



# Kimberley Regional Group Meeting

# MINUTES

1.00pm Monday 2 July 2018

Via Beingthere

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# Kimberley Regional Group

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairperson opened the meeting at 12:58pm.

## 2. RECORD OF ATTENDANCE / APOLOGIES

### ATTENDANCE:

Cr Chris Mitchell	Shire of Broome
Cr Harold Tracey	Shire of Broome
James Watt	Shire of Broome
Stephen Gash	Shire of Derby West Kimberley
Cr Geoff Haerewa ( <i>via telephone</i> )	Shire of Derby West Kimberley
Steven Deckert	Shire of Halls Creek
Cr Malcolm Edwards	Shire of Halls Creek
Carl Askew	Shire of Wyndham East Kimberley
Cr David Menzel	Shire of Wyndham East Kimberley
Cr Tony Chafer	Shire of Wyndham East Kimberley
Natasha Mahar	Australia's North West
Tim Bray	Kimberley Development Commission
Zac Donovan	WALGA, Executive Manager, Finance & Marketing
Evie Devitt-Rix	WALGA, Senior Community Policy Manager
Jeanette Young ( <i>via telephone</i> )	Shire of Cocos (Keeling) Islands

### APOLOGIES:

David Price	Shire of Christmas Island
Cr Gordon Thomson	Shire of Christmas Island
Cr Kee Heng Foo	Shire of Christmas Island
Andrea Selvey	Shire of Cocos (Keeling) Islands
Cr Tony Lacy	Shire of Cocos (Keeling) Islands
Cr Seriwati Iku	Shire of Cocos (Keeling) Islands
Sam Mastrolembo	Shire of Broome
Cr Chris Loessl	Shire of Halls Creek
Greg Hayes	WALGA Roadwise
Cr Chris Kloss	Shire of Derby West Kimberley
Cr Paul White	Shire of Derby West Kimberley

## 3. DECLARATION OF INTEREST

- **Financial Interest**  
Nil.
- **Impartiality Interest**  
Nil.
- **Proximity Interest**  
Nil.

## 4. CONFIRMATION OF MINUTES

**KIMBERLEY ZONE / REGIONAL GROUP RESOLUTION  
(RECOMMENDATION):**

*That the Minutes of the combined Kimberley Regional Group Meeting held on 30 April 2018 be confirmed as a true and accurate record of that meeting.*

*Moved: Shire of Broome*

*Seconded: Shire of Halls Creek*

*For: 4  
Against: 0*

**5. BUSINESS ARISING FROM PREVIOUS MEETING**

Nil.

**6. PRESENTATIONS FROM REPRESENTATIVES**

Nil.

**7. REPORTS FROM REPRESENTATIVES****7.1 WALGA ROADWISE**

Greg Hayes

Attachment 7.1

- Refer to Attachment 7.1.

**7.2 REGIONAL DEVELOPMENT AUSTRALIA**

Chris Mitchell

- The new RDA Board has commenced.
- Expecting to hear results from Building Better Regions Fund in July, no date has been confirmed yet.
- The Regional Grants Fund will be announced later in the year.
- Agricultural Show taking place in Kununurra next week.

**7.3 KIMBERLEY DEVELOPMENT COMMISSION**

Tim Bray

- New staff commencing at KDC - Glen Chidlow has left ANW and commenced as Director Regional Planning Strategic Projects at KDC. Glen will be involved in strategic projects around the region and the Dampier Peninsula strategy.
- Dylan Heath has commenced as the Local Content Advisor.
- The Regional Economic Development Grants have been announced – small grants of \$550k per annum to be awarded across regions. Guidelines on projects haven't been released however will be similar to Regional Grant Schemes. Local Governments are eligible for these Grants.
- The Kimberley Schools Program is ramping up – 10 schools in program so far with an aim to get to 22 in the region.

**7.4 AUSTRALIA'S NORTHWEST UPDATE**

Natasha Mahar

- Refer to Attachment 7.5

## 8. REPORTS FROM KIMBERLEY COUNTRY ZONE

### 8.1 STATE COUNCIL MEETING AGENDA AND PRESIDENTS REPORT

<b>LOCATION/ADDRESS:</b>	Kimberley Region
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	KRG01
<b>AUTHOR:</b>	Director Corporate Services, Shire of Broome
<b>CONTRIBUTOR/S</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Kimberley Zone Secretariat
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	18 April 2018

**SUMMARY:** The State Council Agenda and President's Report for the meeting to be held 4 July 2018 were received on 15 June 2018 and are attached for member consideration. It is important to note that member Councils should consider this item and provide instruction to the Chairperson as delegate to the State Council on matters that have regional significance.

### BACKGROUND

#### Previous Considerations

Nil.

### COMMENT

The State Council Agenda for the 4 July 2018 meeting is attached for Member consideration. The following items have been tabled:

#### 5.1 Updated Climate Change Policy

WALGA's existing Policy Statement was endorsed by State Council in June 2009.

The revised Policy Statement reflects contemporary scientific understanding of climate change, international and national political developments, and the increasing urgency for effective climate change adaptation and mitigation action.

The revised Policy Statement has been developed after extensive consultation with the sector over the last six months, including a Climate Change discussion paper and draft policy statement provided for feedback.

The overwhelming response from Councils, Elected Members and officers was supportive of producing a stronger climate change policy statement.

The revised Policy Statement represents the consolidated view of the sector and forms the basis of WALGA's climate change advocacy. It does not bind individual Local Governments.

