



**Shire of Derby /  
West Kimberley**

# **MINUTES**

## **Ordinary Council Meeting Thursday, 29 September 2022**

**Date: Thursday, 29 September 2022**

**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, 29 SEPTEMBER 2022 AT 5:30PM**

- PRESENT:** Cr Geoff Haerewa (Shire President), Cr Peter McCumstie (Deputy Shire President), Cr Andrew Twaddle, Cr Linda Evans and Cr Geoff Davis (via videoconference).
- IN ATTENDANCE:** Amanda Dexter (Chief Executive Officer), Neil Hartley (Director of Strategic Business – via videoconference), Alan Thornton (Director of Corporate Services), Shane Edwards (Acting Director of Community Services), Dean Wyber (Manager of Assets & Projects) and; Chloe Searles (Manager of Administration – minute taker).
- VISITORS:** Laura Gray – Heritage Consultant
- GALLERY:** Patricia Juboy (Chairperson Warrwa), Kimmy Juboy, Katlyn Yeeda, Valarie Lennard, Dianne Lennard, M Cow and Gail Williams.
- APOLOGIES:** Cr Rowena Mouda and Cr Pat Riley.
- APPROVED LEAVE OF ABSENCE:** Cr Paul White and Cr Keith Bedford.
- ABSENT:** Nil

**1 DECLARATION OF OPENING, ANNOUNCEMENTS OF VISITORS**

The meeting was opened at 5:30pm by Geoff Haerewa – Shire President.

**2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

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

- Cr Geoff Davis; and
- Neil Hartley – Director of Strategic Business.

**3 DISCLOSURE OF INTERESTS**

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

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



Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

### **3.1 Declaration of Financial Interests**

- Nil

### **3.2 Declaration of Proximity Interests**

- Nil

### **3.3 Declaration of Impartiality Interests**

- Nil

## **4 APPLICATIONS FOR LEAVE OF ABSENCE**

### **LEAVE OF ABSENCE**

#### **RESOLUTION 116/22**

**Moved: Cr Peter McCumstie**

**Seconded: Cr Andrew Twaddle**

That the Leave of Absence received from:

1. Cr Paul White for the Ordinary Council Meeting on 29 September 2022 be accepted and leave of absence granted;
2. Cr Keith Bedford for the Ordinary Council Meetings on 29 September 2022, 27 October 2022 and 24 November 2022 be accepted and leave of absence granted; and
3. Cr Linda Evans for the Ordinary Council Meeting on 8 December 2022 be accepted and leave of absence granted

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

Against: Nil

**CARRIED 5/0**

## **5 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

- Nil.

## **6 PUBLIC TIME**

### **6.1 Public Question Time**

- Nil.

### **6.2 Public Statements**

The Warrwa People of Derby and Point Torment submitted and discussed the following questions  
Warrwa Traditional Owners of this country remind you that you are now on notice with anything to do with our lands.

These lands encompass the Native Title areas WCD2020/009 and Warrwa Gadjidar Tribunal file No. WCD2020/009 Federal Court file no(s) WAD 16/2019.

Commonly known as Warrwa Mawadjala Gadjidar. This includes all of Point Torment Lands, the Derby Township and all mudflats and waters in between.

The questions are this:

1. SDWK, what is the process for notifying Traditional Owners what is happening on our Country?
2. SDWK have been notified about Warrwa's presence and distinguished legends of our people, whom are the Traditional Owners of this Country. Why do you continue to ignore our presence, existence and our right to our sovereign country and our right to be consulted on all matters related to mining, commercial interests, public activities and welcome to country occasions or any activity? SDWK you are on notice with anything to do with our lands.
3. Who did the Welcome to Country at the ANZAC service in April this year?
4. Why has Katlyn Yeeda has any recognition by the SDWK after winning the State Tourism Awards and claiming 3 prizes for 3 different categories and for which the State Premier travelled to Broome to congratulate her on this magnificent achievement.
5. The Warrwa people also expressed concern and disappointment in the Shire over the Shire recognising and providing a vale for the recent passing of community elder Cyril Archer when the passing of their distinguished elder Harry Lennard did not get equally recognised.

There was general discussion regarding the Warrwa Peoples concerns listed above and the Shire President apologised for the lack of recognition of their community elder Harry Lennard at the time of his passing.

The Shire CEO discussed Council's current direction in terms of Aboriginal Empowerment and plans to develop a Reconciliation Action Plan. The Warrwa People will be actively engaged in this process and it is hoped that this would mark a new way forward for the Shire and the Warrwa people.

All questions will be taken on notice and reported on at the October Meeting of Council, the Shire President and CEO committed to a meeting during the next 6 weeks to provide an opportunity for clear communications and an increased understanding of the Warrwa Peoples concerns.

**7 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS**

- Laura Gray - Heritage Intelligence (WA) – Review of Municipal Inventory of Heritage Places 1995

**8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

- Acknowledgement of public attending for public question time.

**9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**RESOLUTION 117/22**

**Moved: Cr Andrew Twaddle**

**Seconded: Cr Linda Evans**

**That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Fitzroy Crossing - Karrayili Training Centre, on 25 August 2022 be CONFIRMED.**

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

Against: Nil

**CARRIED 5/0**

**10 RECOMMENDATIONS AND REPORTS OF COMMITTEES**

- Nil

**REPORTS****11 EXECUTIVE SERVICES****11.1 CHRISTMAS CLOSURE 2022/23****File Number: 4150****Author: Amanda Dexter, Chief Executive Officer****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Administrative****SUMMARY**

For Council to approve the closure of the Shire's operations over the Christmas and New Year period for 2022/23. To cover the days in addition to public holidays during the closure recommended in this report, employees will be required to take annual leave. The arrangement allows staff to travel to spend the festive season with loved ones if they are able to, assists with the ongoing management of staff leave liability and has been generally well accepted by the community.

**DISCLOSURE OF ANY INTEREST**

The CEO is subject to the proposed closure.

**BACKGROUND**

In rural Local Governments it is an accepted practice for the staff to take annual leave at Christmas and New Year resulting in the suspension of Shire operations to all but essential services for the period of leave.

If this arrangement is accepted by Council, the Senior Management Group will develop a contingency plan to ensure essential services are adequately delivered to the community and suitable public notice regarding closures will be provided to minimise any inconvenience.

Apart from normal Public Holiday arrangements, staff take the intervening days as Annual Leave, or if available, Time in Lieu or Leave Without Pay. The employee may only return to work to carry out set tasks as negotiated with their Director/Manager.

The Derby and Fitzroy Crossing waste management facilities are managed by a third party and are closed on Christmas Day. Accordingly, no kerbside collection occurs, on Christmas Day (this is a contractual arrangement).

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Nil – staff will be required to take leave to cover payment of wages on days that are not public holidays.

**STRATEGIC IMPLICATIONS**

GOAL	OUR PRIORITIES	WE WILL
Goal 1: Leadership and Governance	1.2: Capable, inclusive and effective organisation	1.2.1 Provide Strong civic leadership 1.2.4 Attract and effectively use resources to meet community needs.
Goal 1: Leadership and Governance	1.3: Effective Communication	1.3.1 Strive for Excellence in customer service 1.3.3 Use multiple channels to distribute information about services, programs, places and spaces.

**RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Business Interruption:</b> Ability to respond to unplanned event.	Possible	Moderate	Low	Advertise closure to the community.  A roster and contact details for critical staff will be developed to ensure resources are available if required.

**CONSULTATION**

Consultation was undertaken with Managers responsible for service areas.

Adequate notice of closure will be provided to the public to further minimise any disruptions. This will include advertising on the door of the Administration Building, Shire Notice Boards, Shire Facebook Page, Shire Website and letter box drop leading up to the Christmas closure period. The Shire will advise customers for Department of Transport Licencing services that alternative options for access are available for this period.

**COMMENT**

The success of previous Christmas closures have occurred as key contact lists for critical staff in the event of an emergency have been developed. An informal rostering of key personnel occurs ensuring there are staff available in town should they be required, with a skeleton works crew undertaking essential services.

It is recommended that Council support the close of all non-essential operations or reduce opening hours over the 2022/23 Christmas period as outlined in Table 1 below.

**Table 1**

<b>Derby and Fitzroy Crossing Administration Centres (including Fitzroy Crossing Visitors Centre and Library)</b>
<b>Derby and Fitzroy Crossing Works Depot</b>

Date	Action
Monday 19 December 2022	OPEN for normal business
Tuesday 20 December 2022	OPEN for normal business
Wednesday 21 December 2022	CLOSED (Annual Leave)
Thursday 22 December 2022	CLOSED (Annual Leave)
Friday 23 December 2022	CLOSED (Annual Leave)
Saturday 24 December 2022	CLOSED (Annual Leave)
Sunday 25 December 2022	CLOSED (Christmas Day Public Holiday)
Monday 26 December 2022	CLOSED (Boxing Day Public Holiday)
Tuesday 27 December 2022	CLOSED (Boxing Day Public Holiday OBSERVED)
Wednesday 28 December 2022	CLOSED (Annual Leave)
Thursday 29 December 2022	CLOSED (Annual Leave)
Friday 30 December 2022	CLOSED (Annual Leave)
Saturday 31 January 2023	CLOSED (Annual Leave)
Sunday 1 January 2023	CLOSED (New Years Day Public Holiday)
Monday 2 January 2023	CLOSED (New Years Day Public Holiday OBSERVED)
Tuesday 3 January 2023	OPEN for normal business
<b>Derby Memorial Pool</b>	
Monday 19 December 2022	OPEN for normal business
Tuesday 20 December 2022	OPEN for normal business
Wednesday 21 December 2022	OPEN for normal business
Thursday 22 December 2022	OPEN for normal business
Friday 23 December 2022	OPEN for normal business
Saturday 24 December 2022	Early Close – 5:30am – 7:30am and 11:00am – 4:30pm
Sunday 25 December 2022	CLOSED (Christmas Day)
Monday 26 December 2022	Reduced Hours – Open 11:00am – 5:00pm (Boxing Day)
Tuesday 27 December 2022	Public Holiday – Open 11:00am – 5:00pm
Wednesday 28 December 2022	Reduced Hours – Open 11:00am – 5:00pm
Thursday 29 December 2022	Reduced Hours – Open 11:00am – 5:00pm
Friday 30 December 2022	Reduced Hours – Open 11:00am – 5:00pm
Saturday 31 January 2023	Reduced Hours/ Early Closed – 11:00am – 4:30pm
Sunday 1 January 2023	CLOSED (New Years Day)
Monday 2 January 2023	Reduced Hours – Open 11:00am – 5:00pm
Tuesday 3 January 2023	OPEN for normal business

<b>Derby Public Library</b>	
Monday 19 December 2022	OPEN for normal business
Tuesday 20 December 2022	OPEN for normal business
Wednesday 21 December 2022	CLOSED (Annual Leave)
Thursday 22 December 2022	CLOSED (Annual Leave)
Friday 23 December 2022	CLOSED (Annual Leave)
Saturday 24 December 2022	CLOSED (Annual Leave)
Sunday 25 December 2022	CLOSED (Christmas Day Public Holiday)
Monday 26 December 2022	CLOSED (Boxing Day Public Holiday)
Tuesday 27 December 2022	CLOSED (Boxing Day Public Holiday OBSERVED)
Wednesday 28 December 2022	CLOSED (Annual Leave)
Thursday 29 December 2022	CLOSED (Annual Leave)
Friday 30 December 2022	CLOSED (Annual Leave)
Saturday 31 January 2023	CLOSED (Weekend)
Sunday 1 January 2023	CLOSED (New Years Day Public Holiday)
Monday 2 January 2023	CLOSED (New Years Day Public Holiday)
Tuesday 3 January 2023	CLOSED (Annual Leave)
Wednesday 4 January 2023	CLOSED (Annual Leave)
Thursday 5 January 2023	CLOSED (Annual Leave)
Friday 6 January 2023	CLOSED (Annual Leave)
Saturday 7 January 2023	CLOSED (Weekend)
Sunday 8 January 2023	CLOSED (Weekend)
Monday 9 January 2023	OPEN for normal business

**VOTING REQUIREMENT**

Simple majority

**ATTACHMENTS**

Nil

**RESOLUTION 118/22****Moved:** Cr Linda Evans**Seconded:** Cr Peter McCumstie**That Council:**

1. Endorse the proposed Christmas closure of Shire operations from Wednesday 21 December 2022 to Tuesday 3 January 2022 as outlined in Table 1 of this report or
2. Notes the extended closure of the Derby Public Library (re-opening Monday 9 January).

3. **Notes the Derby and Fitzroy Crossing waste management sites are closed and no kerbside collection will occur on the Christmas Day public holiday.**
4. **Notes the Derby Memorial Pool Opening and Closing Times.**
5. **Acknowledges that employees will utilise annual or accrued leave or leave without pay for the above periods which are not public holidays; and**
6. **Notes the above closures are subject to a contingency plan outlining staff required to ensure essential services continue to be provided to the public.**

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

Against: Nil

**CARRIED 5/0**



**11.2 MINUTES OF THE JOINT MEETING OF THE KIMBERLEY ZONE AND KIMBERLEY REGIONAL GROUP HELD 24 AUGUST 2022****File Number:** 4221**Author:** Amanda Dexter, Chief Executive Officer**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 2022.

**DISCLOSURE OF ANY INTEREST**

Nil by Author and Responsible Officer.

**BACKGROUND**

A copy of the minutes from the joint meeting held 24 August 2022 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
<b>Community:</b> 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**

The August meeting was and in person and Teams hybrid – The Shire Presidents where in Perth and met at WALGA's conference rooms along with other Perth based industry representatives.

**Key Presentations:**

**North West Defence Alliance** - North West Defence Alliance (NWDA) consultant, Michael Hadlow (AMCER Consulting) and James McMahon presented on the direction and activities of the NWDA. See attached minutes

**Takeaway Alcohol Management System and Banned Drinkers Register – Racing, Gaming and Liquor Division of DLGSC** - Alizanne Cheetham, Director Strategic Regulation, Racing, Gaming and Liquor and Glaucia Hyland, Manager, Strategic Regulation, from the Department of Local Government, Sport and Cultural Industries provided an update. Nil new or informing information was presented.

**Key Areas to note:**

- Item 8.3 - Census population data and similar concerns as we have with "undercounting" of population and detrimental impacts. WALGAs elevation of these concerns to ALGA and contact made with ABS and the invite to ABS to attend the State Council Strategic Forum on 9th September 2022.
- Item 11.2 - Item submitted by SDWK Deputy President in relation to ongoing issues with the government "Hub and Spoke" approach to servicing Towns/Shires outside of Broome. KRG agreed the issue warrants the development of an advocacy paper once the new secretariat is in place.
- Item 11.4 Item submitted by SDWK President on behalf of the North West Defence Alliance, purpose to raise sufficient funding to ramp up lobbying and advocacy. KRG to receive budget and further consider/ confirm?

*\*\* Please note attached minutes will be amended by WALGA to include late North West Defence Alliance Agenda Item – prior to finalisation of our Agenda.*

## VOTING REQUIREMENT

Simple majority

## ATTACHMENTS

1. Minutes - Kimberley Regional Zone and Group - 24 August 2022 [↓](#) 

### RESOLUTION 119/22

**Moved:** Cr Andrew Twaddle

**Seconded:** Cr Linda Evans

**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 2022.

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

Against: Nil

**CARRIED 5/0**



# **KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP JOINT MEETING MINUTES**

**24 AUGUST 2022**

Commencing at  
**1:00PM**

**WATTLE ROOM, WALGA  
And  
MS TEAMS**

**KIMBERLEY ZONE AND  
KIMBERLEY REGIONAL GROUP JOINT MEETING**

**WEDNESDAY 24 AUGUST 2022**

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# **1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chair opened the meeting at 1.03 pm and welcomed delegates and guests.

# **2. RECORD OF ATTENDANCE / APOLOGIES**

## **ATTENDANCE:**

Cr Chris Mitchell	Shire of Broome (Teams)
Cr Harold Tracey	Shire of Broome (from 1.12pm)
James Watt	Shire of Broome (Teams)
Cr Geoff Haerewa	Shire of Derby West Kimberley
Cr Peter McCumstie	Shire of Derby/West Kimberley (Teams)
Cr David Menzel	Shire of Wyndham East Kimberley
Vernon Lawrence	Shire of Wyndham East Kimberley (Teams)
Nick Kearns	Shire of Wyndham East Kimberley (Teams)
Cr Malcolm Edwards	Shire of Halls Creek
Phillip Cassell	Shire of Halls Creek (Teams)

## **GUESTS:**

Tim Lane, Manager Corporate and Association Governance	WALGA
Chantelle O'Brien, Governance Support Officer	WALGA
Janine Hatch, Executive Officer	RDA Kimberley (Teams)
Kim Brown	RDA Kimberley (Teams)
Greg Hayes, Regional Road Safety Advisor	WALGA RoadWise (Teams)
Tim Bray, Director Regional Development	Kimberley Development Commission (Teams)
Natasha Maher, Chief Executive Officer	Australia's North West Tourism (Teams)
Kristina Dickman, Regional Manager Kimberley	Department of Local Government, Sport and Cultural Industries
Corrina Musgrave	Department of Local Government, Sport and Cultural Industries

Alizanne Cheetham, A/Executive Director,  
Racing, Gaming and Liquor

Department of Local Government, Sport  
and Cultural Industries

Glaucia Hyland, Manager, Strategic  
Regulation

Department of Local Government, Sport  
and Cultural Industries

Michael Hadlow, Director and Principal  
Consultant

AMCER Consulting Pty Ltd

James McMahon

**APOLOGIES:**

Sam Mastrolembo

Shire of Broome

Amanda Dexter

Shire of Derby West Kimberley

Cr Tony Chafer

Shire of Wyndham East Kimberley

Cr Chris Loessl

Shire of Halls Creek

Cr Jeanette Young

Shire of Cocos (Keeling) Islands

Cr Hua (Helen) Liu

Shire of Cocos (Keeling) Islands

Kelli Small

Shire of Cocos (Keeling) Islands

Cr Gordon Thomson

Shire of Christmas Island

Cr Kee Heng Foo

Shire of Christmas Island

David Price

Shire of Christmas Island

**3. Declarations Of Interest**

Nil.

