



KIMBERLEY REGIONAL GROUP Meeting

UNCONFIRMED MINUTES

1:00PM, 4 DECEMBER 2018

**DoubleTree Hilton, Darwin, Northern
Territory.**

SHIRE OF BROOME
KIMBERLEY REGIONAL GROUP
TUESDAY 4 DECEMBER 2018
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**MINUTES OF THE KIMBERLEY REGIONAL GROUP OF THE SHIRE OF BROOME,
HELD IN THE DOUBLE TREE HILTON, DARWIN, NORTHERN TERRITORY, ON TUESDAY 4
DECEMBER 2018, COMMENCING AT 1:00PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman welcomed Members and Officers and declared the meeting open at 1:01pm.

2. RECORD OF ATTENDANCE / APOLOGIES

ATTENDANCE:

Cr Chris Mitchell	Shire of Broome
Cr Harold Tracey	Shire of Broome
Cr Elsta Foy	Shire of Broome
Cr Warren Fryer	Shire of Broome
Stephen Gash	Shire of Derby West Kimberley
Cr Geoff Haerewa	Shire of Derby West Kimberley
Cr Paul White	Shire of Derby/West Kimberley
Cr Andrew Twaddle	Shire of Derby/West Kimberley
Carl Askew	Shire of Wyndham East Kimberley
Cr David Menzel	Shire of Wyndham East Kimberley
Cr Tony Chafer	Shire of Wyndham East Kimberley
Noel Mason	Shire of Halls Creek
Steven Deckert	Shire of Halls Creek
Cr Malcolm Edwards	Shire of Halls Creek
Cr Chris Loessl	Shire of Halls Creek
Cr Brett Perkins	Shire of Halls Creek
Aletta Nugent	Shire of Broome
James Watt	Shire of Broome
Debra Goostrey	ATEA Consulting
Neil Thomson	ATEA Consulting
Peter Hoare	LGIS
Jordan Reid	LGIS
Mel Pexton	WALGA

APOLOGIES:

Sam Mastrolembro	Shire of Broome
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Cr Chris Kloss	Shire of Derby West Kimberley
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
Greg Hayes	WALGA Roadwise
Natasha Mahar	Australia's North West
Tim Bray	Kimberley Development Commission

3. DECLARATION OF INTERESTS

FINANCIAL INTEREST			
Member	Item No	Item	Nature of Interest
Nil			

IMPARTIALITY			
Member	Item No	Item	Nature of Interest
Nil			

4. CONFIRMATION OF MINUTES

KIMBERLEY ZONE / KIMBERLEY REGIONAL GROUP RESOLUTION:
(RECOMMENDATION)
 That the Minutes of the Joint Kimberley Zone and Kimberley Regional Group Meeting held on 9 October 2018, as published and circulated, be confirmed as a true and accurate record of that meeting.
Moved: Shire of Halls Creek Seconded: Shire of Derby West Kimberley
Carried 4/0

5. BUSINESS ARISING FROM PREVIOUS MEETING

- Nil

6. PRESENTATIONS FROM REPRESENTATIVES

- Peter Hoare, Jordan Reid, Local Government Insurance Services (LGIS)

7. REPORTS FROM REPRESENTATIVES

- Chris Mitchell, Regional Development Australia

8. REPORTS FROM KIMBERLEY COUNTRY ZONE

8.1 KIMBERLEY ZONE 2019 MEETING DATES

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	23 September 2018

SUMMARY: This report presents the proposed 2019 schedule of meetings for the Kimberley Zone of WALGA and Kimberley Regional Group.

BACKGROUND

At the 3 October 2014 Kimberley Zone of WALGA /Kimberley Regional Group (Zone / KRG) Meeting in Derby, a resolution was made to schedule four face to face Zone / KRG meetings per year, in addition to holding video conference meetings as required for consideration of the WALGA State Council Meeting Agenda.

COMMENT

The 2019 Kimberley Zone Meeting Schedule is presented which includes dates that in the most part align with the WALGA State Council Meetings. It is proposed that the 2019 meetings are scheduled for:

19 March 2019 – Derby	Aligns with revised State Council meeting dates
30 April 2019 – Videoconference	Aligns with State Council
2 July 2019 – Broome	Aligns with State Council
	Aligns with Joint Pilbara Kimberley Forum
30 July 2019 – Perth	Aligns with WALGA State Conference
3 September 2019 – Halls Creek	Aligns with State Council
3 December 2019 - Darwin	Aligns with State Council
	Aligns with Joint Kimberley NT Forum

Attachment 1 contains details of all meeting dates along with other key dates for consideration.

CONSULTATION

Consultation has occurred between the individual Kimberley Shire Councils and WALGA

to determine the dates for the 2019 Schedule of Meetings for the Kimberley Regional Group.

The Secretariat has also liaised directly with member Councils to ensure that these dates do not conflict with Ordinary Council Meeting dates.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY ZONE RESOLUTION:

(RECOMMENDATION)

That the Kimberley Zone endorses the 2019 Schedule of Meetings as contained below:

<i>Tuesday 19 March 2019</i>	<i>Joint Zone KRG Meeting</i>	<i>Aligns with revised State Council Meeting</i>	<i>Derby</i>
<i>Tuesday 30 April 2019</i>	<i>Joint Zone KRG Meeting Joint</i>	<i>Aligns with State Council Meeting</i>	<i>Video Conference</i>
<i>Tuesday 2 July 2019</i>	<i>Joint Zone KRG Meeting</i>	<i>Aligns with State Council Meeting Aligns with Joint Pilbara Kimberley Forum</i>	<i>Broome</i>
<i>Tuesday 6 August 2019</i>	<i>Joint Zone KRG Meeting</i>	<i>Aligns with WALGA Local Government Convention</i>	<i>Perth</i>
<i>Tuesday 3 September 2019</i>	<i>Joint Zone KRG Meeting</i>	<i>Aligns with State Council Meeting</i>	<i>Halls Creek</i>
<i>Tuesday 3 December 2019</i>	<i>Joint Zone KRG Meeting</i>	<i>Aligns with State Council Meeting Aligns with Joint Kimberley NT Forum</i>	<i>Darwin</i>

Moved: Shire of Derby West Kimberley

Seconded: Shire of Wyndham East Kimberley

Carried 4/0

Attachments

- 1. Draft schedule of 2019 Kimberley Zone and Kimberley Regional Group Meeting dates

8.2 STATE COUNCIL MEETING AGENDA 5 DECEMBER 2018

LOCATION/ADDRESS: Kimberley region
APPLICANT: Nil
FILE: KRG01
AUTHOR: Zone Executive
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Corporate Services
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 19 November 2018

SUMMARY: The State Council Agenda for the meeting to be held 5 December 2018 were received on 14 November 2018 and are attached for member consideration. It is important to note that member Council's 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 5 December 2018 meeting is attached for Member consideration.