#### *Recommendation:*

*That the revised WALGA Climate Change Policy Statement be endorsed.*

#### 5.2 Interim Submission – Model Subdivision Conditions

On 14 March 2018, the Bush Fire Policy team at the Department of Planning, Lands and Heritage (DPLH) released revised Model Subdivision Conditions for comment via an email sent to Local Government and interested stakeholders from their bushfire policy subscriber list.

The proposed changes have been developed by DPLH in conjunction with Department of Fire and Emergency Services (DFES). The review of the conditions aims to streamline current work practices and to address known inconsistencies. The model conditions are also proposed to be re-numbered to group similar issues together, being bushfire and unexploded ordnance (UXO).

*Recommendation:*

*That the interim submission to the WA Planning Commission on the Model Subdivision Conditions be endorsed.*

### 5.3 Interim Submission – Position Statement – Housing on lots less than 100m<sup>2</sup>

On 13 March 2018, the Western Australian Planning Commission (WAPC) released draft Position Statement – Housing on Lots less than 100m<sup>2</sup> (draft Position Statement) for public comment.

The draft Position Statement aims to provide interim guidance for the location and development of houses on lots less than 100m<sup>2</sup> and an implementation mechanism to ensure a consistent application state-wide.

The public comment period closed on the 14 May 2018, therefore an interim submission was prepared.

*Recommendation:*

*That the interim submission to the WA Planning Commission on Position Statement – Housing on lots less than 100m<sup>2</sup> be endorsed.*

### 5.4 Policy for Restricted Access Vehicles on Roads Not on an Approved Network During Harvest

Heavy Vehicles that exceed prescribed dimensions and mass are defined as Restricted Access Vehicles (RAV) and are provided limited access to parts of the road network under Notice or Permit.

The Harvest Mass Management Scheme, which provides additional tolerance in allowable gross vehicle mass for grain movements from paddock to receival point was amended in 2016 to allow Restricted Access Vehicles to use roads not assessed for oversized vehicles in order to move between paddocks and the nearest RAV route.

Main Roads proposes to amend the conditions under which Restricted Access Vehicles can operate on unassessed roads for the 2018/19 harvest.

The proposed changes impose the added requirement on industry to provide an Agricultural Pilot when a RAV is using a road that has not been added to the RAV network. Main Roads have stated that the arrangements provided in the past two years cannot continue, based on advice received from the State Solicitor.

It has been suggested by some Local Governments and industry representatives that the proposed changes are impractical for grains industry participants and in the medium term may negatively impact on the capacity of Local Governments to meet industry demands for on-going paddock access.

Supporting the proposed changes will improve the safe operation of restricted access vehicles on low volume roads and enable survival of the scheme.

*Recommendation:*

*That WALGA:*

1. *That WALGA support changes to the Harvest Mass Management Scheme to enable heavy vehicles that meet the requirements of RAV 2, RAV 3 or RAV 4 to travel on roads not assessed for the RAV network between paddocks and the nearest RAV route during the harvest period.*
2. *Advocate that any roads assessed on the initiative of Main Roads that do not meet the requirements for addition to the RAV network at the level used under the Harvest Mass Management Scheme remain unassessed for the purpose of network definition.*

#### 5.5 WA State Library Strategy Implementation Plan and Consultation Report

The provision of library services in Western Australia is governed through a formal agreement between State and Local Government, governed by the Library Board Act 1951, and formalised through a Partnership Agreement in 2009.

In December 2017 the Minister for Art and Culture released the WA Public Libraries Strategy (the Strategy) to establish strategic priorities for public library development in Western Australia over the next four years.

The sector has been consulted throughout the development of the Strategy. The Public Libraries Working Group requests the endorsement of the finalised Strategy by the WALGA State Council and Western Australian Public Libraries Board before advocating through to State Government for funding to be allocated.

*Recommendation:*

*That:*

1. *The WA Public Libraries Strategy be endorsed; and,*
2. *WALGA continue to advocate with Western Australia Public Libraries and key stakeholders to Department of Local Government, Sport and Cultural Industries to prioritise funding for implementation of the strategy.*

#### 5.6 Aboriginal Heritage Act 1972 Review Submission to Stage 1

The Department of Planning, Lands and Heritage, (the Department), is conducting a review of the Aboriginal Heritage Act 1972 (AHA);

The AHA is the States' principal legislation enabling the preservation of Aboriginal cultural heritage places and objects;

The Association formed a sector reference group to guide the review process and the development of a representative sector submission.

*Recommendation:*

1. *That the submission to Stage 1 Review of the Aboriginal Heritage Act 1972 be endorsed.*

#### 5.7 Interim Submission – Review of the State Industrial Relations System

On 22 September 2017, the State Government announced the conduct of a Ministerial review into the State Industrial Relations system (Review).

WALGA put forward an initial submission to the review in December 2017 as per the State Council resolution in March 2018.

The Interim Report was published by the Review on 20 March 2018 and WALGA undertook further consultation with the Local Government sector including hosting a further Sector Reference Group consultation meeting and inviting written feedback to build on the

representative sector position.

The sector position opposed the Interim Report recommendation of the Review that Local Government be regulated by the State industrial relations system (recommendation 69). WALGA put forward an interim supplementary submission in response to the Interim Report in May 2018, further addressing the position of Local Government industrial relations regulation and transitional considerations for the State Government.

WALGA now seeks State Council endorsement of the interim supplementary submission.