**4. CONFIRMATION OF MINUTES****KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP RECOMMENDATION:****Moved: Cr Chris Mitchell****Seconded: Cr Geoff Haerewa**

**That the Minutes of the Kimberley Regional Group held on 21 June 2022, as published and circulated, be confirmed as a true and accurate record of that meeting.**

**CARRIED UNANIMOUSLY 4/0****5. BUSINESS ARISING FROM PREVIOUS MEETING**

Nil.

**6. PRESENTATIONS****6.1 North West Defence Alliance**

North West Defence Alliance (NWDA) consultant, Michael Hadlow (AMCER Consulting) and James McMahon presented on the direction and activities of the NWDA.

**6.2 Takeaway Alcohol Management System and Banned Drinkers Register – Racing, Gaming and Liquor Division of DLGSC**

Alizanne Cheetham, Director Strategic Regulation, Racing, Gaming and Liquor and Glaucia Hyland, Manager, Strategic Regulation, from the Department of Local Government, Sport and Cultural Industries provided an update.

**7. REPORTS FROM REPRESENTATIVES****7.1 RDA KIMBERLEY**

Janine Hatch, Executive Officer

**7.2 AUSTRALIA'S NORTH WEST TOURISM**

Natasha Maher, Chief Executive Officer

**7.3 WALGA ROADWISE**

Greg Hayes, Road Safety Advisor

**7.4 KIMBERLEY DEVELOPMENT COMMISSION**

Tim Bray, Director Regional Development



**7.5 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES**  
Kristina Dickman, Regional Manager Kimberley

**7.6 WALGA**  
Tim Lane, Manager Association and Corporate Governance

Minutes – Kimberley Zone and Kimberley Regional Group 24 August 2022

## 8. REPORTS FROM KIMBERLEY COUNTRY ZONE

### 8.1 WALGA STATE COUNCIL AGENDA AND PRESIDENT'S REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	CEO SHIRE OF WYNDHAM EAST KIMBERLEY
DISCLOSURE OF INTEREST:	Nil

#### SUMMARY:

*(Zone delegates to consider the Matters for Decision and Items for Noting contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)*

The full State Council Agenda can be found via link:

<https://walga.asn.au/getattachment/b517f698-7681-40e8-a7ac-c0673a0dbbea/State-Council-Agenda-9-September-2022.pdf>

The Zone is able to provide comment or submit an alternative recommendation that is then presented to the State Council for consideration.

#### COMMENT

The next WALGA State Council meeting will be held 9 September 2022. The following matters for decision will be considered.

	Matters for Decision	WALGA Recommendation
5.1	2023-24 State Budget Submission	That the 2023-24 State Budget Submission be endorsed.
5.2	Proposed Advocacy Position on Management of Bush Fire	<p>That the following Advocacy Position on Management of Bush Fire Brigades be endorsed.</p> <ol style="list-style-type: none"> <li>1. Bush Fire Brigade volunteers play a critical role in helping to protect their local communities. Local knowledge and skills are integral to bushfire management in Western Australia.</li> <li>2. Future management and funding of volunteer Bush Fire Brigades must: <ol style="list-style-type: none"> <li>a) Recognise the changing risk environment, including work health and safety requirements, and the increasing intensity and frequency of bushfires;</li> <li>b) Take account of the differing circumstances of Bush Fire Brigade units and regional variations in bush firefighting approaches; and</li> <li>c) Be adequately and equitably resourced through the Emergency Services Levy.</li> </ol> </li> </ol>

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		<p>3. The State Government, through the Consolidated Emergency Services Act and/or other mechanism's must:</p> <ul style="list-style-type: none"> <li>a) establish a clear framework to enable transfer of Bush Fire Brigades to the State Government if a Local Government decides to do so;</li> <li>b) Consult on the process, timeline, and implications for transfer of responsibility for Bush Fire Brigades in accordance with 3(a) through the establishment of a working group comprising representatives of Local Government, Bush Fire Brigades, the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Fire and Emergency Services (DFES);</li> <li>c) Provide for mandatory and minimum training requirements and recognition of competency and prior learning for Bush Fire Brigade volunteers, supported by a fit-for-purpose and universally accessible training program, designed in consultation with Bush Fire Brigade representatives, Local Government and LGIS, and managed by DFES; and</li> <li>d) Develop a co-designed suite of relevant management guidelines and materials to assist in the management of Bush Fire Brigades.</li> </ul> <p>4. The State Government to consider the most appropriate operational model for State Government management of Bush Fire Brigades, which may include the establishment of an independent Rural Fire Service, as recommended in the 2016 Ferguson Report.</p>
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#### Matters for Noting:

- 6.1 Local Government Homelessness Knowledge Hub
- 6.2 State Road Funds to Local Government Agreement 2023/24
- 6.3 Paid Family and Domestic Violence Leave Entitlements Update
- 6.4 Proposed State Industrial Relations Transition
- 6.6 2023-24 State Budget Submission Approach

#### Organisational Reports

##### 7.1 Policy Team Reports

- 7.1.1 Environment and Waste Policy Team Report
- 7.1.2 Governance and Organisational Services Policy Team Report
- 7.1.3 Infrastructure Policy Team Report
- 7.1.4 People and Place Policy Team Report

##### 7.2 Key Activity Reports

- 7.2.1 Report on Key Activities, Advocacy Portfolio
- 7.2.2 Report on Key Activities, Infrastructure Portfolio
- 7.2.3 Report on Key Activities, Member Services Portfolio
- 7.2.4 Report on Key Activities, Policy Portfolio

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### 7.3 Policy Forum Report

#### **WALGA State President's Report – Attached**

#### **VOTING REQUIREMENTS**

*Simple Majority*

#### **KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP REPORT RECOMMENDATION:**

**Moved: Cr Geoff Haerewa**

**Seconded: Cr Chris Mitchell**

**That the Kimberley Regional Group:**

- 1. Notes the State Council Agenda Items as circulated.**
- 2. Notes the report from the WALGA President as circulated.**
- 3. Supports the recommendations in the Matters for Decision contained within the State Council Agenda.**

**CARRIED UNANIMOUSLY 4/0**

#### **Attachments**

1. WALGA State Council Agenda 6 July 2022 ([link provided](#)).
2. WALGA President's Report July 2022.

## 8.2 WALGA ZONE STATUS REPORT

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	KRG01
<b>AUTHOR:</b>	Zone Executive
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	CEO SHIRE OF WYNDHAM EAST KIMBERLEY
<b>DISCLOSURE OF INTEREST:</b>	Nil

### SUMMARY:

This Status Report provides an update on the WALGA response to relevant Kimberley Zone Resolutions.

### BACKGROUND

<b>19 April 2022 Zone Agenda Item 8.3</b> Vehicles Being Drive on Unsealed Roads Closed Due to Wet Conditions	<p>That the Kimberley Zone:</p> <ol style="list-style-type: none"> <li>1. Acknowledges the request by WALGA for feedback on damage on closed roads</li> <li>2. Informs WALGA that vehicle damage for roads closed due to saturation and flooding events: <ol style="list-style-type: none"> <li>a. are not recorded separately;</li> <li>b. is a component of annual damage to road infrastructure;</li> <li>c. damage to unsealed roads servicing remote communities is complex as alternative access to food and fuel supplies during wet season closures may only be through plane or helicopters freight services, at significant expense.</li> </ol> </li> <li>3. Provides feedback to WALGA that vehicle damage from commercial operations is the key issue in the Kimberley.</li> </ol>	<p>The Infrastructure Policy Team resolved:</p> <ol style="list-style-type: none"> <li>1. The key legislative / regulatory requirements appear to be in place;</li> <li>2. Vehicles being driven on closed roads occurs in other remote Local Government areas, although the situations are different around the State;</li> <li>3. In the absence of identified technology solutions an initial approach be made by WALGA to ARRB and PATREC to determine if research centres are interested in developing a research project.</li> </ol> <p>The Association has been in contact with ARRB, who advised that they were not aware of suitable technology. At the time of writing WALGA is waiting on a formal response from PATREC.</p>	<b>Ian Duncan</b> Executive Manager Infrastructure <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> 9213 2031
<b>19 April 2022 Zone Agenda Item 9.7</b> Underground Power	<p>That the Kimberley Regional Group requests that WALGA enter into discussions with Horizon Power in relation to programs and funding to transition overhead wires to underground power.</p>	<p>It is proposed that the WALGA submission to the 2023/24 State Budget include advocacy for State funding for underground power to be extended to priority areas. Engagement with Horizon Power has not yet occurred.</p>	<b>Ian Duncan</b> Executive Manager Infrastructure <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> 9213 2031
<b>2021 20 April Zone Agenda Item 11.1</b> Disaster Relief and Recovery Funding Arrangements	<p>That the Kimberley Zone:</p> <ol style="list-style-type: none"> <li>1. Express dissatisfaction with current disaster relief and recovery funding arrangements and call for urgent action from the State Government to investigate and address these shortcomings.</li> <li>2. Seek WALGA advocacy to support the motion.</li> </ol>	<p>The Association has endorsed advocacy positions seeking improvements to disaster relief and recovery funding including assessment periods, eligibility of certain costs and improving resilience of reconstructed infrastructure. Regular meetings with DFES and Main Roads officers are on-going. Detailed evidence of examples where the process is not effective have been collected and continue to be. Timelines for</p>	<b>Ian Duncan</b> Executive Manager Infrastructure <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> 9213 2031

### ITEM 8.3 CENSUS POPULATION DATA IN WA

		<p>decision-making and an escalation process would seem to be an important addition to the process. Following consideration at the Infrastructure Policy Team a working group is being established to develop recommendations to improve DRFA WA processes. Initial engagement with the DFES Assistant Commissioner, Resilience and Recovery has occurred.</p>	
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# **VOTING REQUIREMENTS**

*Simple Majority*

## **KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP REPORT RECOMMENDATION:**

**Moved: Cr Geoff Haerewa**

**Seconded: Cr Malcolm Edwards**

***That the Kimberley Zone notes the WALGA Zone Status Report August 2022.***

**CARRIED UNANIMOUSLY 4/0**

**ITEM 8.3 CENSUS POPULATION DATA IN WA**

### 8.3 CENSUS POPULATION DATA IN WA

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	KRG01
<b>AUTHOR:</b>	Tim Lane
<b>CONTRIBUTOR/S:</b>	Daniel Thomson, Economist, WALGA
<b>RESPONSIBLE OFFICER:</b>	Tim Lane
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### BACKGROUND

Concerns have been raised by a number of Local Governments, particularly in regional WA with the accuracy of the recently released Census data, particularly with respect to undercounting of population.

WALGA has elevated this issue to a national level via ALGA and has directly contacted the Australian Bureau of Statistics (ABS) to raise the sector's concerns.

The ABS recently presented to the ALGA board meeting and in coming months will provide opportunities to brief impacted Local Governments.

#### COMMENT

The WALGA secretariat is aware that RDA Kimberley have been liaising with the ABS on this issue.

Affected Local Governments are invited to advise WALGA of any issues that will then be forwarded directly to the ABS.

WALGA's contact on this issue is Daniel Thomson, Economist, at [dthomson@walga.asn.au](mailto:dthomson@walga.asn.au).

The ABS has been invited to present at the upcoming State Council Strategic Forum meeting to be held on Friday, 9 September.

WALGA will advise the Local Government sector of any updates from the ABS as the become available.

#### KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP REPORT RECOMMENDATION:

**Moved:** Cr Geoof Haerewa

**Seconded:** Cr Malcolm Edwards

**That the Kimberley Zone note the update in relation to Census Population Data and ongoing discussions with the Australian Bureau of Statistics.**

**CARRIED UNANIMOUSLY 4/0**

**9. REPORTS FROM KIMBERLEY REGIONAL GROUP**

Nil.

**10. CORRESPONDENCE**

Nil.

**11. GENERAL BUSINESS****11.1 Future Meetings**

The next regular meeting of the Kimberley Zone / KRG is scheduled for 1:00pm on Monday, 28 November in Kununurra.

There may be an opportunity to hold an in-person meeting in Perth in conjunction with the WALGA Convention in the first week of October.

The schedule for the Convention is available in the [program](#).

***Members agreed to aim for a meeting to be held on Wednesday 5 October with further details to be confirmed.***

**11.2 Government Services in the Kimberley**

*Cr Peter McCumstie, Shire of Derby West Kimberley*

The purpose of this submission to the KRG is to enlist support from the group to present to the WA Government a position in relation to the ongoing issues with Government priorities and decisions in relation to establishment and implementation of government services in the Kimberley.

Previously and currently as we all know the "Hub and Spoke" model is their preferred option and although this may work in other southern regions to some extent it is by nature in my view not successful to any significant degree and in fact has and is proving to be counter productive, not only to the "Spokes", being all except Broome and to some degree I understand Kununurra, but also having negative impacts on the main "Hub", Broome.

While I can understand a lot of the bureaucratic thinking and political decisions are based on cost of delivery, where staffing is less difficult, access to RPT jet travel and a general desire to live in Broome, the recent statement by Minister Simone McGurk, "we are placing the domestic violence hub in Broome because that is where the other services are" is very alarming for all of us including Broome as stated by Cr Harold Tracey, President of the Shire of Broome.

Quite frankly this position is widely reflected by almost all government service providers in the Kimberley and within the middle and senior levels of government.

The past and ongoing decreasing level of service to the wider Kimberley cannot continue and I believe it is up to us to encourage our state government both at a bureaucratic and



political level to meet and work with the KRG to adopt a newer and better model for service delivery in our region.

To do this I suggest that the starting point must be with the Minister for Regional Development and the KDC, who after all are the body who have the responsibility for encouraging and assisting economic and social growth for the entire region.

A review of service delivery (not unlike the EC West Model being rolled out), is urgently required and such a review must be carried out within the shortest possible timeframe whilst still providing government with a "real" picture of the effectiveness of government services in the region across the board.

We all know and are experiencing the negative impacts of sub standard service delivery in our respective shires and we cannot allow this to continue. The lack of consultation by government with us at the local government level is creating a worsening situation whereby much needed funding is being wasted by poor service delivery, location and operation capacity due to the Hub and Spoke requirement for huge travel arrangements, loss of service delivery hours in each place of service delivery and so many in our communities are paying the price and the impost on local government to fill the gaps or cost to continue to have to lobby government constantly to locate services where they can best deliver, rather than being locked up and increasingly put out of reach to our communities.

***Members agreed that the development of an advocacy paper, utilising past inquiries, research and reports, highlighting the inadequacy of the centralisation of government services to the Kimberley region, and particularly the impact on the Aboriginal population, would be a priority once the new secretariat service is established.***

### 11.3 Kimberley Aboriginal Youth Wellbeing Steering Committee

*Cr Peter McCumstie, Shire of Derby West Kimberley*

Cr Peter McCumstie has forwarded correspondence from the Commissioner, Mental Health Commission, Ms Jennifer McGrath, in relation to the Kimberley Aboriginal Youth Wellbeing Steering Committee.

The next Steering Committee meeting will be held in Broome on 28 October 2022 and Cr McCumstie will attend.

The update from the Commissioner is below:

*Good Morning All,*

*I acknowledge some time has passed since the last Kimberley Aboriginal Youth Wellbeing Steering Committee (Steering Committee), and thank you for your contribution and patience navigating the complexities of its development and progression.*

*Since our last correspondence, representatives from the Aboriginal Regional Governance Group (ARGG) have met with Ministers Sanderson and Buti to express their concerns regarding progress on the Commitment to Aboriginal Youth Wellbeing, and the current structure of the Steering Committee.*

*Fiona Hunt, the Department of the Premier and Cabinet, and I have been liaising with the ARGG to discuss their expectations of the Steering Committee and to establish mechanisms*

to provide the leadership required to achieve positive Kimberley Aboriginal Youth Wellbeing outcomes.

Through the discussions, it has been agreed that some changes will be made to the format of the Steering committee including the standardising committee procedures to improve consistency, effectiveness and accountability; and outlining the roles and responsibilities of both State Government agencies and the ARGG. There was a commitment from Ministers to ensure State Government representation on the Steering Group is consistent and at Tier 1 or 2.

It was agreed that the Steering Committee Governance Structure needs to be resolved and, therefore, the Operational Working Group that supported the work of the Steering Committee will be put on hold and restructured as required by the Steering Committee.

The next Steering Committee meeting is scheduled in Broome on 28 October 2022, 9am to 1pm (venue TBC) and there will also be a pre-briefing via MS Team scheduled prior.

Please advise via email to [kaywsc@mhc.wa.gov.au](mailto:kaywsc@mhc.wa.gov.au) by 26 August 2022 if you are able to attend or, if not possible, indicate your nominated Tier 2 representative.

More information regarding this meeting and supporting invitations to follow prior to the meeting, including agenda papers approximately 3 weeks prior.

Kind regards

Jen

15 August 2022

**Noted**

#### **11.4 North West Defence Alliance (NWDA) Funding Request**

##### **11.4 NORTH WEST DEFENCE ALLIANCE – FUNDING REQUEST**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>AUTHOR:</b>	President Cr Geoff Haerewa and Amanda Dexter, CEO, Shire of Derby West Kimberley
<b>CONTRIBUTOR/S:</b>	Nil
<b>DISCLOSURE OF INTEREST:</b>	Nil

##### **SUMMARY:**

The purpose of this report is for Council to consider a funding request by the North West Defence Alliance for \$50,000 to assist with increased lobby and representation in this heightened political environment.

The Alliance's purpose is to create a forum to focus attention and provide an opportunity to discuss defence capability, economic development and sustainable infrastructure growth and development across the Pilbara and Kimberley.

## BACKGROUND

The North West Defence Alliance was established in September 2021, to address the concerns of the nine member local governments that the North West Defence presence is and continues to be insufficient. The North West Defence Alliance is an amalgamation of nine local governments representing the Kimberley and Pilbara region of Western Australia. The Key outcome of the Alliance is to lobby and advocate on behalf of the North West of Western Australia for an increased Defence capability in the North West of Western Australia utilising existing assets.

There is increased political posturing and world activity that is giving credence to the importance of developing the North West. War in the Ukraine and recent actions by other powers in the Indo Pacific region have escalated the renewed review of Australia's Defence activities and position and in turn this has highlighted the imbalance in Defence activity across Australia,

The 2022 federal election has seen an unprecedented focus on defence issues and has highlighted the importance of WA.

