachment 10: Correspondence Out: Hon. Rita Saffioti MLA, Deputy Premier; Treasurer; Minister for Transport; Tourism

Attachment 11: Correspondence Out: Hon. Roger Cook MLA, Premier

Note: Correspondence considered of an administrative nature, such as meeting invites etcetera, will not be tabled.

Correspondence In	
Date	3/07/2023
From	Hon. Roger Cook MLA, Premier WA
Topic	Thank you for congratulations letter
Attachment	2
Date	3/07/2023
From	Appointment Secretary for Hon. David Michael MLA, Premier WA
Topic	Thank you for congratulations letter
Attachment	3
Correspondence Out	
Date	24/06/2023
From	David Menzel
To	Media Release
Topic	Tanami Road – concerns re delays
Attachment	4

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Correspondence Out	
Date	14/07/2023
From	Paul Rosair, Executive Officer KRG
To	Jennifer Shelton, Executive Director Racing, Gaming and Liquor
Topic	Proposed Banned Drinker Area - Kimberley
Attachment	5
Correspondence Out	
Date	14/07/2023
From	Paul Rosair, Executive Officer KRG
To	Hon. Reece Whitby MLA, Minister for Environment, Climate Action, Racing and Gaming
Topic	Proposed Banned Drinker Area - Kimberley
Attachment	6
Date	16/06/2023
From	Cr David Menzel, KRG Chair
To	Ms Divina D'Anna MLA, Parliamentary Secretary to the Deputy Premier; Treasurer; Minister for Transport; Tourism
Topic	Congratulations on your appointment
Attachment	7
Date	12/06/2023
From	Cr David Menzel, KRG Chair
To	Hon. John Carey MLA, Minister for Planning; Lands; Housing; Homelessness
Topic	Congratulations on your appointment
Attachment	8
Date	12/06/2023
From	Cr David Menzel, KRG Chair
To	Hon. David Michael MLA, Minister for Ports, Local Government; Road Safety; Minister assisting the Minister for Transport
Topic	Congratulations on your appointment
Attachment	9
Date	12/06/2023
From	Cr David Menzel, KRG Chair
To	Hon. Rita Saffioti MLA, Deputy Premier; Treasurer; Minister for Transport; Tourism
Topic	Congratulations on your appointment
Attachment	10
Date	12/06/2023
From	Cr David Menzel, KRG Chair
To	Hon. Roger Cook MLA, Premier
Topic	Congratulations on your appointment
Attachment	11

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Resolution/s		Action(s) / Budget Implications	
That the Correspondence be received and noted, and that the Executive Officer be directed on a response, if required.		Nil	
Moved:	Shire of Broome	Responsible:	
Seconded:	Shire of Derby West Kimberley	Due date:	
Carried 4 /0			

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Attachment 2 Correspondence In: Thank you for congratulations letter

From Roger Cook MLA; Premier WA 3/07/2023



Kimberley Regional Group: Minutes 24 August 2023

**Attachment 3 Correspondence Out: Media Release: Tanami Road – Concerns re delays****From Appointment Secretary, Hon. David Michael MLA 05/07/2023**

Our Ref:83-00067

Good Morning Michelle

On behalf of the Hon David Michael MLA, Minister for Minister for Local Government, I would like to thank you for your letter of congratulations and request to meet.

The Minister would like to visit the Kimberley Region and arrange a meeting in the future when time allows.

Once again, thank you for your letter.

Kind Regards,

DEBORAH DAWSON Appointment Secretary

Office of the **Hon. David Michael MLA**
Minister for Ports; Local Government; Road Safety;
Minister Assisting the Minister for Transport
Member for Balcatta

+61 8 6552 5100

7th Floor, Dumas House: 2 Havelock Street WEST PERTH WA 6005 Australia
wa.gov.au

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**Attachment 4 Correspondence Out: Media Release: Tanami Road – Concerns re delays****From David Menzel, Chair KRG 24/06/2023****Concerns delays in Tanami Road sealing will impact on community resilience**

The Kimberley Regional Group congratulates the State and Federal government on work to commence sealing the Western Australian section of Tanami Road but urges government to bring forward funding to deliver this critical project as a priority.

“It is terrific that the Australian and Western Australian governments have committed \$542.8 million to complete sealing of the 313-kilometre WA section of the road,” said Cr David Menzel, Chair of the Kimberley Regional Group. “However, we are concerned that this is scheduled to occur over the next ten years with the bulk of funding for works pushed out beyond 2025/26. This will significantly delay delivery of the project.”

“Sealing the Tanami is a priority for all four Kimberley Shires,” said Cr Malcom Edwards, President of the Shire of Halls Creek. “The Kimberley floods led to road closures between Broome and Derby, and the East and West Kimberley, showing how vulnerable our communities are with one sealed road connecting Kimberley towns with each other and to Perth.”

The Tanami Road is critical for supply chain resilience and reducing the impact of severe weather events across the Kimberley. A sealed road will be safer and more reliable for travellers. Also, it should lead to reduced freight costs and facilitate new employment and business growth in the region. “This project will provide significant employment and training opportunities for local communities, in particular for Aboriginal people and local businesses,” said Cr Menzel “There is no reason to delay project delivery.”

“Kimberley towns would not have run out of food, goods and services if the Tanami Road were sealed,” said Cr Edwards. “Sealing the road needs to be done as a priority so we have an alternative transport route into the region. We urge government not to delay delivery.”

About the Kimberley Regional Group

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Our Vision is to maintain and enhance the rich diversity and liveability of the Kimberley for its people and the world. Collaboratively the group seeks to drive positive impact across the region through improved social, economic and cultural outcomes.

Fast Facts

- The Tanami Road is 1,016 kilometres long and mostly unsealed.
- 300 kilometres of the 703-kilometre section of road in the Northern Territory has been sealed, with an additional 30 kilometres from Alice Springs due for completion mid-this year, and a further 90 kilometres due for completion during 2025.
- Funding to complete the sealing of the 313-kilometre WA section of the road has been pushed out in government budgets, which will lead to significant delays in project delivery.

Media Contact

Paul Rosair

Executive Officer, Kimberley Regional Group of Local Governments

Mobile - 0419 930 467

Kimberley Regional Group: Minutes 24 August 2023

**Attachment 5 Correspondence Out: Proposed Banned Drinker Area - Kimberley****From Paul Rosair Executive Officer KRG 14/07/2023**

Kimberley Regional Group: Minutes 24 August 2023



Decisions on whether someone goes on the Kimberley BDR need to be made quickly and with local knowledge in order for the ban to be the most effective. We would recommend that there is a body similar to the Northern Territory's BDR Registrar and for that body to be established in the Kimberley. The KRG supports an urgent overhaul of the BDR to broaden the pathways for referral to a local oversight body that can make well considered and immediate decisions. This could be identical to, or based on, the Territory model. This local oversight body of the BDR must have appropriate community representation. Also similar to the Northern Territory Government, we recommend that there is monthly public report on the performance of the BDR.

Alcohol related harm continues to have a devastating social and economic impact on many individuals, families and communities across the Kimberley. A stronger BDR provides a unique opportunity to engage in assertive health promotion activities and influence the behaviour and alcohol use. The BDR should be a pathway for therapeutic support rather than punishing people who have a drinking problem. This compassionate response, as opposed to punitive approach, is critical. A range of therapeutic support options must be in place to allow people who are placed on the Banned Drinker Register to get the help and support they need.

To complement the BDR there must be a prioritisation of a health-driven responses as part of alcohol and other drug policy. Also, more investment in preventive health measures that are locally driven and informed. The limited availability of treatment and support services in the Kimberley, the complexity of peoples' needs, and the stigma, prejudice and discrimination directed at those experiencing alcohol related harm must be considered too. We urge that a review is undertaken of the level of support services for alcohol dependency currently available in the Kimberley to inform new investment.

We note that a comprehensive evaluation of the BDR trial will be undertaken, starting in late 2023, to inform the future of the program prior to the amendments lapsing. The framework for this evaluation must be developed through a co-design process with Kimberley based services and their clients. Also, with local government. We would appreciate being engaged on the progress of the evaluation.

If you would like further information on our response, please contact me on 0419 930 467 or paul@naia.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Rosair'.

Paul Rosair
Executive Officer
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naia.com.au

Kimberley Regional Group: Minutes 24 August 2023

**Attachment 6 Correspondence Out: Proposed Banned Drinker Area - Kimberley**
From KRG Executive Officer 14/07/2023

The Hon Reece Whitby MLA
Minister for Environment; Climate Action; Racing and Gaming
8th Floor, Dumas House
2 Havelock Street
West Perth WA 6005

Via email – Minister.Whitby@dpc.wa.gov.au

14th July 2023

Dear Minister

PROPOSED BANNED DRINKER AREA - KIMBERLEY

Congratulations on the introduction into State Parliament of the *Liquor Control Amendment (Banned Drinkers Register) Bill 2023* (the Bill) which will amend the *Liquor Control Act 1988* (the Act). The Kimberley Regional Group of local governments fully support the Kimberley region being established as a banned drinker area. We are supportive that the banned drinker area boundaries can be amended in future by amending the regulations subject to the Minister consulting with the Commissioner of Police, relevant local government authorities and any other person the Minister considers appropriate. We would urge Aboriginal community-controlled organisations in the Kimberley being consulted as part of this amendment.

The Kimberley Regional Group presented a submission on the BDR. A key concern was that it was ineffective as a harm minimisation tool with only 83 people are on the banned list in the Kimberley. We are pleased that key issues that we raised in our submission including the establishment of a legislative framework, mandating that all outlets in an area must participate, enabling protective orders to occur beyond licensed premises and including additional pathways to include relevant individuals on the BDR and a broader range of professionals who can seek to place someone on the BDR.

The KRG support creating an offence for supplying alcohol to people on the BDR, and that the offence applies to any other person who knowingly supplies packaged liquor to a banned drinker to address the issue of family and friends being coerced into buying liquor. The impact of this coercion on the individual, such as the fear of family and domestic violence or other forms of harm, must be considered when issuing a monetary penalty and/or BDO to this person. The focus must be on the person on the BDR, and unintended consequences on family members, in particular women and mothers, must be considered.

Alcohol related harm continues to have a devastating social and economic impact on many individuals, families and communities across the Kimberley. The BDR provides a unique opportunity to engage in assertive health promotion activities and influence the behaviour and alcohol use. The BDR should be a pathway for therapeutic support rather than punishing people who have a drinking problem. This

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compassionate response, as opposed to punitive approach, is critical. A range of therapeutic support options must be in place to allow people who are placed on the Banned Drinker Register to get the help and support they need.

To complement the BDR there must be a prioritisation of a health-driven responses as part of alcohol and other drug policy. Also, more investment in preventive health measures that are locally driven and informed. The limited availability of treatment and support services in the Kimberley, the complexity of peoples' needs, and the stigma, prejudice and discrimination directed at those experiencing alcohol related harm. We recommend a review of the level support services for alcohol dependency that are currently available in the Kimberley to inform new investment.

Decisions on whether someone goes on the Kimberley BDR need to be made quickly and with local knowledge in order for the ban to be the most effective. We would recommend that there is a body similar to the Northern Territory's BDR Registrar and for that body to be established in the Kimberley. The KRG supports an urgent overhaul of the BDR to broaden the pathways for referral to a local oversight body that can make well considered and immediate decisions. This could be identical to, or based on, the Territory model. This local oversight body of the BDR must have appropriate community representation. Also similar to the Northern Territory Government, we recommend that there is monthly public report on the performance of the BDR.

We note that a comprehensive evaluation of the BDR trial will be undertaken, starting in late 2023, to inform the future of the program prior to the amendments lapsing. The framework for this evaluation must be developed through a co-design process with Kimberley based services and their clients. Also, with local government. We would appreciate being engaged on the progress of the evaluation.

Congratulations again on the Bill. If you would like further information on our response, please contact me on 0419 930 467 or paul@naja.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Rosair'.

Paul Rosair
Executive Officer
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naja.com.au

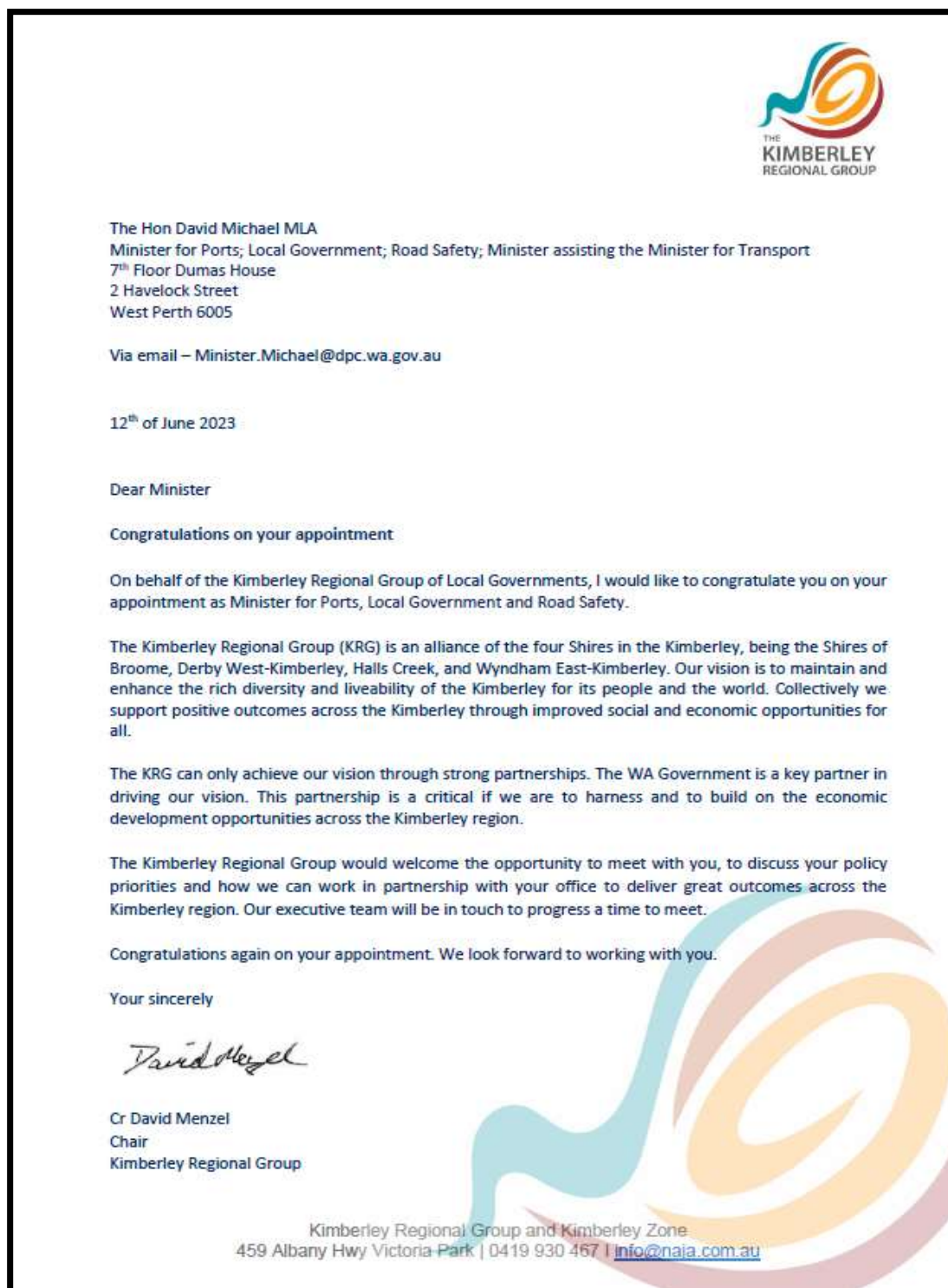
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**Attachment 7 Correspondence Out: Congratulation on Appointment****From David Menzel: Chair KRG. 12/06/2023**

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**Attachment 8 Correspondence Out: Congratulation on Appointment****From David Menzel: Chair KRG. 12/06/2023**

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**Attachment 9 Correspondence Out: Congratulation on Appointment****From David Menzel: Chair KRG. 12/06/2023**

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**Attachment 10 Correspondence Out: Congratulation on Appointment****From David Menzel: Chair KRG. 12/06/2023**

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**Attachment 11 Correspondence Out: Congratulation on Appointment****From David Menzel: Chair KRG. 12/06/2023**



6. Financial Report

Item for Decision

Submitted by: Vernon Lawrence, KRG Secretariat and Felicity Heading

Attachment 12: Kimberley Regional Group Interim Financial Report to 30 June 2023

Purpose

To update the KRG members on the financial position of the Group.

Summary

This report presents the Kimberley Regional Group Interim Financial Activity Statement for the period ended 30 June 2023. The report recommends that the Kimberley Regional Group (KRG) receives the Financial Activity Statement.

BACKGROUND

Previous Considerations

The KRG adopted its annual budget for the 2022/23 Financial year at the meeting on 13 April 2023. At this meeting a report relating to the finances for the financial year to 28 February 2023 was approved by the KRG. At the 15 June 2023 KRG Meeting the financial report for the period to 30 April 2023 was presented to the meeting for approval.

COMMENT

The Financial Activity Statement presents a current surplus position of \$217,476. Invoices for the 2022/23 financial year have been sent out to the members of the KRG of which two were received before the 30 June 2023 and one after 30 June 2023. One contribution is yet to be received.

Executive and Administrative consultancy invoices have been received to June 2023 and indicate that services will be delivered materially within budget at year end.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

As at the 30 June 2022 the Kimberley Regional Group cash balance carried forward to the new financial year was \$289,435.

The Kimberley Regional Group budget was put forward to this meeting as a balanced budget with the opening cash balance of \$298,435. A budget was approved to raise \$185,700 and have the same amount of expenditure for a projected end cash balance for the 2022/23 financial year of \$298,435.

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For the period ending 30 June 2023 Expenses of \$170,977 were paid against a year-to-date budget of \$185,700. The KRG has received \$90,000 in membership dues as the only income received against a year-to-date budget of \$185,700. The year-to-date actual budget deficit is \$80,977. Outstanding membership fees of \$90,000 is sufficient to cover this deficit and fund the remainder of the year's expenditure, of which \$45,000 was received shortly after the financial year end.

The total Kimberley Regional Group cash balance at 28 February 2023 is \$217,476 with an amount of receivables of \$90,000. Total funds due to the KRG amount to \$307,476.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Secure funding for regional initiatives

VOTING REQUIREMENTS

Absolute Majority

Resolution/s		Action(s) / Budget Implications	
<i>That the Kimberley Regional Group notes:</i> <ol style="list-style-type: none"> <i>the Interim Financial Report to 30 June 2023;</i> <i>the \$80,977 year to date budget deficit;</i> <i>the \$90,000 in members contributions outstanding at the financial year end;</i> <i>the \$217,476 cash surplus position; and</i> <i>the total members interests of \$307,476 at 30 June 2023.</i> 		Nil	
Moved:	Shire of Broome	Responsible:	
Seconded:	Shire of Halls Creek	Due date:	
Carried: 4 / 0			

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Attachment 12 Kimberley Regional Group Interim Financial Report to 30 June 2023

Kimberley Regional Group - Interim Financial Statement for the period ending 30 April 2023	Annual Budget	Budget Year to Date	Actual Year to Date
Expenditure			
Kimberley Regional Group - Zone & RCG Meeting Expenses	12,000	12,000	4,907
Kimberley Regional Group - Annual Financial Audit	5,000	5,000	5,000
Kimberley Regional Group - IT Support	1,500	1,500	-
Kimberley Regional Group - Sundry Expenses	1,000	1,000	-
Kimberley Regional Group - Policy creation	-	-	4,278
Kimberley Regional Group - Website upgrade	4,000	4,000	921
Kimberley Regional Group - Executive Consultancy	116,200	116,200	110,319
Kimberley Regional Group - Executive Consultancy - reimbursable costs	6,000	6,000	5,553
Kimberley Regional Group - North West Defence Alliance	40,000	40,000	40,000
	<u>185,700</u>	<u>185,700</u>	<u>170,977</u>
Income			
Kimberley Regional Group - Reimbursement Zone & RCG Meetings Expenses - Op Inc -	3,000	- 3,000	-
Kimberley Regional Group - Members Contribution Secretariat Costs - Op Inc	- 180,000	- 180,000	90,000
Kimberley Regional Group - Interest on Reserve - Op Inc.	- 2,700	- 2,700	-
	<u>- 185,700</u>	<u>- 185,700</u>	<u>90,000</u>
Net Operating Result	<u>-</u>	<u>-</u>	<u>80,977</u>
Opening Cash Balance	<u>298,453</u>	<u>298,453</u>	<u>298,453</u>
Closing Cash Balance	<u>298,453</u>	<u>298,453</u>	<u>217,476</u>
Outstanding contributions at year end			90,000

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7. Formal Presentations

Submitted by: Executive Officer

Purpose

To receive presentations from key stakeholders.

Background:

In accordance with the priorities of the KRG, stakeholders have been secured to present and discuss relevant topics with the members.

Details:

Time	Name	Position	Topics for discussion
9:00 - 9:20	Grant Robinson	Assistant Auditor General	Auditing Fees and Processes
9.30 - 9.45	Christy Hawker	CEO Binarri-binyja Yarrwwoo Aboriginal Corporation	Current projects and opportunities for collaboration
9.45 - 10.00	Mala Hajiali	CEO West Kimberley Futures – Empowered Communities	Current projects and opportunities for collaboration

Link to Key Pillar/s and Strategies:		Budget Implications
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor
Nil		
Resolution/s		Action(s)
For information only		

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8. Kimberley Regional Group Priority Action List

Item for Noting

Submitted by: Executive Team

Attachment 13: KRG Prioritised Action List

Purpose

To provide a status update on the progression of action items.

In summary

- In November 2022 the Kimberley Regional Group workshopped key priorities.
 - From this a Priority Action List for 2023/24 was developed and presented to the June 2023 meeting - members were asked to provide feedback to the Executive Team before 7/7/2023.
 - The Executive Team is allocating resources to drive actions, and scoping out project costings for additional consultancy work as required.
 - This paper presents a status update on the priority actions. Note this will be a standing item on the agenda.
 - It must be noted that the priority actions do not preclude other activities from occurring, in particular seizing opportunities as they arise.

Background:

- As above

Details:

- As above.