*Recommendation:*

*That the interim supplementary submission in response to the Interim Report of the Review of the State Industrial Relations System be endorsed.*

#### **CONSULTATION/STAKEHOLDERS**

Nil.

#### **STATUTORY ENVIRONMENT**

Nil.

#### **POLICY IMPLICATIONS**

Nil.

#### **FINANCIAL IMPLICATIONS**

Nil.

#### **STRATEGIC IMPLICATIONS**

Nil.

#### **VOTING REQUIREMENTS**

*Simple Majority*

#### **KIMBERLEY ZONE RESOLUTION** **(RECOMMENDATION):**

*That the Kimberley Zone of WALGA notes the State Council Meeting Agenda and President's Report.*

*Moved: Shire of Broome*

*Seconded: Shire of Halls Creek*

**FOR: 5**  
**AGAINST: 0**

Attachment 8.1: State Council Agenda July 2018 95 pages  
Attachment 8.1(a): President's Report July 2018 3 pages



**9. REPORTS FROM KIMBERLEY REGIONAL GROUP**

**9.1 KIMBERLEY REGIONAL GROUP MEETING RESOLUTION STATUS REPORT**

**LOCATION/ADDRESS:** Kimberley Region  
**APPLICANT:** Nil  
**FILE:** KRG01  
**AUTHOR:** Director Corporate Services, Shire of Broome  
**CONTRIBUTOR/S** Nil  
**RESPONSIBLE OFFICER:** Secretariat, Shire of Broome  
**DISCLOSURE OF INTEREST:** Nil  
**DATE OF REPORT:** 27 June 2018

**SUMMARY:** This report provides the outstanding resolution status report from the Kimberley Regional Group meetings held.


**BACKGROUND**





Previous Considerations



Kimberley Regional Group Meeting 24 February 2017	Item 9.1
Kimberley Regional Group Meeting 28 April 2017	Item 9.1
Kimberley Regional Group Meeting 30 June 2017	Item 9.1
Kimberley Regional Group Meeting 31 July 2017	Item 9.1
Kimberley Regional Group Meeting 1 September 2017	Item 9.1
Kimberley Regional Group Meeting 21 November 2017	Item 10.1
Kimberley Regional Group Meeting 5 March 2018	Item 9.1
Kimberley Regional Group Meeting 30 April 2018	Item 9.1

**COMMENT**

This report has been established to ensure proactive completion of meeting resolution items in a timely manner. The following meeting resolutions are outstanding:

<b>KRG - 24 February 2017 – Halls Creek</b>					
<b>Item</b>	<b>Zone/ RCG</b>	<b>Title</b>	<b>Resolution</b>	<b>Action Items</b>	<b>Status</b>
9.3	KRG	TAKEAWAY ALCOHOL MANAGEMENT SYSTEM UPDATE	That the Kimberley Regional Group; 1. Notes the MOU extension period regarding the Kununurra Wyndham Takeaway Alcohol Management System use, 2. Refer the matter back to the CEO group to scope up a proposal for a regional solution and seek external funding opportunities.	1. Noted. 2. Prepare a project scope for the CEO group.	Outstanding 
<b>KRG - 30 June 2017 – Broome</b>					
<b>Item</b>	<b>Zone/ RCG</b>	<b>Title</b>	<b>Resolution</b>	<b>Action Items</b>	<b>Status</b>

11.2	General Business	Liquid Waste	The CEO group are to investigate a liquid waste partnership with the Water Corporation.	Matter to be discussed at the next Waste TAG	In progress 
<b>KRG - 21 November 2017 – Darwin</b>					
Item	Zone/RCG	Title	Resolution	Action Items	Status
10.5	KRG	LAND TENURE BUSINESS CASE UPDATE	That the Kimberley Regional Group; 1. Receives the Final Kimberley Land Tenure Policy - Implementation Strategy Report, 2. Note Recommended Actions1, 3. Note Recommended Actions 2, 4. Take action and write to the Premier, Hon. Ben Wyatt, Hon. Rita Saffioti, Hon MacTiernan and any other relevant Members, and 5. Direct the CEO's to consider commencing work on the proposed changes.	Noted.	Outstanding 
<b>KRG – 5 March 2018 – Cocos Keeling Islands</b>					
Item	Zone/RCG	Title	Resolution	Action Items	Status
9.3	KRG	KRG TRANSFER OF SECRETARIAT	1. Undertake an RFQ process for Project Management consultancy services (two-year period) to deliver priority projects as identified in the Kimberley Regional Group's Strategic Community Plan and Regional Business Plan; 2. Concurrently review the Kimberley Regional Group Project Manager position description and detail project delivery that may be completed in-house and/or by means of external consultancy; and 3. Provide a report evaluating the two options to the July 2018 meeting for the Kimberley Regional Group's consideration.	1. RFQ complete 2. PD Reviewed 3. Report in July agenda	In progress 
9.4	KRG	KRG GOVERNANCE AGREEMENT	That the Kimberley Regional Group: 1. Endorse the Kimberley Regional Governance Agreement subject to the Kimberley Regional Group CEO's: a. Reviewing and updating the recital section; and b. Ensuring there is flexibility for additional membership of the Group without limiting any project endorsement decisions. 2. Request the Secretariat forward a copy of the Kimberley Regional Group Strategic Community Plan and Regional Business Plan to the Shire of Christmas	1. Governance Agreement amended and has been forwarded to all parties for signature. One signed page has been returned.	In progress 