*"The federal government investment in the airfield in the Cocos to enable expanded maritime surveillance operations, plus the planned \$260M investment in RAAF Curtin airbase has been our 'call to arms' as a community. The recently concluded Exercise Koolendong at Yampi Sound, involving elements of Marine Rotational Force – Darwin (MRF-D), 1st Brigade and F-35 Lighting IIs from 75 Squadron (RAAF Tindal) has confirmed that our region is the 'front line' on the Indian Ocean."*

The newly elected federal Labor government's election platform contained a commitment to conduct a 'defence force posture review'. The review 'is about adapting to the evolving security and strategic environment, its impact on where the ADF is based and on facilities, and how the ADF is affected by domestic and demographic issues'. In 2020, the Defence Strategic Update identified that changes in Australia's strategic environment are accelerating more rapidly than predicted in the 2012 Force Posture Review. As our national security landscape changes, it is vital that our defence force remains positioned to meet our global and regional security challenges.

Deputy Prime Minister and Defence Minister Richard Marles said in India last month:

*I come to the position conscious of a profound responsibility: to ensure Australia has the capability necessary to defend itself in the toughest strategic environment we've encountered in over 70 years. It will involve a generational reinvestment in the size, capability and structure of the Australian Defence Force. In service of this goal, I have instructed my Department to commence a new Force Posture Review to inform decisions I expect to make in the months ahead.*

Industry stalwarts and sources are saying this means the moving of more capability into the North West.

## COMMENT

The Alliance has recently undertaken a number of its proposed opening actions:

- Gaining Incorporations Status
- Preparation of a Position Paper – Enhanced Defence presence – Capped at \$39k
- Attendance at the INDO PACIFIC 2022 International Maritime Exposition – Sydney in

- May 2022 (over 736 participating exhibitors were represented)
- Appointment of The Hon Kim Beazley AC as Patron
- Advertising in the WA Defence Review magazine 2022
- Attendance at the WA based Indian Ocean Defence and Security Conference (IODSC)

The Alliance budgeted \$41,140 for the 2022/23 annual year and the 9 member Councils have all committed to contribute \$5,000 to provide the funding. Funds were also secured from the Pilbara (\$20k) and Kimberley (\$5k) Regional Development Australia Organisations.

Given the flurry of activity politically at this time, there is has been a need to escalate efforts and increase the lobby and advocacy efforts to ensure that the Alliance has a significant national voice, and duly influences Defence and allied forces decision making by increasing the understanding of the value of our region and the capability of our industry to support defence activity.

Further activities proposed include:

- Attendance at the Land Forces 2022 International Land Defence Exposition, Brisbane October 2022 by the Chair Cr Peter Long, Deputy Cr Geoff Haerewa and Patron Kim Beazley
- A Pilbara and Kimberley Road Show by the Chair Cr Peter Long, Deputy Cr Geoff Haerewa and Michael Hadlow – AMCER Consulting (Strategy Consultant)
- Administration support (12 months of part time support)
- Web Site maintenance and responsiveness
- Patron Support and disbursement reimbursement
- Attendance at the Air and Space Power Conference in March 2023
- Representation in Canberra by Chair Cr Peter Long, Deputy Cr Geoff Haerewa and Michael Hadlow – AMCER Consulting and Patron Kim Beazley to influence and shape the Future Forces Paper and increase National engagement (late 2022)

The \$50,000 requested by the Kimberley Regional Group will assist to help leverage further funding and will provide a platform for the Alliance to undertake increased activity during this heightened political environment. Further support and funding is being sort from industry representatives.

It is imperative that the Alliance maintain a significant level of conversation nationally in an effort to demonstrate the North West's value and potential as a centre for defence/ joint force activity. Attendance at conferences, representation in Canberra and responsive comment on the Future Forces Review and Defence inquiry gives the Alliance's representatives an opportunity to energise discussion about how the existing industries and communities can be harnessed under a 'total war' scenario to ensure the sovereign integrity of our nation.

Alliance representatives will attend both the WA based Indian Ocean Defence and Security Conference (IODSC) in August and Land Forces 2022 Exposition in Brisbane seeking to assist Defence and allied forces in understanding the value of the Pilbara and Kimberley regions and the capability of industry to support defence activity.

The Alliance's communities proudly contribute to the prosperity of the nation as the custodians of many of its most valuable exports. They represent some of the most successful indigenous businesses in the nation.

Recent comment by WA's Defence Industry Minister Paul Papalia who said it is essential a

sweeping review of the Australian Defence Force recognises that apart from the Navy, the resources-rich State has been left "essentially undefended".

Paul Papalia warned the capability to defend WA was greater 80 years ago during World War Two than it is now, with the Army disproportionality located in Queensland and the NT and most combat elements of the Air Force on the eastern seaboard.

"Now is the time for a major rethink about where Australia's Defence Forces are located. WA is essentially undefended, apart from the Navy," Mr Papalia said ahead of a meeting in Canberra on Thursday with Federal Defence Minister Richard Marles.

"The Army has no regular combat elements in WA other than the Special Air Service regiment and the Air Force has no warfighting capability in WA.

"WA generates the vast majority of export revenue for the nation, most of it originates from the Pilbara and we have no defence presence there other than a very good, but understrength and under-armed reserve unit.

The former Navy clearance diver said he believed there should be a regular army brigade based in WA, which could comprise as many as 5000 troops, as well as long-range surveillance and fighter aircraft.

Whilst National Security is the ultimate end game, increased development of Australia's Defence capability in the North West of Western Australia is seen to as a positive economic investment which would provide considerable economic gain and increased sustainability to the regional communities of the Pilbara and the Kimberley.

## CONSULTATION

Nil.

## VOTING REQUIREMENTS

*Simple Majority*

Cr Geoff Haerowa spoke about the request for funding from member local Governments and that the funding would support admin services , travel, website maintenance and that further breakdown will be provided by the Chair and Deputy Chair of the NWDA.

### KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP REPORT RECOMMENDATION:

**Moved: Cr David Menzel**

**Seconded: Cr Chris Mitchell**

**That the Kimberley Regional Group approves, in principal, a contribution up to \$50,000 from the Kimberley Regional Group surplus for the 2022-23 financial year, towards the lobbying and advocacy efforts of the North West Defence Alliance, subject to the development of a formal budget to be considered by circular resolution, with funding to be acquitted by the Kimberley Regional Group against the approved budget.**

**CARRIED UNANIMOUSLY 4/0**

### **11.5 WALGA Best Practice Governance Review Principles – AGM Item**

#### **BACKGROUND**

In March 2022, State Council commissioned the WALGA Best Practice Governance Review (BPGR) with the aim of ensuring WALGA's governance model is contemporary, agile and maximises engagement with members. The BPGR, overseen by a Steering Committee appointed by State Council, is now well underway.

The BPGR Steering Committee have formulated a set of governance principles to guide the development of potential governance models.

At a special meeting on 22 August, State Council endorsed the principles, along with an AGM Agenda item which seeks endorsement of the principles by members at the 2022 Annual General Meeting on 3 October.

The purpose of the AGM item is to gauge member support for progressing the BPGR to the development of potential models.

Following consideration of the principles at the 2022 AGM, an extensive consultation and engagement process will be undertaken with members on these potential governance models. This will occur during October, November and December, with the intention of using the member feedback to inform a final report. This report will then be considered at Zone meetings in February 2023 and subsequently the March 2023 State Council meeting.

Once the final report is endorsed, Constitutional amendments will be prepared for consideration by State Council, followed by the broader membership at the 2023 AGM. As per WALGA's Constitution, amendments to the Constitution require endorsement by a 75 percent majority at both State Council and a general meeting of members.

#### **COMMENT**

The AGM Agenda is due to be distributed in late August, ahead of the AGM on Monday, 3 October at Crown Perth.

It is recommended that once the AGM Agenda is distributed, members consider the item and governance principles and inform their registered Voting Delegates on how to vote.

#### **KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP REPORT RECOMMENDATION:**

**Moved: Cr Chris Mitchell**

**Seconded: Cr Geoff Haerewa**

**That the Kimberley Regional Group note the WALGA Best Practice Governance Overview.**

**CARRIED UNANIMOUSLY 4/0**

**12. Matters Behind Closed Doors**

**12.1 FACILITATION SERVICES – KIMBERLEY ZONE OF WALGA AND KIMBERLEY REGIONAL GROUP**

**KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP REPORT RECOMMENDATION:**

**Moved: Cr Malcolm Edwards**

**Seconded: Cr Chris Mitchell**

**That the Kimberley Regional Group support the recommendation in item 12.1.**

**CARRIED UNANIMOUSLY 4/0**

**13. Meeting Closure**

With no further business the Chair declared the meeting closed at 4.27 pm.

**11.3 LIQUOR RESTRICTIONS - EXPIRING COMMUNITIES 2023****File Number:** CU/045/4**Author:** Wayne Neate, Director Technical and Development Services**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Advocacy**SUMMARY**

The Department of Local Government, Sport and Cultural Industries have requested the Shire of Derby/West Kimberley's comments on the proposal to extend the Section 175(1a) Restricted Area Liquor Regulations relating to Pandanus Park, Looma, Bungardi and Noonkanbah for a further three years. It will be recommended to support the extensions to the liquor restrictions in the communities of Pandanus Park, Looma, Bungardi and Noonkanbah.

**DISCLOSURE OF ANY INTEREST**

Nil by Author and Responsible Officer

**BACKGROUND**

The Communities of Pandanus Park, Looma, Bungardi and Noonkanbah have had Restricted Area Liquor restrictions under the Liquor Control Act 1988 – Restricted Area Regulations for the last several years. It is the Shire's understanding that the restrictions are generally considered to be a positive for the communities and each of the communities are requesting a further three year extension.

The Department of Local Government, Sport and Cultural Industries has requested that the Shire provide comment to the Minister as is prescribed under section 175(1b) of the Act, the Minister may only recommend the making of such regulations after consultation with the Commissioner of Police, the local government authority and any other stakeholders he considers appropriate to consult. The Minister must also be satisfied that the regulations are in the public interest.

There are currently in place numerous community areas across the State that have been declared liquor restricted. Generally restricted area regulations expire after a period of three years to five years, however the regulations can be renewed following consultation with stakeholders.

The Shire is provide comment by the 30 September 2022.

**STATUTORY ENVIRONMENT**

Section 175 Liquor Control Act 1988 - Restricted Area Regulations

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil



**STRATEGIC IMPLICATIONS**

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.3 Effective Communication	1.3.2 Listen to and respond to the needs of our communities

**RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Reputation:</b> The Shire makes comment on behalf of the Communities without adequate consultation which is damaging to the Shire and the Community	Unlikely	Moderate	Low	It is understood that the request for extension is usually made by the community CEO or Chair on behalf of the Community and therefore this risk is minimal

**CONSULTATION**

No consultation has been undertaken as it is generally considered appropriate as the community usually makes the request for the extension to occur.

**COMMENT**

As indicated above the extension is only processed by the Local Government, Sport and Cultural Industries if supported by the Communities and governance leaders and usually at the request of the appropriate community members are generally in support of the restrictions and have themselves requested the extensions.

It is Council's understanding that the issue of liquor restrictions is one of those issues where there are generally a number of conflicting views within the community. Often there is polarising views about the need for restrictions and the effectiveness of exiting restrictions. While some argue that the restrictions are a 'breach of their civil liberties' others argue that they are 'necessary to address the scourge that alcohol has become in our community'.

The Shire has demonstrated that it supports Alcohol Management initiatives, and the governance structures and is keen to ensure that every effort is made to support the community or communities that undertake such initiatives in an effort to reduce alcohol related harm.

The Shire Administration suggests to Council that they respond to the department supporting the liquor restrictions.

**VOTING REQUIREMENT**

Simple majority

**ATTACHMENTS**

Nil

**RESOLUTION 120/22**

**Moved: Cr Andrew Twaddle**

**Seconded: Cr Geoff Davis**

**That Council respond to the Department of Local Government, Sport and Cultural Industries in support of the extension of the restrictions.**

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

Against: Nil

**CARRIED 5/0**

**12 CORPORATE SERVICES**

Nil

**13 TECHNICAL SERVICES**

Nil

**14 DEVELOPMENT SERVICES****14.1 REQUEST TO WAIVE WASTE MANAGEMENT FEES BY DEPARTMENT OF COMMUNITIES****File Number: 7190****Author: Wayne Neate, Director Technical and Development Services****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Administrative****SUMMARY**

This item is for Council to consider the request to waive waste management fees for the Thrive program run by Winun Ngari on behalf of the Department of Communities.

**DISCLOSURE OF ANY INTEREST**

Nil by Author and Responsible officer

**BACKGROUND**

Winun Ngari is contracted by the Department of Communities (DoC) to provide services to the Thrive program. Part of the program is to assist clients who are not able to undertake surplus waste removal by themselves due to being elderly, disabled or the inability to get the waste from their homes to the waste management site.

The Thrive program provided by Winun Ngari on behalf of DoC undertake this service to approximately 250 residents up to four times a year with an average of two trailer (assuming a standard 6x4 trailer) loads of rubbish per visit. The service is provided to some private residences however the majority of the service is provided to those in government housing.

Winun Ngari who delivers the program has been charged at advertised commercial rates for the disposal of the waste from a domestic premises due to the fact it is coming into the site in a commercial vehicle at a fairly regular frequency.

Cleanaway operate the Waste Facility as per the Shire's fees and charges which require any commercial vehicles to be charged regardless of where the waste is coming from. To try and arrange otherwise would be challenging as it is difficult to determine the origin of the waste at the gate when a commercial operator arrives.

All Commercial operators are charged for using the Waste Management site which includes gardening businesses.

Winun Ngari requested the fees to be waived in September 2021. The matter was brought before Council at its Ordinary Meeting on the 30 September 2021 with the following recommendation being made – Minute number 114/21 – as per attachment.

**RECOMMENDATION****That Council:**

1. Notes that the Waste Disposal Sites operate at a deficit within the Shire's financials, which must be subsidised by ratepayers;
2. Expresses its appreciation for the valuable role Winun Ngari plays in keeping residential properties in a tidy state, but advises Winun Ngari that it is not in a position at the present time to waiving the waste management fees applicable to Winun Ngari's operation; and
3. Advises Winun Ngari that once the waste disposal site revenues meet the service's expenditure levels, Council would be prepared to consider a future application for a subsidy by Winun Ngari.

Winun Ngari has subsequently taken to placing the rubbish on the verge instead of removing it to the waste management site which then requires management from our Ranger Services Department. This has escalated the matter to the Property owner the DoC, who have since requested a further consideration of the waiving of waste disposal fees decision.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 - Section 6.12 where by local governments may waive or grant concessions in relation to any amount of money owed to the local government.

**POLICY IMPLICATIONS**

None applicable

**FINANCIAL IMPLICATIONS**

Based on the figures previously supplied by Winun Ngari in relation to the Thrive program the following calculations can be made:

- 250 residents x 4 visits/year x 2 trailer loads (based on 1 cubic metre/trailer) = 2,000 cubic meters
- 2,000 cubic meters x \$65/cubic meter (22/23 charges) = \$130,000. Further to this figure an assumption has been made that 90% of the waste is green waste (which in the past has not been charged) which would bring the fee income down to \$13,000 per annum.
- An investigation into the payments made by Winun Ngari as the service provider on behalf of DoC has shown that it has paid a total of \$32,783.00 over the last four years. This equates to \$8,195.75 per annum. How much of this income is attributable to the Thrive program is unknown.

The Shire's waste disposal sites currently operate at a deficit within the Shire's financials, which must be subsidised by ratepayers. Council did specifically increase waste disposal fees as part of its 2022/23 budget, but that increase was not expected to cover the full costs of the service.

**STRATEGIC IMPLICATIONS**

GOAL	OUR PRIORITIES	WE WILL
------	----------------	---------

1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.2 Provide strong governance
1. Leadership and Governance	1.3 Effective communication	1.3.2 Listen and respond to the needs of our communities

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Reputation:</b> Risk to Council of reputational damage due to non-waiving of fees	Possible	Minor	Medium	Look into alternative methods for charging in the future

### CONSULTATION

Previous consultation has occurred in this matter and it is believed that the circumstances have not changed it regards to the delivery of the Thrive program.

### COMMENT

The Department of Communities has proposed that waste site fees incurred by the Thrive program which is delivered by a commercial operator be waived.

The Shire administration is concerned that this sets a precedent for any other operator that removes waste from a residential premises and disposes of that waste at the waste management facility.

Both the DoC and Winun Ngari are of the opinion that should the Thrive Program not be supported in the waiving of fees decision that the Shire would ultimately be faced dealing with the waste on site at the properties or derelict buildings.

It is however the home owners responsibility to manage their own waste surplus to the weekly pick up and should the properties included in the Program become health hazards or fire risks then they will be managed through the appropriate channels and avenues to do so – fines can be

The shire has considered other options and will continue to work with DoC in this regard:

- Further investigation required – consider a ticket or vouchers system for Thrive program residences to dispose of waste which would could be provided by the resident or home owner to the commercial operator for use at the Waste Facility. Thereby providing the opportunity for the commercial operator to dispose of waste free of charge. The use of a ticket system is not in place at the present time but would alleviate some of the issues the Thrive program is encountering, further negotiation and engagement will occur in this regard.

In summary with the system as it stands and with the financial constraints that Council is operating within, it is felt that this could set a precedent moving forward for other business and similar operations which would unduly complicate matters and potentially cause the loss of some income to the Shire. The Shire is however committed to working through the issues and seeking an appropriate alternative arrangement.

Waste Management and Strategic Waste Management planning is an expensive and highly regulated activity/service that impacts heavily on Councils operational budget.

It is therefore recommended that the fee waiver not be granted to the Department of Communities Thrive program for waste management fees.

### VOTING REQUIREMENT

Simple majority

### ATTACHMENTS

1. Correspondence from Dept of Communities  
2. Previous Winun Ngari correspondence  

### RESOLUTION 121/22

**Moved:** Cr Peter McCumstie

**Seconded:** Cr Linda Evans

**That Council:**

1. Expresses its appreciation for the valuable role of the Thrive program run by the Department of Communities and recognises that it plays a role in keeping residential properties in a tidy state, but advises the Department of Communities that it is not in a position at the present time to waiving the waste management fees applicable to the Thrive program's operation; and
2. Advises the Department of Communities that once the waste disposal site revenues meet the service's expenditure levels and service planning requirements, Council would be prepared to consider a future application for a subsidy by Department of Communities.