The following items have been tabled in the State Council Agenda

Item	Matters for Decision	WALGA Recommendation	Zone Recom.
5.1	Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition (05-006-03-0001 MB) Note: WALGA concluded that the concerns raised can be resolved by Main Roads WA informing Local Governments that it is unlawful to charge transport operators for the CA07	1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative is developed; 2. Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network; 3. Supports the development of standard administrative procedures including fees and letter formats; and 4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/generators in cases where the operations are predicted to cause	Support

Item	Matters for Decision	WALGA Recommendation	Zone Recom.
	letter of approval and by standardising administrative procedures	extraordinary road damage.	
5.2	<p>Bus Stop Infrastructure Partnership Agreement 2018/19-2022/23 (05-001-03-0037 MM)</p> <p>The Partnership Agreement defines the Roles and Responsibilities for the Planning, Installation and Maintenance of Bus Stop Infrastructure 2018/19 - 2022/23.</p>	That the Bus Stop Infrastructure Partnership Agreement be endorsed.	Support
5.3	2019-20 State Budget Submission (05-001-03-0006 DM)	That WALGA's submission to the State Government in advance of the 2019-20 Budget be endorsed.	Support Recognition of the financial implications of the new State Waste Strategy for regional and remote locations should be included.
5.4	<p>Interim Submission: Cost Recovery for Clearing Permits and Water Licences and Permits – DWER Discussion Paper (05-064-02-0022 MB)</p> <p>The Discussion Paper proposes significant increases in application fees for permits to clear native vegetation and for water licenses, which will have financial and program implications for Local Governments. Cost increases are exponential to the</p>	That the WALGA interim submission which opposes increased cost recovery for clearing permits and water licences and permits by the Department of Water and Environmental Regulation be endorsed.	Support Additional comments – this could have a significant economic impact in the Kimberley and make some agricultural projects unviable. It is counter to other government initiatives

Item	Matters for Decision	WALGA Recommendation	Zone Recom.
	<p>base rate of existing fees and charges. The increase costs will particularly impact on local governments undertaking road maintenance activities or seeking additional access to water supplies.</p>		<p>and investments in the region trying to stimulate agricultural activity.</p>
5.5	<p>Waste Levy Policy Statement (05-037-04-0001 RNB)</p>	<p>That the Waste Levy Policy Statement 2018 be endorsed.</p>	<p>Support</p>
5.6	<p>Standard Development Conditions Guidelines (05-036-04-0005 AR)</p> <p>WALGA has prepared this Guideline, which has been reviewed by legal practitioners, to: provide a list of standard development conditions that can be considered and used by Local Governments when reviewing their own standard conditions; provide guidance on the preparation of development conditions; and, help improve consistency in the way that development conditions are worded, structured and applied across jurisdictions.</p>	<p>That the Standard Development Conditions Guideline, be endorsed and that WALGA recommends use of the resource by Local Governments when reviewing and/or preparing standard development conditions.</p>	<p>Support</p>
5.7	<p>WALGA Paper – Off Road Vehicles and Local Government (05-053-03-008 EDR)</p>	<p>That WALGA advocates for the State Government to:</p> <ol style="list-style-type: none"> 1. Conduct a review of current legislation to align registration and licensing of Off-Road Vehicles (ORVs) with other vehicle types and users. 2. Allocate funding for feasibility studies to identify suitable sites for new ORV Permitted Areas throughout the State, which considers environmental values, 	<p>Support</p>

Item	Matters for Decision	WALGA Recommendation	Zone Recom.
		<p>future land use planning impacts, public safety, amenity and environmental issues and Local Government risk and liability issues.</p> <p>3. Develop and implement, in collaboration with WALGA and ORV stakeholders, educational resources and training suitable to the specific needs of ORV users, stakeholders and Local Governments. Resources should include; guidance on compliance and enforcement arrangements aligned with the <i>Control of Vehicles (Off-road Areas) Act 1978</i> and other relevant legislation, user and permitted area operational safety, signage standards, insurance and liability mitigation strategies.</p> <p>4. Develop and implement, in collaboration with ORV vendors, resources and practices that ensure ORV buyers are informed at the point of sale about ORV registration, regulation and restrictions applicable to ORV vehicle use and consequences of non-compliance.</p> <p>5. Consider and consult on the regulation of the vendor's role in providing information to buyers regarding ORV registration, regulation and restrictions.</p> <p>6. Develop and implement, in collaboration with stakeholders and industry representatives, resources to educate and raise community awareness about the proper use of ORVs, ORV permitted and prohibited areas, and the consequences of non-compliance.</p> <p>7. Ensure that the WA Police Force allocates resources to address unlawful ORV use in consultation with Local Government law enforcement.</p>	
5.8	<p>Submissions – Public Health Act 2016 Regulation Review Program (05-031-01-0001 EDR)</p> <p>As part of the regulation review</p>	<p>That the interim submissions provided to the Department of Health Public Health Act 2016 Discussion Papers on Regulations for Construction Sites Facilities, Temporary Toilets and Cloth Materials be endorsed.</p>	Support

Item	Matters for Decision	WALGA Recommendation	Zone Recom.
	<p>program, the Department of Health (DOH) released discussion papers on sanitation provision and maintenance at construction sites and mobile, temporary or remote worksites; cloth materials; and temporary toilets in July 2018. These papers were circulated for Local Government consultation, which was open for a period of 12 weeks.</p>		
5.9	<p>Aboriginal Advocacy and Accountability Office Interim Submission</p> <p>The Department of Premier and Cabinet, Aboriginal Policy Unit requested feedback to a discussion paper on the establishment of an Office for Advocacy and Accountability in Aboriginal affairs in Western Australia. Feedback provided in principle support to the proposal to establish an independent office to advocate for Aboriginal affairs in Western Australia. It was however acknowledged that an ongoing review of the office would be required to maintain relevance over time. There were some concerns that the proposal was idealistic with the potential to be less successful than</p>	<p>That the interim submission to An Office for Advocacy and Accountability in Aboriginal Affairs in Western Australia: Discussion paper be endorsed.</p>	Support

Item	Matters for Decision	WALGA Recommendation	Zone Recom.
	intended.		
5.10	Royal Commission into Institutional Responses to Child Sexual Abuse (05-086-03-0004 KD)	That the interim submission: Royal Commission into Institutional Responses to Child Sexual Abuse: A Local Government Response to the Western Australian State Government Child Safety Implementation Plan be endorsed.	Supported
5.11	Partnering with Local Government for Youth (05-065-04-0001 KD)	That the following amended policy statement be endorsed: The Local Government sector supports the development and well-being of children and young people through strategic partnerships and a combination of services and facility provision. The Association advocates that the State and Commonwealth should continue to invest in the wellbeing of young West Australians.	Support
5.12	<p>Managing Alcohol in our Communities Guide (06-045-01-0001 EB)</p> <p>The Guide promotes a prevention and risk management approach to create a safe and healthy place for people to work, live and play. The Guide has been developed in partnership with the Mental Health Commission (MHC), the Public Health Advocacy Institute of Western Australia (PHAIWA) and WALGA. WALGA will hold a launch with the key project partners on Friday, 1 March 2019.</p>	That the Managing Alcohol in our Communities (MAIOC) Guide be endorsed.	Support

CONSULTATION

Chairperson.....Date.....