			Island and the Shire of Cocos Keeling Islands; and 3. Request the Secretariat officially invite the Shire of Christmas Island and the Shire of Cocos Keeling Islands to join the Kimberley Regional Group.	2. Copies of strategic planning documents have been sent 3. Formal invites have been sent.	
<b>KRG – 30 April 2018 – Perth</b>					
Item	Zone/ RCG	Title	Resolution	Action Items	Status
9.4	KRG	REGIONAL WASTE TAG - MINUTES	That the Kimberley Regional Group: 1. Receives the minutes from the Regional Waste TAG held 6 April 2018; and 2. Requests the Secretariat to undertake a formal RFQ process for consultancy services to undertake a desktop review of the Kimberley Regional Waste Management Plan. 3. Endorse ASK as the preferred supplier to undertake a desktop review of the KRWMP as per RFQ 18-54; and 4. Authorise the secretariat to sign any documents required to enact the contract subject to any minor variations: and 5. Requests the secretariat to prepare the 2018/19 KRG budget inclusive of a \$19,734 allocation for this budget	1. RFQ process for consultancy services completed. 2. Engage preferred supplier for update of the KRWMP	In progress 
9.5	KRG	POSITION STATEMENT ON A REGIONAL APPROACH TO ALCOHOL MANAGEMENT	That the Kimberley Regional Group: 1. Endorses the Position Statement on a Regional Approach to Alcohol Management in the Kimberley as detailed in Attachment 1, including the following key principles: a. The Kimberley Regional Group will work collaboratively to minimise alcohol related harm in the region; b. The Kimberley Regional Group is supportive of the implementation of consistent alcohol restrictions and strategies across the Kimberley; c. The Kimberley Regional Group will engage proactively with the State and Federal Governments, and other key stakeholders, to seek support in delivering solutions and strategies; and d. The Kimberley Regional Group acknowledges community led alcohol management initiatives and contributes when and where appropriate.	1. Develop Draft Kimberley Region Liquor Restriction; 2. Proceeds of crime funding round closed. No indication of the release of further funding. Funding options for TAMS will be investigated through the State or KRG.	In progress 

			<p>2. Request the Kimberley CEO Group to review the proposed liquor restrictions in the Pilbara and present a proposed Kimberley wide liquor restriction (noting Fitzroy Crossing’s current position) to the next Kimberley Regional Group meeting on 2 July 2018.</p> <p>3. Request the Secretariat to investigate the use of proceeds of crime funding towards implementation of Takeaway Alcohol Management Systems across the Kimberley.</p>		
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**CONSULTATION/STAKEHOLDERS**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The Resolution Status Report contains financial implications however they do not record discussion on funding applications which may lead to further financial implications in the future. Where financial implications are relevant these will be presented to the Kimberley Regional Group meetings for approval.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

*Simple Majority*

**KIMBERLEY REGIONAL GROUP RESOLUTION**  
**(RECOMMENDATION):**

*That the Kimberley Regional Group:*

- 1. Notes the outstanding Resolution Status Report;*
- 2. Authorises the Secretariat to proceed with co-ordinating the finalisation of outstanding action items arising from meeting resolutions; and*

*Moved: Shire of Wyndham East Kimberley      Seconded: Shire of Halls Creek*

**FOR: 4**  
**AGAINST: 0**

Attachment: Nil

**9.2 KIMBERLEY REGIONAL GROUP 17/18 FINANCIAL ACTIVITY REPORT**

**LOCATION/ADDRESS:** Kimberley Region  
**APPLICANT:** Nil  
**FILE:** KRG01  
**AUTHOR:** Director Corporate Services, Shire of Broome  
**CONTRIBUTOR/S** Nil  
**RESPONSIBLE OFFICER:** Director Corporate Services, Shire of Broome  
**DISCLOSURE OF INTEREST:** Nil  
**DATE OF REPORT:** 27 June 2018

**SUMMARY:** This report recommends that the Kimberley Regional Group adopt the Financial Activity Report for the period ended 31 May 2018.

**BACKGROUND**Previous Considerations

Nil.

**COMMENT**

As at the 31 May 2018 the Kimberley Regional Group have a surplus of \$312,863.

<b>Kimberley Regional Group</b>	<b>Budget Income</b>	<b>Budget Expenditure</b>	<b>Actual Income</b>	<b>Actual Expenditure</b>
Opening Surplus Carry Forward	153,109	0	153,109	0
\$55,000 contribution from each of the 4 Shires	220,000	0	240,038	0
Regional Project Manager	0	-142,000	0	-84,402
Vehicle Expenses	0	-18,244	0	-5,518
Forums & Conferences	0	-2,500	0	0
Kimberley Zone & RCG Meeting Expenses	0	-52,000	0	-17,643
Reimbursement of Kimberley Zone & RCG Meeting Expenses	48,000	0	10,276	0
Meeting Expenses	0	-7,000	0	-2,226
Reimbursement of Meetings	3,000	0	0	0
Legal advice	0	-5,000	0	0
Audit Fees	0	-5,000	0	-4,951
Office Expenses	0	-10,569	0	-4,924
IT Support	0	-1,000	0	-188
Sundry Expenses	0	-1,000	0	0
Training & Development	0	-11,700	0	-22,013
Kimberley Waste Management Plan	0	-14,710	0	0
Savannah Way Membership	0	-5,000	0	-5,000
Land Tenure Policy Implementation	0	-13,388	0	-13,388
AWARE Emergency Management Training	20,000	-36,890	20,000	-21,042
Interest on Reserve	10,000	0	5,735	0
Kimberley Volunteering Strategy Stage Two	0	0	65,000	0
<b>OPERATING TOTAL</b>	<b>301,000</b>	<b>-326,001</b>	<b>341,049</b>	<b>-181,295</b>
<b>Surplus / Deficit Carry Forward</b>		<b>-25,001</b>		<b>159,754</b>

<b>TOTAL Surplus Carry Forward with Carryover</b>	<b>128,108</b>	<b>312,863</b>
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## CONSULTATION/STAKEHOLDERS

Nil.