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

Against: Nil

**CARRIED 5/0**

**Wayne Neate**

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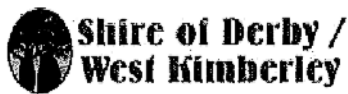
**From:** Wayne Neate  
**Sent:** Friday, 5 August 2022 3:09 PM  
**To:** Liana Ingram  
**Subject:** CS6808 - FW: Residential rubbish disposal at the tip - question fees

Can this please be registered

**Wayne Neate**

Director of Technical and Development Services

P 9191 0999  
E [emtds@sdwk.wa.gov.au](mailto:emtds@sdwk.wa.gov.au)



30 Loch Street  
PO Box 94, Derby WA 6728  
[www.sdwk.wa.gov.au](http://www.sdwk.wa.gov.au)

*The Shire of Derby/West Kimberley acknowledges the Traditional Owners of the lands on which we live, learn and work, and pay our respects to Elders past and present.*

**From:** Lynette Menmuir <[Lynette.MENMUIR@communities.wa.gov.au](mailto:Lynette.MENMUIR@communities.wa.gov.au)>  
**Sent:** Friday, 5 August 2022 2:14 PM  
**To:** Wayne Neate <[emtds@sdwk.wa.gov.au](mailto:emtds@sdwk.wa.gov.au)>  
**Cc:** Amanda Dexter <[ceo@sdwk.wa.gov.au](mailto:ceo@sdwk.wa.gov.au)>  
**Subject:** Residential rubbish disposal at the tip - question fees

Hi Wayne

Can you please direct me to the appropriate staff member that I can discuss residential household waste support, please.

DOC-Housing manage up to 310 Public Housing Tenancies in Derby and the process in property standards management is that DOC issue's breaches where standards are not maintained. The Tenant is offered support by an agreed referral to the Thrive Program to improve and wrap support around tenants codesigned plans. As an example currently some tenants identify transport difficulties like not having access to a vehicle or trailer to dispose of household and green waste. DOC's will support Tenancy Plans from Thrive Support Workers to drop off a trailer and the tenant will fill the trailer with house-hold waste within an agreed timeframe.

The disposal of the rubbish at the Derby tip is free to Derby residents to my knowledge. However, these services are being charged tip fees, can you please confirm if the Thrive programs can be waived as the previous STEP program was waived by the Shire to support the environmental benefits of clean property standards in Public housing.

Regards  
Lynette

**Lynette Menmuir**  
Area Manager Remote North  
West Kimberley Region





Winun Ngari Aboriginal Corporation  
P.O. Box 500  
Derby WA 6725

P: 08 9191 1877  
M: 08 9191 1964  
[www.wnag.com.au](http://www.wnag.com.au)

Ms Amanda O'Halloran  
Chief Executive Officer  
Shire of Derby West Kimberley  
PO Box 94  
DERBY WA 6728

Dear Amanda,

#### **Request for household refuse disposal fee waiver**

Winun Ngari representatives met with Mr Wayne Neats regarding a service that Winun Ngari provides as a community service free of charge which has now become cost prohibitive due to the Shire of Derby West Kimberley charging fees to dispose of household refuse. Please see below for our proposal;

#### **SUMMARY**

Winun Ngari Aboriginal Corporation is seeking an exemption for paying tipping fees for the disposal of refuse from residential clean-ups where they are assisting clients who do not have the capacity to clean up their own yards ie elderly or people with disabilities.

#### **BACKGROUND**

Winun Ngari is being charged tipping fees to dispose of household refuse where they are providing assistance to residents to maintain their tenancies. These clean-ups are not a part of the Corporations commercial operations and are provided free of charge to the clients receiving the service.

Winun Ngari Aboriginal Corporation has a number of service contracts with the State and Commonwealth Government including the Community Development Program (CDP) and the THRIVE Program which have been providing personnel to assist with household clean-up for disadvantaged people on our community. These programs are not funded to assist in residential clean ups including tipping fees but are provided as a community service.

The purpose of the Community Development Program is to support job seekers in remote Australia to build skills, address barriers and contribute to their communities through a range of flexible activities. The THRIVE program supports Aboriginal housing and public housing clients to manage their household by developing strategies to grow their capacity and resilience. It takes a holistic approach to enhance people's lives by looking at the wider needs of the individual. It will have a stronger focus on early intervention, supporting people to identify and tackle problems before they become too great.

ABN: 17 643 250 585 | ICN: 241 | Website: [winunngari.org.au](http://winunngari.org.au)



Winun Ngari Aboriginal Corporation  
P.O. Box 500  
Derby W.A. 6728

☎ 08 9151 1077  
☎ 08 9151 1564  
WWW.WNAC.COM.AU

**Financial implication**

The Shires charging of tipping fees is making it cost prohibitive for the Corporation to keep providing this service in Derby and without a fee waiver the service will cease. In addition, if the service ceases it is anticipated that the Shires Environmental Health team will have take action which may become a financial and resource burden on the Shire.

**Community implications**

If the service is ceased there will be environmental and public health implications as well as fire and safety considerations. For example, when the clean-ups ceased at Karmulinunga refuse built up and a fire started which came dangerously close to residential dwellings.

**Strategic Plan Link**

The proposal for fee waiver links with the Shires Strategic Plan of providing leadership and building good community relationships. In addition, the request supports the SDWK Integrated waste management outcome by support the management of domestic refuse collection and disposal at the shires facility before the refuse encroaches within other areas of the Shire

Kind regards

A handwritten signature in blue ink that reads 'Susan Murphy'.

*Susan Murphy*

Chief Executive Officer

Email: [susan.murphy@winunngari.org.au](mailto:susan.murphy@winunngari.org.au)

Mobile: 0447 868 726

9 September 2020

ABN: 17 643 250 585 | ICN: 241 | Website: [winunngari.org.au](http://winunngari.org.au)

## Ordinary Council Meeting Agenda

30 September 2021

**Wayne Neate**

**From:** Sonia Tait <sonia.tait@winunngari.org.au>  
**Sent:** Monday, 30 August 2021 2:51 PM  
**To:** Wayne Neate  
**Cc:** Susan Murphy; Ross Sullivan  
**Subject:** RE: letter to Shire re tipping fees

Hi Wayne,  
Apologies I did not receive your email dated 10 August 2021 so was unable to respond.

Answers as requested below:

- Approximate number of residents assisted each on an annual basis
  - 250 residents x at least four times per year
- Approximate volume of waste per clean up
  - Average 2 x trailer loads per resident
- The demographics of the community members assisted (aged, etc.)
  - All residents are classified either Elderly, Disabled or people with no ability to carryout their own yard clean ups ie. Single parents with no assistance from family
- Predominately private house owners or Govt Housing.
  - Mixture of both, some elderly owns their own homes, though majority is Govt Housing

If you require any further information, please don't hesitate to contact me  
Kind regards



**SONIA TAIT**  
**MANAGER OPERATIONS**

P 08 9191 1877  
E [sonia.tait@winunngari.org.au](mailto:sonia.tait@winunngari.org.au)  
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**15 COMMUNITY AND RECREATION SERVICES****15.1 CITIZEN OF THE YEAR AWARDS****File Number:** CR/020/2**Author:** Shane Edwards, Manager Community Development**Responsible Officer:** Christie Mildenhall, Acting Director of Community Services**Authority/Discretion:** Executive**SUMMARY**

Council is being requested to approve the formation of a committee and selection panel for the 2023 Citizen of the Year (COTY) Awards. The committee will oversee the preparations and nominations for the COTY Awards and the selection panel will be responsible for selecting the overall winners.

**DISCLOSURE OF ANY INTEREST**

Nil by Author or Authoriser

**BACKGROUND**

Each year Auspire (the Australia Day Council of Western Australia) coordinates the Community Citizen of the Year Awards. The awards recognise outstanding contributions by local people to local communities throughout participating local governments. The awards aim to;

- Engender community contribution and participation.
- Encourage community harmony and engagement at a local level.
- Showcase grass-roots community involvement, achievement and capacity-building initiatives.

There are four award categories;

- Community Citizen of the Year
- Community Citizen of the Year – Youth (under 25 years of age)
- Community Citizen of the Year – Senior (over 65 years of age)
- Active Citizenship – group or event

The 2023 awards are open for nominations across the Shire from 1 September 2022 until 31 October 2022. The awards are presented at an event which will be held on Thursday, 26 January 2022 in Derby. Award recipient names need to be provided to Auspire before 9 December 2022.

**STATUTORY ENVIRONMENT**

NIL

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

The expected cost relating specifically to the Community Citizen of the Year Award component of the Australia Day event is approximately \$500. This is used for printing of appreciation certificates

for nominees in each category, to purchase certificates frames and a small gift. The winner's medallions and Citizen of the Year Certificates for each category winner are provided by Auspire as part of the annual Australia Day Council membership fee.

### STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
2. Community	2.3 Vibrant and culturally rich communities	2.3.2 Facilitate and/ or contribute to community events, cultural activities and festivals
2. Community	2.3 Vibrant and culturally rich communities	2.4.1 Support and assist volunteer, community and sporting groups

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Organisation's Operations:</b> Failure to convene a suitable committee and establish a selection panel may result in the Shire failing to meet Auspire deadlines.	Likely	Minor	Medium	Formation of committee
<b>Reputation:</b> Failure to convene a suitable committee and identify a selection panel may result in the Shire being seen as non-transparent in its approach to determining awards.	Likely	Moderate	High	Formation of committee

### CONSULTATION

Not required

### COMMENT

In previous years the Shire's category winners for the Citizen of the Year Awards were determined by Council at the November Council meeting, where Council was provided with the nomination forms and the winner selected by an anonymous poll.

It is acknowledged that the current process of selection is not ideal. Council receives minimal information about each of the applicants (only what is on the nomination form, which in some cases is only a couple of sentences) and there is no opportunity for discussion in selecting the winner.

Additionally, towards the end of the nomination period last year Auspire recommended the introduction of a reference check as part of the selection process. Due to the timing of this recommendation it was not possible to include in last year's awards.

It is recommended Council consider reviewing the process for selected the recipients of the awards.

Auspire and the Australia Day Council of WA provide guidance around the management of the annual Citizen of the Year Awards through their "COTY – Toolkit" document (Attachment 1). They recommend the establishment of a committee to oversee the logistics of gaining nominations and to establish a process and criteria for the assessment of nominations which is to be implemented by the selection panel.

It is estimated that the committee will meet once before nominations close (Early October) and then again following the close of nominations at which time a report for council will be put forward for consideration of nominations and selection of category winners.

The role of the committee is to establish a clearly defined assessment criteria and selection process for the selection of winners of the 2023 COTY Awards and to provide this process to the Selection Panel when considering the recipients.

## **VOTING REQUIREMENT**

Absolute majority

## **ATTACHMENTS**

1. **Auspire COTY Awards Toolkit** [↓](#) 

### **RESOLUTION 122/22**

**Moved: Cr Andrew Twaddle**

**Seconded: Cr Linda Evans**

**That Council;**

1. **Approves the establishment of a 2023 Citizen of the Year Awards committee comprising two (2) Shire councillors and (2) Shire employees (Manager of Community Development and Events Officer)**
2. **Nominates Cr Geoff Haerewa and Cr Peter McCumstie as the two (2) councillor representatives to the committee.**
3. **Agrees that the entire SDWK councillor group will be installed as the 2023 Citizen of the Year Awards Selection Panel.**

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

Against: Nil

**CARRIED 5/0 BY ABSOLUTE MAJORITY**







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***Auspire thanks our partners for their support of the  
Community Citizen of the Year Awards***

**Principal Partner**



Government of **Western Australia**  
Department of **Communities**

**Media Partners**



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# INTRODUCTION

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Auspire - Australia Day Council WA has run this outstanding local Citizen Awards Program in conjunction with Local Government organisations since 2003.

Each year Western Australian communities celebrate the positive contribution of our citizens throughout the state who are worthy of the community's attention. The Community Citizen of the Year Awards profiles leading local citizens who are role models and who inspire us with their achievements and challenge us to make our own contribution to creating a better community.

The awards comprise four categories:

- Community Citizen of the Year (over 16 years)
- Senior Community Citizen of the Year (65 years or over)
- Young Community Citizen of the Year (under 25 years)
- Active Citizenship Award (community group or event)

The prestigious Community Citizen of the Year Awards is a program of Auspire - Australia Day Council WA, presented in partnership with local council subscriber organisations. It culminates in the announcement of Community Citizen of the Year Award recipients around the state on Australia Day.



# HISTORY

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In 2002, Premier Geoff Gallop, agreed to lend his name to a new local Government Awards Program that recognised local active citizenship at a local community level. The awards owned and managed by the Australia Day Council WA were originally called the Premier's Australia Day Active Citizenship Awards.

Over the years, the awards have grown to engage more than 80 Local Government Authorities around the state. It has evolved into one of the key activities and drawcards for Local Councils at their annual Australia Day Citizenship celebrations.

In 2017, the Australia Day Council WA celebrated its 40th anniversary and relaunched the awards with a new name and a range of improvements to coincide with our anniversary. The awards are now called the Community Citizen of the Year Awards.

The Patron of Auspire is The Governor of Western Australia, who is also signatory on the award certificates – a huge honour and very special acknowledgement for those worthy community members who are nominated and recognised by their local council in each of the categories.



# TIMELINE







# THE AWARDS PROCESS

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## Council Membership

Your council will receive its annual subscription invoice from Auspire in May each year and must confirm its Gold Member status by payment of the membership fee to qualify for participation in the Community Citizen of the Year Awards Program.

## Confirm Council Awards Contact

You are required to provide the contact details for the nominated staff member as the key contact for the program. This person will receive on-line nominations directly from the website and regular updates and prompts during the awards process from Auspire.

## Nominations Campaign

Nominations officially open on 1st September and close on 31st October. During this time, Auspire runs a state-wide media campaign which calls on all individuals, groups and organisations to nominate a citizen who engages with the community for the Community Citizen of the Year Awards.



Local councils are recommended to promote the call for nominations throughout their own communities.  
(see Section 3)

## Shortlisting and Selections

At the council's discretion, a committee comprised of Councillors and/or representatives from community organisations and local citizens will be appointed to shortlist nominations and select finalists and recipients.

Suggested panel members:

- Mayor / Shire President
- Councillors
- Council staff (relevant to awards process)
- Previous Citizen of the Year recipients
- Local sponsor representatives
- Community members

### Finalists Announced

The selection panel will select local finalists and recipients in each of the four Award categories, using the selection process provided in Section 4. The Council should advise the finalists and Auspire; and announce the finalists to the community and media.

### Recipients Awarded

Community Citizen of the Year, Senior Community Citizen of the Year, Young Community Citizen of the Year and Active Citizenship Award recipients will be announced at an event organised by your local council on or around Australia Day, 26th January.

### WHO CAN NOMINATE?

- Individual members of the public
- Individuals on behalf of a group or organisation
- Local council staff and councillors may also make nominations based on local knowledge and experience.

### SELECTION CRITERIA

Each year three local citizens and one local community group in each local government area will be eligible for the Community Citizen of the Year Awards. The recipients will be selected from nominated people and groups who have made a noteworthy contribution during the current year or given outstanding service to the local community over a number of years through active involvement.

Auspire provides four awards each year for presentation in each local government area. These prestigious awards are provided to your local government for presentation during Australia Day celebrations.

The winners will have been judged to have shown community engagement and:

- Significant contribution to the local community.
- Demonstrated leadership on a community issue resulting in the enhancement of community life.
- A significant initiative which has brought about positive change and added value to community life.
- Inspiring qualities as a role model for the community.



### **Selection Criteria cont.**

To be selected as an Award recipient, nominees must first meet the outlined Awards selection criteria. Regard is given to their achievements in the year immediately prior to the receipt of the Awards, as well as their past achievements and ongoing contribution to their community.

One nomination is all it takes – multiple nominations will not automatically strengthen an individual's chances of selection.

Those participating in the short-listing process and selection panel members may also take into consideration the following when assessing and comparing nominations:

- Personal, academic and professional achievements
- Contribution in the relevant field (how has this person 'put back' into their field to benefit others)
- Demonstrated leadership, innovation and creativity
- Personal interests and community involvement
- Contribution to the local community
- Contribution to development of regional community and/or economy
- Future goals and likely impact
- Degree of difficulty of the achievement and sacrifices made
- Previous awards and recognition
- Voluntary work beyond paid employment
- Nature and length of activity and service
- Achievements as an individual or as part of a group or organisation
- Whether the work of the individual is dividing in opinion or unifying the community.

In ensuring that the Community Citizen of the Year Awards recipients are representative of our diverse society, consideration should be given to: Gender, Age, Ethnicity, cultural background, Field of endeavour.





## ELIGIBILITY CRITERIA

- A person must first be nominated to be considered for the Awards
- Nominees should reside or work principally within the local authority making the award
- Awards may be granted posthumously in recognition of recent achievements
- Groups of people will not normally be eligible except when meeting the criteria for a community group
- A couple or pair may be recognised in an individual category
- A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative
- Self-nominations are not accepted
- Individuals must be at least 16 years of age on 26 January, though younger nominees may be considered for exceptional contribution
- Unsuccessful nominees may be nominated in future years
- Sitting members of State, Federal and Local Government are not eligible
- Nominations must be apolitical in their nature
- Nominees should not in any way bring the awards program or local government area into disrepute.



## REVOKING AN AWARD

As with all awards programs, there may be situations where you receive feedback from a member of your community about the selection process or you become aware of contradictory or problematic information about a recipient after the awards have been announced. To assist the council to mitigate risk in this area please consider the following:

- Councils are advised to carefully consider the selection of all finalists and recipients to ensure that due diligence (councils to undertake your own research) is to ensure that those selected will not bring the program into disrepute.
- Should a complaint and/or information be received in relation to individuals or groups recognised through the awards, which may put the program's reputation at risk, the relevant Council will be required to investigate the issue and provide evidence supporting its decision for the recipient being awarded. In the case where this does not occur then Councils may be precluded from continuing to participate in the Community Citizen of the Year Awards Program.
- Should a complaint and/or information received prove to be of concern during the process of investigation, the Council should alert Auspire immediately, providing a summary of the issue and findings.
- Whilst the selection of nominees and recipients reflect the nominations received and information available to the selection panel at the time of selection, Auspire reserves the right to revoke an award if further information provided or the recipient's conduct brings the Community Citizen of the Year Awards into disrepute.