Risk:

- Operational - Without agreement on the priority work to be progressed by KRG members and the Executive Team opportunities may be missed

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Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People Place Prosperity Performance</div> <div> <div>Advocate Partner Promote</div> <div>Facilitate Fund Monitor</div> </div> </div>		Additional consultancy money to progress some actions to be considered after a scope of works has been presented for endorsement	
Resolution/s		Action(s)	
1. That the KRG notes the progress of the action items		Executive Team to continue working on priority actions and scope out projects for external consultancy work if appropriate	
Moved:	Shire of Derby West Kimberley	Responsible:	Executive Team
Seconded:	Shire of Broome	Due date:	As appropriate
Carried:	4 / 0		

Attachment 13 KRG Prioritised Action List

Legend

Ongoing	Complete	On track	Warning	Behind
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Type of Activity	Actions	Status Update
Advocate	Develop a stakeholder engagement and communications plan, and advocacy strategy, to drive the actions identified in the Housing Policy Position ie <ul style="list-style-type: none"> State and federal social and affordable housing investment programs target the Kimberley. The DPLH support Shires to review housing needs in each town. Changes to Government Regional Officer Housing and Home Ownership Subsidy Scheme policies Government incentives for new supply Changes to finance lending practices for home purchase 	<ul style="list-style-type: none"> Data requested for Social housing status HSS / GROH policy updates SHERP Kimberley allocation <p>This data will inform advocacy strategy</p>
Advocate	Advocate for policy changes to the transfer of Crown land to freehold for the provision of housing, with savings allocated for headworks or other activities to facilitate development.	Adopted paper being updated
Facilitate and Partner	Develop strong relationships with NHFIC (National Housing Finance Investment Corporation), Development WA and the Department of Communities – invite CEOs to KRG meeting to discuss partnership opportunities.	NHFIC invited to October 2023 meeting
Advocate Facilitate	Update the KRG Investment Prospectus	Complete
Advocate	Develop White Paper with clear positions	Complete – Policy Positions Developed

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Type of Activity	Actions	Status Update
Advocate	Develop a stakeholder engagement, communications and advocacy strategy in line with the Policy Positions.	Pending
Advocate Facilitate	Review the KRG land policy and strategy	Review underway
Monitor and Advocate	Develop a scope of works and commission research to understand the funding shortfall facing Kimberley Councils to inform an advocacy strategy for increased financial assistance from state and federal government.	Scope of works for consultant being prepared
Advocate	<ul style="list-style-type: none"> Increase support for mitigation measures, infrastructure replacement to be more resilient. Removal of the distinction between ordinary and additional costs in NDR payments. Streamlined contracting and procurement processes, surety to payments, and immediate access to NDR funds. 	Submission made to Independent Review of Commonwealth Disaster Funding Submission to Senate Inquiry being prepared EM policy position in development
Advocate	<ul style="list-style-type: none"> Expansion of mental health services. Expansion of family and domestic violence services. Expansion of Aged care services. Health facilities that are fit for purpose in Aboriginal communities. 	<ul style="list-style-type: none"> Data needed Opportunity to lead joint advocacy with NGOs
Facilitate and partner	Develop a collective a Kimberley Housing Investment Strategy and pitch that outlines what's been done to date and future opportunities including: <ul style="list-style-type: none"> List of priority projects Cost to deliver these homes and partnership opportunities. Funding strategy to implement identified projects. 	Project scope being progressed
Partner.	<ul style="list-style-type: none"> Develop a joint project to quantify shire expenditure on vandalism/property crime. Develop a Local Government community safety package for Ministers Winton, Carey and Papalia – ie Street lighting (LED), CCTV, infrastructure, policing, child centred – preventative services and wrap around services. 	Scope of work for consultant to be progressed
Advocate	Advocate for whole of family approach and wrap around services to be located in the Kimberley.	Ongoing advocacy
Advocate	Develop advocacy strategies to encourage economic diversification including; mining; tourism; agriculture; defence; creative Industries; small business; Indigenous business growth	Ongoing advocacy and engagement
Advocate	Advocate for MOG initiatives around better place based regional service delivery to be progressed.	Ongoing advocacy and engagement.
Monitor	Understand the level of subsidy Shires are providing for core government services.	Benchmarking exercise to be discussed with KRG



9. Natural Disaster Resilience and Recovery Inquiries

Item for Noting

Submitted by: Executive Team

Purpose:

To provide an update to members on current emergency management review processes and work being progressed by the KRG.

In summary

- Three Federal emergency management review processes are underway;
 1. Independent Review of Commonwealth Disaster Funding,¹;
 2. The Disaster Recovery Funding Arrangements (DRFA) Review²; and
 3. A Senate Select Committee on Australia's Disaster Resilience.³
- A submission to the Independent Review of Commonwealth Disaster Funding was lodged along with a case study from the Shire of Wyndham East Kimberley to the Review team
- The Executive has sought information from WALGA on how local governments can have input into the Disaster Recovery Funding Arrangements (DRFA) Review.
- The WA LEMA Review, progressed by the WA Local Government Association and the Department of Fire and Emergency Services, is progressing.

Background:

Kimberley Shires consistently have raised concerns with Federal, State and local emergency management arrangements. These two inquiries provide an opportunity to again highlight the emergency management issues facing Kimberley Councils.

Details:

The following provides more details on each of these inquiries.

One - Independent Review of Commonwealth Disaster Funding

The Australian Government's [Independent Review of Commonwealth Disaster Funding](https://nema.gov.au/about-us/governance-and-reporting/reviews/Independent-Review-Disaster-Funding). Is considering how Commonwealth arrangements for disaster funding can be optimised to enable a system which supports wellbeing, national productivity, prosperity, and economic security and maintains state, territory and local government roles and responsibilities in the context of projected increase in natural disasters over the coming decades.

¹ <https://nema.gov.au/about-us/governance-and-reporting/reviews/Independent-Review-Disaster-Funding>.

² <https://nema.gov.au/about-us/governance-and-reporting/reviews/DRFA>.

³ https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Disaster_Resilience.

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Andrew Colvin AO is the Independent Reviewer supported by the National Emergency Management Agency (NEMA) Review Taskforce and a Deloitte Disaster Funding Review Team. A final report is expected to be provided to Government in April 2024.

Submissions closed on the 4th August. A KRG submission was lodged, along with a case study provided by the Shire of Wyndham East Kimberley. An online survey closes on the 25th August which has been completed by the KRG. The KRG Executive Officer attended a briefing by the Deloitte's review team and the following slides provide an overview of the review:

Introduction to the Independent Review of Commonwealth Disaster Funding

The Review will consider all Australian Government disaster funding to ensure its investment in risk reduction, resilience, recovery and response is effective and offers maximum benefit to Australian communities and the economy. The Review will explore:

Australia's funding environment, in the context of the projected escalating costs of recovery due to the likely increase of natural disasters.

Areas of duplication, gaps and opportunities to streamline funding to align with leading practice.

Processes, protocols and guidelines (e.g., funding activations, evidence and eligibility criteria, audit requirements).

Session Objectives

- ✓ Understand your experiences with Commonwealth arrangements for funding disaster risk reduction, preparedness, response and recovery
- ✓ Identify potential areas of reform for the Commonwealth to uplift the current system and better support Local Government
- ✓ Explore options to embed resilience and risk reduction into response and recovery funding
- ✓ Explore options to streamline processes and promote confidence in the disaster management system

Other Parallel Review Processes

Recognising that many Australian communities have experienced the impacts of natural hazards over the past few years, the Australian Government is prioritising initiatives to ensure that disaster governance and funding arrangements are targeted and appropriate.

THE DISASTER RECOVERY FUNDING ARRANGEMENTS REVIEW

The DRFA Review will ensure equitable access to support so Australians impacted by disasters are treated consistently and fairly; streamline processes so governments can respond quickly and appropriately to severe disasters; and encourage jurisdictions to build back better and generate greater investment in resilience during the recovery effort.

THE INDEPENDENT REVIEW OF NATIONAL NATURAL DISASTER GOVERNANCE ARRANGEMENTS

Will consider how all levels of government work together effectively in relation to emergency management. This will include how the government serves the current and future state of national natural disaster preparedness, adaption, response, recovery, resilience, and long-term policy requirements in Australia.

HOW IS THIS REVIEW DIFFERENT?

The DRFA Review and the Governance Review are separate but complementary to the Independent Review. Outcomes from the DRFA Review will feed into the overarching objective of the Independent Review. Each review will ultimately seek to improve outcomes across the prevention, preparedness, response, and recovery aspects for disaster-affected communities

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Methodological approach



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The current state

-  Major disasters have become common due to climate change, with more severe and frequent compounding and cascading disaster events projected to occur across Australia, into the future.
-  Current funding arrangements are complex. The Australian Government currently provides significant and varied disaster funding support. Over 20 Australian Government agencies provide support.
-  Since FY2018-19 there has been a significant increase in Commonwealth funding. Recent reports have projected significant financial costs to manage the anticipated increase in natural disasters, estimating the cost to the Australian economy to be \$73 billion by 2060¹.
-  Disasters have deeply affected Australian communities and will continue to do so. Disasters have been found to increase rates of stress, depression, anxiety, post-traumatic stress disorder, alcohol and substance abuse, aggression and violence, suicide, and exacerbation of other underlying mental health conditions.²
-  Natural disasters are becoming increasingly more destructive. Insurance claims for storms and floods between 2020-2022 cost \$12.3 billion to combat property damage. This impacted one in 25 adult Australians over this three year period.³

¹Deloitte Access Economics, Special report: Update to the economic costs of natural disasters in Australia (2021)²Royal Commission, Royal Commission into National Natural Disaster Arrangements Report (2020)³Insurance Council of Australia, Three-year weather bill reaches \$12.3 billion (2020)

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1.1 Current roles and responsibilities

- What do you see as the current role of local government in disaster preparedness, risk reduction, response and recovery?
- How do the state and territory governments, the not-for-profit sector, private sector and the Commonwealth help or hinder you in doing your role?
- What capacity do you have to meet these roles and responsibilities?

1.2 Considering the future system

- What should the role of local governments be in disaster preparedness, risk reduction, response and recovery?
- How should the roles of state, territory, commonwealth governments, and the private and not-for-profit sectors work together?



Two - The Disaster Recovery Funding Arrangements (DRFA)

The Disaster Recovery Funding Arrangements (DRFA) Review is addressing recommendations by the Royal Commission into National Natural Disaster Arrangements aimed at ensuring Australians impacted by disasters are treated consistently and fairly, governments can respond quickly and appropriately, and communities are built back better.

The aim is to ensure the DRFA is fit-for-purpose, appropriately targeted and accessible in the context of more frequent and severe natural disasters. The Review will also consider how to build resilience during the recovery phase, including by empowering communities and encouraging investment in risk reduction and infrastructure betterment.

The Commonwealth are working collaboratively with each state and territory to improve the national disaster recovery funding arrangements.

Three - The Senate Select Committee on Australia's Disaster Resilience

This Committee, appointed by resolution of the Senate on 30 November 2022 is inquiring into Australia's preparedness, response and recovery workforce models, as well as alternative models to disaster recovery. The committee will consider the role of the Australian Defence Force, volunteer groups, not-for-profit organisations and state-based services, and the support required to improve Australia's resilience and response to natural disasters. The Chair of the Committee is Senator Jacqui Lambi. The Hon. Linda Reynolds, Senator for WA, is a committee member.

The Committee held hearings across the Kimberley in May 2023 with good representation from the Kimberley Regional Group with all four Shires appearing at the hearings. The committee is currently accepting submissions on a rolling basis with no specific closing date.

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**Risk:**

Reputational - if key issues facing Kimberley communities are not submitted to these inquiries

Financial – An opportunity cost to prosecute the case for increased and more timely investment into emergency management in Kimberley.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote Facilitate Fund Monitor		
Resolution/s		Action(s)	
That the KRG note the information in this paper.		Nil	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Officer
Seconded:	Shire of Derby West Kimberley	Due date:	As required
Carried:	4 / 0		



10. Kimberley Crime Statistics

Item for Noting

Submitted by: Submitted by: Secretariat

Attachment 14: Monthly Crime Statistic Trend data for 2022/23 for each Kimberley Town and Annual Crime Statistic Trend Data for Regional WA

Purpose:

To provide regional crime trend data to inform advocacy.

In summary

- The KRG Priority Action Plan lists community safety and crime prevention and juvenile just as a priority action area, with the presentation of regional crime statistics and trends at each KRG meeting.
- Trend data is presented for Kimberley towns for 2022/23, noting that this data was updated in July 2023
- Crime Statistics for Regional WA as a benchmark comparison. It must be noted that this presents annual from 2013/14, and the last column presents data for 2022/23.
- The Crime Statistics as presented are raw data. There is no whole of Kimberley statistics or analysis of them, for example offences as a percentage of the population or demographic characteristics.

Background:

- WA Police Crime statistics are updated onto the WA Police website on a quarterly basis in the last week of January, April, July and October, noting that offence count data is subject to revision as police investigations may not be finalised at the time the data is published.
- The crime statistics are reported based on the location the offence occurred.
- It must be noted that crime statistics may be influenced by a wide range of factors; including, but not limited to, population size, infrastructure (such as shopping centres and entertainment precincts), seasonal trends, and the extent to which crime is reported to or detected by police. Consideration should be given to factors influencing crime when interpreting statistics.

Details:

From the data the major offence across the Kimberley is Assault (Family). This is the case for regional WA. Other key offences are stealing, property damage, dwelling burglary and breaches of violence restraining orders. Broome has fraud and related offenses that are not seen in other towns, apart from Kununurra which is at a lower percentage. The key offences are mirrored in the crime statistics for regional WA. The key difference between the Kimberley and the regional statistics relates to graffiti and drug offences.

It would be interesting to know if the impact of the Kimberley floods led to reduced crime in Fitzroy Crossing and increasing crime in Derby and Broome in January and February 2023.

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Risk:

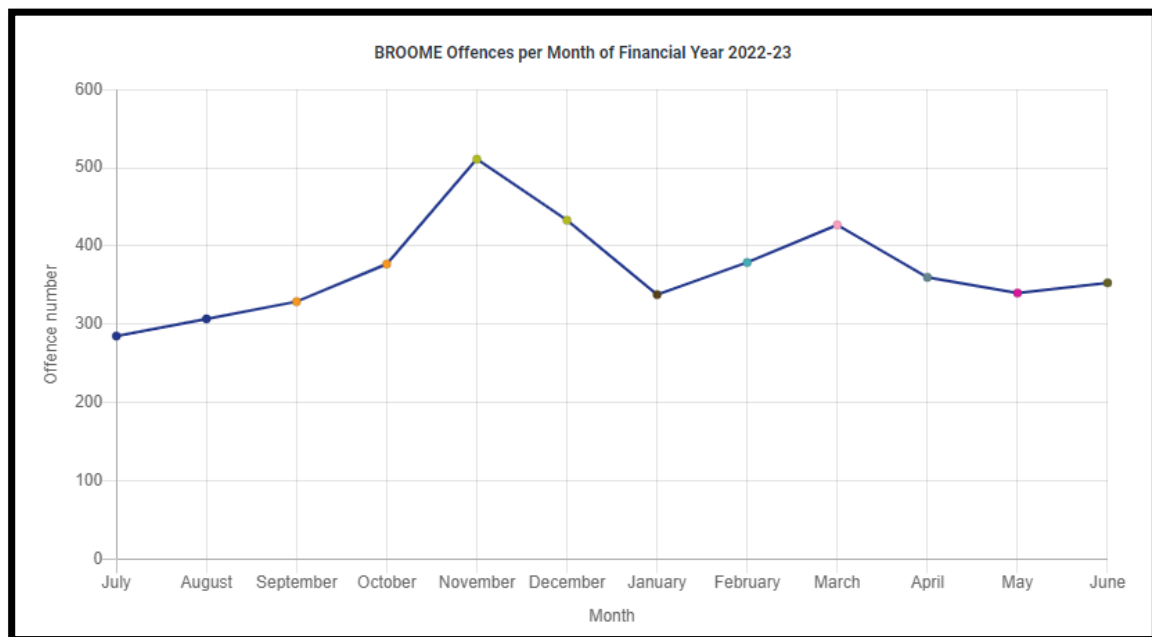
Reputational risk - Advocacy may not be credible if not informed by an evidence base.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote Facilitate Fund Monitor		
Resolution/s		Action(s)	
That 1. Members note the regional crime statistics as presented		Executive Team to include Crime Statistics (as they become available) in future meeting papers	
Moved:	Shire of Broome	Responsible:	Executive Team
Seconded:	Shire of Wyndham East Kimberley	Due date:	As required
Carried:	4/0		

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Attachment 14 2022/23 Kimberley Crime Statistic Trends by Town

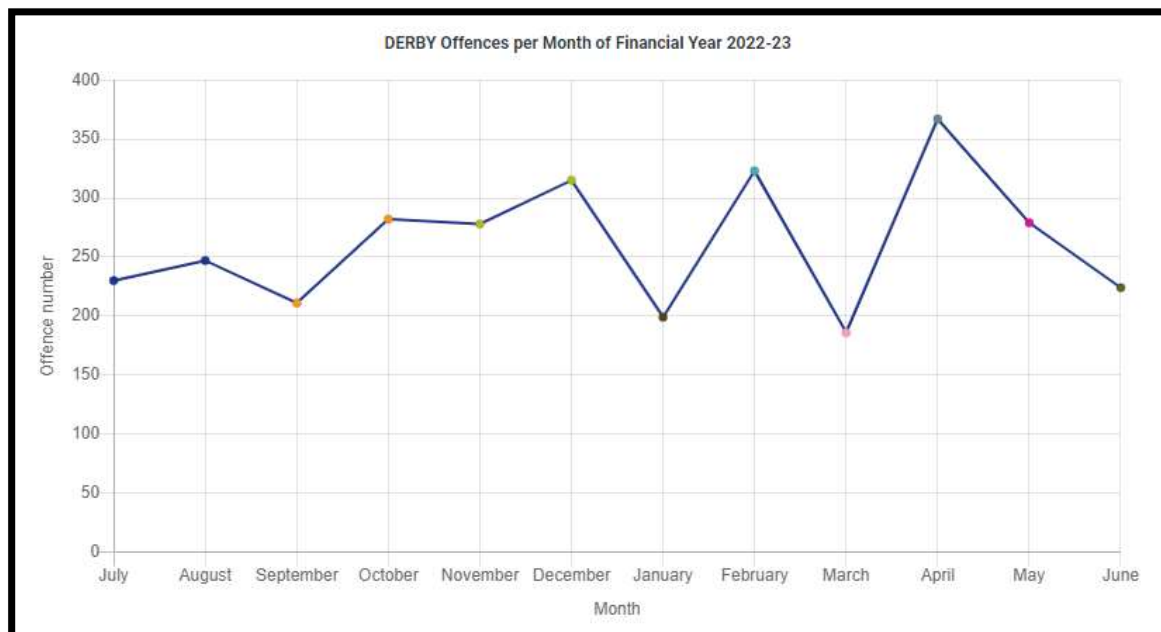


Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	4	8	9	1	3	6	4	2	10	7	3	11
Assault (Family)	57	72	94	92	88	110	76	108	113	75	78	79
Assault (Non-Family)	26	23	29	25	28	37	32	30	32	20	35	21
Threatening Behaviour (Family)	9	11	18	23	17	38	24	34	25	24	26	33
Threatening Behaviour (Non-Family)	3	10	6	2	5	9	3	6	6	7	10	10
Deprivation of Liberty	-	1	1	-	-	-	-	-	-	-	1	-
Robbery	1	1	3	-	1	1	1	2	1	1	1	-
Dwelling Burglary	29	42	20	15	39	25	40	36	38	23	19	26
Non-Dwelling Burglary	6	15	7	7	20	8	25	22	17	17	16	14
Stealing of Motor Vehicle	7	14	7	6	8	14	7	10	20	9	8	7
Stealing	39	35	41	36	47	51	36	29	46	57	47	64
Property Damage	34	32	38	41	37	39	30	37	31	35	28	30
Arson	-	2	-	12	-	2	-	1	2	2	2	1
Drug Offences	26	11	13	32	22	7	11	24	13	33	31	20
Graffiti	1	2	1	2	-	2	1	1	1	2	3	-
Fraud & Related Offences	18	2	21	28	23	36	27	8	32	21	5	4
Breach of Violence Restraint Order	25	26	21	55	173	48	21	29	40	27	27	33
Total of Selected Offences	285	307	329	377	511	433	338	379	427	360	340	353

Notes:

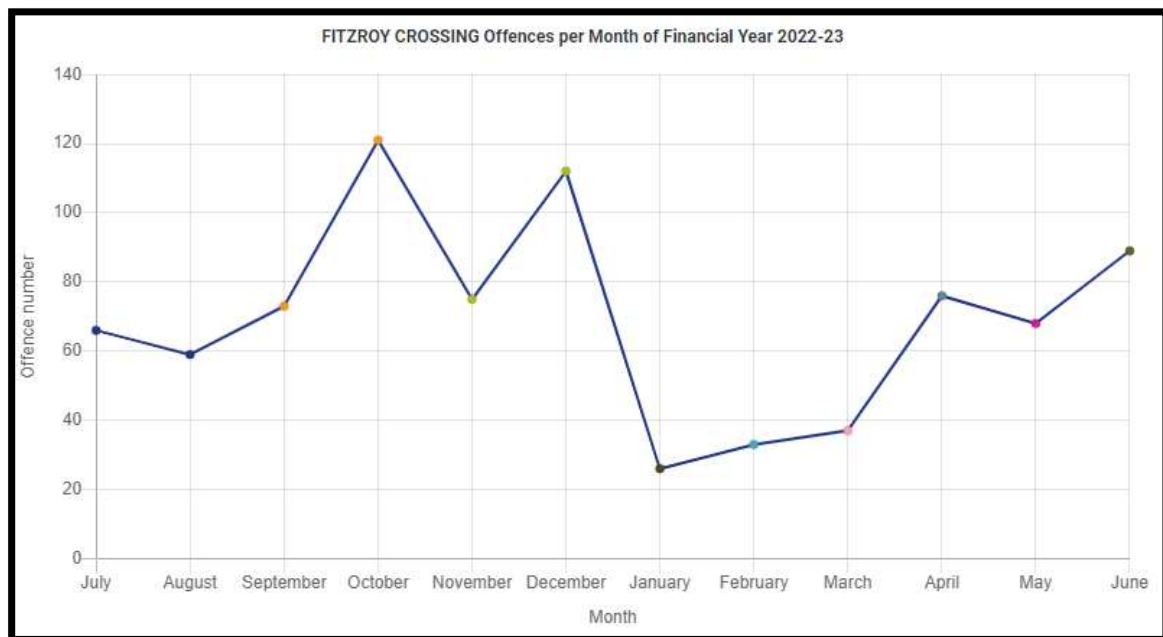
- Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
- Crime statistics are provisional and subject to change.