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Alignment and integration of regional and local priorities for member Councils.

Natural Environment Goal – Responsible management of the environment:

Secure quality water supply

Integrated waste management

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Better alcohol management across the Kimberley.

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY ZONE RESOLUTION:

(RECOMMENDATION)

That the Kimberley Zone:

1. *Notes the State Council Agenda Items;*
2. *Notes the additional comments by the Kimberley Zone; and*
3. *Supports the recommendations in the matters for decision.*

Moved: Shire of Halls Creek

Seconded: Shire of Derby West Kimberley

Carried 4/0

Attachments

1. WALGA STATE COUNCIL MEETING AGENDA - DECEMBER 5 2018

9. REPORTS FROM KIMBERLEY REGIONAL GROUP

THE CHAIR ADVISED THAT AGENDA ITEM 9.1 HAD BEEN UPDATED TO REFLECT CURRENT INFORMATION PROVIDED BY THE SHIRE OF HALLS CREEK.

9.1 REGIONAL INFRASTRUCTURE - TANAMI ROAD

LOCATION/ADDRESS: Kimberley Region
APPLICANT: Nil
FILE: KRG01
AUTHOR: Director Corporate Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Corporate Services
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 20 November 2018

SUMMARY: This report requests consideration of a Communication and Engagement Plan to promote the funding of the Tanami Road by the State and Federal governments.

BACKGROUND

Previous Considerations

3 September 2018 Item 9.1

On 3 September 2018, the Kimberley Regional Group (KRG) resolved to:

KIMBERLEY REGIONAL GROUP RESOLUTION:

That the Kimberley Regional Group:

- 1. Endorses a \$70,000.00 budget amendment to the Kimberley Regional Group 2018/19 Budget for the development of a Tanami Road business case;***
- 2. Request the secretariat liaise with Main Roads to determine the proposed scope of the proposed business case with a report to be presented to the group at a later stage to consider the progress of a Kimberley Regional Group business case.***

Moved: Cr Malcolm Edwards Seconded: Cr David Menzel

**For: 4
Against: 0**

COMMENT

Following the resolution, KRG representatives attended the Roads of Strategic Importance (ROSI) roundtable held in Broome on 29 October 2018. During this meeting the Federal Government advised that it is considering the funding of roads of strategic importance and has made an allocation of \$1.5b for Northern Australia.

The Zone has made a strong case for the Tanami Road which now needs to be reinforced through a Communications and Engagement Plan (C&E Plan).

In the first instance this would involved follow up letters and information along with promotion of the benefits through social media (Twitter only) and media articles.

The Shire of Halls Creek advises that Main Roads WA will contribute towards progressing a Business Case on the Tanami Road. This position is confirmed by Main Roads WA however, it is reported that the Northern Territory's Department of Infrastructure, Planning and Logistics is proposing to lead a Business Case process.

Whilst the prospect of a Business Case led by the Northern Territory is a welcome development, there could still be merit in progressing a Kimberley Regional Group Communication and Engagement Plan that properly articulates benefits to the Kimberley region, noting that a sealed road is likely to positively impact on Western Australian remote communities, the Port of Wyndham and improve tourism and freight logistics outcomes across the broader Kimberley road network.

Whilst it is acknowledged that a greater proportion of the Tanami Road (and therefore cost of improvement) exists in the Northern Territory, the project is a significant economic enabler for the Kimberley Region. The combined economic benefits of a sealed road from the Stuart Highway to the Great Northern Highway are likely to be skewed towards Western Australia, creating a higher imperative for the project on this side of the border.

CONSULTATION

Information on the progress of the Northern Territory's and Main Roads WA's progress on the Tanami Road business case was garnered by discussions with:

- Matt Hobson, Economic Development Officer, Shire of Halls Creek; and
- Gary Bradshaw, Acting Regional Manager, Main Roads WA.

Consultation with stakeholders was undertaken at the Round Table held in Broome on 29 October 2018.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Secure funding for regional initiatives

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Improved regional arterial road network, ports and airports

High standard of infrastructure planning

Economy Goal – A sustainable and diverse economy:

Sustainable tourism market and tourism experiences

Sustainable primary industries

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group endorse the Communication and Engagement Plan for Regional Infrastructure – Tanami Road.

Moved: Shire of Derby West Kimberley

Seconded: Shire of Halls Creek

Carried 4/0

Attachments

1. Communication and Engagement Plan - Tanami Road

9.2 KIMBERLEY REGIONAL VOLUNTARY ALCOHOL RESTRICTIONS

The Chair advised that there are matters for discussion within item 9.2 for which the meeting may be closed, in accordance with section 5.23(2) of the Local Government Act 1995.

KIMBERLEY REGIONAL GROUP RESOLUTION:
(RECOMMENDATION)

That the following Agenda item be considered under 12. Matters Behind Closed Doors, in accordance with section 5.23(2) of the Local Government Act 1995, as specified:

9.2 KIMBERLEY REGIONAL VOLUNTARY ALCOHOL RESTRICTIONS

Item 9.2 and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) 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".

Moved: Shire of Wyndham East Kimberley Seconded: Shire of Derby West Kimberley

Carried 4/0

9.3 KIMBERLEY REGIONAL GROUP FINANCIAL ACTIVITY REPORT - NOVEMBER 2018/19

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	18 November 2018

SUMMARY: This report recommends that the Kimberley Regional Group adopt the Financial Activity Report for the period ended 30 November 2018.

BACKGROUND*Previous Considerations*

Joint Zone KRG Meeting 31 July 2018 Item 9.3
 Joint Zone KRG Meeting 9 September 2018 Item 9.1

COMMENT

As at the 30 November 2018, the Kimberley Regional Group have a surplus of \$252,242.61.

Acct Code	Account	Current Budget	Actual	Variance \$
OPENING SURPLUS CARRY FORWARD				
100235970	Transfer to Kimberley Zone Reserve	-\$212,506.00	-\$212,506.00	\$0.00
CAPITAL INCOME				
100235980	Transfer From Kimberley Zone Reserve	-\$145,000.00	-\$145,000.00	\$0.00
	TOTAL CAPITAL INCOME	-\$145,000.00	-\$145,000.00	\$0.00
	REMAINING SURPLUS	-\$67,506.00	-\$67,506.00	\$0.00
OPERATING EXPENDITURE				
100221260	Kimberley Waste Management Plan	\$19,734.00	\$18,451.48	\$1,282.52
100221280	Forums & Conferences	\$2,500.00	\$0.00	\$2,500.00
100221290	Zone & RCG Meeting Expenses	\$41,000.00	\$3,636.68	\$37,363.32
100221310	Meetings	\$7,000.00	\$0.00	\$7,000.00
100221320	Darwin Forum	\$20,000.00	\$0.00	\$20,000.00
100221330	Legal Advice	\$5,000.00	\$0.00	\$5,000.00
100221340	Annual Financial Audit	\$5,000.00	\$0.00	\$5,000.00
100221360	IT Support	\$1,500.00	\$1,950.00	-\$450.00
100221370	Sundry Expenses	\$1,000.00	\$0.00	\$1,000.00
100221430	Savannah Way Membership	\$5,000.00	\$0.00	\$5,000.00
100221460	Strategic Community Plan	\$14,000.00	\$0.00	\$14,000.00
100221810	Executive Consultancy	\$67,925.00	\$0.00	\$67,925.00
100221820	Administrative Consultancy	\$19,360.00	\$19,460.00	-\$100.00

Chairperson.....Date.....