## SEEKING NOMINATIONS

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Auspire engages with media providers to help promote the call for nominations throughout the state. Call for nominations advertisements are prepared for television, radio and print media and a suite of promotional images are developed for social media promotions. These will all be shared with participating councils but should not be considered the only means of promotion.

### Local Promotions

Local promotion is encouraged and can be done in numerous ways. Social media is a simple method – call for nominations on your Facebook / Instagram pages with links to the Community Citizen of the Year nomination page. Letters/emails to your local community groups, schools, and organisations encouraging nominations of their members and contributors is encouraged.

Additional supporting material is available on the awards website, and will be provided by, Auspire for email banners which can also contain links to the nomination page.

Consider including a call for nominations in your council's regular Mayor's/Shire President's column in your local paper and/or newsletters during the nomination period.

Another opportunity to raise awareness is to include a mention of the Awards and that nominations are "now open" in any speeches and/or public appearance by Council members and staff during the nomination period.

Council staff will likely be aware of individuals or groups doing great work to support your community. Include a regular prompt in your internal communications/newsletters to encourage staff to nominate a community hero.

Local service groups and organisations can be contacted to submit nominations but will require a follow-up to remind them prior to the closing date at the end of October.

Remember – your Mayor/Shire President and community wants to feel proud of the recipients announced at your awards' ceremony and all efforts to attract quality nominations are encouraged.

## Suggested Organisations to source nominations

The following list is suggested for consideration but not exhaustive. Local councils should consider other groups within their local areas.

### Service Groups:

Rotary, Lions, RSL, Soroptomists, Zonta, CWA, Scouts, Guides, YMCA etc

### Local Schools:

Students, parents, volunteers, teachers, support & administration staff who go 'above and beyond'. (Most high schools already recognise civic minded students with citizenship awards – this is an opportunity to have their outstanding students recognised in the wider local community).

### Sports Clubs:

Bowls, Tennis, Swimming, Football, Cricket, Soccer, Netball, Hockey, Surf Lifesaving, Coaches, volunteers, umpires, judges, event organisers, fund raisers.

### Charity Groups:

Good Samaritans, St Vincent de Paul, Anglicare, Salvation Army, Oxfam, etc

### Health:

St John Ambulance, Red Cross, Hospital Auxiliary, Meals on Wheels, Lifeline, Aged care volunteers/drivers

### Community:

State Emergency Services (SES), Volunteer Fire & Rescue, Toy Library, Aboriginal Elders, Arts & Crafts, Progress Associations, Playgroups, Historical Societies, Senior Citizen Centres, Music groups/bands, Youth Groups, Church volunteers, Aged Care, Conservation Groups, Mens Sheds, Book Clubs.

### Multicultural Groups:

In particular, we aim to raise awareness for social inclusion and suggest that you make contact with multicultural groups to encourage and recognise their involvement in local communities.





## SELECTION PANEL MEETING

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We recommend appointing a Chair for the selection panel meeting and to aim to achieve a representative balance of the general community on your selection panel. Each panel member will have one vote and the panel Chair will have an additional casting vote should a tie in votes occur.

The selection panel may include:

- Council Mayor
- Shire President
- CEO of the council
- Council members
- Community Citizen of the Year Awards Coordinator
- Former Community Citizen of the Year Award recipients
- Business and local community organisation representatives

The panel will select finalists and recipients for the four Award categories: Community Citizen of the Year, Young Community Citizen of the Year, Senior Community Citizen of the Year, and Active Citizenship Award.

### Preparation for the meeting

1. Nominations in each category should be provided to panel members prior to the panel meeting.
2. Read the nominations for each Award category including the nomination form and any supporting material. We suggest you begin by reading the Community Citizen of the Year then Senior Community Citizen of the Year then Young Community Citizen of the Year and Active Citizenship award nomination. It's a good idea to take notes to help remind you about your decision when in the meeting.
3. If available (dependent on nomination numbers), select your top three individuals in no particular order for each category based on the selection criteria. We have provided a downloadable ranking sheet for each Award category which lists the individuals against rating columns. Then at the meeting discuss in detail each nominee to gain consensus.

4. The selection criteria is deliberately broad and there may be additional issues for you to consider, for example a doctor may have contributed to your community only through their paid work or a leading artist may be residing outside your area, yet they may be worthy of an Award. Individuals' contribution should benefit your own local community, but they can live elsewhere. We encourage you to raise and discuss these inevitable ambiguities at your selection panel meeting.

5. In your reading, you may feel that an individual might be better recognised in a different category (ie move into an age category) to that which they have been shortlisted. You are welcome to suggest this at the selection meeting. Individuals can be recognised in one Award category only.

6. The information is provided by the nominator and will vary in quantity and quality. You are encouraged to conduct additional research on individuals to assist with your decision making.

7. Please note that individuals are generally not reference checked before the selection stage of the process. At your council's discretion, a reference check can be conducted to confirm that a finalist is actually doing what has been stated in the nominations. The selection panel should agree on one back-up name for each Award position in case reference checks raise a concern or a finalist wishes not to participate in the Awards.

### **Selection criteria**

The selection panel will assess the nominations in relation to:

- Demonstrates leadership on a community issue
- Demonstrates inspiring qualities as a role model
- Contribution to the community, over and above their paid employment
- Created a significant initiative that brought positive change



### At the meeting

Please bring along to the meeting your ranking sheets and notes.

You will participate in discussions about the shortlisted individuals and vote as the process of elimination progresses. We encourage you to join in discussion and debate to support individuals you like and not immediately be swayed by a consensus position.

If you know an individual that has been shortlisted, we ask that you make this known at the selection panel meeting as a potential conflict of interest. If you do know an individual, we strongly encourage you to speak up and inform other selection panel members of additional information you may have. This additional information is always valuable and will assist the selection process. However, if you or the organisation you represent has a commercial interest in the nominee or the organisation, they represent then you should refrain from voting for that specific award category.

### Confidentiality

The contents of the selection pack and the conversations that take place in the meeting are to be kept in the strictest confidence. This is to protect the dignity of individuals and to enable frank debate. Due diligence should be taken to ensure that the reputation of recipients doesn't potentially disqualify them or bring the program into disrepute.

### After the Selection Panel Meeting

After the selection panel meeting, all finalists may be notified that they are a finalist for the relevant award category and invited to attend the presentation. At the presentation, award recipients will receive a certificate and a medallion for their outstanding achievement. Recipients should NOT be notified before the presentation that they are recipients, only that they are finalists.

### Notify Auspire

Award recipients' names need to be provided to Auspire – Australia Day Council WA by Friday 9th December to allow time to produce certificates and medallions and return to you in time for your award ceremony in January.







We're all part of the story.  Australia Day  
Reflect. Respect. Celebrate.

### At the Awards Ceremony

Please ensure that your Shire President, MC or Mayor – or whoever is conducting the ceremony – refers to the awards program as 'The Community Citizen of the Year Awards' and our organisation as 'Auspire – the Australia Day Council of WA'. Please thank the Department of Communities for their support of the Awards as Principal Partner.

### Photographs of your recipients

Arrange for colour photographs to be taken of your recipients to share with Auspire for marketing purposes.

Here are some examples of what's required so that we can use them for future promotions focusing on the great people in our communities. Other examples are featured throughout this document. The photos don't have to be taken by a professional photographer but get up nice and close to get a great head & shoulders shot – in colour please.







## FREQUENTLY ASKED QUESTIONS

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### **Is it compulsory to use the marketing template provided?**

Not necessarily, you may use another collateral that you feel will get a better response from your community.

### **Can I provide a paper form for our nominators?**

Yes, you may download a printable nomination from the Toolkit. However, all paper nominations need to be entered by the Councils into the CoTY nomination portal for record purposes.

### **What should I do if I have received a paper nomination?**

Please enter them into the CoTY nomination portal for record purposes.

### **We are a small Local Government Authority and don't receive many nominations from the public. Can we nominate people ourselves?**

Yes. If you find you don't receive many nominations from the public, the Local Government Authority can nominate people based on their local knowledge of who has been making an outstanding contribution to the community (individuals & groups). However, we're aiming to raise the profile of the program with the help of our media partners and social media campaigns which will hopefully attract more nominations. We recommend that you share our social media posts to your Local Council's social media pages.

### **If we consider the nomination is better suited in an alternative category, can we move it?**

Absolutely! Our aim is for all nominees to be considered in the most appropriate category.

### **Is it compulsory to complete the Reference Form?**

Whilst the form is not mandatory, it's a guideline for good governance and to support you so that your judging panel has confidence in their selections.

### **Is the recipient required to be an Australian Citizen?**

No. Although preferred, it is not necessary that recipients be Australian Citizens.

**Is the recipient required to live within our Local Government area?**

Your nominees or recipients should reside or work principally within the Local Government area in which they are being recognised. You may therefore, award a person who lives outside of your local government area, but who conducts work within your area that benefits your community.

**Can former recipients receive the award in subsequent years?**

Yes. Recipients can receive the award on more than one occasion in recognition of their particularly outstanding community contribution or their involvement in an alternative initiative.

**Does the Citizen of the Year have to be between 25 and 65 years of age?**

No. If you have an outstanding senior or young citizen who you think is worthy, then they can be successful in either their age category or the general category.

**Can we accept nominations after the closing date?**

31st October is our official closing date for nominations to allow you plenty of time to consider your nominees, make selections and provide your award recipients' names to Auspire by 9th December. This will allow us to produce certificates and medallions, and send them in time for your award ceremony.

**Do we have to present all four categories?**

No. If your council considers it inappropriate to present a particular category then you are not required to do so.

**We'd like to recognise all nominees. Is this possible?**

Of course. Auspire has a range of certificates available for a small fee for nominees and/or finalists. Please contact us via your councils program representative.

**We have several different ceremonies within our Local Government Area because we are very spread out and it's hard to get our whole community in one place. Can we receive multiple Award kits for our multiple community ceremonies?**

Absolutely. We encourage you to engage with as many communities as possible within your Local Government Area and welcome your request for extra certificates and medallions. The certificates will not attract an extra cost, however the medallions do. Please contact us to discuss your needs and we can work out and agree with you the nominal fee to cover the costs.





**We have a large group of people receiving the Active Citizenship award.  
Can we have more than one medallion?**

Yes you may. Whilst the membership fee only covers the provision of four category medallions, extra medallions can be ordered for a small fee.

**Do we have to present the awards on Australia Day? Our community celebration is not always held on that day.**

Whilst we prefer the Awards to be presented on Australia Day it is not essential. Please let us know if you have an alternative date as we may publish all recipients on our website on the next working day after Australia Day and understand that some details may need to be embargoed.

**Will the Governor be able to present the awards at our Council event?**

Whilst His Excellency is the Patron and the signatory on the Award Certificate, he is unable to present at the local community events due to other commitments in the lead-up to and on Australia Day.

**What happens after the awards ceremony?**

Please provide photos of your Award ceremony as well as recipients receiving the Award. This can be submitted via the portal or email to [coty@auspire.org.au](mailto:coty@auspire.org.au).



**AUSPIRE - AUSTRALIA DAY COUNCIL WA**

Contact the team at Auspire for any queries on the  
Community Citizen of the Year Award Program

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**CONTACT**

E: [coty@auspire.org.au](mailto:coty@auspire.org.au)  
T: 0499 111 944  
W: [www.citizenshipawards.com.au](http://www.citizenshipawards.com.au)



**15.2 COUNCILLOR REPRESENTATION ON 2023 KIMBERLEY ART AND PHOTOGRAPHIC PRIZE COMMITTEE****File Number:** 6232**Author:** Shane Edwards, Manager Community Development**Responsible Officer:** Christie Mildenhall, Acting Director of Community Services**Authority/Discretion:** Executive**SUMMARY**

To allow planning to commence on the 2023 Kimberley Art Prize, Council is requested to select a Council representative for the Kimberley Art Prize organising committee.

**DISCLOSURE OF ANY INTEREST**

Nil by Author or Authoriser

**BACKGROUND**

The Kimberley Art and Photographic Prize celebrated its 51<sup>st</sup> Anniversary on the 2 July 2022 at the Derby Airport Terminal. It was a wonderful celebration which attracted the biggest crowds to date and was well represented with a significant overall increase in entries from 2021.

The Shire has sponsored and facilitated the Prize since 1970. Recent management of the Prize and the resulting exhibition has been facilitated by a committee of key artistic stakeholders across the Shire as well as a council representative, with administration provided by Shire Staff.

During the debrief of the 51<sup>st</sup> celebration, it was identified that the formation of a committee should happen as early as possible to ensure quality planning for next year's event.

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The Kimberley Art Prize is funded through a combination of the Shire's operational budget, donations and sponsorship, entry fees and commissions.

**STRATEGIC IMPLICATIONS**

GOAL	OUR PRIORITIES	WE WILL
2. Community	2.3 Vibrant and culturally rich communities	2.3.1 Support the growth and development of arts and cultural programs, services, places and spaces
2. Community	2.3 Vibrant and culturally rich communities	2.3.2 Facilitate and/ or contribute to community events, cultural activities and festivals

2. Community	2.3 Vibrant and culturally rich communities	2.3.3 Record, recognise, preserve and celebrate the district's culture, history and heritage
3. Economy	3.2 Strong economy	3.2.2 Endeavour to increase visitor numbers, length of stay, spend and return

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Organisation's Operations:</b>  The Kimberley Art Prize is not representative of the Community and Councils Strategic Vision and goals.	Possible	Minor	Medium	Appoint a Councillor to the Kimberley Art Prize Committee to ensure that the Councils Strategic Vision and Goals are represented.

### CONSULTATION

The Kimberley Art Prize Committee seeks feedback through the following mechanisms-

- Community members;
- Participants in the awards; and
- Curator and judges.

Feedback was received verbally during the exhibition, written correspondence, feedback forms, and through an event de-brief.

### COMMENT

The Shire and the Kimberley Art Prize Committee are keen to start planning the 2023 event, and are looking to formalise this year's contributors. Traditionally the organising committee is made up of:

- One Shire Councillor;
- One representative of the Mowanjum Arts and Cultural Centre;
- Mark Norval, Norval Gallery;
- Ciaran Frost, Winun Ngari;
- Kate Breckon, Derby District High School;
- One representative, Mangkaja Arts Resource Agency;
- Contracted curator; and
- Shire Staff as required.

Council is requested to nominate a representative for the 2023 organising committee. The representative is required to attend regular planning meetings in the lead up to the exhibition

(usually monthly until June and then meetings move to weekly in the lead up to the Opening Night), as well as participate in a debrief following the conclusion of the exhibition.

### VOTING REQUIREMENT

Absolute majority

### ATTACHMENTS

#### 1. KAPP Evaluation Report 2022

#### RESOLUTION 123/22

**Moved:** Cr Peter McCumstie

**Seconded:** Cr Geoff Davis

**That Council**

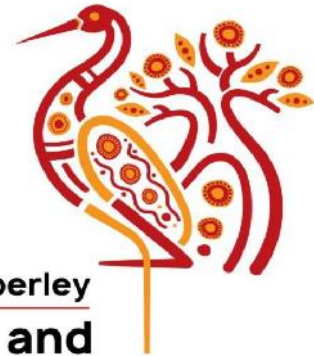
#### 1. Nominates Cr Linda Evans as the Council representative to the 2023 Kimberley Art and Photographic Prize Committee.

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

Against: Nil

**CARRIED 5/0 BY ABSOLUTE MAJORITY**

KIMBERLEY  
ART AND  
PHOTOGRAPHIC  
PRIZE  
2022



Kimberley  
Art and  
Photographic  
Prize



**Shire of Derby /  
West Kimberley**

*Evaluation Report*





## Background

The Kimberley Art Prize has been facilitated by the Shire of Derby/West Kimberley since 1970 when the then Shire Clerk Ralph Tonkin suggested to Council the running of an annual Art competition for residents of the Kimberley region. Council agreed to sponsor the prize. The art prize was originally a non-acquisitive prize until 1978, when the introduction of acquiring the Overall Winner was introduced. The Shire of Derby/West Kimberley has since added to its art collection over the last forty years via the acquisition of art works produced by some of the most talented artists in the region.

## 51<sup>st</sup> Anniversary Edition

2022 saw the 51<sup>st</sup> anniversary of the Kimberley Art and Photographic Prize celebrated for the 2<sup>nd</sup> time at the Derby Airport. The airport venue also hosted a collection of past winners of both the art and photographic prize.

This year the awards, curated by Derby resident Denis Jokovich, saw 144 art entries and 77 photographic submitted across thirteen (13) different categories for both art and photographic. This was a 64% increase in entries from 2021. The quality and diversity in the entries received was of a very high standard the exhibition's curation and location provided a professional and established gallery feel.

As part of the exhibition a number of 'add-on' activities were facilitated. Most of these were well utilized and were well received by attendees. Activities included;

- VIP launch and cocktail party for artist and sponsors.
- Outdoor awards ceremony
- Artist in residence dot painting workshops with Roxanne Anderson.
- Mums and bubs and seniors and events.

## Organising Committee

The event is organized by the Shire of Derby / West Kimberley, with professional advice provided by a committee of subject matter experts. We would like to acknowledge the contribution of the following people to this years event;

- Katie Breckon – DDHS
- Ciaran Frost – Winun Ngari
- Mark Norval – Norval Gallery
- Lotte Waters – Mowanjum Arts
- Linda Evans – SDWK Councillor

## Event Sponsors and Supporters

Events such as the Kimberley Art Prize do not happen without sponsors. The 2022 event was sponsored by the following organisations;

- Australia's North-West Tourism
- Buckley's Earth Moving
- Buru Energy
- Derby Bus Service





- Derby Fuels
- Derby Plumbing and Gas
- Kimberley Art Network
- Kimberley Home Electrical
- Kimberley Pharmacy Services (Derby)
- Kimberley Ports Authority
- Mitchell Plastic Welding
- Mount Gibson Iron Ore
- Pearl Coast Framing
- Vision Power

The event also received support from the CWA who provided volunteers to assist at the event every day.