## STATUTORY ENVIRONMENT

### **Local Government (Financial Management) Regulation 1996**

34. *Financial activity statement required each month (Act s. 6.4)*

- (1A) *In this regulation —*
  - committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.
- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
  - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
  - (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
  - (a) *according to nature and type classification; or*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

## POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

These are detailed above.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

*Simple Majority*

**KIMBERLEY REGIONAL GROUP RESOLUTION**  
**(RECOMMENDATION):**

*That the Kimberley Regional Group adopts the Financial Activity Report for the period ended 31 May 2018.*

*Moved: Shire of Broome*

*Seconded: Shire of Halls Creek*

**FOR: 4**  
**AGAINST: 0**

Attachment: Nil

*This item and any attachments are confidential in accordance with Section 5.23(2)(c) of the Local Government Act 1995 section 5.23(2)(b) as it contains “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.*

### 9.3 KIMBERLEY ZONE / KIMBERLEY REGIONAL GROUP EXECUTIVE OFFICER

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RK.03.08
AUTHOR:	Director Corporate Services – Shire of Broome
CONTRIBUTOR/S	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer – Shire of Broome
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	20 June 2018

**SUMMARY:** This report considers the executive and administrative resources required by the group and presents options and a recommendation to the group.

#### KIMBERLEY REGIONAL GROUP RESOLUTION

##### (RECOMMENDATION):

*That the Kimberley Regional Group:*

- 1. Adopts the recommendation to award a 2 year contract to ATEA Consulting to a maximum contract value of \$174,570.00 subject to any required minor variations as per the confidential evaluation report for RFQ18/40 Executive Officer Consultancy Services as contained in Attachment 2;*
- 2. Authorises the Secretariat in collaboration with the Kimberley Regional Group Chief Executive Officer's to develop and negotiate performance-based contract outcomes with the successful proponent; and*
- 3. Authorises the Secretariat to sign any documents required to enact the contract, subject to any minor variations.*

*Moved: Shire of Broome*

*Seconded: Shire of Halls Creek*

**FOR: 4**  
**AGAINST: 0**



*This item and any attachments are confidential in accordance with Section 5.23(2)(c) of the Local Government Act 1995 as it contains “a contract entered into, or which may be entered into, by the local government”*

#### 9.4 REGIONAL WASTE TECHNICAL ADVISORY GROUP (TAG) – MINUTES OF MEETING

LOCATION/ADDRESS: Kimberley Region  
 APPLICANT: Nil  
 FILE: KRG01  
 AUTHOR: Waste Coordinator, Shire of Broome  
 CONTRIBUTOR/S: Nil  
 RESPONSIBLE OFFICER: Kimberley Zone Secretariat  
 DISCLOSURE OF INTEREST: Nil  
 DATE OF REPORT: 27 June 2018

**SUMMARY:** This agenda item presents the minutes from the Regional Waste Technical Advisory Group (TAG) meeting held 20 June 2018, seeks endorsement of the preferred consultant to undertake the update of the Kimberley Regional Waste Management Plan. It also requests the authorisation of the Secretariat to enact the contract and requests allocation of appropriate budget.

#### KIMBERLEY REGIONAL GROUP RESOLUTION (RECOMMENDATION):

*That the Kimberley Regional Group:*

1. *Receives the minutes from the Regional Waste TAG meeting held 20 June 2018; and*
2. *Endorse ASK Waste Management as the preferred supplier to undertake a desktop review of the Kimberley Regional Waste Management Plan, as per RFQ 18-54; and*
3. *Authorise the Secretariat to sign any documents required to enact the contract, subject to any minor variations; and*
4. *Requests the Secretariat to prepare the 2018/19 Kimberley Regional Group Budget inclusive of a \$19,734 allocation for this budget.*

*Moved: Shire of Halls Creek*

*Seconded: Shire of Broome*

**FOR: 4**

**AGAINST: 0**

*This item and any attachments are confidential in accordance with Section 5.23(2)(c) of the Local Government Act 1995 as it contains “a contract entered into, or which may be entered into, by the local government”*

## 9.5 REGIONAL APPROACH TO ALCOHOL RESTRICTIONS

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Manager Community and Economic Development, Shire of Broome
CONTRIBUTOR/S	Nil
RESPONSIBLE OFFICER:	Chief Executive Officer, Shire of Broome
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 June 2018

**SUMMARY:** This report requests the Kimberley Regional Group’s consideration of a position statement on key elements of regional liquor restrictions based on a proposed model for the Pilbara region.