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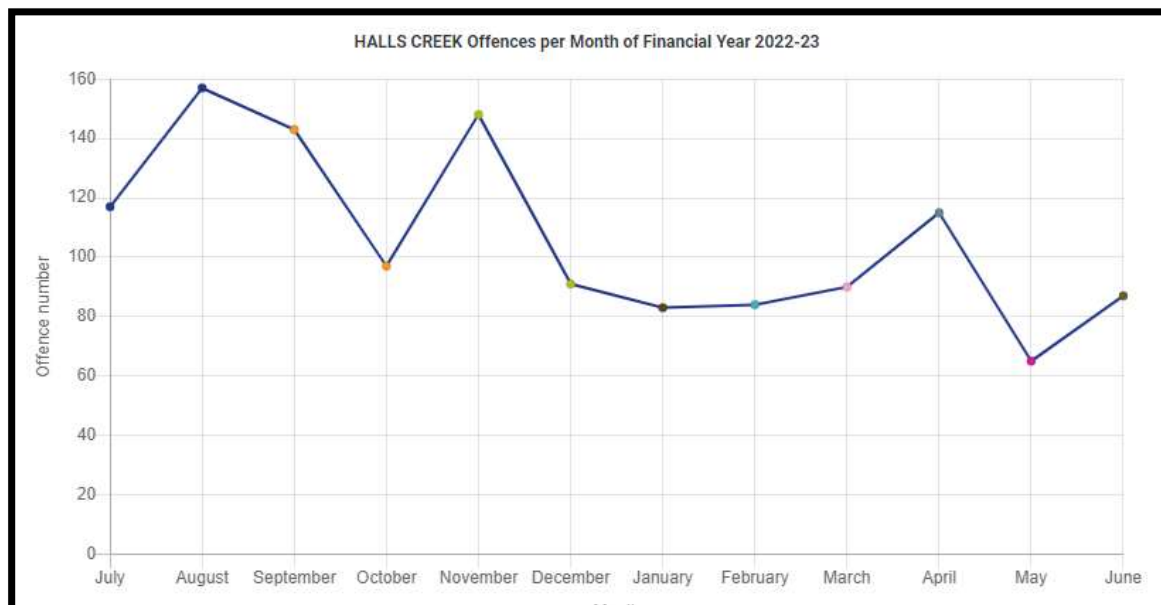
Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	1	-	-	-	-	-	-
Sexual Offences	3	4	1	5	1	5	3	5	4	8	4	2
Assault (Family)	74	84	89	85	91	122	47	53	59	95	78	62
Assault (Non-Family)	11	6	16	16	6	27	17	8	18	27	20	14
Threatening Behaviour (Family)	16	18	18	24	36	36	30	29	17	28	32	26
Threatening Behaviour (Non-Family)	2	7	2	3	4	5	3	12	1	2	-	4
Deprivation of Liberty	1	2	-	-	-	-	-	-	-	-	-	-
Robbery	4	-	-	-	-	2	-	1	-	-	-	1
Dwelling Burglary	9	12	6	20	5	17	15	28	25	43	56	28
Non-Dwelling Burglary	12	9	3	3	6	2	6	13	1	5	6	7
Stealing of Motor Vehicle	7	7	4	-	2	6	7	3	5	10	5	4
Stealing	18	17	15	11	11	14	11	12	12	15	24	9
Property Damage	20	26	14	17	26	21	16	16	16	21	19	23
Arson	-	1	-	1	-	2	-	-	-	-	2	1
Drug Offences	10	13	16	18	11	11	20	120	9	79	5	8
Graffiti	-	1	-	-	-	-	-	-	-	-	2	-
Fraud & Related Offences	2	1	2	3	41	2	-	-	-	-	2	-
Breach of Violence Restraint Order	41	39	25	76	38	42	24	23	19	34	24	35
Total of Selected Offences	230	247	211	282	278	315	199	323	186	367	279	224

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Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	-	2	3	2	1	1	-	-	-	2	7	1
Assault (Family)	28	25	26	45	20	43	6	16	14	19	18	31
Assault (Non-Family)	5	4	4	3	14	8	1	1	2	4	4	16
Threatening Behaviour (Family)	4	1	1	6	3	7	3	3	2	9	6	8
Threatening Behaviour (Non-Family)	-	1	1	2	6	1	-	1	-	-	1	-
Deprivation of Liberty	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-	-	-
Dwelling Burglary	-	2	6	5	1	9	3	1	-	9	6	3
Non-Dwelling Burglary	1	2	4	8	3	7	5	1	-	4	-	-
Stealing of Motor Vehicle	-	-	1	2	2	4	1	1	1	4	2	1
Stealing	7	7	8	14	9	10	2	1	4	6	3	10
Property Damage	8	7	12	16	11	5	4	2	5	8	11	17
Arson	1	1	-	-	1	-	-	-	1	-	-	-
Drug Offences	4	-	1	4	2	6	-	-	4	-	2	-
Graffiti	-	-	-	1	-	2	-	1	-	-	-	-
Fraud & Related Offences	3	1	-	4	-	-	-	-	-	2	-	-
Breach of Violence Restraint Order	5	6	6	9	2	9	1	5	4	9	8	2
Total of Selected Offences	66	59	73	121	75	112	26	33	37	76	68	89

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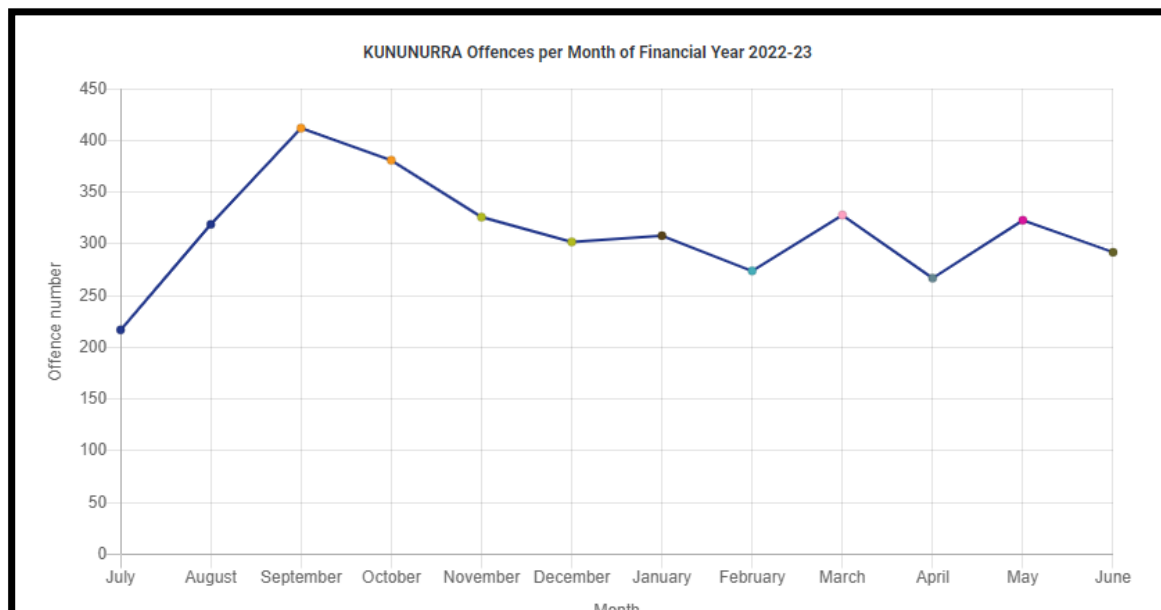


Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	1	1	-	1	-	2	-	1	2	-	2	1
Assault (Family)	38	32	31	24	28	28	20	21	18	25	22	27
Assault (Non-Family)	10	17	6	11	16	9	9	5	8	14	10	12
Threatening Behaviour (Family)	8	4	5	3	2	5	4	2	3	2	3	5
Threatening Behaviour (Non-Family)	1	-	-	-	2	-	1	1	2	-	1	4
Deprivation of Liberty	-	-	-	-	-	-	-	1	-	-	-	1
Robbery	-	-	-	-	-	-	-	1	1	2	1	-
Dwelling Burglary	5	15	27	11	14	9	12	9	7	16	9	1
Non-Dwelling Burglary	5	9	9	2	3	2	9	7	6	2	1	-
Stealing of Motor Vehicle	5	6	9	5	17	3	4	4	7	4	-	-
Stealing	11	23	12	10	15	8	5	5	9	13	6	3
Property Damage	20	30	22	22	43	14	9	11	23	26	2	22
Arson	2	2	1	-	-	-	1	-	-	-	2	-
Drug Offences	-	1	1	1	3	-	1	1	-	-	2	3
Graffiti	-	1	-	-	2	-	-	-	-	-	-	-
Fraud & Related Offences	-	7	13	1	-	1	-	12	3	8	1	-
Breach of Violence Restraint Order	11	9	7	6	3	10	8	3	1	3	3	8
Total of Selected Offences	117	157	143	97	148	91	83	84	90	115	65	87

Notes:

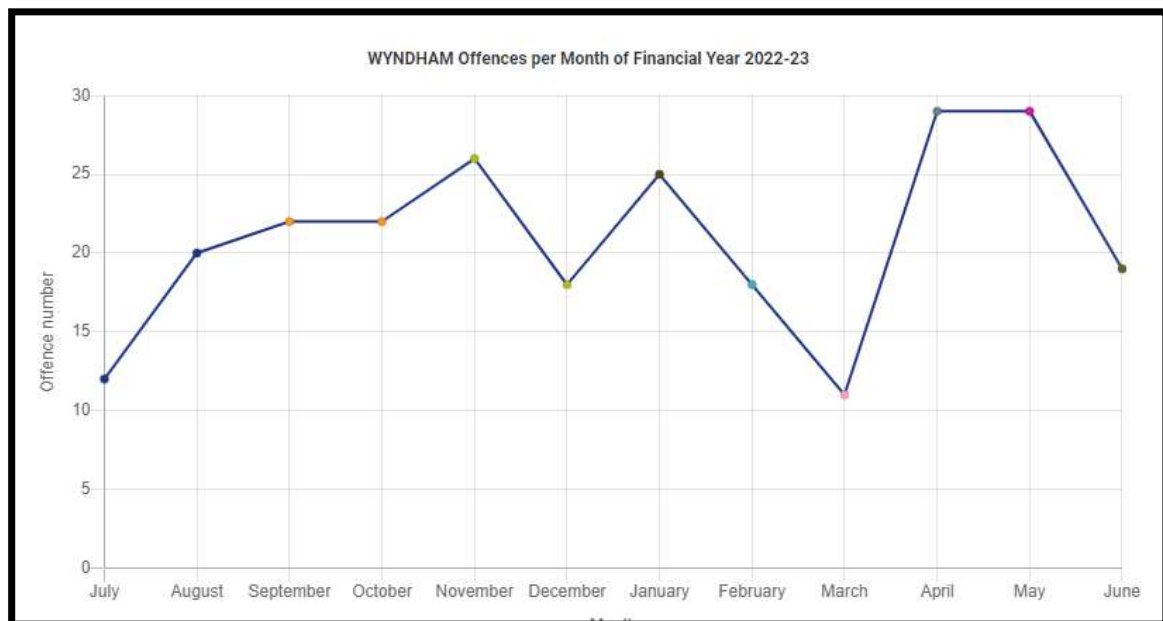
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- Crime statistics are provisional and subject to change.

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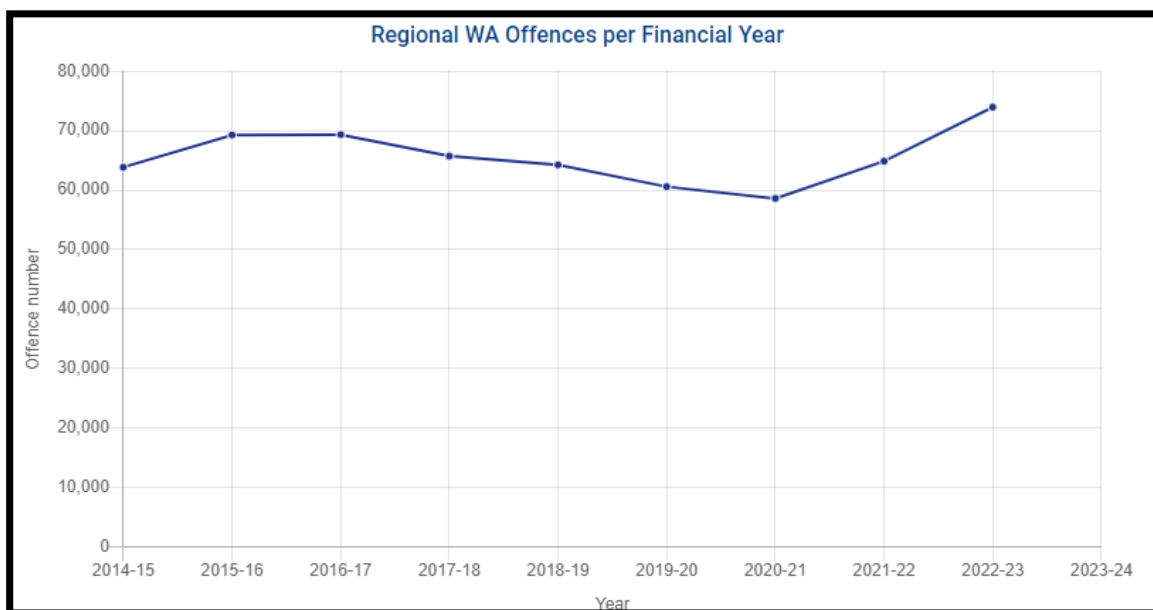
Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	1	5	2	2	12	3	2	1	3	5	9	5
Assault (Family)	77	96	84	122	96	99	83	71	93	76	81	82
Assault (Non-Family)	17	15	36	34	16	34	14	19	29	22	41	18
Threatening Behaviour (Family)	18	17	13	22	16	19	17	17	13	11	10	11
Threatening Behaviour (Non-Family)	5	2	6	4	5	9	3	5	5	4	5	10
Deprivation of Liberty	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	1	1	-	-	-	-	-	-	2	1
Dwelling Burglary	7	20	29	31	22	15	47	17	27	16	27	25
Non-Dwelling Burglary	3	7	4	5	9	5	10	4	6	10	6	4
Stealing of Motor Vehicle	2	3	7	9	19	8	8	11	14	17	18	7
Stealing	18	38	34	42	29	19	25	26	41	29	33	27
Property Damage	20	50	42	34	36	44	51	37	40	38	48	47
Arson	1	1	4	1	-	1	-	-	-	-	2	1
Drug Offences	10	11	11	6	14	6	2	9	16	4	7	13
Graffiti	-	2	-	7	2	4	2	2	1	4	1	8
Fraud & Related Offences	5	21	9	29	2	1	9	20	4	9	5	6
Breach of Violence Restraint Order	33	31	130	32	48	35	35	35	36	22	28	27
Total of Selected Offences	217	319	412	381	326	302	308	274	328	267	323	292

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Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	-	-	-	2	1	-	1	-	-	1	-	1
Assault (Family)	4	4	6	7	7	2	6	6	6	5	9	6
Assault (Non-Family)	4	2	1	3	1	3	1	-	-	5	-	1
Threatening Behaviour (Family)	2	2	2	1	2	-	-	-	-	5	2	-
Threatening Behaviour (Non-Family)	-	-	-	1	-	-	-	-	-	-	-	-
Deprivation of Liberty	-	-	-	-	-	1	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-	-	-
Dwelling Burglary	-	3	-	-	1	2	3	4	-	4	2	1
Non-Dwelling Burglary	-	1	5	1	4	3	6	-	1	-	2	-
Stealing of Motor Vehicle	-	2	1	1	-	2	-	-	-	-	-	1
Stealing	1	1	1	2	2	1	2	-	-	2	-	1
Property Damage	1	4	3	3	8	1	3	4	2	4	9	4
Arson	-	1	-	-	-	1	-	-	-	-	-	1
Drug Offences	-	-	2	1	-	1	-	-	-	1	1	-
Graffiti	-	-	-	-	-	-	-	-	-	-	-	-
Fraud & Related Offences	-	-	-	-	-	-	-	-	-	-	-	-
Breach of Violence Restraint Order	-	-	1	-	-	1	3	4	2	2	4	3
Total of Selected Offences	12	20	22	22	26	18	25	18	11	29	29	19

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Type of Offence	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Homicide	38	30	40	46	38	40	34	34	39
Sexual Offences	1,350	1,606	1,580	1,896	1,543	1,668	1,973	1,761	1,989
Assault (Family)	5,398	6,601	7,583	7,451	7,811	8,554	10,039	10,931	12,857
Assault (Non-Family)	3,226	3,206	3,469	3,434	3,292	3,559	3,929	4,428	5,148
Threatening Behaviour (Family)	482	678	1,020	993	1,021	1,194	1,441	1,822	2,790
Threatening Behaviour (Non-Family)	780	837	873	900	860	888	945	1,110	1,510
Deprivation of Liberty	47	57	67	55	53	63	66	70	77
Robbery	154	163	169	161	153	151	172	197	262
Dwelling Burglary	5,829	5,961	5,764	6,138	5,632	4,961	3,905	5,111	4,880
Non-Dwelling Burglary	2,669	3,091	2,954	2,680	2,361	2,167	1,893	3,066	2,431
Stealing of Motor Vehicle	1,687	1,726	1,687	1,758	1,625	1,407	1,586	2,287	2,077
Stealing	14,909	15,155	15,285	13,353	13,589	11,222	9,326	10,820	13,022
Property Damage	9,719	10,059	10,632	9,120	8,534	8,366	8,577	9,439	9,735
Arson	434	363	373	409	360	378	352	428	459
Drug Offences	9,736	10,949	10,666	10,583	9,741	9,096	7,094	5,574	7,451
Graffiti	428	359	435	398	377	300	405	621	512
Fraud & Related Offences	4,293	4,884	2,971	2,676	3,346	2,267	2,795	2,819	3,626
Breach of Violence Restraint Order	2,662	3,531	3,761	3,664	3,891	4,291	4,063	4,348	5,083
Total of Selected Offences	63,841	69,256	69,329	65,715	64,227	60,572	58,595	64,866	73,948



11. Website and Social Media

Item for Noting

Submitted by: Executive Officer

Purpose:

To update the members on the Kimberley Regional Group Website and Linked In Page.

In summary

- The KRG Website and Linked In page are live
- Feedback on these platforms has been positive and increased the KRG's profile and reach
- It would be appreciated if KRG Members could get their staff to follow the KRG Linked In page, invite their followers to connect and share KRG posts.

Background:

The KRG is a powerful voice for the Kimberley region taking a whole of region perspective on social and economic issues. To maximize opportunities to drive the KRG agenda, a communications and media policy has been developed for KRG endorsement. This policy recommends a website as a tool to raise the profile of the KRG and the KRG's policy and advocacy agenda. The KRG members resolved at the February 2023 meeting to establish a website and a LinkedIn Page.

Details:

Website

The KRG website went live on the 20th July 2023. The site is found at <https://kimberleyrg.com.au>. A google analytics function showed that 249 people have viewed the business profile.

Updates to the site are made on an as-needs basis including updated documents, submissions, and reporting on KRG events and advocacy.

Linked In

The Linked in page was established on the 5th July. As at the 10th August the page has 317 followers. Followers include the WA Premier, State Government Ministers including the Ministers for Local Government and Ports, Community Services, Agriculture, and Regional Development, and Federal Ministers including the Minister for Agriculture and Emergency Services. The page is also followed by a number of Ministerial Chiefs of Staff and Director Generals, along with CEOs of key non-government stakeholder agencies. It is a good vehicle to drive the KRG advocacy agenda.

Along with posting original content the page shares and like posts of key stakeholders. A strategy and schedule have been developed to ensure posts drive the advocacy agenda, keep KRG in the political gaze and foster political and stakeholder support of KRG advocacy positions. Analytics are being tracked to optimise postings and ensure that content is relevant and correctly strategically aligned to the KRG objectives.

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To expand our reach, it would be appreciated if KRG Members could encourage their staff to follow the Linked In page, invite followers to connect and share the KRG posts.

Risk:

Reputational – If posts do not align with our advocacy agenda and the KRG brand, it could cause reputational damage. To manage this a strategy and schedule is in place.

Financial –to manage financial risk the sites can be updated by the Executive.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	
Resolution/s		Action(s)	
That members note the progress off the website and Linked In page.			
Moved:	Shire of Derby West Kimberley	Responsible:	Executive Officer
Seconded:	Shire of Halls Creek	Due date:	As required
Carried:	4 / 0		

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12. Executive Officer Report

Item for Noting

Submitted by: Executive Officer

Attachment 15: EO Report April, May 2023

Purpose:

To update the KRG on the Executive Officer services provided for the period April 2023 – May 2023 inclusive.

Background:

The attached report provides information about the services provided, activities undertaken and time allocation over the past two months.

Details:

As in included attachment.

Risk:

Nil

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	
Resolution/s		Action(s)	
That the Executive Officers Report be received and endorsed		As per Outstanding Actions	
Moved:	Shire of Derby West Kimberley	Responsible:	Executive Officer
Seconded:	Shire of Halls Creek	Due date:	As required
Carried:	4 / 0		

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Attachment 15: EO Report – April to May 2023

Project Work / Activity

Refer to business arising and KRG action lists for all activities the Executive is working on.