## Key performance indicators outcomes

### 1. Participation:

- Entries are up from 2021 with 144 entries in the art categories (36% increase).
- Entries are up from 2021 with 77 entries in the photographic categories (165% increase).
- Attendance at the exhibition opening night was very good for the invited guests and artists, around 210.
- The number of general public that attended the opening night was high around 130 entered after the VIP event.
- Throughout the week, people attending the exhibition between the hours of 10am – 4pm were relatively consistent with last year's attendance rate.

### 2. Changes:

- This year saw the movement of the opening night awards ceremony to an outdoor space at the Derby Airport. This change appeared to be well received and the opening night festivities progressed well. Feedback obtained from attendees was very positive.

### 3. Feedback:

- Overall great content and positive feedback from community.
- Very positive feedback about the venue, particularly opening night.
- Again some low number of entries to the emerging artist and open non Kimberley categories.
- Good numbers through the door over the two weeks.
- Over \$30,000 in art and photography sold.
- Local artist workshops needed greater promotion.





## Participation Rates

KAPP ARTIST ENTRIES	2016	2017	2018	2019	2021	2022
Total entries receipted - Art	92	109	113	90	106	144
Emerging artist	48	No category this year	No category this year	No category this year	1	4
Aboriginal—Torres Strait Islander	28	33	39	26	25	42
Youth	6	14	12	6	16	28

ART CATEGORIES ENTERED	2017	2018	2019	2021	2022
Emerging	No category	No Category	No Category	1	4
Paintings on Canvas	No category	No category	No category	No category	48
Works on Paper	8	5	4	12	12
Mixed Media	22	21	16	14	36
Open non-Kimberley	7	4	9	7	3
Youth	14	12	5	16	28
Boab Nut Carving	5	11	9	6	13

TOWNSHIPS RECEIPTED FROM	2017	2018	2019	2021	2022
DERBY	54	54	41	67	78
MOWANJUM	8	4	4	3	9
FITZROY CROSSING	4	14	11	21	33
BROOME	24	27	17	14	15
KUNUNURRA	4	1	3	0	3
HALLS CREEK	3	5	2	0	2
OTHER (LISTED)	Pandanus Park, Kalumbaru,	Pandanus Park, Gibb Station, NFA. Perth x 3, Victoria, Looma x 4	Pandanus Park, Perth x 6, Tasmania	Queensland. Perth, Mowanjum, Pandanus, One Arm Point and Bungardi Community	Perth, Queensland, Yiyli community, Yungnora community, Looma community, One Arm Point, NSW, Victoria





KAPP PHOTO ENTRIES	2016	2017	2018	2019	2021	2022
Total entries receipted - photographic	181	162	207	233	29	77

EXHIBITION ATTENDANCE	NUMBER OF ATTENDEES 2018	NUMBER OF ATTENDEES 2019	NUMBER OF ATTENDEES 2021	NUMBER OF ATTENDEES 2022
Exhibition Opening (Saturday night)	250	180 (estimate)	300 plus 120 public	210 plus 130 public
Week One Total	717	659	802	671
Week Two Total	NA	NA	491	395
Overall Total	717	659	1573	1066

## Promotion & Media

Several different media strategies were used to engage a wider audience. This included radio (advertising), print (articles, media releases and advertising) web (ensuring content and key artists dates are online) and Facebook (interviews, announcements and advertising). Email distribution was employed through compiled business, artist, galleries and community networks. Where possible free/low cost promotion methods such as facebook, radio community notices, posters and emails direct to previous entrants were utilised.

## Budget

Project Income		Project Expenditure (Inc. GST)	
<b>SDWK Contribution</b>		<b>Professional Fees</b>	
Overall winner prizes (Art/Photo/People's Choice)	\$16,000	Judge Accommodation	\$ 1800
Other SDWK top up funds	\$10,388.25	Judge meals	\$750
<b>Sponsorship</b>		Judge Flights, fuel and car hire	\$3990.95
Mt Gibson Iron Ore	\$1,500	<b>Administration Costs</b>	
Australia's North-West Tourism	\$2,000	Venue Hire	\$3000
Mitchell Plastic Welding	\$2,000	Salaries / Wages / On costs	\$5000
Kimberley Ports Authority	\$5,000	<b>Program Costs</b>	
Buckley's Earthmoving	\$1,000	Works Dept	\$1580
Kimberley Pharmacy Services	\$1,500	Cleaning	\$ 1800
Vision Power	\$2,000	Consumables for curator	\$525.85
Derby Plumbing & Gas	\$2,000	Printing	\$1800
Pearl Shed Framing	\$1,000	<b>Marketing and Promotion</b>	
Kimberley Art Network	\$1,000	Printing, paper and media storage	\$ 1800
Buru Energy	\$2,000	Postage / freight	\$ 760





Artist Entry Fees (art and photo)		Exhibition Costs	
Adult	\$3090	Curator services	\$ 5500
Concession	\$150	Insurance	\$ 350
Youth	\$462	Daily workshop including artist and lunches	\$2900
Boab Nut	\$325.50	Display Resources	\$100
<b>Other Income</b>		Other (gifts for key personnel)	\$2200
Gold Coin Entry (donated to CWA)	\$1304	<b>Award Evening</b>	
Sales Commissions	\$6179	Catering	\$7500
Drink sales	\$960	Awards/Trophies	\$1100
Workshop sales	\$270	Bar + License	\$ 3310.95
Catalog sales	\$874	Entertainment and sound equipment	\$ 500
		Prize Money Art and Photo	\$ 36000
<b>Total Income</b>	<b>\$77,002.75</b>	<b>Total Expense</b>	<b>\$ 77,002.75</b>

## Critical review points.

The 2022 KAPP was very successful with lots of positive feedback from the community. Since the event the Shire has received numerous anecdotal correspondences commending the facilitation of the exhibition and the professionalism in which the Shire hosted the event.

Below is a summary of the key areas that were good and those which need to be addressed in the coming years to ensure that the event and exhibition maintain a standard and reputation that has been achieved to date.

### 2022 Successes

- Positive comments on venue (Airport). Due to larger numbers of entries this year, the airport space was able to be used effectively as an art gallery.
- Display of the past winners was very well received and a great entrance point.
- The awards ceremony on opening night being moved to an outdoor venue was very well received. Ceremony was well executed and did not drag on unnecessarily.
- Catering at events held throughout the event was well regarded.
- Increase in overall entries into the art and photography component of the exhibition.
- Good attendance at the exhibition.
- Great attendance at the VIP launch.
- High number of art piece sales, particularly on opening night.



- Catalogues utilised QR codes to save on printing. Was well received with 350 individual downloads using the QR codes.

**Areas to improve/recommendations:**

- Establish committee earlier to ensure enough planning time.
- Increase time period between close of entries and exhibition to allow for better coordination of printing of catalogues etc.
- Create a longer timeframe for planning. Begin around October of previous year
- Need to undertake more targeted advertising to attract entries for the specific categories, such as photography, emerging artist and the open non-Kimberley category. This should include a roadshow to various communities.
- Better and more detailed recording of sales data. Have access to online payments throughout period of the exhibition.
- More established links with courier companies for shipping of artwork.
- Engage with potential sponsors early in the new year. Develop a new and enhanced sponsorship package document.
- Consider selling merchandise at the event with the Kimberley Art Prize branding on it at cost recovery. The new branding was well received and several people asked about buying items as a memento (where they didn't want to buy an actual art piece).
- Aim for national marketing coverage to encourage as many entries as possible.
- Full review categories of awards as well as judging panel.
- Investigate running photographic workshops in the lead up to entries closing to encourage entries in snap and send and photographic prize.
- Implement an auction at end of exhibition to assist with sales. Artists to set reserves when lodging application.
- Application form should allow for a creditor code to be created in Synergy so as to not have to go back to artist once the artwork is sold.
- Total review of application form and package to make it more user friendly and clearer terms and conditions.



### 15.3 COMMUNITY FUNDING SCHEME POLICY REVIEW AND COMMUNITY GRANTS PROGRAM MANAGEMENT GUIDELINES

**File Number:** GS/045/5

**Author:** Shane Edwards, Manager Community Development

**Responsible Officer:** Christie Mildenhall, Acting Director of Community Services

**Authority/Discretion:** Executive

#### SUMMARY

In line with existing Policy F19 (formally AF34) - Community Funding Scheme, for Council to approve the management guidelines established to outline the SDWK Community Grants Program (formally the *Quick Grants*, *Community Grants* and *Development Grants* programs).

#### DISCLOSURE OF ANY INTEREST

Nil by author or authoriser

#### BACKGROUND

Council last reviewed Policy AF34 - Community Funding Scheme (now numbered F19, attached), in September 2020. This policy is now due for review.

The Policy F19 - Community Funding Scheme provides an overarching philosophy and guidelines as to how funds are distributed to community based organisations within the Shire for the benefit of the community.

Traditionally the Shire has operated three funding streams the *Quick Grants* (grants of up to \$500), *Community Grants* (grants of up to \$5,000) and *Development Grants* programs (grants in excess of \$5,000). These programs are budgeted for as part of the annual operational budget.

These grants programs have been reviewed with change proposed to create a clear understanding of the intent and operation of community funding, and to ensure the program is meeting community and organisational needs.

#### STATUTORY ENVIRONMENT

**Local Government Act S2.7 (Role of council)** outlines in (2) (b) that Council determines the local government's policies.

#### POLICY IMPLICATIONS

F19 - Community Funding Scheme (endorsed 30 September 2020)

#### FINANCIAL IMPLICATIONS

Council provided \$75,000 in the 2022/23 budget for donations to community groups. This consisted of:

- \$45,000 for SDWK Community Grants Program; and
- \$30,000 for event sponsorship (eg: Boab Festival, Rodeo, Mowanjum etc).

To date up to \$500 (ex GST) has been allocated from the budget to Derby Bush Poet's Breakfast. \$74,500 remains in the 2022/23 budget.

## 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	2.3 Vibrant and culturally rich communities	2.3.1 Support the growth and development of arts and cultural programs, services, places and spaces
2. Community	2.3 Vibrant and culturally rich communities	2.3.2 Facilitate and/ or contribute to community events, cultural activities and festivals

## RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Community:</b> Failure to endorse a clear Community Funding Scheme Policy and subsequent grants programs may lead to the funding process not appearing to be transparent, understood or utilised by the community. Community activations may not occur	Possible	Moderate	Medium	Review of policy. Implementation of a <i>Community Grant</i> Program
<b>Financial:</b> Budgets allocated to fund community activities may be inadvertently misused or underutilised.	Likely	Moderate	High	Review of policy. Implementation of a <i>Community Grant</i> Program
<b>Legal &amp; Compliance:</b> Failure to adhere to Council Policy and best practice	Likely	Moderate	High	Review of policy. Implementation of a <i>Community Grant</i> Program

## CONSULTATION

No specific external consultation was undertaken on the subject of this report. A desktop review of the community funding policies and programs of other local governments was undertaken and considered. Ad hoc information obtained through discussions with representatives of community organisations regarding funding and assistance requests were also considered. Feedback from staff working with organisations who are recipients of grants was also considered.

## COMMENT

Policy F19 has been reviewed. Officers are of the opinion this policy does not require further review at this stage. It is recommended the policy to be reviewed again in two years' time.

A review of the previous three (3) Grants Programs (Quick Grants, Community Grants and Development Grants) has been undertaken to ensure they are meeting the needs of the community. It was identified that the community funding scheme for the SDWK could be simplified to encourage greater uptake from community organisations, especially relating to community projects. The review found that the Quick Grants Programs was not meeting the organisations needs, with almost every application requesting in excess of the available \$500. A large number of applications are also received last minute and it is felt that as a result the Shire is not receiving appropriate acknowledgement of their contribution. This is also impacting on the promotion of the activities within the community.

In line with the current policy F19, a Management Guideline has been created and attached for noting. This document largely consists of the operational information which is in the current policy. The intent of the grants program is largely the same. Changes which have been included are:

- Consolidation of all community funding into 1 grant called the Community Grants Program. A separate document for each of the three funding programs being made available (to make the guidelines for each program clearer);
- Four (4) funding rounds per year will be established.
- A minimum of eight (8) weeks is provided from funding applications until commencement of projects
- Funding under the Community Grants Program will be capped at \$5,000 (ex GST) per project.
- Clarifications have been made around items which the funding cannot be used for.
- The establishment of a SDWK Community Grants Program Working Group which will comprise (CEO or delegate plus both Derby and Fitzroy Crossing Community Development Team Leaders). The Working group's role is to assess and present funding applications to council for consideration.

The consolidation of the grants program is expected to improve clarity within the community about the support available from the Shire, both financial and in-kind. It will also assist in the promotion of the program, allowing for consolidated efforts to be made around each of the grant programs, rather than on-going promotion where it tends to get lost amongst other messaging. It is also helped that the strict deadlines will assist community based organisations with the preparation of their events encouraging preparations to commence earlier. It should also provide more appropriate promotion of the Shire's sponsorship of activities.

Given the proposed changes we will consult with groups directly that have accessed the program previously about deadlines and changes to ensure this doesn't adversely impact community activities.

### VOTING REQUIREMENT

Absolute majority

### ATTACHMENTS

1. **F19 (formerly AF34) - Community Funding Scheme Policy Statement** [↓](#) 
2. **Community Grants Program Guidelines DRAFT** [↓](#) 

### RESOLUTION 124/22

**Moved:** Cr Linda Evans

**Seconded:** Cr Geoff Davis

**That Council**

1. **Endorses the reviewed policy F19 – Community Funding Scheme as provided in Attachment 1.**
2. **Endorses the SDWK Community Grants Program Guidelines as provided in Attachment 2.**
3. **Notes that the Community Grants Program Working Group's recommendations for grants will be referred to Council as the decision maker each funding round.**

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

Against: Nil

**CARRIED 5/0 BY ABSOLUTE MAJORITY**



## **(F19) COMMUNITY FUNDING SCHEME**

### **POLICY OBJECTIVE**

To provide 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.

### **POLICY SCOPE**

This policy applies to all requests from community groups and not-for-profit organisations to access financial, or non-monetary in-kind resources, to support the delivery of activities and initiatives within the Shire of Derby/West Kimberley district.

This policy does not cover:

- a) Sponsorship arrangements whereby the Shire negotiates the right to associate the Shire's name with an event, service or activity;
- b) Partnership arrangements; and
- c) Lease agreements and approved waivers for Shire fees and charges.

### **POLICY DEFINITIONS**

**Non-monetary and in-kind assistance** - the provision of goods and services which do not involve a monetary transaction. This may include, but is not limited to, the use of Shire operated facilities, equipment or personnel.

**Not-for-profit organisations** - Organisations that provide services to the community and do not operate to make a profit for its members. All profits must go back into the services the organisations' provide and must not be distributed to members, even if the organisation winds-up. This includes registered charities, sporting and recreation clubs, community service organisations, professional and business associations, cultural and social societies and some Indigenous corporations (*Australian Tax Office definition*).

### **POLICY STATEMENT**

The Shire of Derby/West Kimberley acknowledges its role as a facilitator and partner in building the capacity, ownership and identity of the community. To support this role the Shire is committed to supporting community groups and not-for-profit organisations in the delivery of the activities, services and initiatives by making an annual allocation to the Community Funding Scheme (the Scheme). Funds allocated to this scheme can be accessed by community groups and not-for-profit organisations through grant programs or requests to Council and can include financial or non-monetary contributions from the Shire.

Activities funded through the Community Funding Scheme must address identified community priorities as outlined in the Shire's Strategic Community Plan. Generally the funded activities are to be delivered within the district of the Shire of Derby/West Kimberley. Exceptions may be made where it can be demonstrated the project has significant benefit to Shire residents or promotes the Shire on a wider basis. Priority is given to groups that are based within the Shire district, however this does not preclude organisations who are based outside of the Shire area from obtaining funding.

The funding allocation to the individual grants programs to be administered under the Scheme will be determined annually by Council. Each grants program will have a management guideline which will, at a minimum, outline:

- a) Objectives of the grant program and types of projects to be funded;
- b) Eligibility criteria;





## Shire of Derby / West Kimberley

- c) Funding criteria;
- d) Terms and conditions of the grant;
- e) Application, assessment and approval process;
- f) Appeals process;
- g) Acquittal and reporting requirements; and
- h) How the Shire's contribution should be acknowledged.

All other funding requests will be presented to Council, or as otherwise determined by Council, and outlined in the relevant program's management guidelines.

Policy Details			
<b>Original Adoption date:</b>	28 February 2019	<b>Review Frequency (Annual/Bi-ennial):</b>	Bi-ennial
<b>Policy Implementing Officer or Team:</b>	Manager Community Services	<b>Policy Reviewer:</b>	Director – Corporate & Community Services
<b>Legislative Head of Power (Act, Regulation, or Local Law):</b>			
<b>Related Documents (other Policies, Operational Procedures, Delegations, etc.):</b>	Council Policy No. AF06- Risk and Opportunity Management Strategic Community Plan Code of Conduct Record Keeping Procedure Quick Grants Management Guidelines Community Grants Management Guidelines Development Grants Management Guidelines		
Version Control Council Meeting Review Details:			
<b>Review #:</b>	<b>Council Meeting Date:</b>	<b>Item/Resolution#:</b>	
1.	30 September 2020	#168/20	



**Shire of Derby /  
West Kimberley**

## **Community Grants Program Management Guidelines**

**Version 1.0- 07 September 2022**

 [www.sdwk.wa.gov.au](http://www.sdwk.wa.gov.au)

## About the Community Grants Program

The Shire understands the important role community groups and not-for-profit organisations play in our community and the value placed on the programs, events, services and initiatives offered by these groups. Through the Community Grant Program, the Shire seeks to provide financial and non-financial support to the community organisations to deliver their activities.

The Community Grants program has been designed to support community based projects that provide clearly defined outcomes in line with the community priorities identified in the Shire's Strategic Community Plan. Funding requests are considered as part of a quarterly competitive process and one-off funding contributions of up to \$5,000 (ex GST) will be considered for each project.

Larger funding requests (up to \$7,500) can be submitted through a separate event funding scheme.

This guideline provides detailed information about the Community Grants program.