### KIMBERLEY REGIONAL GROUP RESOLUTION:

*That the Kimberley Regional Group:*

1. *Endorses in principle the Position Statement on a Regional Approach to Minimum Alcohol Restrictions in the Kimberley as detailed in Attachment 9.5 (c), and circulated out of session.*
2. *Requests the Secretariat of the Kimberley Regional Group to liaise with the Department of Racing, Gaming and Liquor and other State Government representatives by:*
  - a. *Providing the Position Statement on a Regional Approach to Minimum Alcohol Restrictions as per Attachment 9.5 (c).*
  - b. *Requesting the Department of Racing, Gaming and Liquor to undertake community and industry consultation across the Kimberley to seek feedback prior to the finalisation of any alcohol restrictions.*
  - c. *Advocating for the State Government to fund appropriate support services to accompany the introduction of any alcohol restrictions.*
  - d. *Requesting the State Government to fund and implement a Takeaway Alcohol Management System (TAMS) across the Kimberley region.*
3. *Notes that endorsing the Position Statement on a Regional Approach to Minimum Alcohol Restrictions in the Kimberley as detailed in Attachment 9.5 (c) does not prevent individual towns or communities within the region from adopting a more restrictive approach to alcohol management with endorsement from the Department of Racing, Gaming and Liquor.*

*Moved: Shire of Broome*

*Seconded: Shire of Halls Creek*

**FOR: 4  
AGAINST: 0**

Reason: Cr Geoff Haerewa responded out of session seeking clarification and amendment that the proposed Confidential Attachment 9.5(c) was endorsed as a position statement on a

regional approach to minimum alcohol restrictions, seeking the inclusion of an additional point 3 in the resolution.

## 10. CORRESPONDENCE

The following incoming and outgoing correspondence was tabled at the Meeting.

Date	Type of Correspondence	To/From	Subject Matter

## 11. GENERAL BUSINESS

- Cr Harold Tracey requested that Gerard Neesham be invited to the 31 July Kimberley Zone Meeting held in Perth to provide an update on Clontarf Foundation.
- James Watt advised that if the KRG would like any further presentations tabled at the next Kimberley Zone Meeting to make contact with the Secretariat and we can make the arrangements.
- Stephen Gash noted that WALGA's Breakfast Forum will be specifically focused on Beneficial Enterprises (formerly known as Council Controlled Organisations) and encouraged members to attend.

## 12. MEETING CLOSURE

The Chair closed the meeting at 1:57pm.



**Western Australian Local Government Association**

**Zone Standing Orders**

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|---|--|
| <p><b>1. INTERPRETATIONS</b></p> <p>For the purposes of these Standing Orders, if not inconsistent with the context, the following words shall have the following meanings:</p>                                       | <p>number of voting delegates that are present.</p>  |
| <p><b>1.1 "Absolute Majority"</b> means:</p> <p>a total majority of delegates for the time being of the Zone, whether present and voting or not.</p>  | <p><b>1.9 "State Council"</b> means:</p> <p>the Executive of the Western Australian Local Government Association.</p>  |
| <p><b>1.2 "Association"</b> means:</p> <p>the Western Australian Local Government Association.</p>  | <p><b>1.10 "Zone"</b> means:</p> <p>a geographically based subdivision containing Councils and incorporated within a country or metropolitan constituency as listed in Schedule three of the Constitution.</p>   |
| <p><b>1.3 "Chairman"</b> means:</p> <p>the Chairman for the time being of the Zone.</p>   | <p><b>1.11 "Zone Secretary"</b> means:</p> <p>a person or persons nominated or appointed by the Zone or the Association to undertake Zone secretarial functions as required.</p>   |
| <p><b>1.4 "Constitution"</b> means:</p> <p>the Constitution of the Western Australian Local Government Association.</p>   | <p><b>2. ORDINARY AND SPECIAL MEETINGS</b></p> <p>Meetings of the Zone shall be of two kinds: "ordinary" and "special". No business shall be transacted at a special meeting other than for which the meeting was called.</p>  |
| <p><b>1.5 "Delegate or Deputy Delegate"</b> means:</p> <p>those persons duly elected, from time to time, for a fixed term to represent a Council at a Zone of the Western Australia Local Government Association.</p> | <p><b>3. CONDUCT OF MEETINGS</b></p> <p>The proceedings and business of meetings of the Zone shall be conducted according to these Standing Orders.</p>  |
| <p><b>1.6 "Deputy Chairman"</b> means:</p> <p>the Deputy Chairman for the time being of the Zone.</p>   | <p><b>4. NOTICE OF MEETING</b></p>   |
| <p><b>1.7 "Meeting"</b> means:</p> <p>a meeting of a Zone of the Western Australia Local Government Association.</p>  | <p><b>4.1</b> The Zone Secretary shall give at least 7 days notice of a meeting to all delegates of the Zone unless all of the delegates have agreed in writing to shorter notice.</p>   |
| <p><b>1.8 "Simple Majority"</b> means:</p> <p>a majority comprising enough of the delegates for the time being of the Zone for their number greater than 50% of the</p>   | <p><b>4.2</b> Notice shall be given at the destinations appearing in the records of the Zone Secretary. Notice shall include the agenda for the meeting and will be deemed to have been delivered immediately if transmitted electronically or on the second working date after posting.</p> |

**4.3** Ordinary Meetings of the Zone shall be called by the Zone Secretary pursuant to sub-clause 4.1.

**4.4** Special Meetings of the Zone shall be called by the Zone Secretary on the written request of the Chairman or at least one quarter of the delegates.