104052340	Volunteering Strategy	\$65,000.00	\$0.00	\$65,000.00
104052350	Alcohol Management Initiatives	\$30,000.00	\$0.00	\$30,000.00
104052360	Procurement Improvement Program	\$100,000.00	\$0.00	\$100,000.00
104052370	ICT & Office 365 Improvements	\$10,000.00	\$0.00	\$10,000.00
104052390	Kimberley Land Tenure Implementation Plan	\$5,000.00	\$0.00	\$5,000.00
104052400	Kimberley Regional Education / Training Business Case	\$25,000.00	\$0.00	\$25,000.00
104052410	Savannah Way Business Case Implementation Plan	\$25,000.00	\$0.00	\$25,000.00
104052420	Liquid Waste Business Case	\$25,000.00	\$0.00	\$25,000.00
104052430	Tanami Business Case	\$70,000.00	\$0.00	\$70,000.00
104052970	Admin Cost Allocated	\$5,000.00	\$0.00	\$5,000.00
104052980	IT/Records Cost Allocated	\$5,000.00	\$0.00	\$5,000.00
	TOTAL OPERATING EXPENDITURE	\$574,019.00	\$43,498.16	\$530,520.84
OPERATING INCOME				
100230130	Reimbursement Zone & RCG Meetings Expenses	-\$35,000.00	-\$3,082.95	-\$31,917.05
100230180	Reimbursement Meetings	-\$3,000.00	\$0.00	-\$3,000.00
100230190	Reimbursement Darwin Forum	-\$20,000.00	\$0.00	-\$20,000.00
100230210	Members Contribution Secretariat Costs	-\$206,000.00	\$0.00	-\$206,000.00
100230610	Members Contribution - Kimberley Waste Management Plan	-\$14,710.00	-\$14,710.00	\$0.00
100235360	Interest on Reserve	-\$5,000.00	-\$441.82	-\$4,558.18
10405370	Kimberley Volunteer Strategy DLGC Grant	-\$65,000.00	-\$65,000.00	\$0.00
10405385	Alcohol Management Initiatives Grant	-\$30,000.00	\$0.00	-\$30,000.00
10405384	Procurement Improvement Program Grants	-\$50,000.00	\$0.00	-\$50,000.00
	TOTAL OPERATING INCOME	-\$428,710.00	-\$83,234.77	-\$345,475.23
	TOTAL CAPITAL INCOME	-\$145,000.00	-\$145,000.00	\$0.00
	TOTAL OPERATING EXPENDITURE	\$574,019.00	\$43,498.16	\$530,520.84
	TOTAL OPERATING INCOME	-\$428,710.00	-\$83,234.77	-\$345,475.23
	TOTAL	\$309.00	-\$184,736.61	\$185,045.61
	SURPLUS/DEFICIT		-\$252,242.61	
	<i>**Current Surplus = Actual Income less Actual Expenditure + Opening Surplus</i>			

CONSULTATION

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.

FINANCIAL IMPLICATIONS

Financial implications are detailed above.

The current position is a \$252,242.61 surplus.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group notes the Financial Activity Report for the period ended 30 November 2018.

Moved: Shire of Halls Creek

Seconded: Shire of Wyndham East Kimberley

Carried 4/0

Attachments

Nil

9.4 KIMBERLEY REGIONAL WASTE MANAGEMENT PLAN 2018 - 2023

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 November 2018

SUMMARY: Update on the Regional Waste Management Plan

BACKGROUNDPrevious Considerations

Nil.

COMMENT

The Regional Waste Management Plan is currently being updated by external consultants ASK. A variation on the contract provided for consideration of three years of data which provided a more robust approach to the consideration of waste streams.

Officers from member Councils have given priority to the review which is acknowledged and appreciated by the Zone.

Attached are the Kimberley Regional Waste Management Plan recommendations with the officers having reviewed, at high level the intent of those recommendations. As some involve the commitment of resources, both human and financial including the purchase of capital equipment, it is recommended that the report is noted by the Zone and forwarded to the Shires for more detailed consideration, including potential budget impacts.

A meeting of all relevant Shire officers is likely to be required to discuss the final document before final consideration by the Zone in early 2019.

CONSULTATION

All Shires have been consulted throughout the development of the Regional Waste Management Plan.

STATUTORY ENVIRONMENT

The Regional Waste Management Plan includes the compliance requirements under the *Environmental Protection Act 1986* and the licencing of waste facilities.

Waste Avoidance and Resource Recovery Act 2007

Local Government Act 1995

Chairperson.....Date.....

POLICY IMPLICATIONS

The Regional Waste Management Plan will impact on waste policies at Shire level.

FINANCIAL IMPLICATIONS

Nil for the Zone, potentially significant for members although longer term savings and efficiencies may be available.

STRATEGIC IMPLICATIONS

The Regional Waste Management Strategy will be important in meeting the requirements that are likely to emerge under the State Waste Management Strategy and expectations of significantly higher requirements for recycling.

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Secure funding for regional initiatives

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Natural Environment Goal – Responsible management of the environment:

Integrated waste management

Reuse of waste water

Built Environment Goal – Improved and secure transport, communications, community and essential services:

High standard of infrastructure planning

Economy Goal – A sustainable and diverse economy:

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group notes the recommendations of the Draft Kimberley Regional Waste Management Plan 2018 - 2023 and refers the document to member Shire's for further consideration.

Moved: Shire of Derby West Kimberley Seconded: Shire of Wyndham East Kimberley

Carried 4/0

Attachments

1. Draft Kimberley Regional Waste Management Plan Recommendations

9.5 KIMBERLEY ZONE FORUMS 2019

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2018

SUMMARY: The Zone is scheduled to coordinate two forums in 2019 being the Pilbara-Kimberley Forum and the Kimberley Northern Territory Forum. This item provides an overview to enable forward planning.

BACKGROUNDPrevious Considerations

Nil.

COMMENT

There is a need to provide early advice to potential delegates and sponsors of the annual program of events to enable forward planning to occur. Whilst there will always potentially be reasons to adjust plans, having “working” event details assists significantly with managing workloads and allows for items such as an annual sponsorship prospectus to be developed.

Pilbara Kimberley Forum

The Pilbara Kimberley Forum is held in May/June each year, rotating the organisation between the Pilbara Regional Council and the Kimberley Zone with responsibility vested with the Kimberley Zone for 2019.

It should be noted that the Pilbara Regional Council is currently winding down its operations and will soon be dissolved. At this stage it is unknown whether a different governance mechanism will be developed in its place however it is assumed that some regional governance structure will be implemented and operational in the future.

Date: 2 July 2019

Location: Broome

Duration: 1 Day + dinner with Zone meeting on the following morning.