Project / Activity	Status	Item
Administrative Matters and Meetings	Ongoing	-
General Stakeholder Engagement	Ongoing – see Stakeholder list	12
Office of the Auditor General	Attending Meeting 24 th August 2023	-
Banned Drinkers Register	Letter	5
BBY and WKFEC Engagement	Attending Meeting 24 th August 2023	7
Aboriginal Cultural Heritage Bill	Updated information	General Business
KRG MOU and Governance	Agreement to be simplified	Outstanding Actions
Strategic Planning	Preparation of the KRG Prioritized Action List	8
Natural Disaster Resilience and Recover Enquiries	Preparation of paper, attendance at meetings. Pending resolution	9
Kimberley Crime Statistics	Research and preparation of paper for member information	10
Website and Social Media	Website development and Linked In page completed	11

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Stakeholder Engagement

Date	Stakeholders	Purpose
1/6/2023	Hon. Steven Dawson MLA	KRG matters and invitation to meeting
7/6/2023	Tayanah O'Donnell	WA Briefing: Independent Disaster Funding Review
8/6/2023	Mike Rowe, Dept of Communities	KRG matters, invitation to meeting
8/6/2023	KRG CEOs	CEO Ringaround
17/6/2023	Vernon Lawrence	KRG administrative and financial matters
22/6/2023	Organised by IM Governance	East Kimberley Leadership Forum
3/7/2023	Nick Sloan, Tony Brown WALGA	KRG matters and meeting arrangements
19/7/2023	Stacey Hutt, EO Inner City Councils	August meeting
20/07/2023	Candy Choo, LGPro	August meeting
26/7/2023	Nic Sloan, WALGA	ACHA, August meeting
28/7/2023	Local Government Focus Group: Deloitte	Independent Review into Disaster Funding
2/8/2023	Richard Aspinall, NIAA	Collaboration opportunities, August meeting
2/8/2023	Boyd Brown, Telstra Regional	Kimberley telecommunications update

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Time Allocation September 2022 – August 2023

Total Yearly Contract: 864 Hours: Monthly from 8th of the month to 7th of the next month

	Paul Rosair		Michelle Mackenzie		Jane Lewis		Joshua Turner	
	Contract	Actual	Contract	Actual	Contract	Actual	Contract	Actual
Sept 22	32	34	20	18	23	29	4	2
Oct 22	32	22	20	8	23	24	4	1
Nov 22	32	40	20	36	23	28	4	0
Dec 22	15	12.5	10	26.25	10	1.5	2	0
Jan 23	15	19	10	11	10	36	2	0
Feb 23	32	15.5	20	9	23	25.5	4	0
Mar 23	32	34	20	9.25	23	14.5	4	0
Apr 23	32	19	20	9.5	23	24	4	0
May 23	32	35	20	23.5	23	18.5	4	0
June 23	32	37.5	20	21.25	23	27	4	0
July 23	32	46	20	14.25	23	45	4	0
Aug 23	32		20		23		4	
TOTALS	318/350	314.5/318	200/220	186/200	227/250	273/227	40/44	3/40
OVERALL CONTRACT: 785 / 864 ACTUALS: 776.5 / 785								

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13. Most Accessible Community WA Awards (MACWA)

Matter for Noting

Submitted by: Executive Team

Purpose:

To advise the members on the Kimberley Regional Group about the opening of the Most Accessible Community WA Awards (MACWA) and to encourage nominations.

In summary

- The Regional Capitals Alliance of WA (RCAWA) facilitates the running of the MACWA Awards
- The MACWA Awards opened for nominations on 15/8/2023, with closing date being 13/10/2023
- The Awards are based on Local Government Disability Access Inclusion Plans and seek to recognise demonstrated work in the Inclusion and Accessibility space.
- Members of the KRG are strongly encouraged to nominate their Shire

Background:

At the August 2016 WALGA AGM, the City of Bunbury recommended that WALGA:

1. Develop assessment criteria to formally recognise the contribution that Western Australian Local Governments are taking to promote and improve accessibility within their jurisdictions.
2. Conduct an annual awards process coinciding with Local Government Week to recognise Local Governments nominated for work undertaken in no. 1 above based on metropolitan, regional, and remote categories.
3. Nominate the winning Local Government from each category for the National Awards for Local Government – Disability Access and Inclusion Awards conducted by the Department of Infrastructure and Regional Development.

This item was carried and State Council resolved that the item be forwarded to the Planning and Community Development Policy Team for consideration. By August 2017, RCAWA had been asked to take carriage of this Award.

Discussion

The 2023 MACWA awards are now open for nominations from Local Governments who wish to showcase their commitment to inclusive and accessible communities.

Based on Local Government Disability Access Inclusion Plans, the MACWA Awards seek to recognise those Cities, Towns and Shires who demonstrate that they have exceeded minimum legislative requirements with a creative and innovative approach to buildings and services, public open spaces, communication, and employment.

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**Important Information**

Opening Date: 15/8/2023
 Closing Date: Close of Business 13/10/2023
 Awards Event: Information coming soon

Online nominations: Regional Capitals Alliance WA (RCAWA Website:
<https://waregionalcapitals.com.au/documents-research/>)

Award categories (Nominations invited for 1 or more of the following):

- 1 – Accessible Buildings / Facilities / Services. \$500 sponsorship by Jointly Planning
- 2 – Public Open Spaces. \$500 sponsorship by NAJA Business Consulting Services
- 3 – Communication. \$500 sponsorship ALYKA
- 4 – Employment. \$500 sponsorship by WALGA

Judging Panel:

- Bruce Langoulant AM, Board and Council Member, Disability Assembly WA
- Julie Waylen: CEO Diversity South
- Melissa Northcott: MACWA Ambassador
- Terina Grace: Western Australian Disability Advisory Council
- Alina Hobson: Western Australian Local Government Association
- TBC: Department of Local Government, Sport, and Cultural Industries

Facilitator: Regional Capitals Alliance WA.
 Contact: Jane Lewis, Executive Assistant.
 Email: jane@reditresearch.com.au .
 Phone: 0419322779

Members of the Kimberley Regional Group are encouraged to nominate their Shire in order to gain recognition for their work in the access and inclusion space.



Link to Key Pillar/s and Strategies:		Budget Implications
<div> People Place Prosperity Performance </div>	<div> Advocate Facilitate Partner Fund Promote Monitor </div>	Nil
Resolution/s		Action(s)
For Information only		Members to consider nomination for the MACWA Awards

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14. Around the Grounds

Matter for Discussion

Submitted by: Executive Team

Purpose:

This session provides an opportunity for members to share information of a local or regional nature that may provide opportunities for collaboration, or may serve the purposes of sharing a learning that could impact the region as a whole.

Details:

Since the inception of this agenda item in February 2023, two events were deemed major enough to steer discussion: the floods and the Canberra visit. For this meeting, it has been left to each Shire to introduce a topic/s of their choice that they deem relevant for the group. It is the intention that each Shire can hold the floor for up to 5 minutes, after which the item can either be followed up out of session or raised as an agenda item for the next meeting.

Link to Key Pillar/s and Strategies:		Budget Implications
<div> People Place Prosperity Performance </div>	<div> Advocate Partner Promote </div> <div> Facilitate Fund Monitor </div>	Nil
Resolution/s		Action(s)
For Information only		Nil

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15. General Business

Item	Responsible	Actions Arising
Release of National Housing and Homelessness Plan Issue Papers	Executive Team	The Executive Team signed up for updates and the KRG have now been invited to prepare a submission. (See invitation below). The Executive Team will draft a response and will circulate to members for approval before submission
24 th August agenda	Executive Team	
Aboriginal Cultural Heritage Bill	Executive Officer	
October meeting	Executive Officer	Meeting confirmed for 4 th Oct, Zoom KRG meeting only

Release of the National Housing and Homelessness Plan Issues Paper [SEC=OFFICIAL]

External > Inbox



Housing and Homelessness Plan <HousingandHomelessnessPlan@dss.gov.au>
to *

Mon, 7 Aug, 11:05 (6 days ago) ☆ ↻

We want to hear from you

Good afternoon,

Thank you for your interest in the development of the National Housing and Homelessness Plan (the Plan). We are pleased to advise the Australian Government has released an Issues Paper on Housing and Homelessness in Australia.

The Issues Paper provides a brief overview of some of the known issues in different parts of the housing and homelessness systems and poses a series of discussion questions.

You are invited to share your ideas and experiences by either responding to guided, short-form questions or lodging a written submission **by 11:59pm AEST, Friday, 22 September 2023**.

There will also be opportunities to contribute to the plan through a range of face-to-face workshops and online forums across the country.

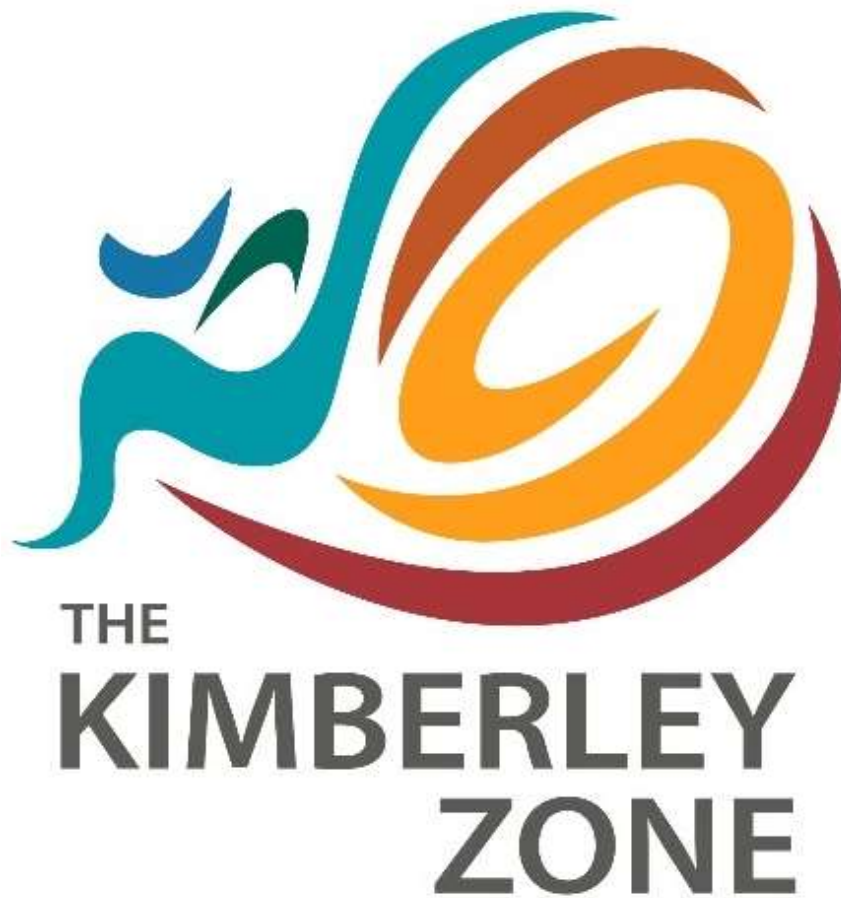
To view the Issues Paper, or to receive updates on consultation opportunities, please visit <https://engage.dss.gov.au/developing-the-national-housing-and-homelessness-plan>

Kind regards,

Housing and Homelessness Plan Team
Housing and Homelessness Policy Branch
E: housingandhomelessnessplan@dss.gov.au

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

Meeting Closure: 10:30



Meeting Minutes

August 2023

Join Zoom

Meeting <https://us02web.zoom.us/j/84787139647?pwd=V1J0UUQ2MW0vRnQraGM5UjAxc0tnZz09>

Meeting ID: 847 8713 9647

Passcode: 879 133

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1. Kimberley Country Zone Meeting Open: 10:47

Chair acknowledged the Traditional Custodians of the different lands on which people met today, and paid respect to all the Elders past, present and emerging.

2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
Members		
Cr Chris Mitchell	Zone Delegate, Shire of Broome	In person
Cr Malcolm Edwards	President, Shire of Halls Creek	In person
Cr Geoff Haerewa	President, Shire of Derby West Kimberley	In person
Cr David Menzel	President, Shire of Wyndham East Kimberley	In Person
Observers		
Sam Mastrolembro	CEO, Shire of Broome	In person
Cr Desiree Male	President, Shire of Broome	In person
Nicole Roukens	Manager Community Engagement and Projects	In person
Peter McCumstie	Deputy President, Shire of Derby West Kimberley	Zoom
Amanda Dexter	CEO, Shire of Derby West Kimberley	In person
Phillip Cassell	CEO, Shire of Halls Creek	In person
Cr Tony Chafer	Deputy Shire President, SWEK	Zoom
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	In person
Nick Kearns	Director of Planning / Community SWEK	Zoom
Executive Support Team		
Paul Rosair	Principal NAJA Business Consulting	In person
Michelle Mackenzie	Principal Mira Consulting	In person
Jane Lewis	Principal Redit Research	In person
Apologies		
Gordon Thomson	President, Shire of Christmas Island	
David Price	CEO, Shire of Christmas Island	
Aindil Minkom	President, Cocos (Keeling) Islands	

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Name	Shire / Council / Organisation	Method
Frank Mills	CEO, Cocos (Keeling) Islands	
Cr Karen Chappel	CEO WALGA	
Tom Chapman	Regional Manager, DLGCI	
Guests		
Paul Kelly	Deputy President WALGA	In person
Nick Sloan	CEO, WALGA	In person
Tony Brown	Executive Manager Governance and Organisational Services	In person
Greg Hayes	Regional Road Safety Advisor, WALGA	Zoom
Kim Brown	Acting Director, Regional Development Australia - Kimberley	Zoom
Bill Tatchell	CEO Australia's Northwest	Zoom
Glen Chidlow	Director Industry and Infrastructure, Kimberley Development Commission	In person
Chuck Berger	CEO Kimberley Development Commission	Zoom

3. Disclosures, Conflicts and Declarations of Interest:

Financial Interest / Impartiality			
Member	Item Number	Item	Nature of Interest
Nil			

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4. Kimberley Country Zone State Council Agenda:

Attachments:

1 President's Report

2 WALGA State Council Agenda and Report on State Council Actions (Separately Attached)

4.1 Presidents Report – Attachment 1

**President's Report
September 2023**

Introduction

I welcomed the opportunity recently to visit the Kimberley to see first-hand how Local Governments in the North are working to return services and infrastructure after the devastating floods of last year.

As many of us have experienced, including my community of Morawa post Tropical Cyclone ~~Seroia~~, after the Federal and State teams leave the region, it is left to Local Government to support and rebuild local communities.

I was struck by the extent of the damage to the Highway between Broome and Deby and the impact this was having on the local community. Shire President Geoff ~~Haarawa~~ humanised the impact of the flood on the region, the local economy, and the Local Government Elected Members and officers who support some of our State's most vulnerable communities. I was struck when I contemplated the scale of the task that it's something most of us would never experience in our day-to-day or working lives.

The issues our colleagues are facing in the Kimberley are monumental, yet they tackle the task with vigour and great spirit. Attracting and retaining staff, removal of primary health care services, maintaining and building back better damaged infrastructure, housing affordability and availability, and of course, providing a basic level of amenity for their residents and the tourists that visit their towns. These are challenges which our members don't shy away from and I'm proud of the work that WALGA does to assist them in their endeavours.

Parliamentary Inquiry into the Impact of Severe Weather Events on Roads

WALGA CEO Nick Sloan, Executive Manager Infrastructure Ian Duncan and I appeared before the Committee conducting the Federal Parliamentary Inquiry into the Impact of Severe Weather Events on Roads on 26 July in Perth.

Given the expert forecast that severe weather events will increase in both frequency and intensity I used my opening statement to call for Commonwealth, State and Local Governments to work co-operatively with trust to reinstate roads destroyed by floods as quickly and efficiently as possible and to a standard that would lessen the impact when future floods occur. In other words, to build back better.

The Committee was established in December 2022, following a referral from the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP. In responding to questions, we were able to provide the Committee with a better understanding of West Australian Local Governments, roads and grant funding arrangements. Together with the concurrent and ongoing reviews into disaster funding and disaster management, we are looking forward to some helpful recommendations for policy changes.

State Road Funds to Local Government Advisory Committee

I have been working with the Local Government delegates to the State Road Funds to Local Government Advisory Committee to agree and prioritise potential changes to the Procedures that guide how Regional Road Groups operate, and how funding provided under the Agreement with the State Government is administered. While a new Agreement is yet to be signed, both Main Roads and WALGA are working on

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the basis that this will occur, and provides an opportunity to address some of the issues that are constraining effective implementation of the Agreement and the funding made available.

Aboriginal Cultural Heritage Act

The State Government on 8 August 2023 announced it will repeal the *Aboriginal Heritage Act 2021* and restore the original *Aboriginal Heritage Act 1972*, with amendments. No timeframe for the repeal of the 2021 Act and reinstatement of the amended 1972 Act, has been announced.

WALGA is seeking clarity from the State Government on the timeframe and the Government's intentions around the application of the existing Act in the interim. The Premier has indicated that the Implementation Group on which WALGA is a participant will continue and that the group will work on the transition to the renewed 1972 legislation.

We will continue to represent our interests of our Members on this issue and will provide updates and clarification as information is forthcoming.

WAEC Proposed Boundaries

The WA Electoral Commission recently published their proposed electoral boundaries to be used at the next State election in 2025. The [Electoral Distribution Commissioners' Explanatory Statement](#) lays out the proposed boundaries and explains the approach taken by the Commissioners.

Objections to the proposed boundaries can be submitted to the Commissioners by Monday, 21 August.

At the time of writing this report, WALGA State Council are considering the potential to submit an objection. There are concerns with the proposal to reduce the number of non-metropolitan districts by one as the reduction in political representation will negatively impact rural and regional communities with a view to developing an objection prepared by the Association on behalf of Members.

2023 WALGA Convention

Registrations for the 2023 WALGA Convention are building fast. This year's Convention, from Sunday, 17 to Tuesday, 19 September, is themed Local Futures. We have an impressive line-up of speakers, including London bombing survivor Gill Hicks, Melbourne Cup winning jockey Michelle Payne, Futurist and Author Gihan Perera (Mayors & Presidents Forum) and Business Disruptor and Transformer Dominic Thurbon. In the plenary sessions on Tuesday, delegates will have the opportunity to hear from experts and other Local Governments on the topical issues of regional housing and active mobility.

Once again, we will host a Heads of Agency Breakfast (HOA Breakfast), which gives Local Government leaders an opportunity to speak directly to key decision makers from the highest level in State Government about issues relevant to their communities. This year's HOA Breakfast will be held on Monday, 18 September. Click [here](#) to register. Registrations close on Friday, 18 August.

This year, we will launch a new event alongside the Convention – the inaugural Supplier Showcase – on Tuesday, 19 to Wednesday, 20 September, in an outdoor space adjacent to Crown Perth. The event will feature WALGA preferred suppliers showcasing the latest innovations across industries such as transport, waste management, fleet and building supplies.

There is still time to register for this year's Convention [here](#), which is a once-a-year occasion for people from across Local Government in WA to come together to build and share knowledge, raise issues, be inspired and enjoy the company of colleagues and friends.

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**Review of the Rating Methodology used by the Valuer-General**

In February, I wrote to the then Minister for Local Government, Hon. John Carey MLA about a recent State Council decision that there be a full review of the rating methodology used by the Valuer-General to value land in WA. I requested that the Minister consider a review of the rating methodologies set in the *Valuation of Land Act 1978* to ensure that valuation methods relied upon by Local Governments represent the most appropriate methods.

I have recently received a response from the new Minister for Local Government, Hon. David Michael MLA. In the response, Minister Michael noted that a review of the rating and taxing valuation methodology was recently undertaken by the Western Australian Treasury Corporation, on the instructions of the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Western Australian Land Information Authority (Landgate). The review found that the existing system of Unimproved Value (UV) and Gross Rental Value (GRV) rating produce an appropriate outcome in terms of financial equity for ratepayers. Consequently, the State Government does not intend to make any changes to the rating system at this time.

Nevertheless, Minister Michael recognised that there are cases of rating inequity related to the uneven application of UV and GRV as the basis of rates in some districts, particularly where there has been ongoing urban development or where multiple uses of land occur on individual properties. Minister Michael suggested that in those cases, Local Governments should regularly review the appropriate basis of rates and submit applications to change the basis of rating where appropriate.

Although this was not the outcome we were hoping for, WALGA will continue to advocate on this issue.

Australian Local Government Association (ALGA) matters

Councillor Linda Scott, President of the Australian Local Government Association participated in a recent meeting of the Planning Ministers, to discuss a number of nationally significant planning matters, including priorities tasked by National Cabinet.

The ALGA President was at the meeting alongside a number of Commonwealth Ministers with an interest in planning matters, including the Hon Julie Collins MP, Minister for Housing; Senator the Hon Jenny McAllister, Assistant Minister for Climate Change and Energy; Senator the Hon Murray Watt, Minister for Emergency Management; and the Hon Michelle Rowland MP, Minister for Communications.

Planning Ministers reinforced their commitment to national cooperation, collaboration and information sharing on a range of planning matters including:

- Governance
- National Urban Policy
- Telecommunications planning
- Housing
- Planning and environmental approvals

As ALGA Deputy President, I have been involved in the recruitment process for a new ALGA CEO. An announcement on the new CEO is imminent.

Cr Karen Chappel JP
WALGA President

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4.2 Reports from Representatives

WALGA –

- Paul Kelly, Deputy President,
- Nick Sloan CEO,
- Greg Hayes, Regional Road Safety Advisor

RDA Kimberley – Kim Brown, Acting Director

Australia's North West Tourism – Bill Tatchell, CEO

Department of Local Government, Sport and Cultural Industries – Tom Chapman, Regional Manager Kimberley. (Tabled report)

Kimberley Development Commission - Chuck Berger, CEO

Glen Chidlow, Director Industry and Infrastructure

4.2.1 Reports from Department of Local Government, Sport and Cultural Industries Report



Department of Local Government, Sport and Cultural Industries Report

August 2023

Local Government Act Reform

- On 18 May 2023, the Local Government Amendment Bill 2023 was passed as the Local Government Amendment Act 2023 and assented to by the Governor.
- A number of electoral reforms, including optional preferential voting and backfilling extraordinary vacancies, will take effect for the 2023 elections.
- A number of provisions have now taken effect including –
 - Parental leave for council members;
 - The ability of a local government to apply for a compliance exemption;
 - Removal of the ability for a council to waive an interest relating to an electoral gift;
 - Changes to special electors' meetings to increase the number of signatures required to hold a meeting (from 100 to 300) and provide for a mayor or president to prevent a meeting from being held on the same subject more than once in a 12 month period; and
 - The requirement to record in minutes the individual votes of council and committee members.
- 63 Governor's orders for local governments and a population estimates order were gazetted on 30 June 2023, giving effect to the reforms to representation based on population data at the upcoming 2023 local government elections.
- In addition, regulations to support implementation of these reforms have been finalised and are also now in effect.
- The remainder of the reforms will be rolled out in the coming year, such as standardised meeting procedures, with regulations being developed in consultation with the sector.
- Further information in relation to these changes can be found on the DLGSC website on the Local Government Reforms.
- DLGSC is running a series of monthly webinars and deep dives into specific topics regarding the reforms.

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- The next webinar is scheduled for 3 August 2023 to provide an update on the rollout of local government reforms generally and to take a deep dive into the lessons related changes - look out for LG Alerts for more details.
- If you would like a link to recordings of previous webinars, this is available on [DLGSC website under local government reforms](#)
- DLGSC has also teamed up with LG Pro to deliver a series of monthly capacity-building webinars.