## Eligibility Guidelines

### Eligible Organisations

Community grants are intended to support local community groups and not-for-profit organisations. This includes charities, sporting and recreational groups, community services organisations, professional and business associations, cultural and social societies.

In order to be eligible for funding the applicant must be one of the following types of organisations;

- An incorporated, not-for-profit community organisation,
- A registered charity,
- An unincorporated community group, whose application is being supported (auspiced) by an appropriate incorporated organisation (shared aims and common interests).

Where a grant is awarded to an organisation who is being auspiced by an incorporated organisation the responsibility for ensuring compliance with the grant conditions rests with the auspicing body.

Applications will not be considered from;

- Organisations that promote political, unethical or profit making purposes.
- Organisations whose primary purpose is to promote religious beliefs or where people are excluded on religious grounds.
- Organisations whose main purpose is to fund raise.
- Government agencies.
- Commercial for-profit organisations and businesses.
- Individuals.

Priority is given to applicants who are based within the Shire's boundaries, however this does not preclude organisations based outside the Shire's boundary from applying so long as the activity is based in the Shire or there is demonstrated substantial benefit to the Shire's residents. Groups who have not received funding through the programs administered under the Community Funding Scheme in the previous financial year are also given priority.

To be eligible to receive funding organisations must include the ABN in their application or complete a Statement by Supplier form if they do not have an ABN.

Organisations who have not acquitted previous funding from the Shire of Derby / West Kimberley will not be eligible for funding until those acquittal requirements have been met.

### Eligible Projects

Projects supported through the Community Grants Program should enhance community participation and wellbeing and have demonstrated wide community benefit. Additionally they should also align with community priorities as identified in the Shire's Strategic Community Plan. The application must clearly demonstrate defined community outcomes and long term benefits to the community. Projects may fall into areas such as arts and culture, education, sport and recreation, youth, seniors, health and welfare, tourism and not-for-profit business development. Grant money is available across a wide range of projects and services to ensure diversity of activities within the Shire.

The funded projects must be accessible, equitable and affordable to community members and must take place within the Shire of Derby / West Kimberley. Projects held outside of the Shire may be considered if the applicant can suitably demonstrate the involvement of Shire residents or if it promotes the Shire on a regional basis.

Examples of funding uses may include, but are not limited to;

- Costs incurred relating to delivering shows, exhibitions, festivals, open days and other events.
- Equipment purchases for the delivery of events and programs or where it can be demonstrated that there is evidence the equipment is vital for the on-going viability or the quality of the service / program.
- Venue hire. Note- if funds are being used for the hire of a Shire owned / operated facility this will be given as in-kind donation rather than cash payment.
- Professional development and training – to provide learning opportunities for volunteers, officials and committee members.
- Obtaining Police Clearances and Working with Children Checks from project / event volunteers.
- Accessing Council resources – including facilities, personnel and equipment.

Funding cannot be used for;

- Projects which have already commenced or have been completed (retrospective funding).
- Cash prizes, awards or gifts.
- Recurrent projects.
- Operating expenses, eg: administrations costs, staff wages, and utilities.
- To service outstanding debts or loans.
- An individual's personal living, medical, education or travel expenses (note: travel expenses may be claimed where a person has been engaged specifically for the project, such as a facilitator, and the expenses relate to the delivery of that project)
- Activities or events that are the responsibility of a state or federal government.
- Purchasing or provision of alcohol, or the costs associated with meeting Liquor Licensing requirements.
- Political activities.
- Religious activities that could be perceived as being decisive.

Applications which can demonstrate a contribution from the applicant are preferred. The involvement of volunteers is encouraged.

Projects must be delivered within twelve (12) months of being notified the outcome of the application.

### Funding Availability

Each financial year, through the ordinary budgeting process, Council will determine a pool of money to be made available for Community Grants program. Following the endorsement of the budget applications will be sought for Community Grants, in which funds of up to \$5,000 (ex GST) are available for each

project. It should be noted that whilst an application is deemed successful they may not receive the full amount of funding requested.

## **Application Process**

### **Submitting an application**

Applications for Community Grants funding will be accepted in four (4) specified funding rounds.

Each funding round will have a specified opening and closing date. Applications which are received after this closing date will be considered in the next available funding round. Applications must be submitted at least eight (8) weeks prior to the project start date.

There is no set amount of funding per funding round. An annual pool of funding is allocated for the program each financial year and if the annual pool of funding is utilised before all funding rounds are complete then no further funding rounds will open for applications.

Please see details of each funding round below:

#### **Funding Round 1 – Projects delivered from February onwards**

Opens: 1 October

Closes: 30 November

Funds projects that commence from: 1 February

#### **Funding Round 2 – Projects delivered from June onwards**

Opens: 1 January

Closes: 31 March

Funds projects that commence from: 1 June

#### **Funding Round 3 – Projects delivered from September onwards**

Opens: 1 April

Closes: 30 June

Funds projects that commence from: 1 September

#### **Funding Round 4 – Projects delivered from December onwards**

Opens: 1 July

Closes: 30 September

Funds projects that commence from: 1 December

All applications must be submitted using the specified application form provided by the Shire of Derby / West Kimberley. Applications received that do not use this form will not be considered. All questions on the application form must be completed. Applications must clearly demonstrate how they achieve defined community outcomes and should demonstrate benefits to the community. Applications who do not address the criteria in their applications will not be considered.



Applicants must discuss their project with a member of the Community Development Team prior to submitting their application.

### **Assessment of applications**

In accordance with the *Local Government Act 1995* Section 5.60A and Section 5.60B any Councillor or Officer with a financial or proximity interest in an application must declare their interest and exclude themselves from the decision making process for that application.

Initial recommendations relating to the outcomes of applications are made by the Shire of Derby / West Kimberley's Community Grants Program Working Group. The working group consists of:

- Chief Executive Officer or delegate
- Team Leader Community Development (Derby)
- Team Leader Community Development (Fitzroy Crossing).

These recommendations are then provided to Council for endorsement at the next appropriate Ordinary Council Meeting.

All applicants will be notified of the outcome of their application in writing as soon as practicable. Where an application has been unsuccessful feedback will be provided to the applicant by the Community Development Team.

### **Grant Claim and Variation**

Successful applicants will receive a letter confirming the grant amount, the purpose for which the funding is to be used and any other conditions relating to the grant. Applicants will be asked to sign an acknowledgement form accepting the grant and acknowledging the conditions under which the grant is provided.

Grants must be claimed within two months of being advised the outcome of the application. The grant must be expended within twelve months of being notified of the outcome of the application. Funds not claimed or utilised within this period will be forfeited and where payment has been made the unused funds must be returned to the Shire of Derby / West Kimberley.

Requests to vary or make a change to the proposed use of the grant funds must be made in writing for the consideration of the Director Community Services. Significant changes in the way funds are being used may be referred to Council. The applicant must also advise of any significant changes in the aims and objectives or management structure of the organisation or group.

### **Grant Acquittal**

All grant recipients are required to acquit their grant within two months of the project completion date. Acquittals must be submitted on the designated form. Supporting documentation such as photographs and videos are strongly encouraged to accompany the acquittal form. Applicants will be requested to provide evidence as to how the funds were used, an evaluation of the project, evidence of the Shire's contribution being acknowledged and evidence of other grant conditions being met.

Failure to acquit the grant will result in the organisation being ineligible for future funding from the Shire of Derby / West Kimberley until such time as the acquittal has been completed.

Where funds have not been expended in accordance with the grant application or permission to vary the use of funding has not been obtained the Shire of Derby / West Kimberley reserves the right to request the return of allocated funds.



## Promotional Activities

### Promotion of funded activities

Applicants are strongly encouraged to consider how funded activities are promoted to ensure maximum reach to the community. The Shire will assist in the promotion of activities which have been funded through the Community Grants program, but should not be the sole promotional strategy.

The Shire will use funded projects to promote the Community Funding Scheme. This includes, but is not limited to, making information about funded projects available via the Shire website.

### Acknowledgement of the Shire of Derby / West Kimberley's contribution

The Shire of Derby / West Kimberley must be acknowledged as contributing to the funded activity. To assist in this successful applicants will be provided with the Shire's logo along with information about the required use of the logo. Applicants will also have access to Shire banners where appropriate and available.

## Document Control

### Adoption of the Management Guideline

Adoption of the Management Guidelines

Document Control Box							
Document Responsibilities:							
Owner:	Manager Community Development			Owner Unit:	Business	Community Development	
Reviewer:	Manager Community Development			Decision Maker:		Council	
Compliance Requirements:							
Legislation:	NA						
Industry:	NA						
Organisational:	Council Policy No. F19 formally AF34- Community Funding Scheme Strategic Community Plan Code of Conduct						
Document Management:							
Risk Rating:	Low	Review Frequency:	Annual	Next Due:	2023	Records Ref:	TBA
Version #	Decision Reference:		Synopsis:				
1.	07/09/2020- 168/20		New guidelines draft				
2							

**16       MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

NIL

**17 NEW BUSINESS OF AN URGENT NATURE****RESOLUTION 125/22****Moved: Cr Geoff Davis****Seconded:: Cr Linda Evans**

That Council accepts item 17.1 Local Government Reforms: Direct Election of the President and Consequential changes to the Council and item 17.2 Cr Attendance at the Darwin Live Ex Conference as urgent items in accordance with Clause 3.11 of the Shire of Derby – West Kimberley Standing Orders Local Law.

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

Against: Nil

**CARRIED 5/0****17.1 LOCAL GOVERNMENT REFORMS: DIRECT ELECTION OF THE PRESIDENT, AND CONSEQUENTIAL CHANGES TO THE COUNCIL****File Number: 4125****Author: Neil Hartley, Director - Strategic Business****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

The Minister for Local Government recently forwarded to all WA local governments, a Memorandum in regard to the forthcoming Local Government Act review changes to be implemented in time for the 2023 ordinary elections. Each Memorandum was personalised to the situation relevant to the local government, and in the Shire of Derby/West Kimberley's case, we were invited to consider how we wished to change to the new directly-elected President (and consequently reduce the size of the elected Council by one, to account for the President being directly elected).

This report recommends that Council choose the *Reform Election Pathway* option.

**DISCLOSURE OF ANY INTEREST**

The author has no financial or other interests to declare.

**BACKGROUND**

The Local Government Act 1995 is periodically reviewed. That has occurred several times since its implementation on 1 July 1996. The latest review (see attached for the Department's summary, titled "*Stronger local democracy and community engagement*") has resulted in part, in the Minister for Local Government, the Hon. Hon. John Carey MLA forwarding to all WA local governments on 20 September, 2022, a Memorandum (also attached) titled "*Local Government Reforms: Election Transition Arrangements (Direct Election of the President, and Consequential changes to the Council)*". Each Memorandum was personalised to the situation relevant to the local government recipient, and in the Shire of Derby/West Kimberley's case, we were advised that:

***The Department of Local Government, Sport and Cultural Industries has completed an initial review, and identified that your local government may need to change to a directly-elected President, and consequently reduce the size of the elected council by one to account for the President being directly elected. This relatively small change should be implemented for the 2023 ordinary elections.***

The Minister's Memorandum advises there are only two pathways that Council may consider for making these election transition arrangements.

1. **Voluntary Pathway** - formulate a high-level plan to implement these proposed legislative changes on a voluntary basis in time for the ordinary elections to be held in 2023, and advise the Department of Local Government of its decision by 28 October 2022 (noting that the Act already provides that local governments may seek to change the method of filling the office of President to a direct vote by the electors of the district). This would include:
  - a) Passing a resolution to change the method of electing the President to a vote by the electors of the district (under section 2.11(2) of the Act); and
  - b) Initiating a *Ward and Representation Review* to determine the specific consequential changes to the structure of the council for the 2023 ordinary elections (and which needs to be completed no later than 14 February 2023).

If the 'voluntary pathway' is selected (which includes a representation review) the notification to DLG should include a high-level but relatively basic plan, covering matters such as:

- a) an acknowledgement of what changes the Shire of Derby-West Kimberley needs to make to implement the electoral reforms;
- b) whether the changes can be implemented over one or two ordinary elections (i.e. 2023 and 2025);
- c) anticipated timeline to complete the representation review (specifically, whether it can be completed by 14 February 2023); and
- d) identification of any significant risks to meeting that timeline.

The Minister highlights his appreciation of the significant effort required to complete a Ward and Representation Review in such a short timeframe, and notes particularly that:

- i. The review would actually need to be initiated ahead of the 28 October 2022 date, and finalised by 14 February 2023, to ensure that the timeframes set out in the Act can be practically met; and
- ii. The review cannot propose a change which diverges from the reforms proposed by the State Government.

The Department of Local Government is developing a template discussion/consultation paper to assist local governments that need to conduct a ward and/or representation review for distribution as soon as possible.

2. **Reform Election Pathway** - Alternatively, the Local Government Amendment Act will provide for/regulate all changes to be implemented through reformed elections in 2023.

For Councils with no wards, like the Shire of Derby/West Kimberley, at least one elected member position would need to be abolished, while also declaring that the President is to be elected by a vote of the electors of the district.

Council may specifically decide to follow the Reform Election Pathway, in which case it simply needs to advise the DLG by 28 October 2022.

Choosing this option results in a “full spill” of all Councillor positions as part of the 2023 election process.

The Minister advises that the Amendment Act will contain provisions to address local governments that either (a) do not advise of an intention to follow the Voluntary Pathway, or (b) do not suitably complete the Ward and Representation Review by the deadline dates outlined in his memorandum.

Forty eight WA local governments are similarly impacted by these proposed changes, with 22 being made to allow ratepayers to directly elect their President (or Mayor) rather than that decision being made by Councillors.

Those local governments that cannot — or will not — voluntarily agree on such a plan will be made to “spill” their entire Council ahead of the October 2023 local government election, at which point all the required changes would be enacted simultaneously.

### STATUTORY ENVIRONMENT

One of the functions of Parliament is to make laws. An Act of Parliament starts as a Bill in one of the Houses. A Bill is the draft of a proposed law. Most Bills deal with management of public affairs and the implementation of Government policy and are introduced by a Minister, but a member of either House is entitled to introduce a Private Member's Bill.

**Local Government Act S. 2.11(2) (Alternative methods of filling office of mayor or president)** provides for a Council, by absolute majority decision, to change the method of filling the office of president used by the local government from the election by the council method, to the election by the electors method.

**Local Government Act S. 2.28 (Days on which terms begin and end)** sets out the terms elected representatives, which are generally for Councillor Elected President (two years), Elector President (four years), and the Deputy President (two years). So with the new rules, Derby will now have a President elected by electors who will have a fixed four year term and there will be no option to have the President elected from amongst its Councillors.

### POLICY IMPLICATIONS

There are no policy implications evident, but the practice of how the President is elected will be deleted from future Council processes and replaced with alternative processes to reflect that change.

### FINANCIAL IMPLICATIONS

There are short and long term cost implications for the Shire.

In the longer term, there will be an increased cost to the running the Shire's future Council elections. There will in effect be two separate elections every second election year, a Councillors' election as has always occurred, plus a President's Election. The cost of Council's elections for every second election will therefore increase and whilst costs are not known at this stage, an increase of perhaps \$5 - 10,000 in the years the Presidential election is held, is anticipated.

In the short term, there are different costs for each option. If Option 1 is chosen, there will be costs to conduct the Ward and Representation Review, albeit mostly officer time. The 2023 Election will need to accommodate the President's election, so those costs will be more than what was incurred

for the 2021 Election. If Option #2 is chosen, the Shire won't need to conduct the Ward/Representation review, but if a current 2025 Councillor is elected President, we will need to have a special election to re-elect a replacement Councillor, which would be almost as expensive as an ordinary biennial election.

### 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	1.1 Collaboration and partnership	1.1.1 Engage with our communities

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Organisation's Operations:</b> Not choosing either option, or choosing Option #2 will lead to the State Government determining a "full spill" of Councillors at the 2023 elections and the potential of a high level of lost corporate knowledge on Council.	Possible	Major	High	Pursue the "voluntary" model as provided for by the State Government.
<b>Financial:</b> If an existing Councillor with a term to 2023 is elected as President, a bi-election <u>may be</u> required to fill that vacancy.	Possible	Minor	Medium	Pursue the "compulsory" model as provided for by the State Government.
<b>Reputation:</b> Undertaking a Ward & Representational Review with a single possible outcome could result in community members claiming the process is disingenuous.	Almost Certain	Minor	Medium	Pursue to "compulsory" model as provided for by the State Government.



## CONSULTATION

If Option #1 is chosen, then community consultation to invite the views of the community is required in order to progress the process of a Local Government Act S. 2.11(2) Ward and Councillor Representation Review proposal. Community consultation is normally a critical part of such a process, and the topic of how the President should be elected would normally attract a good deal of attention. The state government's proposal to "invite" local governments to undertake a review process, but one which seems to have a predetermined core result, makes the local consultation process somewhat disingenuous, even if the democratically elected State Parliament does at the end of the day pass laws to legitimise such an outcome.

The officer recommendation is that the Council not undertake the review, but to instead opt for Option #2, avoiding the need for the Ward and Councillor Representation Review, but requiring it to have a full spill of all Councillors prior to the 2013 elections.

Advice from the Department of Local Government has been sought in the preparation of this report.

## COMMENT

Whilst the best pathway forward is a decision for the Council to consider, in light of the make-up of the state's two houses of parliament it is considered unlikely these changes will be modified or withdrawn, therefore imposing (either as a voluntary act by Council, or as a compulsory change by the WA State Parliament) a change to the way that the President has been elected at the Shire of Derby/West Kimberley since the establishment of the West Kimberley Road District on 10 February 1887.

Advice from the Department of Local Government highlights that this matter has not been completely thought through by the State Government. For example, one response to the question about what would happen should a Councillor with a current 2025 term be elected to the position of President, the response was.... *"If you choose the voluntary pathway, the current President can nominate for the position of President at the October 2023 elections. If they are elected, then their current council member position becomes vacant. As part of the reforms we are looking at options to fill vacancies that arise in these circumstances to avoid the need for an extraordinary election"* albeit that this uncertainty is a reference to legislative drafting noting that reform announcements have already included the proposal to allow vacancies arising up to 12 months after an election to be filled by the next highest-polling candidate. So, whilst there might be the intention to assist local governments to avoid an extra-ordinary election (which is almost as expensive as a full bi-ennial election) the legislation providing for that is not yet clear.