Theme for consideration: Beyond mining and pastoral - the new energy economy

Developments in mining, fossil fuels and renewables are creating the basis for a new energy economy in the North which include:

- unconventional hydrocarbons with the massive reserves of the Canning Basin along with offshore oil-and-gas which could secure Australia's energy future;
- new solar energy proposals in the Pilbara which could be just the beginning;
- renewable energy including algae farming and wind power generation;
- waste to energy technology as it becomes more efficient and scalable;
- mining of ores and minerals associated with high technology, energy use and energy storage including, mineral sands, heavy rare earths, rare earths, graphite and base metals (such as lead, copper and cobalt) and precious metals (gold).

What does this 'new energy economy' mean for the region and how can we ensure that it translates into sustainable economic growth, jobs and investment. The forum explores the economic potential and social and environmental implications. The forum also examines how local government can play a lead role as both a catalyst and facilitator for an economic transformation.

The Kimberley Northern Territory Joint Forum

An annual event led and organised by the Kimberley Zone.

Date: 2 December 2019

Location: Darwin

Duration: 1 Day + dinner with Zone meeting on the following morning.

Theme for Consideration: Achieving Best Practice in a World of Transformation

Considers how local governments in relative isolation can support best practice both in their own operations and the delivery of services within the communities they serve during periods of rapid change.

The Forum would look at the emergence of scalable technologies which rely on networks and cooperation to deliver a range of municipal and essential services in an increasingly efficient and diverse way.

CONSULTATION

Consultation will need to be undertaken with both the Pilbara and the Northern Territory.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Secure funding for regional initiatives

Effective engagement with Aboriginal governance structures

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Economy Goal – A sustainable and diverse economy:

Sustainable primary industries

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:
That the Kimberley Regional Group endorse the dates, location and suggested themes of the 2019 Forums.

KIMBERLEY REGIONAL GROUP RESOLUTION:
That the Kimberley Regional Group endorse a single regional forum to be held in Broome to coincide with the 2019 Broome – Singapore flights with a date and theme to be ratified by circular resolution at a later date.

Moved: Shire of Derby West Kimberley Seconded: Shire of Wyndham East Kimberley

Carried 4/0

Attachments

Nil

9.6 COMMUNICATIONS AND ENGAGEMENT STRATEGY

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2018

SUMMARY: A Communication and Engagement Strategy has been developed for consideration by the Kimberley Zone / Kimberley Regional Group (Zone / KRG). The Communication and Engagement Strategy provides protocols relating to engagement with third party stakeholders including the media.

BACKGROUNDPrevious Considerations

Nil.

COMMENT

At the Joint Zone / KRG meeting held on 8 October 2018 it was agreed that a Communication and Engagement Strategy be developed to provide further detail in relation to protocols and representation.

A two-tiered approach has been developed with an over-arching strategy and guidelines (with template) which have been designed to endure over the longer term, along with project specific plans which apply the protocols established by the Communication and Engagement Strategy providing specific detail for particular activities.

The Communication and Engagement Strategy is consistent with the WALGA Draft Social Media Policy Template, adapted for the purposes of the Zone.

The Communication and Engagement Strategy is attached (attachment 1) and provides detail on:

- Communication and Engagement Strategy
- Communication and Engagement Guidelines
- Communication and Engagement Templates; and
- An Example Communication and Engagement Plan.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group adopts the Communication and Engagement Strategy and the associated Guidelines and Templates for the Communication and Engagement Plans as contained in attachment 1.

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

Carried 4/0

Attachments

1. Communications and Engagement Strategy

9.7 CONSULTANT'S REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2018

SUMMARY: This report provides an overview of the activity undertaken by the consultant to support the activities of the Kimberley Zone and Kimberley Regional Group.

BACKGROUND

Previous Considerations

Nil.

The Kimberley Zone of WALGA (Zone) and the Kimberley Regional Group (KRG) appointed ATEA Consulting on the 22 July 2018 to perform the role of part-time Executive Officer. The Executive Officer consultancy provides the Chairman and members of the Zone and KRG with high level executive support and leads the development of projects derived from the KRG Strategic Community Plan and Regional Business Plan.

COMMENT

This report provides an overview of the activities undertaken by ATEA Consulting in the period 1 September to 31 October 2018.

Summary of Activities 1 September – 31 October

Item	Activity
Communications and Engagement Strategy	Completion of policy, guidelines and templates
Land Tenure (pastoral) Reform	Review of document, C&E Plan, liaison with the Government
Municipal Services Review	Review of document, liaison with the Government
ROSI Meeting	C&E Plan (meeting), C&E Plan (Tanami Rd) meeting attendance, meeting notes
Voluntary Kimberley Wide Alcohol Restrictions	Liaison post-workshop including circulation of outcomes
December Zone Meeting	Preparation of

	<ul style="list-style-type: none"> • Zone agenda items. • CEO meeting notes • Zone Meeting Minutes • Workshop notes
Regional Waste Management Plan	Support activities including liaison with Shires, management of TAG meeting, Liaison with Consultant, data integrity, design of survey, review of recommendations.
State Waste Strategy	Coordination of Kimberley Submission
2018 Joint Kimberley NT Forum	Coordination of the event including program, marketing and organisation.
Container Deposit Scheme	Summary and liaison
2019 Forum themes and locations.	Theming
State Council Agenda	Review of priorities and preparation of agenda item. Liaison with WALGA re Alcohol Management paper.
Strategic Plan	Workshops & collation of feedback
Volunteer Strategy	Summary of contract requirements for RFQ
Seniors Grant	Liaison re Seniors Grant funding (not pursued)

Summary of Meetings and Contacts 1 September – 31 October

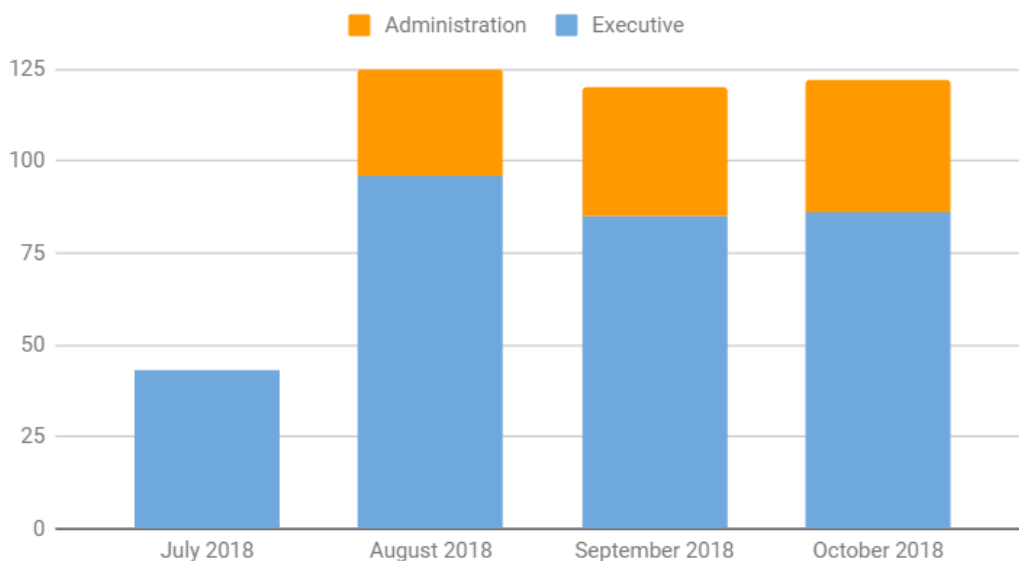
Stakeholder Representative	Outcomes
Tony Richmond Director of Strategy and Policy Dept of Planning Lands and Heritage	Discussed Land Tenure Paper, latest developments and arranged meeting with reform team in DPIRD.
Grahame Searle Director General Department of Communities	Agreement for the Dept of Community engagement in the Joint Forum
Rachael Green Assistant Director General Department of Communities	Agreement to be involved in the Joint Kimberley NT Forum
Cliff Weeks Executive Director Central Department of Chief Minister	Ongoing discussion re Joint Kimberley NT Forum.