Model Financial Statements (MFS) and Financial

- Model Financial Statements (MFS) for Class 1 and 2, plus a reduced version for smaller local governments (Class 3 and 4) are now published on the DLGSC website.
- An LG alert was issued on Tuesday 16 May 2023 advising of their availability.
- The MFS will apply to 2022-23 annual financial statement reports.
- Guidelines have also been developed to accompany the MFS.
- A first tranche of regulatory amendments for the MFS commenced on 1 July 2022.
- A second tranche of regulatory amendments for the MFS commenced on 1 July 2023.
- The 1 July 2023 version of the Local Government (Financial Management) Regulations 1996 does not include the new credit card regulation 13A. The Regulations will be updated again on 1 September 2023 when the last provision of the Local Government Amendment Regulations 2023 commences.
- Contact LG Accounting for queries – Lg.accounting@dlgsc.wa.gov.au

Management Regulations Amendments

- Model Financial Statements (MFS) for Bands 1 and 2, plus a reduced version for smaller local governments (Bands 3 and 4) are now published on the DLGSC website.
- An LG alert was issued on Tuesday 15 May 2023 advising of their availability.
- The MFS will apply to 2022-23 annual financial statement reports.
- Guidelines have also been developed to accompany the MFS.
- A first tranche of regulatory amendments for the MFS commenced on 1 July 2022.
- A second tranche of regulatory amendments for the MFS are currently being drafted and are anticipated to be gazetted by 30 June 2023.
- DLGSC has received feedback from LG Professionals and WALGA with the proposed second tranche of regulatory amendments to support the introduction of the MFS and improved transparency in financial reporting obligations.
- Contact LG Accounting for queries – lgaccounting@dlgsc.wa.gov.au

Local Government (Functions and General) Amendment Regulations 1996

- The Local Government (Functions and General) Amendment Regulations 1996 were gazetted on Friday 19 May 2023. These amendments do the following:

Rural GP and Dentists tender exemption

- Recognising the importance of maintaining medical and dental services in our regions, a tender exemption for renewing or extending a contract with a medical or dental service is being provided to regional local governments.
- This exemption means those local governments will be able to maintain the services of an existing doctor or dentist without needing to call for public tenders.
- This exemption is only available to local governments outside the Perth Metropolitan Area and City of Mandurah.

Novation of Contracts

- An additional tender exemption is provided for where a local government novates a contract.
- As an example In the context of a dental service, this means where the dental practice is sold to another dentist, the local government can novate the existing contract with the old dentist to the new dentist.

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- This improves local government contract management, allowing novation of contracts to occur, local governments should however make sure it is in their interest to novate the contract.
- This exemption is available to all local government.

Dental leasing exemption

- An exemption from the property disposal requirements has been provided for the leasing of land for dental services.
- This is to align with the new exemption provided for regional medical and dental services.
- This exemption is however available to all local governments, like the existing medical services exemption is.

Further queries can be directed – actreview@dlgsc.wa.gov.au

Local Government Grants Commission

- The WA Local Government Grants Commission now has a full composition with the recent appointment of the Chairperson (Councillor Daniel Bull), Country Urban Member (Dr Wendy Giles) and Deputy Urban Member (Ms. Virginia Miltrup).
- An advance payment of the 2023-24 Financial Assistance Grants (FA Grants), based on a funding pool equivalent to approximately 100% of the total 2023-24 funding pool, was made to local governments on the 30 June 2023.
- The advance payments were calculated by the Commonwealth using the relativities established under the Commission's calculations for 2022-23 and needs to be recognised as revenue for 2022-23.
- It is important for local governments to note that the advance payment does not reflect their total 2023-24 grant allocation, and some may receive extremely limited or no quarterly payments in 2023-24.
- Local Governments will need to ensure they have sufficient funds for 2023-24 to complete their planned programs and activities for that year and that their 2023-24 budgeted recognise the reduction in the 2023-24 FA Grants payments.

Stop Puppy Farming

- The Dog Amendment (Stop Puppy Farming) Bill 2021 was passed by the Parliament in December 2021.
- The new laws, including for the registration and breeding of dogs, will take some time to implement.
- There will be consultation with stakeholders, including local governments, for the design and development of a centralised registration system (CRS) for dogs and cats covered under the *Dog Act 1976* and the *Cat Act 2011*, and for the development of regulations to give legal effect to the functions of the CRS.
- The DLGSC conducted engagement activities with local governments in the second half of 2022. Through this, local government requirements for the CRS were captured for inclusion within the system requirements and scope.
- Progression towards procurement of the CRS and scoping of the regulations is underway. The Request for Tender for the CRS was released to the market on 24 January closed on 8 March 2023.
- The DLGSC is currently evaluating tender responses received.
- The DLGSC is continuing to engage with key stakeholders to support ongoing progress towards the reforms.
- A discussion paper is currently being considered by the Minister for Local Government and further information regarding the release will be provided in due course.

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DLGSC Contacts

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LG Policy and Legislation	legislation@dlgsc.wa.gov.au
CRS – Stop Puppy Farming	puppyfarming@dlgsc.wa.gov.au
Grants Commission – Financial Assistance Grants	Grants.commission@dlgsc.wa.gov.au
LG accounting enquiries	LG.accounting@dlgsc.wa.gov.au
LG Act Reform	actreview@dlgsc.wa.gov.au

4.3 Reports from Kimberley Country Zone

The following table provides a summary of Matters for Decision that will be considered at the WALGA State Meeting on 5th July, 2023, and provides an update on Matters for Noting. For full details of items, including background material and discussions, please see separately attached WALGA State Council Agenda (Attachment 2).

4.3.1 Item/Matters for Decision

Item / Matters for Decision	WALGA Recommendations
1.1 Minutes of the State Council meeting held 5 July 2023	<i>That the Minutes of the WALGA State Council meeting held on Wednesday, 5 July be confirmed as a true and correct record of proceedings.</i>
1.2 Flying Minute Consistent Local Planning Schemes Planning Reform	<i>That the Flying Minute - Consistent Local Planning Schemes Planning Reform be confirmed as a true and correct record of proceedings.</i>
1.3 Flying Minute – Submission on the draft State Waste Infrastructure Plan	<i>That the Flying Minute - Submission on the Draft State Waste Infrastructure Plan be confirmed as a true and correct record of proceedings.</i>
1.4 Flying Minute Submission on State Waste Strategy Directions Paper	<i>That the Flying Minute - Submission on State Waste Strategy Directions Paper be confirmed as a true and correct record of proceedings.</i>

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Item / Matters for Decision	WALGA Recommendations
1.5 Flying Minute Biosecurity and Agriculture Management Act 2007 Review Stage 3 Submission	<i>That the Flying Minute - Biosecurity and Agriculture Management Act 2007 Review Stage 3 Submission be confirmed as a true and correct record of proceedings.</i>
1.6 Flying Minute Independent Strategic Review of the Infrastructure Investment Program Submission	<i>That the Flying Minute - Independent Strategic Review of the Infrastructure Investment Program Submission be confirmed as a true and correct record of proceedings.</i>
1.7 Flying Minute – Discussion Paper, Wired for Change: Regulation for small electrical products and solar photovoltaic system waste submission	<i>That the Flying Minute – Discussion Paper, Wired for Change: Regulation for small electrical products and solar photovoltaic system waste submission be confirmed as a true and correct record of proceedings.</i>
1.8 Flying Minute Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines	<p><i>That the Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines be confirmed as a true and correct record of proceedings</i></p> <p>4.8.1 Business arising from the Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines</p>
1.1 Local Emergency Management Arrangements (LEMA) Advocacy Position	<p>That WALGA endorse the following position on Local Emergency Management Arrangements (LEMA):</p> <ol style="list-style-type: none"> 1. <i>The State Government should fund the implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan endorsed by the State Emergency Management Committee (SEMC).</i> 2. <i>A reformed LEMA system should:</i> <ol style="list-style-type: none"> a) <i>Clearly articulate the roles and responsibilities of Local Governments in emergency management;</i> b) <i>Simplify the reporting processes and reduce the administrative burden of maintaining compliance;</i> c) <i>Provide a suite of scalable tools and guidance materials that are accessible through an online knowledge hub;</i> d) <i>Build the emergency management capacity and capability of Local Governments through the provision of targeted training, exercising support human resources and sustainable funding;</i> e) <i>Assist Local Governments to continue to deliver their core business activities and provide public information during an emergency event;</i> f) <i>Improve the connectivity of Local Governments' various risk management and hazard planning processes through an integrated approach; and</i> g) <i>Enable resource sharing and collaboration across the Local Government sector.</i>

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Item / Matters for Decision	WALGA Recommendations
	<p>Executive Summary</p> <ul style="list-style-type: none"> WALGA recommends that State Council endorse a new emergency management advocacy position requesting the State Government to fund the implementation of the LEMA Improvement Plan endorsed by the State Emergency Management Committee (SEMC). A LEMA advocacy position will enable WALGA to advocate for reforms to LEMA processes, obligations and resourcing that will better meet the needs of the sector and build the resilience of local communities. The proposed position is informed by extensive consultation with the Local Government sector in 2022 through WALGA's LEMA Review Project. 100 Western Australian Local Governments contributed to the LEMA Review consultation, representing 72% of the sector. <p>Attachment WALGA LEMA Review Consultation Project Summary and Recommendations Report</p>
<p>7.2 Advocacy Position on Road Works during Total Fire Ban</p>	<p><i>That WALGA endorse the following principles in relation to the exemptions and conditions under which road works may be undertaken during a Total Fire Ban:</i></p> <ol style="list-style-type: none"> <i>Road Activity Tiers: That there be a tiered risk approach for road work activities and associated controls, based on the proposed activities and fire danger forecast.</i> <i>Local Government operations: That any controls specified in regulations to provide effective risk mitigation and response be able to be implemented within the works crew deployed for the task.</i> <p><i>Reduce Red Tape: That the processes where repeated notification to DFES for the same task at the same location is required be streamlined</i></p> <p>Executive Summary</p> <ul style="list-style-type: none"> The issue of restrictions on carrying out any grading or bitumen works during a Total Fire Ban has been raised by Local Governments. A Total Fire Ban is declared on days when fires are most likely to threaten lives and property. During a Total Fire Ban, road works can be undertaken only under certain conditions as set out in the Bush Fires Regulations 1954. With the frequency of TFBs being declared in Western Australia increasing in recent years, road maintenance and improvement projects have been delayed, increasing the risk to road users. <p>Based on consultation with Local Governments, three key principles are proposed to evaluate the effectiveness of the Regulations to manage risk of bushfire, and to enable low risk activities to proceed with appropriate controls</p>

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4.3.2 Policy Team and Committee Reports and Matters for Noting

Item / Matters for Noting	WALGA Recommendations
8.1 Environment and Waste Policy Team Report	<p>That State Council note the matters considered by the Environment and Waste Policy Team at its meeting held on 5 July 2023.</p> <p>Matters for State Council Decision The Policy Team considered and endorsed the Submission on Stage 3 of the Biosecurity and Agricultural Management Act Review (see Agenda item 9.4).</p> <p>Matters for State Council Noting – updates on the following</p> <p>ARENA EV charger funding: WALGA presented the EOI to the ARENA Panel in early June and was successful in moving onto the next stage of the process, the development of a full project proposal. WALGA are currently working to address the issues identified by the ARENA Panel and anticipate the Submission of the full project proposal in July/August.</p> <p>Integrated Weed Management Promotion: Over the next month, WALGA will be launching a series of videos showcasing Local Governments approaches to integrated weed management.</p>
8.2 Governance and Organisational Services Policy Team Report	<p>That State Council note the Governance and Organisational Services Policy Team Report.</p> <p>The Governance and Organisational Services (GOS) Policy Team have not had a meeting since the last State Council meeting on 5 July.</p> <p>Matters for State Council Noting</p> <p>Nil</p>
8.3 Infrastructure Policy Team Report	<p>That State Council note the matters considered by the Infrastructure Policy Team at its meetings held on 5 July, 28 July and 9 August 2023.</p> <p>Matters for State Council Decision</p> <p>Road Works during Total Fire Bans Road works can be undertaken during Total Fire Bans subject to complying with the conditions set out in the Bush Fires Regulations 1954. Based on consultation with Local Governments, the following principles are proposed to be used to evaluate the effectiveness of the regulations to manage the risk of bushfire and enable low risk activities to proceed with appropriate controls (see Agenda item 7.2):</p> <ol style="list-style-type: none"> 1. Road Activity Tiers 2. Local Government operations 3. Reduce Red Tape <p>Matters for State Council Noting The Infrastructure Policy Team met and considered the following matters that have been endorsed by State Council by way of Flying Agenda:</p> <ol style="list-style-type: none"> 1. Submission to the Strategic Review of Commonwealth Infrastructure Investment Program 2. Proposed changes to the Pedestrian Crossing Facilities Guidelines, used by Main Roads when assessing the needs of pedestrians.

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Item / Matters for Noting	WALGA Recommendations
	<p>The Joint Infrastructure and People and Place Policy Teams meeting on 9 August considered a draft submission to the Independent Review of Commonwealth Disaster Funding and following discussion resolved that the submission be considered by State Council by Flying Agenda.</p> <p>The Policy Team also considered matters in relation to line marking on roads and resolved to seek the development of a formal advocacy position for consideration at a future State Council meeting.</p>
<p>8.4 People and Place Policy Team Report</p>	<p>That State Council note the matters considered by the People and Place Policy Team at its meetings held on 5 July and 9 August 2023.</p> <p>Matters for State Council Decision Nil</p> <p>Matters for State Council Noting</p> <p>At the meeting on 5 July, the People and Place Policy Team received briefings on:</p> <ul style="list-style-type: none"> the State Council Agenda for the 5 July meeting; and the release of draft Operational Policy Planning for Public Open Space by the Department of Planning, Lands and Heritage for comment until 25 August; and the commencement of the <i>Aboriginal Cultural Heritage Act 2021</i>. <p>At the meeting on 9 August, the People and Place Policy Team:</p> <ul style="list-style-type: none"> jointly with the Infrastructure Policy Team, endorsed a draft submission on the Independent Review of Commonwealth Disaster Funding to be provided to State Council by Flying Agenda; endorsed the submission of Draft Operational Policy 2.3 Planning for Public Open Space to the Department of Planning, Lands and Heritage; and endorsed the following advocacy position on Local Emergency Management Arrangements (LEMA) Improvement (see Agenda item 7.1): <ol style="list-style-type: none"> <i>The State Government should fund the implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan endorsed by the State Emergency Management Committee (SEMC).</i> <i>A reformed LEMA system should:</i> <ol style="list-style-type: none"> <i>Clearly articulate the roles and responsibilities of Local Governments in emergency management;</i> <i>Simplify the reporting processes and reduce the administrative burden of maintaining compliance;</i> <i>Provide a suite of scalable tools and guidance materials that are accessible through an online knowledge hub;</i> <i>Build the emergency management capacity and capability of Local Governments through the provision of targeted training, exercising support, human resources and sustainable funding;</i> <i>Assist Local Governments to continue to deliver their core business activities and provide public information during an emergency event;</i> <i>Improve the connectivity of Local Governments' various risk management and hazard planning processes through an integrated approach; and</i> <i>Enable resource sharing and collaboration across the Local Government sector.</i>
<p>3.5 Municipal Waste Advisory Council (MWAC) Report</p>	<p>That State Council:</p> <ul style="list-style-type: none"> rescind Advocacy Position 7.5 Waste Management Data Collection and accompanying Policy Statement; and note the resolutions of the 28 June 2023 Municipal Waste Advisory Council Meeting.

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Item / Matters for Noting	WALGA Recommendations
	<p>Matters for State Council Decision</p> <p>Data and Information Policy Statement</p> <p>ALGA Advocacy Position 7.5 Waste Management Data Collection and Waste Management Data and Information Management Policy Statement were endorsed in 2010 and were used to advocate regarding Local Government reporting requirements as the State Government developed their voluntary data reporting requirements and for funding for Local Government to undertake data collection.</p> <p>While the principles and approach to data collection in the advocacy position and policy statement are still valid, data provision by Local Government is now standard, and required under regulation. It was therefore agreed that MWAC recommend this Policy Statement and associated Advocacy Position and be rescinded.</p> <p>Matters for Discussion</p> <p>MWAC discussed the following matters:</p> <ul style="list-style-type: none"> Waste Levy Rate Increase and Schedule: The Council discussed the differences between the capacity of larger metropolitan Local Governments and small regional Local Governments to collect the Levy. Illegal dumping in peri-urban areas is a significant issue and it was considered that an extension of the Levy was only likely to exacerbate the issue. The focus for advocacy was discussed, including seeking full hypothecation for the Levy, expenditure on positive actions for example FOGO infrastructure funding and the implications of State Government relying on an environmental levy which will decrease over time. MWAC requested the WALGA write to the Environment Minister regarding the Levy. Product Stewardship for Electrical and Electronic Waste: MWAC identified the key elements to include in the Submission to the Federal Government Discussion Paper Wired for Change Regulation for small electrical products and solar photovoltaic systems waste. This included State Government plans to progress a ban on e-waste to landfill by 2024. Local Governments were also encouraged to comment on the Discussion Paper. Household Hazardous Waste Program: A new 5-year funding agreement has been finalised for the HHW Program, starting from 1 July 2023. WALGA has extended the contract with the current service provider, Cleanaway, for 6 months to ensure sufficient time for the tender process for the new Program. Waste Education Resourcing: A short survey on resourcing for waste education was distributed to 34 metropolitan Local Governments and Regional Councils. Complete and partial responses were received from 11 Local Governments and 3 Regional Councils. Results included: <ul style="list-style-type: none"> 10 Local Governments indicated that waste education was provided internally. 7 of these respondents noted one full-time equivalent (FTE) officer allocated to waste education. The remaining three respondents noted at least two FTE officers. One Local Government specified that waste education was provided by their Regional Council. One Local Government specified that in addition to waste education being provided internally, their waste contractor also delivers waste education in schools. Two Regional Councils each indicated at least four FTE officers allocated to waste education. In the 2022-23 financial year, Local Government/Regional Council waste education budgets ranged from \$15,000 to \$300,000. 5th Review of the Container Deposit Scheme Minimum Network Standards: MWAC received notification that the 5th review of the Minimum Network Standards is currently underway, with feedback due 21 July 2023. The review proposes to increase the number of Refund Points for towns of greater than 500 people. The proposal will result in an additional 11 Refund Points state wide. This is aligned with WALGA's previous advocacy and submissions to increase the number of Refund Points. Rather than make a formal submission it was agreed that the MWAC Chair would send a letter supporting the proposal to the Department of Water and Environmental Regulation.

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Item / Matters for Noting	WALGA Recommendations
9.1 Flying Minute – Consistent Local Planning Schemes	<p>That State Council note the submission on Consistent Local Planning Schemes to the Department of Planning, Lands and Heritage and updated advocacy position (6.2 Planning Reform), as endorsed via Flying Minute.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> The Consistent Local Planning Scheme reform project released by the Department of Planning Lands and Heritage (DPLH) responds to the State Government's Action Plan for Planning Reform (Action Plan) aimed at making local planning schemes more consistent and legible and improving associated guidance. Proposals involve changes to land use terms (and associated definitions); zones and reserves (and associated objectives) for all local planning schemes; and land use permissibility and development requirements for commercial and industrial type zones in the Metropolitan and Pee region schemes. WALGA's submission generally supports greater consistency in local planning schemes as proposed but raises several concerns about the ongoing and incremental erosion of Local Government control over their own schemes that can be seen as imposing standardisation beyond what is reasonable. WALGA Advocacy Position 6.2 <i>Planning Reform</i> was revised to include specific reference to ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks. State Council endorsed the submission and amended Advocacy Position via Flying Minute on 8 June 2023. <p><u>Attachments</u></p> <ul style="list-style-type: none"> DPLH's Stakeholder Consultation Report WALGA submission on Consistent Local Planning Schemes including DPLH Submission Form
9.2 Submission on the Draft State Waste Infrastructure Plan	<p>That State Council note the Submission on the Draft Western Australian State Waste Infrastructure Plan, as endorsed via Flying Minute.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> The Department of Water and Environmental Regulation released the draft Western Australian State Waste Infrastructure Plan for comment by 23 June 2023. The draft Plan was developed to guide decision making for the planning and development of waste infrastructure in Western Australia and focuses on the built waste and recycling infrastructure needed to achieve 2030 State Waste Strategy targets. The draft Plan includes analysis of waste infrastructure in each region to identify unique needs, challenges and opportunities. Identified priorities include expansion of existing infrastructure, establishment of new processing and consolidation facilities and transfer of materials between regions to utilise existing capacity. A draft Submission was developed and distributed to Local Government for feedback. State Council endorsed the Submission via Flying Agenda on 23 June 2023. <p><u>Attachments:</u></p> <ul style="list-style-type: none"> Flying Minute and Submission on the Draft Western Australian State Waste Infrastructure Plan
9.3 Submission on Directions Paper: Review of the	<p>That State Council note the Submission on the Directions Paper: <i>Review of the Waste Avoidance and Resource Recovery Strategy 2030</i>, as endorsed via Flying Minute.</p>

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Item / Matters for Noting	WALGA Recommendations
Waste Avoidance and Resource Recovery Strategy 2023	<p>Executive Summary</p> <ul style="list-style-type: none"> The State Government has released a <i>Waste Avoidance and Resource Recovery Strategy 2030</i> (<i>Waste Strategy</i>) Directions Paper, as the first stage of consultation for the Strategy Review. Submissions were due 11 July 2023. Feedback on the Directions Paper will inform an updated Draft Waste Strategy, which will be released for consultation in late 2023 for a minimum of 12 weeks. A draft Submission was developed and distributed to Local Government for feedback. Focus areas for the updated Strategy identified in the Submission, include: <ul style="list-style-type: none"> Increased focus on evidence-based waste avoidance programs for priority wastes; Engagement with Commercial & Industrial sector; Influencing effective national product stewardship schemes for electronic waste, packaging and tyres; and Coordination and support for regional and remote areas. State Council considered and endorsed the Submission via Flying Agenda on 10 July 2023. <p><u>Attachments:</u></p> <ul style="list-style-type: none"> Flying Minute and Submission on the Directions Paper: Review of the Waste Avoidance and Resource Recovery Strategy 2030
9.4 Flying Minute – Submission on Discussion Paper: Stage 3 Biosecurity and Agriculture Management Act 2007 Review	<p>That State Council note the Submission on the Discussion Paper: <i>Stage 3 Biosecurity and Agriculture Management Act Review</i>, as endorsed via Flying Minute.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> The Independent Review Panel released a Discussion Paper on the third and final stage of consultation on the <i>Biosecurity and Agriculture Management Act 2007</i> (BAM Act) for comment by due 30 June 2023. WALGA requested and received an extension until 12 July 2023. The Review Panel sought feedback on nine priority areas for reform, and 21 opportunities to 'clarify, strengthen and support a strengthened biosecurity system in WA'. WALGA's Stage 3 Submission builds on the recommendations in the WALGA BAM Act Review Discussion Paper and aligns with the Biosecurity Advocacy Position endorsed by State Council in December 2022. Feedback from Local Government identified the key reform areas as: <ul style="list-style-type: none"> Clarifying the role of the BAM Act: ensure that the ecological impact of pests and diseases as well as the agricultural impacts are considered equally; Planning and reporting: establishing a formal biosecurity body, including key stakeholders, to provide strategic leadership and consideration of local, regional and state-wide priorities; and Community led pest management: establishing a broad-based Declared Pest Rate, applied across WA to all freehold, leasehold or rural land above a certain size, with Local Government as an eligible entity to receive funding from this Rate. The key concerns raised by the sector were in relation to: <ul style="list-style-type: none"> Emergency Powers: Ensuring Local Government is consulted on the development of these powers, particularly where the emergency response will impact on Local Governments operations and responsibilities; Community led pest management: Although there may be additional funding available, this may not guarantee funding to deliver all programs expected by the community; and Compliance with WA's biosecurity laws: Increased budget for State Government led compliance operations was considered critical by the sector, rather than relying on Local Laws. State Council endorsed the Submission via Flying Agenda on 12 July 2023.