There does on the other hand seem to be more clarity for the Reform Election Pathway, where the position of the Department of Local Government was: *"If you choose the reform pathway, what will happen is that all the changes will be imposed in 2023. This will involve:*

- *Changing to a directly elected president*
- *Reducing the number of offices of council to 8*
- *All positions being deemed vacant*
- *All position re-elected at the October elections. Those with the most votes will get a 4 year term, and the remaining 4 would get a 2 year term."*

It is considered that the most appropriate way forward is to advise the Department of Local Government that Council has chosen Option #2. The main advantages and disadvantages are outlined below:

Issue	Advantages	Disadvantages
Option #1 - Voluntary Pathway	<p>No forced spill of 2025 retiring Councillors, thus preserving continuity and corporate knowledge.</p> <p><i>Note: considered to be an unlikely outcome, but it is a possibility.</i></p>	<p>Cost and time to undertake the ward/representation review.</p> <p><i>Note: it is considered that this review will be seen by many in the community as a “fait accompli” and disingenuous, and therefore will not be in anyone’s best interests to conduct.</i></p> <p>If a current 2025 retiring Councillor is elected President, there is the risk that the Shire may need to have a special election to re-elect a replacement Councillor for a two year period.</p> <p><i>Note: the details are unclear as to how this will occur, but hopefully it is a very low risk.</i></p>
Option #2 - Reform Election Pathway	<p>Saving of time and money to needing to conduct the ward/representation review.</p> <p><i>Note: Whilst cash costs will not be significant, the process will consume hundreds of staff hours to prepare, promote, respond to questions, and report to Council/State Government.</i></p> <p>Does not include the risk of requiring a Special Election should a 2025 retiring Councillor be elected to the position of President.</p> <p><i>Note: the details are unclear as to how this will occur, but hopefully it is a very low risk.</i></p>	<p>A forced spill of all Councillors results in the potential of losing valuable corporate knowledge and continuity.</p> <p><i>Note: considered to be an unlikely outcome, but it is a possibility.</i></p>

A Voluntary Pathway Plan is attached should Council resolve to follow that route, which is the alternative option available to it. This option would require an absolute majority decision and a draft resolution to achieve that could be:

*That Council by absolute majority decision advises the Department of Local Government (in writing) by 28 October 2023:*

- 1. that it chooses to follow the Voluntary Pathway (which will see a change the method of electing the Shire President to “election by the electors method” and the reduction in the number of elected member positions by one (to provide for an elector Shire President);*
- 2. that a representation review will be undertaken, inclusive of the proposed forthcoming changes to the Local Government Act to:*

- (a) *change the method of electing the President to “election by the electors method”; and*
- (b) *reduce the number of elected member positions by one (to provide for an elector President);*

Endorses the Voluntary Pathway Plan attached.

## VOTING REQUIREMENT

Simple majority

## ATTACHMENTS

1. Minister's Memorandum to Local Governments [!\[\]\(67ff022fd78f943b679992c2874bbfd1\_img.jpg\) !\[\]\(042ea11c58a77088d3dd7150909adec0\_img.jpg\)](#)
2. Department of Local Government's Reform Overview [!\[\]\(5890ff4c38007932c846fa9d39ba1fe6\_img.jpg\) !\[\]\(0951d374ca92713a262635cd1d2251b2\_img.jpg\)](#)
3. Voluntary Pathway Plan [!\[\]\(3b3fbb6cc430c0b8da0c6ad8d8fe9f5d\_img.jpg\) !\[\]\(48d5ea9af81461d47ce0bfa0808d84ea\_img.jpg\)](#)

### RESOLUTION 126/22

Moved: Cr Peter McCumstie

Seconded: Cr Linda Evans

The Presiding Member proposed that the Item be deferred to a Special Council Meeting to be held on the 13 October at 4.30pm Council Chambers, Clarendon Street, Derby WA.

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

Against: Nil

**CARRIED 5/0**

### RESOLUTION

That Council:

1. advises the Department of Local Government (in writing) by 28 October 2023, that it chooses to follow the *Reform Election Pathway (which will see a change the method of electing the Shire President to “election by the electors method” and the reduction in the number of elected member positions by one (to provide for an elector Shire President); and*
2. notes that the Reform Election Pathway results in a “full spill” of all Councillors occurring as part of the 2023 Council Elections.



**Hon John Carey MLA**  
**Minister for Housing; Lands; Homelessness; Local Government**

Our Ref: 78-08502 (Category 3)

20 September 2022

Dear Local Government Chief Executive Officers

**MEMORANDUM TO CHIEF EXECUTIVE OFFICERS**  
**LOCAL GOVERNMENT REFORMS: ELECTION TRANSITION ARRANGEMENTS**  
**(DIRECT ELECTION OF THE MAYOR OR PRESIDENT, AND CONSEQUENTIAL**  
**CHANGES TO THE COUNCIL)**

On 3 July 2022, I announced the final package of proposed local government reforms, following a review of public submissions. As part of the reforms to strengthen local democracy and increase community engagement, new requirements will be introduced to provide for:

- The introduction of optional preferential voting;
- Directly elected Mayors and Presidents for band 1 and 2 local governments;
- Councillor numbers based on population; and
- The removal of wards for band 3 and 4 local governments.

Work on a Bill to amend the *Local Government Act 1995* (the Act) is ongoing, and a Bill is expected to be introduced into Parliament in early 2023.

Many of the reform proposals related to council representation are based on recent trends, and are intended to provide greater consistency between districts. Accordingly, for more than half of all local governments, the reforms will not require any specific change to the size or structure of the council.

However, the reform proposals do require some local governments to:

- Reduce the number of elected members on council in accordance with population thresholds; or
- Change from a council elected mayor or president to a directly elected mayor or president (this reform affects only band 1 and 2 local governments); or
- Abolish wards (for band 3 and 4 local governments with wards); or
- Implement more than one of the above.

The Amendment Act will also provide that optional preferential voting will apply for all local government elections. As you may know, optional preferential voting means that all electors have the choice to number preferences for as many or as few candidates as they wish to.

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Telephone: +61 8 6552 5300 Facsimile: +61 8 6552 5301 Email: [minister.carey@dpc.wa.gov.au](mailto:minister.carey@dpc.wa.gov.au)

I appreciate the significant interest in the reform proposals, and potential transitional arrangements for the upcoming 2023 ordinary elections. Many councils have expressed a proactive intent to implement reforms as early as possible.

**The Department of Local Government, Sport and Cultural Industries (DLGSC) has completed an initial review, and identified that your local government may need to change to a directly-elected Mayor or President, and consequently reduce the size of the elected council by one to account for the Mayor or President being directly elected. This relatively small change should be implemented for the 2023 ordinary elections.**

The Act already provides that local governments may:

- Resolve, by absolute majority of the council, to change the method of filling the office of Mayor or President to a direct vote by the electors of the district, and
- Initiate proposals to change arrangements related to the size or structure of the council through a Ward and Representation Review.

Accordingly, I write to advise of two pathways your council may consider for making these election transition arrangements.

#### **Voluntary Pathway**

Your local government may formulate a plan to implement these changes on a voluntary basis. This pathway will require your local government to make the steps outlined below, and provides the greatest possible lead time to plan for next year's ordinary elections.

If your council wishes to undertake this process, it should, by 28 October 2022:

- Advise the DLGSC of its intention to undertake a voluntary process. This advice should include a high-level plan outlining the potential changes to be implemented for the ordinary elections to be held in 2023;
- Pass a resolution to change the method of electing the Mayor or President to a vote by the electors of the district under section 2.11(2) of the Act; and
- Initiate a Ward and Representation Review to determine the specific consequential changes to the structure of the council for the 2023 ordinary elections, to be completed no later than 14 February 2023.

I appreciate that significant effort is required to complete a Ward and Representation Review. The Ward and Representation Review would need to be initiated ahead of the 28 October 2022 date, and finalised by 14 February 2023, to ensure that the timeframes set out in the Act can be practically met. While the Ward and Representation Review can consider the size of the council, and any wards, any changes should not diverge from the proposed reforms.

Further information is attached to this letter to assist with this process.

#### **Reform Election Pathway**

Alternatively, it is intended that the Amendment Act will provide for all changes to be implemented through reform elections in 2023.

For councils with wards, this pathway would provide that all council offices can be declared vacant, and all wards can be abolished. Elections would then be held to fill all council offices, with a split between two and four year terms as might be necessary to re-establish an ordinary election cycle.

The newly-elected council would then be able to consider whether to establish new wards, through a future Ward and Representation Review.

For councils with no wards, it may be possible to abolish one vacancy arising next year, while also declaring that the Mayor or President is to be elected by a vote of the electors of the district.

Your council may specifically decide to follow the Reform Election Pathway. If this is the council's intention, I request that you advise the DLGSC by 28 October 2022.

It is also intended that the Amendment Act will contain provisions for the Reform Election Pathway to apply if a local government:

- Does not advise of an intention to follow the Voluntary Pathway, or
- Decides to follow the Voluntary Pathway, but does not suitably complete a Ward and Representation Review by the dates outlined in this letter.

#### **Next Steps**

In line with the above, I request that your council considers these matters, and provides formal written advice on the preferred pathway to the DLGSC by 28 October 2022. Given the timeframes already established in the Act, no extension to the dates specified in this letter will be possible.

The DLGSC is available to assist with these election transition arrangements. If you require any assistance, please contact Ms Julie Craig, Strategy and Research Officer, on 6552 7300 or at [advisoryboard@dlgsc.wa.gov.au](mailto:advisoryboard@dlgsc.wa.gov.au).

I have also written a formal letter to the Mayor or President of your local government, which contains the same information as this memorandum. That letter should be received shortly.

Yours sincerely



**HON JOHN CAREY MLA**  
**MINISTER FOR LOCAL GOVERNMENT**

Att: Timeline and steps – local government ward and representation reviews



### Timeline and steps – local government ward and representation reviews

The following steps will need to occur to allow all required local governments to meet the **30 June 2023** timeframe of publication in the Government Gazette of any proposed ward and representation review changes, ahead of the October 2023 local government elections. Please note that all stages that are currently followed for 'regular' reviews are included below.

Table 1 includes suggested timeframes which will need to be considered by all local governments that will be required to undertake a review ahead of the October 2023 elections.

All local governments should aim to have their completed reviews submitted to the Local Government Advisory Board (the Advisory Board) by no later than **14 February 2023**.

**Table 1 – proposed timeframes for local government actions**

<b>Due date (latest possible)</b>	<b>Requirements/actions</b>
28 October 2022	Council resolves to undertake a ward and representation review A comprehensive discussion paper is developed
December 2022	Completion of six week consultation period
December 2022 – January 2023	Draft review report is prepared, considered and adopted by council
14 February 2023	Formal review report is submitted to the Advisory Board

Please note that the above dates are suggestions only, as each council will have to consider their own calendars for their monthly meetings. It is also possible that some affected councils will have an earlier meeting in December 2022, and then no meeting in January 2023. This is why mid to late December is suggested as the date by which the draft review report should be considered by council.

**Table 2 - Ward and representation review process – for local governments**

	<b>Existing requirements/actions</b>	<b>Timeframe</b>
1	The council resolves to undertake a ward and representation review	Variable
2	A comprehensive discussion paper is developed	Variable
3	Council advertises that it is conducting a review and the associated public submission period opens (minimum 6 weeks)	6 weeks
4	The discussion paper is made available to the community for consideration, and public submissions are invited on the matter	
5	Public submission period closes	
6	The Council assesses all submissions, considers options for change against the relevant factors to be considered, and drafts a report, which includes their decision, for the Local Government Advisory Board (the Advisory Board)	Variable
7	The formal report is presented to Council on the outcome of the public submissions and the proposed ward and/or boundary changes	Variable
8	Council resolves to adopt the report to the Advisory Board	Variable
9	The preferred option is submitted to the Advisory Board via the formal report, for the Board's consideration and recommendation	Variable
10	The Advisory Board considers the council's review report, and a recommendation is submitted to the Minister, which can either be accepted or rejected	Variable



Department of  
**Local Government, Sport  
and Cultural Industries**



## Local Government Reform

# Stronger local democracy and community engagement

Election and community engagement reforms are proposed to empower ratepayers to participate in local democracy and decision-making.



### Direct Election of the Mayor or President

All electors in large local governments will be able to vote directly for the Mayor or President, giving ratepayers more power to choose the leadership of their council. This reflects a broader trend, with councils such as Stirling and Rockingham already having moved to a public vote for the election of their Mayors.



### No Wards for Small Local Governments

Wards in small local governments can cover very limited areas, with small populations. This means that councillors are more likely to be elected unopposed, or with a very small number of votes. In line with a broader trend, it is proposed that wards for all small local governments be abolished.



### Preferential Voting

Local government members will be elected by 'optional preferential voting'. Electors can 'vote for one, vote for some, or vote for all' candidates on their ballot paper. This system strikes a balance between encouraging electors to vote, whilst ensuring the result reflects the community's views and preference.



### Reforms to Ensure Valid Candidate and Voter Eligibility

Rules for who is eligible to vote or run for council will be tightened, ensuring that only legitimate residents or businesses will be eligible. New laws will prevent candidates from using sham leases in council elections. The basis for why a candidate is eligible to run will also be required to be publicly disclosed.



### Consistent Number of Elected Members

To increase consistency, the number of elected members on any council will be set based upon the population within that local government. The Local Government Panel Report recommended a number of elected members as follows:

- population of up to 5,000 – 5,6 or 7 councillors (including the President)
- population of between 5,000 and 75,000 – 5 to 9 councillors (including the Mayor/President)
- population of above 75,000 – 9 to 15 councillors (including the Mayor)



### Community Engagement Charter

Local governments will be required to establish a Charter which sets out how it will engage with ratepayers and the community about the local government's proposed policies, initiatives, and projects. A model Charter will be published to assist local governments who wish to adopt a standard Charter.



### Other Amendments

There are also more reforms proposed to further enhance local government democracy and community engagement, including proposed minor changes to the annual meeting and the use of rate payer satisfaction surveys.

Questions? Get in touch with DLGSC via email to [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au)

## Change in the Method of Electing the President

### Voluntary Pathway Plan

This proposal supports the Council recommendation to advise the Department of Local Government that a representation review will be undertaken, inclusive of the proposed forthcoming changes to the Local Government Act to:

- (a) change the method of electing the President to “election by the electors method”; and
- (b) reduce the number of elected member positions by one (to provide for an elector President).

Plan Requirement	Shire's Response
a) an acknowledgement of what changes the Shire of Derby-West Kimberley needs to make to implement the electoral reforms;	(a) change the method of electing the Shire President to “election by the electors method”; and (b) reduce the number of elected member positions by one (to provide for an elector Shire President).
b) whether the changes can be implemented over one or two ordinary elections (i.e. 2023 and 2025);	The changes can be implemented over one ordinary election cycle (i.e. 2023).
c) anticipated timeline to complete the representation review (specifically, whether it can be completed by 14 February 2023); and	It is anticipated that the process to complete the representation review can be completed by 14 February 2023.
d) identification of any significant risks to meeting that timeline.	Significant risks include the Christmas/New Year period – where community members might not be available to be consulted with; the potential the wet weather season to restricting access to communications mediums; COVID19 impacts on staffing levels, travel, or community member availability; Department of Local Government having insufficient resources to respond to local governments on community member questions.

**17.2 APPROVAL FOR ATTENDANCE AT THE NATIONAL LIVE EX CONFERENCE IN DARWIN 9TH - 10TH NOVEMBER 2022****SUMMARY**

THE SHIRE PRESIDENT PROPOSED THAT COUNCIL CONSIDER THE ATTENDANCE OF CR LINDA EVANS AT THE NATIONAL LIVE EX CONFERENCE IN DARWIN ON THE 9TH AND 10TH NOVEMBER 2022. THE CONFERENCE WILL BE HEAVILY FOCUSED ON THE SIGNIFICANT BIOSECURITY RISK THAT FOOT AND MOUTH AND LUMPY SKIN DISEASE POSES TO THE KIMBERLEY CATTLE INDUSTRY. THERE IS GROWING CONCERN REGARDING THESE THREATS FACING THE INDUSTRY AND IT IS IMPORTANT THE SHIRE STAYS ABREAST OF THE ISSUES AND POSSIBLE MITIGATION AND SUPPORT THAT MAY BE REQUIRED OVER THE IMPENDING WET (CYCLONE) SEASON.

THE CONFERENCE COSTS APPROXIMATELY \$1500.00 TO ATTEND AND CR EVANS WILL BE ABLE TO CLAIM DISBURSEMENTS FOR TRAVEL, MEALS AND ACCOMMODATION(UP TO 4 NIGHTS) ESTIMATED TO BE APPROX. \$4,500.00.

IT IS PROPOSED THAT THE SHIRE REIMBURSE CR EVANS THROUGH THE CREDITORS SYSTEM.

**RESOLUTION 127/22**

**MOVED: CR ANDREW TWADDLE**

**SECONDED: CR GEOFF DAVIS**

**THAT COUNCIL:**

- 1. ENDORSES CR EVANS ATTENDANCE AT THE NATIONAL LIVE EX CONFERENCE IN DARWIN ON THE 9 & 10 NOVEMBER 2022.**
- 2. APPROVES THE REIMBURSEMENT OF CONFERENCE AND ASSOCIATED TRAVEL COSTS UP TO \$4,500.00**
- 3. REQUEST THAT CR EVANS PROVIDES A DETAILED REPORT WITH OBSERVATIONS, ITEMS OF IMPORTANCE AND TRENDS TO THE NEXT COUNCIL MEETING POST ATTENDANCE.**

**IN FAVOUR:** CRS GEOFF HAEREWA, GEOFF DAVIS, ANDREW TWADDLE, LINDA EVANS AND PETER MCCUMSTIE

**AGAINST:** NIL

**CARRIED 5/0**

**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, 27 October 2022 in the Council Chambers, Clarendon Street, Derby.

**19.2 Closure of Meeting**

The Presiding Member closed the meeting at 6:50pm.

**These minutes were confirmed at a meeting on**

**Geoff Haerewa - Shire President**  
.....

Signed:  .....

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

Date: **27 October 2022**  
.....