Tony Tapsell CEO The Local Government Association of the Northern Territory	Ongoing discussion re Joint Kimberley NT Forum.
Peter Yu Chair: Prime Minister's Indigenous Reference Group CEO: Nyamba Buru Yawuru	Ongoing Liaison re Joint Forum
Commonwealth Bank <ul style="list-style-type: none">Annie JohnstonJames Arnold	Ongoing Liaison re Joint Forum
Neil Van Drunen Policy Manager Association of Mining and Exploration Companies	Tanami – Freight Logistics, discussed common interest of AMEC and its members to see road sealed.
Donna Odegard OM CEO Aboriginal Broadcasting	Ongoing Liaison re Joint Forum
Mr Bruce Michael Executive Director Department of Infrastructure Planning and Logistics	Ongoing Liaison re Joint Forum
Maree De Lacey Executive Director Department of Housing and Community Development Northern Territory	Raising awareness of the Zone and seeking support for the Joint Kimberley NT Forum.
Luke Bowen Executive Director Department of Trade Business and Innovation NT	Raising awareness of the zone and invitation to be on a panel at the Joint Kimberley NT Forum.
Mark Gregory Associate Professor RMIT	Raising awareness of the zone and invitation to be on a panel at the Joint Kimberley NT Forum. Mr Gregory is a specialist in social/economic impacts of access to telecommunications/internet and has agreed to speak.
Darren West Parliamentary Secretary Minister for Primary Industries and Regional Development	Joint Forum and Kimberley matters.
Rebecca Brown Manager Waste and Recycling WALGA	<ul style="list-style-type: none">State Waste Strategy SubmissionContainer deposit scheme

Alistair Sherwin General Manager – North West Prime Minister and Cabinet	Assorted discussions including Joint forum
Jessica Shephard Department of Communities	Municipal Services Guidelines
Cam Dumesnby Western Roads Federation	Tanami, ROSI and Joint Forum
Mark Gregory RMIT	Ongoing Liaison re Joint Forum
ROSI Meeting	A range of contacts interested in freight networks
Mayor Damien Ryan City of Alice Springs	Ongoing Liaison re Joint Forum
Mayor Steve Edgington	Ongoing Liaison re Joint Forum
Brad Bellette Bellette	Ongoing Liaison re Joint Forum
Forum Sponsors <ul style="list-style-type: none"> • Sheffield • Impex • LGIS • WASuper • Latitude 12 • RDA- Kimberley 	3 sponsors secured

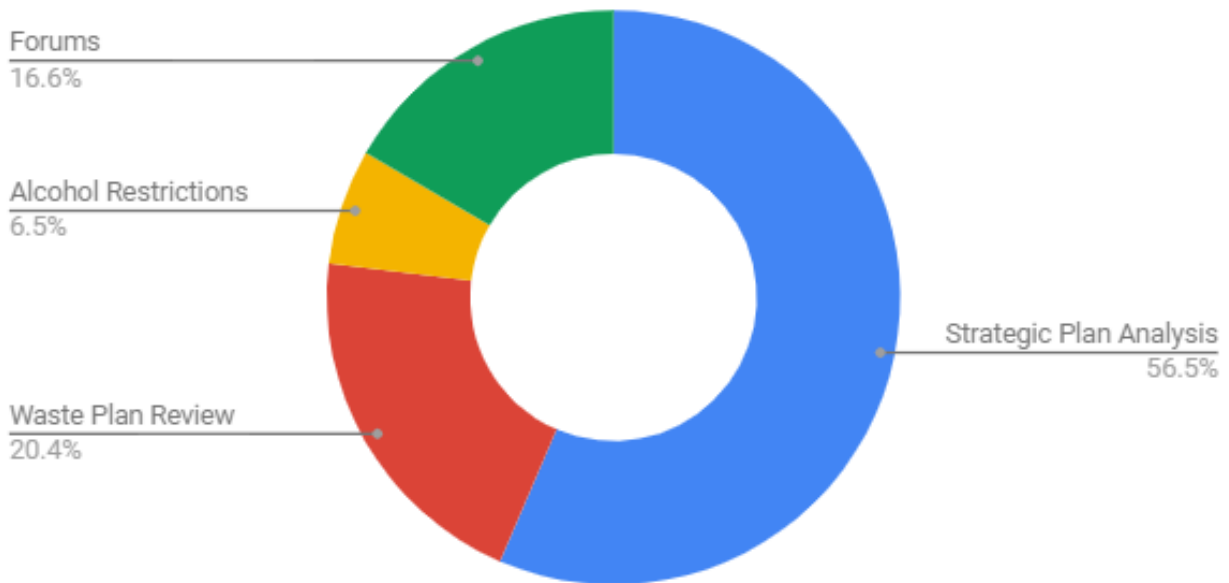
Summary of Hours to 30 October

Contract Hours YTD



Project Time Inputs to 30 October

Project Time Inputs 2018-19



CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Simple Majority

KIMBERELY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group notes the report provided by ATEA Consulting.

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

Carried 4/0

Attachments

- 1. Consultants Report November 2018

9.8 LAND TENURE REFORM

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2018

SUMMARY: This report provides an update on the status of the Land Tenure Reform Position Paper and the Communication and Engagement Plan for the project.

BACKGROUNDPrevious Considerations

Joint Zone KRG Meeting 28 April 2017	Item 9.5
Joint Zone KRG Meeting 21 November 2017	Item 10.5

The Kimberley Zone and Kimberley Regional Group (Zone / KRG) adopted the Land Tenure Reform Position Paper prepared by NAJA Business Consulting Services on the 28th April 2017.

The Zone / KRG requested a Communication and Engagement Plan for the implementation of the Land Tenure Reform Position Paper at the 8 October 2018 Joint Zone KRG meeting.

COMMENT

As part of the development of the Communication and Engagement Plan, the State Government was approached to determine the current direction being taken, as a reform unit has recently been established led principally by Minister MacTiernan

A meeting was held with the officer responsible for the reform agenda, Teena Shervington, Manager Strategic Programs Industry and Economic Development, the Department of Primary Industries and Regional Development. At this meeting Ms Shervington outlined a two stage approach.