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Item / Matters for Noting	WALGA Recommendations
	<p><u>Attachments</u></p> <ul style="list-style-type: none"> Flying Minute and Submission on the Discussion Paper: Stage 3 Biosecurity and Agriculture Management Act Review
<p>9.5 Flying Minute – Independent Strategic Review of the Infrastructure Investment Program Submission</p>	<p>That State Council note the Independent Strategic Review of the Infrastructure Investment Program submission, as endorsed via Flying Minute.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> The Commonwealth is conducting a 90-day independent strategic review of the \$120 billion infrastructure investment program. The scope includes key Local Government infrastructure funding programs such as Roads to Recovery. The submission supports continuation and expansion of the Commonwealth Government investment in Local Government infrastructure through both non-competitive and specific purpose funding programs. The submission was endorsed by State Council on 14 July by way of Flying Minute. <p><u>Attachments</u></p> <ul style="list-style-type: none"> Flying Minute and submission to the Independent Strategic Review of the Infrastructure Investment Program
<p>9.6 Flying Minute – Submission on Discussion Paper – Wired for Change: regulation for small electrical products and solar photovoltaic system waste</p>	<p>That State Council note the Submission on the Discussion Paper: Wired for Change: regulation for small electrical products and solar photovoltaic system waste, as endorsed via Flying Minute.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> The Department of Climate Change, Energy, the Environment and Water released a Discussion Paper outlining the proposed new regulated product stewardship scheme for two categories of electrical waste: small electrical and electronic equipment and solar photovoltaic (PV) systems for comment by 23 July 2023. The current national Product Stewardship Scheme for electronic waste does not meet the needs of Local Government as it does not cover all electronic waste, or the costs associated with recycling. Local Government has also expressed concern regarding the equity of the geographic coverage of the Scheme. The proposed new scheme meets most Local Government requirements, with: <ul style="list-style-type: none"> a guarantee that all costs associated with the recycling of this e-waste is covered for sites which are part of the Scheme; most electronic waste currently being disposed of at Local Government sites being included, as well as an opportunity for additional products to be added over time; and an equitable access requirement. The design of the proposed scheme has been informed by consultation with WALGA, other Local Government Associations, and key stakeholders. WALGA has emphasised the need for these elements of the Scheme, as well as targets that do not limit collection amounts and align with infrastructure and markets for products collected. State Council considered and endorsed the Submission via Flying Agenda on 21 July. <p><u>Attachments</u></p> <ul style="list-style-type: none"> Flying Minute and Submission on the Discussion Paper: Wired for Change: regulation for small electrical products and solar photovoltaic system waste

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Item / Matters for Noting	WALGA Recommendations
<p>9.7 Flying Minute – Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines</p>	<p>That State Council note the submission to Main Roads WA on the draft Pedestrian Crossing Facilities Guidelines, and the following principles regarding the design and implementation of pedestrian crossings, as endorsed via Flying Minute:</p> <p>1. Planning at the local level A detailed understanding of modal networks at the local level and/or local transport plans should inform where and which pedestrian crossing types are implemented.</p> <p>2. Pedestrian Crossings are essential High-speed, high-volume roads are the major barrier to active transport that must be resolved.</p> <p>3. Pedestrian Priority Pedestrian travel should be given equal weight to vehicular travel. High-quality, cost-effective pedestrian-priority crossings should be implemented wherever possible. Pedestrian Crossings on roads with heavy vehicles should also be given higher priority toward the implementation of a safe pedestrian-priority crossings in the Guidelines, based on the risk to the pedestrian.</p> <p>4. Cost Cost-effective pedestrian-priority crossings should be considered first, rather than high-cost facilities. The Guidelines should provide guidance on the cost of installing pedestrian crossing facilities and general information on which party may bear the costs.</p> <p>5. Proactive Approach Forecast pedestrian demand based on network planning, rather than existing pedestrian counts should be used to plan appropriate crossings.</p> <p>6. Speed Vehicle travel speed requirements for implementing pedestrian crossings must not be a barrier to selecting and installing pedestrian-priority crossings, but should be a consideration in selecting cost effective designs.</p> <p>7. Intersections Intersection designs, including roundabouts, should accommodate pedestrian crossing priority.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> • Main Roads provided the draft Pedestrian Crossing Facilities Guidelines to WALGA for review and comment. • Seven overarching principles are proposed to inform revisions to the draft Guidelines document: <ul style="list-style-type: none"> ○ That planning at the Local Government level be considered in determining where and which crossing types are implemented; ○ That pedestrians must be accommodated with facilities, regardless of vehicle speeds and vehicle volume considerations; ○ That high-quality, pedestrian-priority crossings be considered first rather than last; ○ That lower cost high-quality, pedestrian-priority crossings be considered first, rather than higher cost crossings ○ That the guidelines incorporate a proactive approach, rather than react to pedestrian demand, which is often not present; ○ That the operating speed to implement high-quality, pedestrian-priority crossings be increased, so this is not a barrier to implementing pedestrian crossings; ○ That intersection designs, particularly roundabouts, be included that support pedestrian-priority crossings. • These principles guide numerous proposed revisions to the text of the draft Guidelines. • Revisions to the Pedestrian Crossing Facility Guidelines are important to Local Government as Local Governments maintain most of the path network, have a nuanced understanding of transport in their jurisdiction, and often prepare active transport planning documents that include priority pedestrian networks.

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Item / Matters for Noting	WALGA Recommendations
	<ul style="list-style-type: none"> The submission was considered and endorsed by State Council by way of Flying Minute on 11 August. <p>Attachments Flying Minute: Submission to the Review of the Main Roads Pedestrian Crossing Facilities Guidelines</p>
9.8 Concurrent Commonwealth Disaster Reviews	<p>That State Council note that the National Emergency Management Agency (NEMA) is undertaking three separate but complimentary reviews to improve the effectiveness and efficiency of Commonwealth disaster funding and governance.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> The National Emergency Management Agency (NEMA) is undertaking three separate but complimentary reviews to improve the effectiveness and efficiency of Commonwealth disaster funding and governance: <ul style="list-style-type: none"> Independent Review of Commonwealth Disaster Funding Disaster Recovery Funding Arrangements Review Independent Review of National Natural Disaster Governance Arrangements These reviews will seek to identify areas of duplication, gaps, and opportunities to streamline processes and align with best practice and the recommendations of the <i>Royal Commission into National Natural Disaster Arrangements</i> and National Disaster Risk Reduction Framework. WALGA is preparing a submission to the Independent Review of Commonwealth Disaster Funding, due 18 August 2023. The submission will be provided to State Council for endorsement via Flying Agenda. The submission presents an opportunity to raise the sectors concerns about the Commonwealth Disaster Recovery Arrangements (DRFA) and other Commonwealth Disaster Funding grant processes. WALGA is seeking further information to ascertain if there is an opportunity to contribute to the Governance and DRFA reviews.
10.1.1 Report on Key Activities, Infrastructure Portfolio	<p><u>That State Council note the Key Activity Report from the Infrastructure Portfolio for September 2023.</u></p> <p><u>Activities:</u></p> <p>Roads:</p> <ul style="list-style-type: none"> Local Government Transport and Roads Research and Innovation Program Update of User Guides for calculating the cost of road wear for defined freight tasks Condition Assessment of Roads of Regional Significance Road Rail Interface Agreements <p>Funding:</p> <ul style="list-style-type: none"> Procedures for the State Road Funds to Local Government Agreement Procedures for the State Road Funds to Local Government Agreement Multi-Criteria Assessment (MCA) Model Revisions Business Case for Safety Improvement to High Speed Sealed Local Government Roads <p>Utilities:</p> <ul style="list-style-type: none"> Streetlighting Underground Power <p>Road Safety:</p> <ul style="list-style-type: none"> Road Safety Ratings for Local Government Roads Project Road Safety Council Update

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Item / Matters for Noting	WALGA Recommendations
10.1.2 Report on Key Activities, Member Services Portfolio	<p><u>That State Council note the Key Activity Report from the Member Services Portfolio for September 2023.</u></p> <p><u>Activities:</u></p> <p>Association and Corporate Governance:</p> <ul style="list-style-type: none"> • Constitutional amendments <p>Commercial:</p> <ul style="list-style-type: none"> • Preferred Supplier Program (PSP) Summary • Current PSP Development Activity • Construction and Building Environments (PSP012) • Sustainable Energy Project <p>Employee Relations:</p> <ul style="list-style-type: none"> • 2023 WALGA People and Culture Seminar • Senior Employee Contract Templates <p>Governance and Procurement:</p> <ul style="list-style-type: none"> • 2023 Local Government Elections - Candidate Information Briefing webinar • Individual Local Government Candidate Briefing sessions <p>Training:</p> <ul style="list-style-type: none"> • State Employment Law Essentials course • Health and Safety Representative Course • Council Member Essentials training for new Elected Members • Certificate III in Local Government
10.1.3 Report on Key Activities, Policy Portfolio	<p><u>That State Council note the Key Activity Report from the Policy Portfolio for September 2023.</u></p> <p><u>Activities:</u></p> <p>Economics</p> <ul style="list-style-type: none"> • Economic Briefing • Superyacht Industry Working Group • ABA Branch Closure Protocol <p>Environment and Waste</p> <ul style="list-style-type: none"> • Natural Resource Management Grants • Product Stewardship <p>Planning and Building</p> <ul style="list-style-type: none"> • Building Control Information Sessions • Draft Position Statement – Electric Vehicle Charging Infrastructure • CoastWA Local Government Training Program • Draft Operational Policy 2.3: Planning for Public Open Space <p>Resilient Communities</p> <p>Emergency Management</p> <ul style="list-style-type: none"> • The State Emergency Management Committee (SEMC) met on 2 August attended by WALGA CEO Nick Sloan. SEMC Communiques are available here. • Emergency Management Survey • Local Emergency Management Arrangements Review and Improvement Plan • LEMC/DEMC Review • Climate Change Adaptation Plan for the Emergency Management Sector <p>Community</p> <ul style="list-style-type: none"> • Aboriginal Cultural Heritage • Local Government Regional Primary Health Services Survey

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Item / Matters for Noting	WALGA Recommendations
	<ul style="list-style-type: none"> • Aboriginal Forum • Most Accessible Community in Western Australia Awards (MACWA)
10.1.4 Report on Key Activities, Policy Portfolio	<p>That State Council note the Key Activity Report from the Advocacy Portfolio for September 2023.</p> <p><u>Activities:</u></p> <p>Events: WALGA Convention 2023</p> <p>Media</p> <p>Marketing</p> <ul style="list-style-type: none"> • Local Government Election Campaign • Brand refresh

4.4 Status Report on State Council Resolutions

Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
5 July 2023 Item 7.1 Review of Urban Forest Advocacy Position	<p>That WALGA endorse a new Advocacy Position 4.6 Urban Forest as follows:</p> <p><i>To promote the growth of Western Australia's urban forest the State Government should:</i></p> <ol style="list-style-type: none"> <i>1. Identify a lead agency with responsibility for setting the strategic direction and oversight of urban forest initiatives.</i> <i>2. Provide recurrent funding for a comprehensive and accessible Urban Greening Grant program to support Local Government investment in public realm planting, focusing on high urban heat areas and enhancing biodiversity outcomes.</i> <i>3. In consultation with Local Government:</i> <ol style="list-style-type: none"> <i>a. Develop a state-wide Urban Forest Strategy, based on the overarching principles of a resilient, connected, expanded and equitable urban forest including:</i> <ol style="list-style-type: none"> <i>i. a minimum tree canopy target of 30% by 2040 for the Perth and Peel regions,</i> <i>ii. robust and contemporary data to inform decision making,</i> <i>iii. funding mechanisms to support growth in urban canopy.</i> <i>b. Develop contemporary legislative and policy mechanisms to enable the protection and growth of urban forest, including:</i> <ol style="list-style-type: none"> <i>i. an effective and efficient regulatory mechanism that allows Local Government to consider the removal or alteration of a significant tree as a form of development,</i> <i>ii. incentivising the provision and retention of trees on private property within the state planning framework,</i> <i>4. Work with Local Government and other stakeholders to increase community awareness and promote behaviour change in relation to urban forest growth and retention to support State and Local Government targets and action.</i> <p>RESOLUTION 460.3/2023</p>	<p>The Advocacy Positions Manual has been updated</p>	Complete	Nicole Matthews Executive Manager Policy

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Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
5 July 2023 Item 7.2 State Planning Policy 3.7 Bushfire	That WALGA endorse the submission on State Planning Policy 3.7 Bushfire and the Planning for Bushfire Guidelines. RESOLUTION 461.3/2023	The submission has been lodged.	Complete	Nicole Matthews Executive Manager Policy
5 July 2023 Item 7.3 Reforming WA Disability Legislation Submission	That WALGA endorse the submission to the Department of Communities relating to the Consultation Paper – Reforming WA Disability Legislation. RESOLUTION 462.3/2023	The submission has been lodged.	Complete	Nicole Matthews Executive Manager Policy
5 July 2023 Item 7.4 Landfill Bans Advocacy Position	That WALGA endorse the submission to the Department of Communities relating to the Consultation Paper – Reforming WA Disability Legislation. RESOLUTION 462.3/2023	The Advocacy Positions Manual has been updated	Complete	Nicole Matthews Executive Manager Policy
5 July 2023 Item 7.5 Audit Experience Survey Results	That: 1. State Council note the Audit Experience Survey Results Summary; and 2. WALGA advocate to the Office of the Auditor General (OAG) to reform the audit process for Local Governments by seeking: a. Audits of Local Governments are completed and reported on in a timely manner and that the processes, procedures and scope of audits are consistently applied. b. That the OAG review the requirements for pre-audit information with a view to reducing the need for additional information where possible; c. That the OAG review their costing formulae for Local Government audits and show constraint in audit cost increases;	A letter has been sent to the Auditor General outlining WALGA's advocacy positions and suggested reforms to the audit process for Local Governments. In respect to item g, the Minister for Local Government, Hon David Michael has advised that he will make a regulation change to the Financial Management regulations to only require Local Governments to revalue assets once every five years. This will occur with the next installment of regulatory	Ongoing	Tony Brown Executive Director Member Services

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Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
	<p>d. That the OAG provide a breakdown on the cost of the audit and justification for any variance to the estimate to the Local Government as part of the final billing process;</p> <p>e. That auditors be required to improve their communication and information management and avoid repeated requests for information that has already been provided or that is publicly available;</p> <p>f. That Local Governments only be required to communicate with contract Auditors (unless the OAG is directly auditing the Local Government) and the onus be placed on the contract Auditors to confirm their advice with the OAG before instructing the Local Government;</p> <p>g. In-conjunction with the Department of Local Government, Sport and Cultural Industries, review the application of Fair Value principles in the context of the audit; and</p> <p>h. Seek an opportunity for Local Government to make representations in relation to any adverse findings prior to the publication of the report.</p> <p>RESOLUTION 464.3/2023</p>	<p>reforms as part of the current legislative reform process.</p> <p>This is very good news and an advocacy success for the Local Government sector and the Minister and Department of Local Government assistance on this matter has been appreciated.</p> <p>The Advocacy Positions Manual has been updated.</p>		
<p>5 July 2023</p> <p>Item 7.6</p> <p>Amendments to WALGA's Constitution</p>	<p>That State Council endorse putting two items to the 2023 Annual General Meeting that:</p> <p>1. considers a new Constitution to give effect to the alternate governance model as per the attached, subject to amending clause 2 in respect to the definition of "Special Majority" by inserting the words "the Board or of" after the words "in relation to" and inserting the words "the Board Members or" after the words "comprising enough of" and amending clause 32 as per the following:</p> <p>a. Replace "An Absolute" with "A Special"; and</p> <p>b. Insert the word "Special" before majority and delete "of not less than 75%"; and</p> <p>2. amend the Constitution to retain the current governance model with necessary changes, as per the attached mark-up.</p> <p>RESOLUTION 466.3/2023</p>	<p>A Notice of Proposed Amendments to the Association Constitution has been distributed to all Local Government Chief Executive Officers and is available on the WALGA website here. The Notice contains the two items that will be put to Members at the 2023 Annual General Meeting (AGM) on Monday, 18 September.</p> <p>Information contained in the Notice will also be included in the Agenda papers for the AGM which will be distributed shortly.</p>	Ongoing	<p>Tony Brown</p> <p>Executive Director</p> <p>Member Services</p>

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Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
5 July 2023 Item 7.7 Finance and Services Committee Minutes Incorporating the Governance Budget 2023-24 18 June 2023 – CONFIDENTIAL	That: 1. the Minutes of the Finance and Services Committee meeting held on 28 June 2023 be endorsed; and 2. the Governance Budget 2023-24, being for the full year ending 30 June 2024, as recommended by the Finance and Services Committee be endorsed. RESOLUTION 467.3/2023	Action has been taken to implement the 2023/24 WALGA budget.	Complete	Tony Brown Executive Director Member Services
5 July 2023 Item 7.8 Selection Committee Flying Minute – 20 June 2023 – CONFIDENTIAL	That the recommendations contained in the 20 June 2023 Selection Committee Flying Minute be endorsed. RESOLUTION 468.3/2023	The appointments have been actioned.	Complete	Tony Brown Executive Director Member Services
5 July 2023 Item 7.9 LGIS Fees and Board Minutes – CONFIDENTIAL	That State Council: 1. Approve the annual Scheme Management fee payable to JLT is increased by 3.71% for the 2023-24 financial year as recommended by the LGIS Board; 2. Approve a 3.71% increase to the WALGA Trustee Fee from the Scheme; 3. Endorse the reappointment of Mary Woodford as an Independent Director of the LGIS Board for a three-year term upon the expiry of her current term on 31 December 2023; and 4. Note the minutes of the LGISWA Scheme Board meeting held on 11 May 2023. 13 May 2023 Item 7.3 Abandoned Shopping Trolleys Advocacy Position RESOLUTION 469.3/2023	The resolution has been actioned.	Complete	Tony Brown Executive Director Member Services

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Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
July 2023 Item 7.12 Performance Review Report 22-2023 – CONFIDENTIAL	That State Council: 1. Note the appraisal of Mr Nick Sloan Chief Executive Officer has been completed for the period of July 2022 to June 2023. 2. Endorse the findings of the 2022-23 Annual Performance Review Report as presented by Price Consulting and thank Mr Sloan for his efforts. 3. Endorse the proposed CEO's Performance Criteria for the 2023-2024 period, as per the attached report. 4. Endorse the next annual performance review process to include 360-degree feedback. RESOLUTION 472.3/2023	Noted	Complete	Tony Brown Executive Director Member Services
July 2023 Item 8.2 Governance and Organisational Services Policy Team Report	That State Council: 1. retain, without amendment, Advocacy Positions: (a) 2.1.10 Recovery of Rates and Service Charges; and (b) 2.5.31 Annual Electors' General Meetings; 2. delete Advocacy Position 2.5.25 Attendance at Council Meetings by Technology; and 3. notes that the Governance and Organisational Services Policy Team endorsed the WALGA 2023 State Wage Case submission. RESOLUTION 474.3/2023	The Advocacy Positions Manual has been updated.	Complete	Tony Brown Executive Director Member Services
May 2023 Item 7.3 Abandoned Shopping Trolleys Advocacy Position	That State Council endorse the following position on Abandoned Shopping Trolleys: <i>The Local Government Sector advocates for State Government to consult with the Sector and prioritise legislative reforms that require retailers to contain shopping trolleys within shopping centre property boundaries, inclusive of enforcement and modified penalty mechanisms that are a realistic economic imperative for retailers to comply with containment requirements.</i> RESOLUTION 441.2/2023	Correspondence has been written to the Minister for Local Government advocating for legislative reforms to require retailers to contain shopping trolleys within their property boundary. The Advocacy Positions Manual has been updated.	Ongoing	Tony Brown Executive Director Member Services

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Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
May 2023 Item 7.5 State Road Funds to Local Government Agreement 2023/24 to 2027/28	That the State Road Funds to Local Government Agreement 2023/24 – 2027/28 be endorsed. RESOLUTION 443.2/2023	We understand that the draft Agreement endorsed by WALGA State Council was recommended for signing by the Premier and Minister for Transport. A date for signing was not secured prior to the Premier resigning and is now dependent on a new Premier and potentially new Transport Minister being briefed and agreeing.	Ongoing	Ian Duncan Executive Manager Infrastructure
March 2023 Item 7.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities	That WALGA: 1. Note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball. 2. Write to the Ministers for Environment, Local Government, Sport and Planning requesting the formation of a cross Government working group, including relevant representative bodies, to consider and develop solutions to balance urban density and infill, public recreation and noise management. RESOLUTION 422.1/2023	Correspondence has been sent, awaiting a response.	Ongoing	Nicole Matthews Executive Manager Policy
December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: 3.1 Road Traffic Issues <i>That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.</i> RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: That efforts to increase the importance given to Local Government knowledge regarding traffic issues be deferred for consideration in mid-2023 after a clear Local Government advocacy position on speed management is developed and endorsed. This matter is central to the new Speed Management Policy adopted by State Council in May 2023. Implementation strategy being considered.	Ongoing	Ian Duncan Executive Manager Infrastructure

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Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: 3.2 Car Parking and Traffic Congestion Around Schools <i>That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:</i> <ol style="list-style-type: none"> 1. Reviewing car parking standards for schools; 2. Ensuring sufficient land is set aside for the provision of parking on school sites; 3. Reviewing the co-location of schools to avoid issues being exacerbated; 4. Restricting school access from major roads; 5. Developing plans to enable schools to manage school traffic; 6. Develop programs to educate drivers; and 7. Develop options and implement initiatives to encourage alternative modes of transport to school. RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: That WALGA uses its role at the Safe Active Travel to School Working Group to advocate for these outcomes and provide advice back to the Local Government sector.	Ongoing	Ian Duncan Executive Manager Infrastructure
December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: 3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA <i>That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.</i> RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: That the opportunities and interest in contracting Local Governments to undertake maintenance and minor works on the State Road network be explored in discussion with Main Roads WA.	Ongoing	Ian Duncan Executive Manager Infrastructure

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Meeting	Zone Resolution	Comment	Completion Date	Officer Responsible
December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: 3.4 Northern Australia Beef Roads Program <i>That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.</i> RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: That the Association write to the Goldfields Esperance Regional Road Group identifying the issue raised and invite them to consider whether they may partner with other organizations such as Meat and Livestock Australia, the Pastoral and Graziers Association and the Regional Development Commission and RDA to develop a business case to fund roads critical to the southern pastoral beef industry.	Ongoing	Ian Duncan Executive Manager Infrastructure
December 2021 Item 5.3 2021 Annual General Meeting	That the following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: <u>Cost of Regional Development</u> That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns. RESOLUTION 294.7/2021	In March the State Government announced the establishment of a new Infrastructure Development Fund that includes a stream to support the delivery of regional worker accommodation with applications open until September 2024. This is an infrastructure investment program to address infrastructure constraints in the water, wastewater and electricity network at a precinct or strategic site scale impacting the delivery of regional worker accommodation. Full details can be found here.	Ongoing	Ian Duncan Executive Manager Infrastructure
September 2021 Item 6.1 Stop Puppy Farming Legislation	1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted. 2. That: a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index. RESOLUTION 275.5/2021	Correspondence has been sent to the Minister for Local Government advising of resolution 2.	Ongoing	Tony Brown Executive Director Member Services

Link to Key Pillar/s and Strategies:		Budget Implications	
Advocate Partner Promote	Facilitate Fund Monitor	People Place Prosperity Performance	Nil
Resolution(s)		Action(s)	
<p>That the Kimberley Regional Group:</p> <ol style="list-style-type: none"> 1. Notes the report from the WALGA President 2. Notes the State Council Agenda Items as circulated 3. Supports the recommendations in the Matters for Decision contained within the State Council Agenda 4. Acknowledges the Items for noting 5. Acknowledges the Status Report on State Council Resolutions 6. Notes the Kimberley Zone Status Report 		Nil	
Moved:	Shire of Broome	Responsible:	
Seconded:	Shire of Derby West Kimberley	Due date:	
Carried:	4/0		

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5. 2023 Local Government Elections – Zone Office Bearer Elections

Item For Noting

By Chantelle O'Brien, Governance Support Officer

BACKGROUND

With the bi annual Local Government elections being held on Saturday, 21 October 2023, Zones will also be required to hold an election process for State Council representatives.