## **5. QUORUM**

**5.1** The Zone shall not conduct business at a meeting unless a quorum is present.

**5.2** At any meeting of the Zone, greater than 50% of delegates present and entitled to vote shall form a quorum.

**5.3** If a quorum has not been established within the 30 minutes after a meeting is due to begin then the meeting can be adjourned –

- (a) by the Chairman of the meeting;
- (b) if the Chairman is not present, by the Deputy Chairman of the meeting;
- (c) if the Chairman or Deputy Chairman is not present, by a majority of delegates present;
- (d) if only one delegate is present, by that delegate; or
- (e) if no delegate is present by the Zone Secretary.

The business that could have been transacted had there been a quorum at the meeting may be transacted at the resumption of the adjourned meeting.

**5.4** If at any time during a meeting a quorum is not present, the Chairman shall suspend proceedings for five (5) minutes and if a quorum is not present after that period, the meeting shall be deemed to have been adjourned and the person presiding is to reschedule it to some future time.

**5.5** Notice of a meeting adjourned because of the absence of a quorum shall be given to all delegates.

## **6. MEETINGS OPEN TO THE PUBLIC**

The business of the Zone shall be open to the public except upon such occasions as the Zone may by resolution otherwise decide.

## **7. ORDER OF BUSINESS**

Unless the meeting should decide otherwise, the order of business at Zone

meetings, with the exception of special meetings or an adjourned meeting, shall be as follows:

- (a) Recording of attendance and apologies;
- (b) Announcements;
- (c) Confirmation of minutes of previous meetings;
- (d) Business arising from minutes;
- (e) Deputations;
- (f) Elections of Delegates/Chair;
- (e) State Council agenda items;
- (f) Matters for decision;
- (g) Reports – Zone Representatives to State Council; and
- (h) General business.

## **8. SPECIAL URGENT BUSINESS**

At any time during a meeting a delegate may, with the approval of an absolute majority, introduce a motion relating to special urgent business that calls for an expression of opinion from the meeting.

In presenting an item of special urgent business, a delegate shall have sufficient copies of the motion in writing for distribution to all delegates present at the meeting and, where practicable, give prior notice to the Chairman of such intention.

## **9. CHAIRMAN**

In the construction of these Standing Orders unless the context requires otherwise, the word "*Chairman*" shall in the absence of the Chairman or include the Deputy Chairman or the delegate chosen by resolution to preside at any meeting.

## **10. DELEGATE AND DEPUTY DELEGATE**

**10.1** In the construction of these Standing Orders unless the context requires otherwise, the word "delegate" shall in the absence of the delegate include the deputy delegate.

**10.2** A deputy delegate acting in the capacity of a delegate unable to attend a meeting shall exercise all rights of that delegate.

## **11. CHAIRMAN TO PRESIDE**

**11.1** The Chairman shall preside at all meetings of the Zone but in absence of the Chairman, the Deputy Chair shall preside.

**11.2** In the absence of the Chairman and the Deputy Chairman, the Zone shall choose by resolution a delegate present to preside at the meeting.

## **12. DEBATE PROCEDURES**

**12.1A** delegate moving a substantive motion may speak for –

- (a) 10 minutes in his or her opening address; and
- (b) 5 minutes in exercising the right to reply.

**12.2** Other speeches for or against motions are to be limited to 5 minutes.

**12.3** No delegate, except the mover of a motion in reply, is to speak more than once on the same motion except by way of personal explanation.

**12.4** As soon as the right of reply has been exercised, the motion is to be forthwith put to the vote without further comment.

**12.5** No discussion shall take place on any motion unless it is moved and seconded. Only one amendment on any one motion shall be received at a time, and such amendment shall be disposed of before any further amendment can be received. Any number of amendments may be proposed.

**12.6** The provisions of these Standing Orders applicable to motions apply mutatis mutandis to amendments, except that the mover of an amendment shall have no right of reply.

**12.7** When a motion has been moved and seconded, the person presiding shall at once proceed to take a vote thereon unless a delegate opposes it or an amendment is proposed.

**12.8** No more than two delegates shall speak in succession on one side, either for or against the question before the Zone, and if at the conclusion of the second speaker's remarks, no delegate speaks on the other side, the motion or amendment shall at once be put to the vote.

**12.9** At any time during a debate, but after the conclusion of a delegate's comments, a delegate who has not spoken during the debate may move, without discussion, "that the question be now put". If that motion is seconded and carried by a majority, the question shall be submitted at once to the Zone, after the mover has replied.

**13. QUESTIONS**

Any delegate seeking to ask a question at any meeting of the Zone shall direct the question to the Chairman.

**14. DELEGATES TO ADDRESS THE CHAIRMAN**

A delegate moving or seconding a motion or amendment or taking part in a discussion thereon shall address the Chairman.

**15. POINT OF ORDER**

A delegate who is addressing the Chairman shall not be interrupted except on a point of order, in which event the delegate shall wait until the delegate raising the point of order has been heard and the question of order has been disposed of, whereupon the delegate so interrupted may, if permitted, continue.

**16. MOTION - SUBSTANCE TO BE STATED**

A delegate seeking to propose an original motion or amendment shall state its substance before addressing the meeting thereon and, if so required by the Chairman, shall put the motion or amendment in writing.

**17. PRIORITY OF SPEAKERS**

If two or more delegates wish to speak at the same time the Chairman shall decide who is entitled to priority.

**18. CHAIRMAN TO BE HEARD**

Whenever the Chairman signifies a desire to speak during a debate, any delegate speaking or offering to speak is to be silent, so that the Chairman may be heard without interruption.

**19. CHAIRMAN MAY CALL TO ORDER**

The Chairman shall preserve order, and may call any delegate to order when holding an opinion that there shall be cause for so doing.