Stage 1 (current) has two major focuses. The first is the review of lease arrangements with a view to improving investment by allowing the leases to “roll-over” if they are compliant. The second part of stage 1 is to determine what a compliant pastoral lease should look like. The audit and monitoring program is currently being developed and will address the findings in the Auditor General's report. <https://audit.wa.gov.au/reports-and-publications/reports/management-pastoral-lands-western-australia/auditor-generals-overview/>

Stage 1 is primarily within the remit of Minister Rita Saffioti, whilst stage two has a stronger relationship to Minister MacTiernan's portfolio.

Stage 2 will consider jobs and economic development that can be achieved through review of the activities on pastoral leases and may include the review of matters such as diversification permits and definitions. It should be noted that the full scope of Stage 2 has not been finalised.

The two stage approach is sensible in that it ensures that pastoralists are able to invest throughout the life of the lease rather than having a depreciating asset as the lease term expires. Secondly, it establishes the benchmarks for environmental operations. It is essential, however that stage 2 is undertaken and not deferred after the completion of stage 1. To this end a letter to both Minister Saffioti and Minister MacTiernan congratulating them on moving forward with the Stage 1 review process, recognising the logic in the approach being taken and emphasising the need for Stage 2 to be undertaken with the preliminary scoping exercise to be undertaken as soon as practicable.

The Draft Communication and Engagement Plan (Attachment 1) has been finalised and is presented to the Zone / KRG for consideration.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Adequate land supply

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Economy Goal – A sustainable and diverse economy:

Sustainable primary industries

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group:

1. *Adopts the Communications and Engagement Plan as attached; and*
2. *Writes to Ministers MacTiernan and Saffioti in relation to the current review providing support for the process and emphasising the need for Stage 2 of the review to be undertaken to achieve jobs and economic growth.*

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

Carried 4/0

Attachments

1. Land Tenure Reform

9.9 LOCAL GOVERNMENT ACT REVIEW

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2018

SUMMARY: This report provides an update on phase two of the Department of Local Government, Sport and Cultural Industries (DLGSC) review of the *Local Government Act 1995*.

BACKGROUNDPrevious Considerations

In 2017 the McGowan Government announced a review of the *Local Government Act 1995*. This is the first significant reform of local government conducted in more than two decades. The objective is for Western Australia to have a new, modern Act that empowers local governments to better deliver for the community. The State Governments stated vision is for local governments to be agile, smart and inclusive.

Local governments and the community were invited to have their say on the priority reforms earlier this year and the drafting of a Bill which includes universal training for candidates and council members, council member code of conduct, improvements to CEO recruitment and performance review and a simplified gift framework is now underway.

Phase 2 of the review is currently underway with submissions received until 31 March 2019.

COMMENT

The second phase of the Act review focuses on nine key topic areas as outlined in the table below with local governments and community members requested to provide feedback on the reform areas.

Reform Areas

1. Beneficial Enterprises
2. Financial Management
3. Rates, fees and charges
4. Administrative efficiencies
5. Council meetings

6. Interventions
7. Community engagement – IPR
8. Complaints management
9. Elections.

Local Government Act forums were held in Kununurra on 29 October and in Broome on 5 November 2018.

The key issues identified are listed below.

East Kimberley (Attendees = 17)

- Rates
- Elections
- Beneficial enterprises
- Administrative efficiencies/local laws

West Kimberley (Attendees = 7)

- Beneficial enterprises
- Community engagement – IPR
- Rates
- Complaints management
- Financial Management

Details of the West and East Kimberly Consultation Forums are contained within attachment 1.

Officer recommend that the Zone / KRG develop a submission to be tabled at the March 2019 meeting.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Secure funding for regional initiatives

Effective engagement with Aboriginal governance structures

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Natural Environment Goal – Responsible management of the environment:

Secure quality water supply

Integrated waste management

Reuse of waste water

Recognition of significant heritage areas.

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

- Improved outcomes in employment
- Sustainable tourism market and tourism experiences
- Sustainable primary industries
- Energy sustainability
- Sustainable Local Government revenue
- Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group:

- 1. Notes the Department of Local Government Sport and Cultural Industries Consultation Forum documentation; and*
- 2. Requests that a submission on Phase 2 of the Local Government Act 1995 be developed and presented to the group at the March 2019 Joint Kimberley Zone and Kimberley Regional Group meeting.*

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

Carried 4/0

Attachments

1. Local Government Act Review Infopage

9.10 MUNICIPAL SERVICES REVIEW

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2018

SUMMARY: This report provides an update on the Municipal Services Review and draft Guidelines.

BACKGROUNDPrevious Considerations

Nil.

COMMENT

The Department of Communities released for comment the Municipal Services Guidelines for feedback in May 2018. Since that time there has been significant changes at senior level and it is likely that the municipal services guidelines will undergo further review prior to any action/decision being taken.

- For clarity, no Cabinet submission has been prepared/progressed in response to the release for comment of Guidelines for Municipal Services in Remote Settlements in Western Australia earlier this year.

New Key Stakeholders in Department of Communities:

- Jess Shephard, Manager – only been in place a couple of weeks
- Linda Spearing who is replacing Tanya Steinbeck as Executive Director for Regional Services Reform Unit – commenced just over a week ago.
- For information, the project falls within the remit of Assistant Director Paul Isaacson rather than as it is within the “Transformation and Strategy” area of the Department of Communities. Assistant Director General Rachael Green has responsibility for service delivery.

An initial meeting with Jess Shephard, Project Manager, Department of Communities is scheduled for the 28th November in Broome and a verbal report on this meeting will be available at the Zone meeting of 4 December. It is anticipated that greater clarity about the status of the report and the direction of the Department of Communities will emerge. Depending upon the outcome of that meeting a response strategy will be developed including but not limited to:

- bringing relevant staff together for further discussions; and
- developing a position paper and relevant Communications and Engagement Plan.

Some Shires have already undertaken a comprehensive review of the Guidelines and this information will be used as the basis of a response, contingent upon the scope of change being considered by the Department of Communities.

CONSULTATION

Department of Communities.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Effective engagement with Aboriginal governance structures

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Liveable towns supporting regional communities

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Economy Goal – A sustainable and diverse economy:

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group note the update on the Municipal Services Review.

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

Attachments

1. Municipal Services Review Regulatory Framework and Service Level Guidelines

9.11 STRATEGIC COMMUNITY PLAN AND BUSINESS PLAN

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2018

SUMMARY: The Kimberley Regional Group Regional Community Strategic Plan and Regional Business Plan review process has been finalised and is now available for consideration and adoption.

BACKGROUNDPrevious Considerations

The Kimberley Regional Group (KRG) Regional Community Strategic Plan and Regional Business Plan [the Plans] were reviewed at the March 2018 meeting with a more detailed revision being undertaken through workshops at the September and October 2018 Zone meetings.

COMMENT

A key issue for the KRG has been monitoring and closing out individual activities that have been identified in *the Plans*.