A chronological overview of the process is detailed below:

- Local Government elections occur on Saturday, 21 October 2023.
- Member Councils to elect/appoint their Zone Delegates and to advise the Zone Executive Officer, as soon as possible but preferably by 3 November 2023.
- For the purpose of electing their representatives and deputy representatives to the WALGA State Council, the Zones are required to hold these elections at their November 2023 meeting.
- Zones to advise WALGA, in writing, of their elected State Council representative and deputy representative immediately following the 2023 November Zone meeting.
- A State Councillor Induction Session will be held for all State Council representatives and deputy representatives before the first meeting in December.
- The new State Council will take office at the Ordinary Meeting of State Council on **6 December 2023**.

In relation to the nominations and election process to be followed by each Zone in electing a representative and deputy representative to the WALGA State Council, the below process has been instituted by State Council:

1. Zone Executive Officer to write to all Member Councils no later than 1 month prior to the Zone meeting at which the election is to be held calling for nominations from Delegates to the Zone for the positions of representative and deputy representative to State Council. The correspondence is to state that all nominations are to be made in writing to the Zone Executive Officer, and only Elected Members who are a nominated Zone Delegates are eligible to nominate. The time period for the receipt of nominations is preferably to be **one week prior** to the Zone meeting at which the election will be held. However, nominations will be accepted from the floor at the Zone meeting.
2. Zone Executive Officer to receive written nominations from Zone Delegates for the positions of representative and deputy representative to State Council and then provide written confirmation to Member Councils of the nominations received.
3. Elections are to be held at the next Zone meeting as the first item of business. Nominations will be permitted from the floor at the Zone meeting. Where there is more than one nomination for each vacant position, an election will be conducted using a secret ballot, with the Zone Executive Officer to represent WALGA as the returning officer for the election. Prior to the ballot, nominees for each position are to be extended the opportunity to provide a 2 minute election bid to Delegates.
4. All voting Delegates to the Zone are entitled to cast one (1) vote in the ballot process. The candidate with the greater or greatest number of votes is elected to the office.
5. **Tied vote** – in the event of a tied vote, election will be determined by drawing names from a box. The Secretariat will put the names of the candidates concerned in a box and the first name drawn is the Elected Member.

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6. Zone Executive Officer to advise WALGA in writing immediately following the Zone meeting of the outcome of their elections.

If you have any questions or require further information in relation to the above mentioned process, please contact Tony Brown, Executive Director Member Services on 9213 2051 or email tbrown@walga.asn.au.

Link to Key Pillar/s and Strategies:		Budget Implications	
Advocate Partner Promote	Facilitate Fund Monitor	People Place Prosperity Performance	Nil
Resolution(s)		Action(s)	
That the Kimberley Country Zone note the process for election of Zone Representative and Deputy Representative to the WALGA State Council.		Nil	
Moved:	Shire of Halls Creek	Responsible:	
Seconded:	Shire of Broome	Due date:	
Carried:	4 / 0		

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6. Commonwealth Disaster Ready Fund – Round Two

Item for Noting

Submitted by Rachel Armstrong, Senior Policy Advisor Emergency Management

Executive Summary

- The [Disaster Ready Fund](#) (DRF) is a \$200 million Commonwealth Government fund that provides grants to government and non-government organisations to help them reduce disaster risk.
- Expressions of Interest (EOIs) for DRF Round 2 are open now and applications for Round 2 will open in early 2024.
- Benefits to Local Governments in applying for the DRF include building partnerships with other organisations and receiving financial assistance for projects that reduce community vulnerability to disasters.
- The Department of Fire and Emergency Services (DFES) is actively engaging with organisations in preparation for Round 2 of the DRF, to identify projects that are most likely to be successful, as well as providing support and advice to develop strong applications.
- DFES is encouraging Local Governments interested in applying for DRF Round 2 to start planning now.
- DFES is holding a [grants webinar](#) on Monday 4 September, 10am to 12pm, which will provide more detail on how to submit a successful grant application, and the support available.

Background

The first round of the DRF opened on 10 January and closed 6 March 2023. 19 out of 23 successful Western Australian projects involved Local Governments. Although many WA Local Governments that applied to Round One of the DRF were successful, WA were only allocated just over \$8 million of the total \$200 million available. Successful projects from the first round are listed [here](#).

EOIs for DRF Round 2 are open now and applications for Round 2 will open in early 2024.

Comment

Examples of the types of projects that were successful across Australia, and may be of interest to Local Governments considering applying for a DRF grant in Round Two include:

- Evacuation centre upgrades
- Coastal erosion mitigation
- Flood resilience
- Community disaster risk reduction and resilience projects
- Green canopy initiatives
- Community engagement, education, and preparedness
- Improving natural environments to build resilience.

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The extra support being provided by DFES through the early EOI process may help increase DRF funding to Local Governments in Round Two. A key factor in funding success is a well substantiated application, which can be resource intensive to develop.

DFES will hold a grants webinar 10am - 12pm, Monday 4 September, with information on how to submit a successful grant application, and what support is available. Register your interest [here](#).

Further information is available on the [SEMC website](#) or semc.grants@dfes.wa.gov.au.

Link to Key Pillar/s and Strategies:			Budget Implications	
Advocate Partner Promote	Facilitate Fund Monitor	People Place Prosperity Performance	Nil	
Resolution(s)			Action(s)	
That zones note that Expressions of Interest for Round 2 of the Disaster Ready Fund are now open, and that the Department of Fire and Emergency Services is providing support to Local Governments to assist with the development of high-quality applications.			Nil	
Moved:	Shire of Broome		Responsible:	
Seconded:	Shire of Halls Creek		Due date:	
Carried:	4 / 4			

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7. Funding Support for Arts in Regional Western Australia

Item for Noting

Submitted and presented by: Nicole Roukens, Manager of Community Engagement and Projects, Shire of Broome

Attachment: Nil

Time: 11:30 – 11:40

Executive Summary

This report recommends the Kimberley Zone of WALGA requests the WALGA State Council lobby the State Government to:

- Fund Regional Arts WA for the employment of Regional Arts Hub Coordinators to be based across regional WA;
- Expand KidSport program to include arts activities.

Background:

The Western Australia Cultural Infrastructure Framework 2030+ states ‘we want WA to be the most culturally engaged State in Australia—with cultural infrastructure that celebrates our rich cultural diversity and creative talent, the State recognised as a major hub for technical innovation and the creative industries, and WA known as one of the most artistic and inspiring places in the world.’

The Framework includes multiple opportunities relating to regional WA including:

6.2 Increasing regional prosperity and economic diversity.

Partnerships with local government, industry and local businesses to plan for and promote sustainable growth and leverage regional WA’s strengths will further establish our regional cities and towns as open for business and vibrant places to work, play and learn.

6.4 Supporting strong and resilient remote communities.

Cultural tourism has been identified as a growth area in tourism markets and a realistic economic stimulus for remote and regional WA. International cultural tourist visitor numbers and spend has increased at a higher rate than average in Australia in recent years.

Following the development of the State’s Framework the Shire of Broome recently adopted its own Arts and Culture Strategy. The Strategy determines the local arts and culture sector’s needs and long-term ambitions, and how it can be supported and enhanced by Shire investment and action so it can thrive and reach its full potential. The Strategy was developed in collaboration with key local stakeholders to ensure it meets local needs, whilst alignment with State and Federal strategies.

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Many of the actions included in the Strategy are proposed to be delivered in partnership with local arts organisations, Regional Arts WA and the State Government.

The Strategy includes actions to:

- Advocate for the State and Federal Government to provide increased organisational arts investment in the Kimberley region and increased regional WA specific organisational funding delivered through the peak body for regional arts in WA
- Partner with arts organisations providing youth programs to seek funding for subsidised program participants and Advocate for the introduction of a KidSport like program for arts activities.

Details:

Regional Arts WA have previously secured philanthropic funding for Regional Arts Hub Coordinators to be based in arts organisations across regional WA. The Hub Coordinators work to:

- advocate for the value of arts and culture by strengthening relationships with local governments and stakeholders, and
- promote and seek development opportunities for artists and arts workers.

Isolation and lack of resources are key challenges for the regional arts sector. Hub organisations support each other through these challenges by sharing knowledge, expertise, and resources. They connect back to one another (and Regional Arts WA) to create the Regional Arts Network.

The Regional Arts Network works collectively to amplify the voice of regional arts in WA. Together, they are finding new ways of connecting and collaborating on statewide projects to benefit the wider regional arts sector.

Recently the Shire of Broome became aware that funding for the Regional Arts WA, Regional Arts Hub Coordinators was being reduced and coming to an end in June 2025. This program is currently funded through the Minderoo and Ian Potter Foundations.

Through this program Broome has had a part-time Regional Arts Hub Coordinator based in Broome for the past 2 years based out of Goolarri Media. We believe that this role is crucial for the sustainability and development of arts in the Shire and enabling the Shire and State to meet their strategic objectives. The Shire of Broome would like to see State Government funding committed to this program to ensure it can continue.

The Shire of Broome has received funding from the State Government for over 10 years for the Every Club grant (previously Club Development Officer). This position works with local sporting groups to improve their governance practices, sustainability and capacity. This has been an incredibly successful program and the Shire has witnessed firsthand the benefit to the local community.

Sport and art are vital to creating a strong and vibrant community and funding is required to support regional arts groups.

KidSport has been supporting the Western Australian community since 2011. The Kidsport program enables eligible children aged 5 – 18 years to participate in community sporting by offering them financial assistance of up to \$150 per calendar year towards club fees.

It is recommended the State Government extend the KidSport program to include arts activities. The social, physical and mental health benefits of participation in the arts are well documented, similar to the benefits of participation in sports. The KidSport model and delivery are proven, and we believe should be extended to include arts activities.

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Risk:

If no further funding is secured for the Regional Arts Hub Coordinators to be based in regional WA this will result in reduced service to regional arts organisations and the sustainability of regional arts.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	Nil
Resolution(s)		Action(s)	
That the Kimberley Country Zone of WALGA; Request the WALGA State Council to advocate the State Government to: <ul style="list-style-type: none"> Fund Regional Arts WA for the employment of Regional Arts Hub Coordinators to be based across regional WA; Expand the KidSport program to include arts activities. 		Letter of request to be sent to WALGA as per resolution	
Moved:	Shire of Broome	Responsible:	Executive Team
Seconded:	Shire of East Kimberley	Due date:	As required
Carried:	- / -		

Conclusion of Zone Matters:12:05

12.4 CHANGE OF MEETING TIME FOR ORDINARY COUNCIL MEETING 30 NOVEMBER 2023 IN FITZROY CROSSING**File Number:** 4150 - Meeting Procedures**Author:** Sarah Smith, Executive Services Coordinator**Responsible Officer:** Neil Hartley, Acting CEO / Director - Strategic Business**Authority/Discretion:** Administrative**SUMMARY**

This report is for Council to consider changing the time of the Ordinary Council Meeting on 30 November 2023 in Fitzroy Crossing.

DISCLOSURE OF ANY INTEREST

Nil by Author or Responsible Officer.

BACKGROUND

The Ordinary Council Meeting on 30 November 2023 is scheduled at 5.30pm in Fitzroy Crossing. Due to Ex-Tropical Cyclone Ellie and associated flooding AGRN1044 occurring in Fitzroy Crossing, there is a resulting shortage of accommodation. It is proposed that the meeting time be rescheduled to earlier in the day in order to allow sufficient time for Council Members and other staff to travel to and from the Council Meeting on 30 November 2023.

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

Part 2 - Council and Committee meetings

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.3 Effective Communication	1.1.1 Engage with our communities

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Business Interruption: Councillors attending other functions impacting on Council Member duties.	Possible	Minor	Low	Adoption of amended Council meeting time as recommended.

CONSULTATION

President, Council Members and Acting CEO.

COMMENT

In order to facilitate travel requirements and to give ample time to engage with affected with community members and stakeholders, it is proposed that the Ordinary Council Meeting on 30 November 2023 in Fitzroy Crossing is held at 11.00am.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RESOLUTION 128/23

Moved: Cr Andrew Twaddle

Seconded: Cr Brett Angwin

That Council:

- 1. Alter the time of the 30 November 2023 Ordinary Meeting of Council from 5.30pm to 11.00am; and**
- 2. Give local public notice of the amendment of meeting time as required by the *Local Government (Administration) Regulations*.**

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0

13 TECHNICAL SERVICES**13.1 APPLICATION TO INSTALL TWO GRIDS ON NERRIMA ROAD BY NERRIMA PASTORAL COMPANY****File Number:** 8125**Author:** Ron Delvin, Engineering Technical Officer**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Review**SUMMARY**

This item is for Council to consider the application by Nerrima Pastoral Company (NPC) to install 2 grids on the Nerrima Road. It is recommended that approval for this work be given to Nerrima Pastoral Company.

DISCLOSURE OF ANY INTEREST

Nil Author or Responsible Officer.

BACKGROUND

Nerrima station is located between Myroodah station and Kalyeeda station in the central south area of the shire. The station has been over the last 10 years committed to a development program in rehabilitating their rangelands area within the Stations control. Part of that control is to control the movement of stock which the grids would help facilitate it.

STATUTORY ENVIRONMENT

Approval is required as it the proposal is on a public road controlled by the Shire.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

There are no cost implications to Council as the proposal is to have all costs of installation and future maintenance covered by the pastoral company. Officers will note the GS location of the grids and note that they are owned by the property owner not Shire.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
3. Economy	3.1 Industry and business development and growth	3.1.1 Encourage and support appropriate and sustainable investment

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
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Reputation: Council may receive some public adverse commentary if the grids are not improved in a timely manner due to the impending wet season which would delay NPC's rehab program.	Unlikely	Minor	Low	Council approves the installation of the two grids with all costs being borne by Nerrima Pastoral Company
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CONSULTATION

Officers have been in discussion with Chris Morrow the manager of Nerrima station and only recently received the formal request. Their hope is to have the grids installed prior to the wet season hence the urgency of the item.

COMMENT

As previously mentioned in the background section NPC are currently in development stage of rehabilitation of the rangeland under their control and the installation of 2 new stock grids will be a critical part of the project. The process they are undertaking is to sub divide paddocks to allow greater stock control and better grazing practices.

The new grids will support this process, place a permanent control on the roadway rather than gates that can be left open and allow ease of movement of traffic without gates in place. NPC are also meeting all costs of installation and future maintenance of the grids. Noting all of the above the Officer has no objection to the installation of the grids.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RESOLUTION 129/23

Moved: Cr Brian Ellison

Seconded: Cr Geoff Haerewa

That Council:

- 1. Approve the installation of two new grids on Nerrima Road; and**
- 2. Instruct the Chief Executive Officer to write to Nerrima Pastoral Company noting the approval and note that all costs for the installation, ongoing maintenance and future replacement be the responsibility of Nerrima Pastoral Company.**

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0

14 DEVELOPMENT SERVICES**14.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE TERMS OF REFERENCE AND MEETING MINUTES****File Number:** 4212**Author:** Mark Chadwick, Manager of Development Services**Responsible Officer:** Wayne Neate, Director Technical and Development Services**Authority/Discretion:** Executive**SUMMARY**

Council is to consider the final adoption of the Local Emergency Management Committee Terms of Reference with amendments and the Minutes of previous meeting held August 15, 2023.

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 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 they were adopted and put before Council on the 29th June 2022 Minute no 80/22 it resolved as follows:

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

As a consequence of developing the LEMA, the LEMC recommends Council adopt a Terms of Reference. The Terms of Reference provide further guidance and specify procedures that assist SDWK and the Local Emergency Coordinator (Officer in Charge of Police sub-district) through the chair of LEMC to develop and maintain effective emergency management arrangements for the local area.

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. It achieves this through scheduling regular meetings and bringing an awareness of the relevant discussions and any issues to Council.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.2 Maximise local opportunities
	1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
	1.3 Effective Communication	1.3.3 Use multiple channels to distribute information about services, programs, places and spaces

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Council does not have a Terms of Reference in place which was identified by a recent Audit.	Almost Certain	Moderate	Medium	Council to adopt the Terms of Reference to ensure a consistent approach to future meetings in accordance with Local Emergency Management Arrangements. Endorsement of future Minutes of Meetings for Council awareness.

CONSULTATION

LEMC has recommended that the Terms of Reference and all future meeting minutes be adopted by Council.

COMMENT

The LEMC identified a Terms of Reference was needed to guide its meetings and to ensure that Council is aware of the issues discussed and disclosure of the Minutes of the LEMC meetings to Council.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Terms of Reference with amendments [↓](#) 
2. LEMC Meeting Minutes August 15, 2023 [↓](#) 

RESOLUTION 130/23

Moved: Cr Brett Angwin

Seconded: Cr Paul Bickerton

That Council:

1. Adopt the Shire of Derby/West Kimberley Local Emergency Management Terms of Reference with amendments, (as per attachment 1); and
2. Adopt the Minutes of the LEMC meeting held on August 15, 2023 (as per attachment 2).

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0



Shire of Derby / West Kimberley

Local Emergency Management Committee

Terms of reference

Chairperson

Deputy Chairperson

Agency and

Organisation

Representatives

Shire Councillor

Local Emergency Coordinator

Shire of Derby West Kimberley

Department of Fire and Emergency Services (DFES)

State Emergency Services (SES)

Derby Volunteer Fire and Rescue Services (DVFRS)

Hamlet Grove Bush Fire Brigade (HGBFB)

Department of Communities – Housing, CPFS

Department of Defence

Department of Biodiversity, Conservation and Attractions

Department of Parks & Wildlife

Department of Transport

Department of Justice-West Kimberley Regional Prison (WKRP)

Department of Education – Derby & Fitzroy Crossing

Derby Police

Fitzroy Crossing Police

North Regional TAFE

Derby Volunteer Sea Rescue Group (DVSRG)

WA Country Health Service (WACHS) Derby & Fitzroy Crossing

Hospital

Juniper - Derby & Fitzroy Crossing

WACHS – Kimberley Population Health Unit

Horizon Power

Main Roads WA

Water Corporation

Kimberley Port Authority

Royal Flying Doctor Service

Derby Aboriginal Health Service

National Indigenous Australians Agency

Department of Primary Industries & Economic & Regional

Development

Secretariat	Shire of Derby West Kimberley (SDWK) Development Services
Meeting Schedule	Quarterly or as required
Meeting Location	Shire of Derby West Kimberley, Council Chambers
Quorum	Five (5)
Delegated Authority	Nil

FUNCTIONS:**1.0 NAME**

The name of the Committee is the Shire of Derby West Kimberley Local Emergency Management Committee.

2.0 DISTRICT/AREA OF CONTROL

The SDWK Local Emergency Management Committee operates within the boundaries of the local government of the SDWK. Shire districts are determined under Division 4 — Emergency Management Districts, of the Emergency Management Act 2005.

3.0 VISION / PURPOSE

To assist the SDWK and the Local Emergency Coordinator (Officer in Charge of Police sub-district) to develop and maintain effective emergency management arrangements for the local area.

4.0 STATUTE**Emergency Management Act 2005**

The Emergency Management Procedures Manual published by the Department Fire and Emergency Services contains the following guidance:

LEMC Membership

Noting the requirements of the EM Act, the following provides guidance on the composition of LEMCs:

- a) The Chair or Deputy chair should be an elected member of Council;
- b) The Officer in charge of the Local Police should be appointed The Local Emergency Coordinator;
- c) An Executive Officer, who should be an officer of the relevant local government, should be appointed to coordinate the business of the committee and/or provide administrative support;
- d) The Local Recovery Coordinator, being the person nominated in the Local Recovery Plan, where a Local Recovery Plan has been completed as part of

local emergency management arrangements (section 41(4) of the EM Act), should be appointed a member of the committee;

e) Consideration should be given to appointing local government officers engaged in key roles and functions affecting emergency management (for example, community services, engineering services, corporate services or planning);

f) Membership should include representatives from Emergency Management Agencies (EMAs) in the local government district (for example, the Department of Fire and Emergency Services); welfare support agencies or non-government organisations (for example, the Department for Child Protection and Family Support, Red Cross or Salvation Army), industry representatives (especially the owners or operators of hazardous facilities located within the local government district);

g) Consideration should be given to appointment of persons able to represent or advise on the interests of Culturally and Linguistically Diverse (CaLD) community members or community members with special needs; and

h) LEMCs should where possible include representatives of local Aboriginal community organisations to provide advice and guidance to the LEMC and to promote appropriate engagement with the local Aboriginal communities.