**20. RULING BY CHAIRMAN**

The Chairman shall decide all questions of order or practice, whose decision shall be final and be accepted by the Zone without argument or comment unless in any particular case the Zone resolves that a different ruling shall be substituted for the ruling given by the Chairman. Discussions shall be permitted on any such motion.

**21. LIMITATION OF SPEECHES**

**21.1** A delegate shall not speak upon any motion or amendment or in reply for a longer period than five (5) minutes without consent of the Zone which shall be signified without debate.

**21.2** No delegate shall speak more than once on any motion unless in exercising a right to

speak in closing the debate on a motion which the delegate has moved.

## **22. RESOLUTIONS**

**22.1** Except as otherwise provided in these Standing Orders, all motions concerning the affairs of the Zone shall be passed by a simple majority.

**22.2** Any matter considered by the Zone at a Special Meeting shall not be passed unless having received an absolute majority.

## **23. NO DISCUSSION**

Where there is no discussion on a motion, the Chairman may deem the motion to be passed unless the meeting resolves otherwise.

## **24. PERMISSIBLE MOTIONS DURING DEBATE**

**24.1** When a motion is under debate, no further motion shall be moved except the following:

- (a) that the motion be amended;
- (b) that the meeting be adjourned;
- (c) that the debate be adjourned;
- (d) that the question be now put;
- (e) that the meeting proceed with the next item of business;
- (f) that the meeting sits behind closed doors.

**24.2** Any delegate who has not already spoken on the subject of a motion at the close of the speech of any other delegate may move without notice any one of the motions listed in clause 24.1 (b)-(f) and, if the motion is seconded, it shall be put forthwith.

**24.3** When a debate is adjourned, the delegate who moves the adjournment shall be the first to speak on the motion when the debate is resumed unless the delegate advises of no desire to speak on the motion. Where this occurs, the Chairman shall then call for further speakers.

## **25. METHOD OF TAKING VOTES**

The Chairman shall, in taking a vote on any motion or amendment, put the question first in the affirmative, and then in the negative and may do so as often as is necessary to enable formation and declaration of an opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands.

## **26. DIVISION**

The result of voting openly is determined on the voices or by a show of hands and, immediately upon a vote being taken, a delegate may call for a division.

## **27. WITHDRAWAL OF MOTION**

A motion or amendment may be withdrawn by the mover, with the consent of the meeting, which shall be signified without debate.

No delegate may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.

## **28. ALL DELEGATES TO VOTE**

**28.1** At meetings of the Zone, a delegate present at the meeting when a question is put shall vote on the question.

**28.2** Each delegate shall be entitled to exercise one deliberative vote on any matter considered by the Zone.

**28.3** The Chairman shall exercise a deliberative vote in respect of a matter considered by the Zone. In the event of there being an equality of votes in respect of a matter, the Chairman shall exercise a second vote.

**28.4** Where the Deputy Chairman is required to preside at a meeting, the Deputy Chairman shall exercise a deliberative vote in respect of a matter considered by the Zone. In the event of there being an equality of votes in respect of a matter, the Deputy Chairman shall exercise a second vote.

**28.5** In the absence of the Chairman and Deputy Chairman, the delegate chosen by resolution to preside over the meeting shall exercise a deliberative vote in respect of a matter considered by the Zone. In the event of there being an equality of votes, the presiding delegate shall exercise a second vote.

## **29. RESCISSION OF RESOLUTION**

### **29.1 At the same meeting**

Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Zone may, by simple majority at the same meeting at which it is passed, rescind or alter a resolution if all the delegates who were present at the time the original resolution was passed are present in their seats when the rescission or alteration is proposed.

**29.2 At a Future Meeting**

Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Zone may rescind or alter a resolution made at an earlier meeting:

- (a) by simple majority, where the delegate intending to move the motion has, through the Zone Secretary, given written notice of the intended motion to each of the other delegates at least seven (7) days before the meeting; or
- (b) by absolute majority, in any other case.

**30. SUSPENSION OF STANDING ORDERS**

**30.1** In cases of urgent necessity or whilst the Zone is sitting behind closed doors, any of these Standing Orders may be suspended by a simple majority.

**30.2** Any delegates moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take place.

**31. NO ADVERSE REFLECTION ON ZONE**

A delegate of the Zone shall not reflect adversely upon a resolution of the Zone, except on a motion that the resolution be rescinded.

**32. NO ADVERSE REFLECTION ON DELEGATE**

A delegate of the Zone shall not reflect adversely upon the character or actions of

another delegate nor impute any motive to a delegate unless the Zone resolves, without debate, that the question then before the Zone cannot otherwise be adequately considered.

**33. MINUTES**

Minutes of meetings shall be permanently recorded and copies supplied to all delegates.

**34. CONFIRMATION OF MINUTES**

The minutes of any preceding meeting, whether ordinary or special, not previously confirmed shall be submitted at the next Ordinary Meeting of the Zone and no discussion thereon shall be permitted except as to their accuracy as a record of the proceedings.

**35. GENERAL BUSINESS**

A delegate may under general business introduce a motion relating to any item of interest to Local Government, but (except as provided for in clause 8) not otherwise.

**36. AMENDMENTS**

These Standing Orders may be altered, added to or repealed subject to a resolution passed by not less than 75% of delegates present at a meeting of the Zone. Copies of proposed alterations, additions or amendments shall be forwarded to all delegates by the Zone Executive Officer prior to the meeting.