As many of the items involve advocacy, a pathway with clear steps has been developed along with a hierarchy which indicates the approximate level of time allocation for each item to enable resource planning. The timeframes for actions and the responsible entity has also been identified.

This more detailed format will allow the KRG members greater clarity about the key issues to be tackled, when the activity will be undertaken and the key milestones along the way.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

The strategic planning process includes the development of a range of supporting documents including a Communication and Engagement Strategy and a clear list of advocacy policy resolutions.

FINANCIAL IMPLICATIONS

The Regional Community Strategic Plan and Regional Business Plan will interface with the KRG budget and will primarily be delivered within recurrent expenditure.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Secure funding for regional initiatives

Effective engagement with Aboriginal governance structures

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Natural Environment Goal – Responsible management of the environment:

Secure quality water supply

Integrated waste management

Reuse of waste water

Recognition of significant heritage areas.

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education
 Greater participation in the community and workforce
 Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region
 Improved outcomes in employment
 Sustainable tourism market and tourism experiences
 Sustainable primary industries
 Energy sustainability
 Sustainable Local Government revenue
 Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Kimberley Regional Group adopts the Regional Business Plan 2018-2022 as contained in Attachment 1.

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

Attachments

1. Final Draft Kimberley Regional Business Plan

10. CORRESPONDENCE

10.1 RESPONSE TO CORRESPONDENCE SENT REGARDING APPOINTMENT AS MINISTER FOR DEFENCE – THE HON CHRISTOPHER PYNE MP

Attachments

- 1. Attachment 1

10.2 THE HON MELISSA PRICE MP – THANK YOU FOR LETTER OF CONGRATULATIONS

Attachments

- 1. Attachment 1

11. GENERAL BUSINESS

11.1 Cattle on Roads

Cr Geoff Haerewa from the Shire of Derby West Kimberley raised the ongoing issue of cattle on roads. Following discussions the group passed the following resolution:

KIMBERLEY REGIONAL GROUP RESOLUTION:

That the Kimberley Regional Group request that the Secretariat, in collaboration with all key stakeholders, progress the development of a strategy and funding model supporting the shared responsibility for fencing of main roads, inclusive of employment opportunities.

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

11.2 Cr Tony Chafer from the Shire of Wyndham East Kimberley requested that the group consider inviting Lawford Benning (MG Corporation) and Patrick Green (Leddal Pty Ltd) to future Zone meetings. The group requested that the Secretariat liaise with the two parties to coordinate attendance at future Joint Zone and Regional Group meetings.

11.3 Regional Services Reform Unit – North West Aboriginal Housing Fund

Cr Geoff Haerewa requested that the group contact WALGA to seek information regarding the funding rationale used by the State and Federal Governments for the North West Aboriginal Housing Fund. The group passed the following resolution:

KIMBERLEY REGIONAL GROUP RESOLUTION:

That the Kimberley Regional Group urgently seek WALGA support to clarify the position on North West Aboriginal Housing Fund between the State and the Commonwealth to progress the issue for the communities impacted.

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

The Chair Cr Chris Mitchell left the meeting at 3:00pm. The Deputy Chair Cr David Menzel took the Chair at 3:00pm.

11.4 DEVELOPMENT OF THE KIMBERLEY

Cr Geoff Haerewa requested that following numerous conversations with local and State government stakeholders and Aboriginal Corporations, a high level agreement on the future development of the Kimberley was needed. The group passed the following resolution:

KIMBERLEY REGIONAL GROUP RESOLUTION:

That the Kimberley Regional Group, in collaboration with relevant stakeholders, develop a communique to encapsulate support for an agreement on the development of the Kimberley, to be presented and endorsed via circular resolution.

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

11.5 TANAMI ROAD – JOINT LETTER OF SUPPORT

Steven Deckert advised that a number of discussions had occurred with various Northern Territory stakeholders in relation to the upgrade of the Tanami Road. The group resolved the following:

KIMBERLEY REGIONAL GROUP RESOLUTION:

That the Kimberley Regional Group liaise with the NTIA to progress a Joint Letter of Support for the upgrade and bituminising of the Tanami Road by the end of January 2019.

Moved: Shire of Halls Creek Seconded: Shire of Derby West Kimberley

Carried 4/0

11.6 Tanami Road SCENE SETTING DOCUMENT

The group passed the following resolution in relation to the need for the Zone to be involved in any discussions regarding the development of the Tanami Road.

KIMBERLEY REGIONAL GROUP RESOLUTION:

That the Kimberley Regional Group:

1. *Approach the Northern Territory Government and request inclusion in the development of the Tanami Road Scene Setting Document; and*
2. *Endorse a contribution toward the project of up to a maximum of \$20,000.*

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

11.7 Steven Deckert thanked the group for their support during his tenure as Acting Chief Executive Officer at the Shire of Halls Creek. The Chair thanked Steven for his contribution on behalf of the group.

12. MATTERS BEHIND CLOSED DOORS

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the meeting be closed to the public at 3:27pm.

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

Members of the Public departed the Meeting at 3:27pm.

This item and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) 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”.

9.2 KIMBERLEY REGIONAL VOLUNTARY ALCOHOL RESTRICTIONS

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	22 November 2018

SUMMARY: The Australian Hotels Association have provided proposed Voluntary Liquor Restrictions in response to the alcohol restrictions proposed by the Kimberley Regional Group (KRG). This agenda item considers the amendments that have been proposed and seeks to develop a Zone position on the proposed Voluntary Alcohol Restrictions to progress negotiations.

KIMBERLEY REGIONAL GROUP RESOLUTION:
(REPORT RECOMMENDATION)

That the Kimberley Regional Group:

1. *Seek to prepare a voluntary agreement on Alcohol Restrictions for a trial period of 12 months through negotiation with the Australian Hotels Association and Liquor Store Association, consistent with the Kimberley Zone Position Statement on a Regional Approach to Voluntary Alcohol Restrictions in the Kimberley, that:*
 - a. *Recognises the existing Kimberley wide Section 64 Restrictions in relation to cask wine;*
 - b. *Recognises the Director of Liquor Licencing concerns and retains the threshold for beer in the voluntary agreement at 2.7% (rather than 3.4%);*
 - c. *Does not prohibit fortified wine if an appropriate floor price can be agreed to defer product substitution; and*
 - d. *Limits operational hours to those considered appropriate and defined in the position statement.*
2. *Delegates authority to the Secretariat to develop timeframes within the proposal, including notice periods and opening hours, to determine an appropriate outcome for future consideration by the Zone.*
3. *Provide an update to the Minister and seek support for the exploration of the Banned Drinkers Register*

Moved: Shire of Derby West Kimberley Seconded: Shire of Broome

Carried 4/0

Attachments

1. Kimberley Zone Position Statement on a Regional Approach to Voluntary Alcohol Restrictions

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

That the Meeting again be open to the public at 3:58pm.

Moved: Shire of Derby West Kimberley Seconded: Shire of Halls Creek

Carried 4/0

The doors were opened and it was noted that no members of the public returned to the Meeting.

13. MEETING CLOSURE

There being no further items of business the Chair declared the meeting closed at 3:58pm.