SDWK Standing Orders Local Law 2001

In accordance with Council's **Standing Orders Local Law 2001**, formal Committees of Council are to be compliant with the provisions of the **Standing Orders Local Law 2001** as far as this does not conflict with any other written Law. While recognising that the Local Emergency Management Committee is a Committee formed pursuant to section 38 of the Emergency Management Act 2005, the Chairperson is to follow the Meetings Procedures as far as is practicable to ensure Proper meeting procedures are followed. The Committee is proposed to be administered by utilising the *Local Government Act 1995* as a guiding reference.

5. ESTABLISHMENT

Last reviewed 15 August 2023.

6. OBJECTIVES

- Liaise with participating agencies in the development, review and testing of emergency management arrangements.
- Assist with the preparation of emergency management operating procedures for application in the local area.
- Prepare an annual report on Committee activities for submission to the District Emergency Management Committee.
- Participate in the emergency risk management process.
- Carry out other emergency management functions as directed by the District Emergency Management Committee.

7.0 MEMBERSHIP

7.1 General

Members of the Committee are nominated by Council.

Council will appoint one elected member and one proxy elected member to the Committee.

Membership to include agencies with specific emergency management responsibilities or expertise essential to the development of emergency management arrangements.

7.2 Tenure of Membership

As per section 5.11 Tenure of committee membership, of the Local Government Act 1995.

8.0 DELEGATED AUTHORITY

This Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

9.0 COMMITTEE

9.1 Chairperson & Deputy Chairperson

The Chairperson is the Shire councillor representative and Deputy Chairperson resumes the chair if the chair is absent.

9.2 Secretariat

The Shire's Director of Technical and Development Services is the responsible Secretariat.

9.3 Standing Ex-Officio Members

The Committee may invite ex-officio members as necessary. Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chair. Shire staff may be appointed as ex officio officers by the Secretariat.

10.0 MEETINGS

10.1 Annual General Meeting

N/A

10.2 Committee Meetings

Held quarterly, or as required. The Chairperson may at any time convene a special meeting of the Committee.

10.3 Quorum

Quorum is five (5) Committee members.

10.4 Voting

As per section 5.21 –Voting, of the Local Government Act 1995.

10.5 Minutes

In accordance with the Local Government Act 1995 section 5.22 and 5.25, and Local Government (Administration) Regulations 1996.

The minutes are to be submitted to the next Committee meeting for confirmation and are to be signed by the Chairperson from the meeting at which the minutes are confirmed.

Unconfirmed minutes are to be available for inspection by members of the public within 5 business days after the meeting and Reports and Recommendations arising from the minutes shall be presented to Council at the next Ordinary Meeting for endorsement and/or action, or if it is not possible, then the earliest available Council Meeting.

10.6 Who Acts if No Presiding Member

In accordance with section 5.14 – Who acts if no presiding member, of the Local Government Act 1995.

10.7 Members Interests to be Disclosed

Members of the Committee are required to declare interests following the principles detailed in section 5.65 - Members' interest in matters to be discussed at meetings to be disclosed and section 5.70 – Employees to disclose interests relating to advice or reports - of the Local Government Act 1995.



**Shire of Derby /
West Kimberley**

**SHIRE OF WEST KIMBERLEY DERBY
LOCAL EMERGENCY MANAGEMENT
COMMITTEE MEETING**

Minutes – Tuesday 15th August, 2023

President's Office, Derby

Commenced at 9.31am

 www.sdwk.wa.gov.au

LEMC MINUTES: 15 AUGUST 2023

1.0 DECLARATION OF OPENING

The meeting opened by Councillor Andrew Twaddle at 9.31am

2.0 RECORD OF ATTENDANCE

2.1 Attendance

Name	Agency
Andrew Twaddle	Shire of Derby/West Kimberley - Councillor
Mark Chadwick	Shire of Derby/West Kimberley – Manager Development Services
Colleen Boldison	Shire of Derby/West Kimberley – Executive Admin
Rowan Scott	Shire of Derby/West Kimberley - Ranger Coordinator
Luke Lawrence	Shire of Derby/West Kimberley – Senior Ranger
Jaob Charters	Shire of Derby/West Kimberley - Ranger
Eliot Money	Derby District High School
Belinda Parks	(MS Teams Online)
Matt Reimer	DFES (MS Teams Online)
Belinda Storer	JUNIPER (MS Teams Online)
Dave Serafini	Main Roads WA (MS Teams Online)
Noel Wilson	DEPIRP (MS Teams Online)
Renee Flaxman	DoC (MS Teams Online)
Andrew Boyle	NIAA (MS Teams Online)
Sarah Clarke	WAPOL (MS Teams Online)
Tasha Fernando	JUNIPER (MS Teams Online)
Chris Hart	(MS Teams Online)
Ben Burton	Emama Gnuda (MS Teams Online)
Tahni Van Gasteren	(MS Teams Online)

2.2 Apologies

Name	Agency
Geoff Haerawa	SDWK President
Wayne Neate	SDWK DIRECTOR TECH DEV. SERVICES
Beatrice Ronoh	SDWK EHO
Jane Salt	EDUCATION DEPARTMENT
Kirk Mitchell	WAPOL
Gareth Cornish	

LEMC MINUTES: 15 AUGUST 2023

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**COMMITTEE DECISION:****Moved:** Mark Chadwick **Seconded:** Rowan Scott**That the Minutes of the Local Emergency Management Committee Meeting held on Tuesday 13th June December 2023 be confirmed.****Carried – all in favour 16/0****4.0 BUSINESS ARISING FROM LAST MEETING**

- NIL.

5.0 NEW BUSINESS**5.1 Frequency of Meetings**

Move to hold meetings bi-Monthly was discussed and the recommendation was for meetings to be held Quarterly in both the Wet & Dry Season or as required.

Moved: Mark Chadwick **Seconded:** Eliot Money**Carried:** 20/0**5.2 TERMS OF REFERENCE**

Recommendation from Committee that the Council adopts the ToR as tabled at this meeting.

Moved: Rowan Scott **Seconded:** Mark Chadwick**Carried:** 20/0**6.0 Letter from DFES – 2023-24 Wet season preparedness within the Kimberley region 24/07/2023**

Matt Reimer from DFES – DFES are developing a Kimberley Wet Season Plan. At the most recent DEMC meeting, they were asking for any Actions/Plans from other Agencies/local meetings? This is due by the end of August.

LEMC MINUTES: 15 AUGUST 2023

7.0 Emergency Exercise 2023 – Mark Chadwick

Suggestions for an exercise involving seaplane and boat to Horizontal Falls or similar. We need to conduct an exercise perhaps involving a seaplane, boat or Horizontal Falls. Eliot Money suggested lost people fishing/camping up the Gibb River road, hiking etc. We have next calendar year to decide what we are going to do.

- Ben Burton suggested we have trials of Logistical exercises in effects such as Medication, Food, Essential supplies and such.
- Matt Reimer suggests we incorporate/stage a recovery plan in the role of LEMC.

8.0 Standing Items

- **8.1 Incident Review**
A Twaddle – fires are an issue with a lot of fuel because of the floods. Fires at Meda and Yeeda stations, have been started by camp fires. At Gogo station there was quite a big fire.
- **8.2 Review of LEMC Contact List**
Contact list– please update by sending through to Colleen.
- **8.3 Review of Resource List**
Please send updated through to sdwk@sdwk.wa.gov.au Same as above, needs updating with Ambulances etc
- **8.4 Document Updates**
Nil

9.0 REPORTS FROM MEMBERS

- **9.1 SES**
Nil
- **9.2 WAPOL**
S.Clarke – No issues
- **9.3 WACHS**
Nil
- **9.4 Dept. of Communities**
1090 calls for assistants. New staff trainees – face to face. 4WD training. Updating emergency kits. Audit evac centre. Evac centre coordinator training.
- **9.5 HORIZON POWER**
Nil

LEMC MINUTES: 15 AUGUST 2023

- **9.6 WATER CORPORATION**

Nil

- **9.7 RAAF**

Nil

- **9.8 MAIN ROADS**

Wet season prep, transport options & technology needs.

- **9.9 DVFS**

Nil

- **9.10 DFES**

There are a number of working groups setup e.g. – Food, Fuel, Aviation, Acomm, transport, east hub. All coming up with contingency plans.

- **9.11 SDWK**

Repair + rebuild groups. Emergence program in FX. Workers Acomm inspection complet.

FX access to Airstrip? (Bel Storer question: any plans for top road).

- **9.12 DAHS**

Nil

- **9.13 NIAA**

Nil

- **9.14 EDUCATION**

- **9.15 Emama Gnuda**

Kabayji Bioroo hostel still has 18 people from the FX floods.

- **9.16 JUNIPER**

Plans for preparedness. There was an issue with RFDS transfer of non-ambulant people.

- **9.17 RENUAL UNIT**

No response, MC to follow up.

10.0 GENERAL BUSINESS

- **10.1 2023 Meeting Dates to be confirmed See attachment 9.1**

Usually the September or October meeting involves the BOM presentation, so it will be in October the week starting 10th October.

- **10.2 Any other Business**

Nil

LEMC MINUTES: 15 AUGUST 2023

11.0 CLOSURE

- **11.1 Date of Next Meeting**
- BOM will be conducting a webinar on 9th October, 2023, for all LEMC & DEMC. No on the road travel.
- The next meeting is Tuesday 10 October 2023 at 10:30am in the Council Chambers, Derby.

- **11.2 Closure of Meeting**
- The Chair closed the meeting at 10:22am.

2023 MEETING DATES

Unless determined otherwise by the Committee Chairman, the next meeting date will be Tuesday 10th October, 2023:

15 COMMUNITY AND RECREATION SERVICES**15.1 DERBY LANDCARE GROUP CATTLE GRID AND INSTALLATION REQUEST FOR DONATION****File Number:** 5132**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 consider a request from the Derby Landcare Group for the Shire of Derby/West Kimberley to donate a cattle grid and assist with installation at the entrance point to the Munkajarra Wetlands reserve.

DISCLOSURE OF ANY INTEREST

Nil by author and responsible officer.

BACKGROUND

The Derby Landcare Group, a dedicated community organisation within the Shire of Derby/West Kimberley, has been a steadfast advocate for landcare management and environmental preservation in the region. Established over a decade ago, this group has consistently demonstrated its commitment to the sustainable management of our natural resources, focusing on initiatives aimed at preserving the unique and fragile ecosystems of the Kimberley.

Very few managed public spaces exist in Derby dedicated to the preservation and enhancement of biodiversity. Yet many natural and unique places exist, albeit becoming under increasing threat from weeds, feral animals, inappropriate fire regimes, development and many other factors. As Derby grows in population and development increases these places will become more significant but left unmanaged will degrade quickly. Munkajarra Wetlands has been valued by traditional owners for centuries and in more recent times by Derby residents for its significant bird, flora and freshwater qualities.

The Munkajarra gate (2nd one down the track to the wetland) is frequently left open, and cattle then get into it and cause considerable immediate damage. They eat and trample the fringing vegetation, thus destroying nests and habitat and creating erosion; they foul the water which leads to algal growth and deoxygenation. A grid placed in the 2nd gate will prevent these problems. There are gates at the southwestern corner of the Reserve that are never used by tourists – any cattle that do get into the Reserve can be mustered out through these gates. Also a raised grid at this location will inhibit access to the area by caravaners (the area is designated as a no camping area?)

Derby Landcare Group received a Commonwealth Caring for our Country Community Landcare Grant of \$53,790 in 2013 to work with the Mowanjum Pastoral lease, Mowanjum Indigenous Community and the Derby community to ensure that stock are excluded from the Munkajarra Wetland Reserve, provide alternative watering sites for stock and educational and cultural information to inform visitors of the values of the site. This project aimed to develop a

management plan and activities for engaging Mowanjum Pastoral Station and the community to protect this asset for future generations while supporting pastoral interests that surround the reserve. The Munkajarra Project grant was acquitted in July 2015. Professor Peter Cook, the Project Management Consultant, delivered the Final Report (Nutrient Project Report) on the Project in June 2015.

The need for a grid at the entrance to keep stray cattle out was identified years ago, and recently Derby Landcare Group has identified contractors who can install a grid, have identified a source of gravel from Mowanjum Pastoral, and have become aware that the Shire has grids donated by Main Roads WA. Derby Landcare Group had received verbal confirmation from the manager of Main Roads WA that they could have possession of one of the cattle grids. Derby Landcare Group are unsure whether this commitment was communicated to the Shire by Main Roads WA.

A 5 year Memorandum of Understanding between the Shire and the Derby Landcare Group was endorsed at the Ordinary Meeting of Council that was held 23 February 2023.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Policy F19 Community Funding Scheme provides guidance as to the financial, and non-monetary in-kind assistance, to community groups and not-for-profit organisations in a transparent, equitable and consistent manner. Support is provided as a contribution towards the delivery of services, activities and initiatives by community groups and not-for-profit organisations which enhance community participation and wellbeing. This request meets the requirements for submission under this policy.

FINANCIAL IMPLICATIONS

The provision of a used cattle grid which the Shire already possesses as a result of a Main Roads WA donation will have substantially less financial impact than purchasing a new system which can cost up to \$50,000. The donated grids have had repair work carried out to refurbish them at an approximate cost of \$3,000-\$5,000. Assistance with installation will attract a minimal commitment from the Shire of \$2,000-\$3,000 which can be covered from the current operational budget of \$75,000 for donations to community groups, there are currently no commitments from this budget item for this financial year.

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
1. Leadership and Governance	1.3 Effective Communication	1.3.2 Listen to and respond to the needs of our communities
2. Community	2.4 Sustainable Communities	2.4.1 Support and assist volunteer, community and sporting groups
4. Environment	4.1 Our natural environment	4.1.1 Take advantage of, protect and promote natural attractions and environmental features

4. Environment	4.2 Liveable Communities	4.2.1 Reflect the identity, character, and current and future needs of our communities through responsible and creative land management planning and use
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RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Environment: Caravans accessing the reserve and damaging the area.	Likely	Moderate	Medium	Installation of cattle grid at correct gradient will deter caravans from entering restricted area.
Environment: Cattle accessing the reserve and damaging the area.	Almost Certain	Minor	Medium	Installation of cattle grid will keep cattle from entering the reserve at that point.
Reputation: Perceived lack of support for local community group.	Likely	Minor	Medium	Providing donation will keep goodwill between the Shire and an active community group.
People Health & Safety: Ongoing maintenance of cattle grids.	Possible	Moderate	Medium	Derby Landcare Group will take on all responsibility for maintenance once installed.

CONSULTATION

The Derby Landcare Group have met on numerous times with the manager of Mowanjum station who has advised they will assist where needed and that the group will still need to retain the current gate for their access and removing any cattle that do get in.

In April, 2022 Derby Landcare Group advised that it had approached Main Roads WA regarding the provision of a cattle grid. The advised at their regular monthly meeting that they had received verbal confirmation from the Main Roads WA manager that they would be gifted a cattle grid. Upon later follow-up the Group was advised that all cattle grids had been gifted to the Shire of Derby/West Kimberley and that they should follow-up with the Shire.

The Shire of Derby/West Kimberley has been present at all Derby Landcare Group meetings for the past 18 months. The discussions around the cattle grids have arisen many times. At the latest meeting the Group resolved to send a formal request to the Shire of Derby/West Kimberley for the donation of a cattle grid received from Main Roads WA and assistance with the installation of the grid.

COMMENT

The Derby Landcare Group and the Shire of Derby West Kimberley have a strong and long term working relationship. It is in this regard Derby Landcare Group hope that the Shire of Derby West Kimberley can assist with this request which aligns with the following as outlined in the current Memorandum of Understanding between the two (2) parties:

- Provide technical advice where appropriate for installation of any infrastructure and program implementation works; and
- Assist, where practicable and available, with the provision of equipment as part of joint ventures, collaborations and Shire supported programs.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **Memorandum of Understanding between Shire of Derby/West Kimberley and Derby Landcare Group**  

RESOLUTION 131/23

Moved: Cr Geoff Haerewa

Seconded: Cr Paul Bickerton

That Council:

1. **Approves the donation of an ex-Main Roads WA cattle grid to the Derby Landcare Group for installation at the entrance to Munkajarra Wetlands subject to Derby Landcare Group taking on the ongoing maintenance and upkeep of the cattle grid; and**
2. **Approves the in-kind donation of Shire resources (staff and material) to the value of \$3,000.00 to assist with the installation of the cattle grid at the entrance to Munkajarra Wetlands.**

In Favour: President Peter McCumstie, Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

Against: Nil

CARRIED 9/0 BY ABSOLUTE MAJORITY

MEMORANDUM OF UNDERSTANDING BETWEEN
SHIRE OF DERBY/WEST KIMBERLEY; AND
DERBY LANDCARE GROUP INC.

This is an agreement between “Shire of Derby/West Kimberley”, hereinafter called “The Shire” and “Derby Landcare Group Inc.”, hereinafter called the “DLG”

1. PURPOSE

The purpose of this MOU is to clearly identify the roles and responsibilities of each party in the development of management plans and future management programs upon Shire controlled reserves.

2. REFERENCE

Local Government Act

3. BACKGROUND

The DLG were formed in 2012 with a vision to “Engage the community in protecting and enhancing Derby’s unique natural environment”. The group’s focus is to : increase community awareness and education, conserve habitat and biodiversity, support the discovery and enjoyment of Derby’s environment, improve the environment through lobbying and advocacy and maintain a strong, vibrant DLG.

The Shire’s strategic direction is taken from its Strategic Community Plan. The 2021-2031 plan incorporates the following priorities and strategies in relation to the natural environment.

Priority 4.1 Our Natural Environment

Strategy 4.1.1 Take advantage of, protect and promote natural attractions and environmental features.

Priority 4.2 Liveable Communities

Strategy 4.2.1 Reflect the identity, character and current and future needs of our communities through responsible and creative land management planning and use.

Strategy 4.2.2 Encourage the use of local products, styles and the environment through design principles and guidelines.

Priority 4.3 Sustainability

Strategy 4.3.1 Commit to sustainable environmental practices.

Strategy 4.3.2 Commit to minimising waste.

A partnership approach between the Shire and the DLG benefit both parties in achieving their overall goals and objectives. For the DLG, the Shire can support their vision through advice, technical support, policy development and access to Shire managed lands. For the Shire, local improvements in the natural environment and community awareness align with their strategic goals.

The DLG and the Shire have expressed a strong interest in partnering to maximise the impact they have on Derby's natural environment and the well-being of the community.

Agreements and Commitments

- Both the Shire and the DLG enter into this MOU in good faith and will work cooperatively to resolve any issues that may arise.
- The DLG and the Shire will meet formally a minimum of two (2) times per year to discuss project work within Shire controlled reserves. There will be four (4) representatives on the working group, two (2) from the DLG and two (2) from the Shire. The objectives of these meetings will be to:
 - ❖ Identify and prioritise work for the calendar year
 - ❖ Identify potential funding opportunities for projects
 - ❖ Adopt a "project based" budgeting method and focus on the delivery of outcomes
 - ❖ Review work schedules and timeframes for tasks within the reserves
 - ❖ Review reports on the expenditure of any grant fund obtained in accordance with Federal or State government policies and the Shire's reporting requirements
- A delegated Shire and DLG officer will authorise and/or supervise on-site new works, as required.

4. SHIRE OF DERBY/WEST KIMBERLEY'S RESPONSIBILITIES UNDER THIS MOU

The Shire undertake the following:

- Assist the DLG with the preparation and adoption by Council of the management plans for key identified areas.

- Support the DLG with submissions for future funding applications/opportunities.
- Provide representation at monthly DLG meetings
- Provide technical advice where appropriate for installation of any infrastructure and program implementation works.
- Assist and provide direction in developing and implementing consultation and communication strategies in respect to proposed projects on Shire controlled Reserves and landholdings with affected stakeholders.
- Assist with promotional material associated with agreed programs.
- Provide DLG with Council Policies on Workplace Health and Safety as per Council Policy AF17.
- Assist with the storage of plant and equipment at the Council depot where practicable.
- Assist, where practicable and available, with the provision of equipment as part of joint ventures, collaborations and Shire supported programs.

5. DERBY LANDCARE GROUP RESPONSIBILITIES UNDER THIS MOU

The DLG undertake the following:

- Seek funding opportunities to develop agreed programs.
- Seek and obtain approvals from the delegated Shire officer prior to commencing any on-ground works outside of existing and endorsed management plans.
- Acknowledge the Shire as being the responsible agency when undertaking programs on Shire reserves and landholdings.
- Ensure that all DLG members undertaking works on Shire controlled reserves are appropriately and adequately insured and observe all Workplace Health and Safety requirements.
- Liaise regularly with the Shire to review, develop and implement on-ground programs.
- Implement management plans and on-ground programs.

6. REVIEW AND EVALUATION

The Shire and DLG may from time to time review this Agreement and seek variation to the MOU terms by providing written notice one (1) month in advance subject to the agreement of both parties.

7. TERM OF AGREEMENT

This Agreement shall operate for a period of five (5) years commencing from the date the agreement is made. A formal annual review will be held at the beginning of each calendar year to assess relevance.

8. DISPUTES RESOLUTION

In the event of a dispute that cannot be resolved by the Shire or DLG, an independent arbitrator approved by both the DLG and Shire will be appointed to assist with negotiating an end to the dispute. The intent to seek arbitration is to be provided in writing giving one (1) month notice

9. FUNDING

This MOU does not include the reimbursement of funds between the two (2) parties.

10. EFFECTIVE DATE

This MOU shall be effective upon the signature of the Shire of Derby/West Kimberley and Derby Landcare Group authorised officials

It shall be active from **1 September, 2022** to **31 August, 2027**

The Shire of Derby/West Kimberley and Derby Landcare Group indicate agreement with this MOU by their signatures

Shire of Derby West Kimberley

Derby Landcare Group

.....

.....

Signature

Signature

.....

.....

Print Name

Print Name

.....

.....

Date

Date

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

- Nil

17 NEW BUSINESS OF AN URGENT NATURE

- Nil

18 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)

- Nil

19 CLOSURE**19.1 Date of Next Meeting**

The next ordinary meeting of Council will be held Thursday, 30 November 2023 at 11:00am in Fitzroy Crossing.

19.2 Closure of Meeting

The Presiding Member closed the meeting at 7:08pm.

These minutes were confirmed at a meeting on

...30 November 2023.....

Signed: 

Presiding Person at the meeting at which these minutes were confirmed.

Date: 30 November 2023.....