



Shire of Derby /
West Kimberley



KIMBERLEY REGIONAL GROUP Meeting

UNCONFIRMED MINUTES

1:00PM, 22 JUNE 2020

Video Conference

SHIRE OF BROOME
KIMBERLEY REGIONAL GROUP
MONDAY 22 JUNE 2020
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**MINUTES OF THE KIMBERLEY REGIONAL GROUP OF THE SHIRE OF BROOME,
HELD IN THE VIDEO CONFERENCE, ON MONDAY 22 JUNE 2020, COMMENCING AT
1:00PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman welcomed Members and Officers and declared the meeting open at 1:06PM.

2. RECORD OF ATTENDANCE / APOLOGIES

ATTENDANCE:

Cr Chris Mitchell	Shire of Broome
James Watt	Shire of Broome
Amanda O'Halloran	Shire of Derby West Kimberley
Cr Geoff Haerewa	Shire of Derby West Kimberley
Cr Paul White	Shire of Derby/West Kimberley
Vernon Lawrence	Shire of Wyndham East Kimberley
Cr David Menzel	Shire of Wyndham East Kimberley
Noel Mason	Shire of Halls Creek
Cr Malcolm Edwards	Shire of Halls Creek
Debra Goostrey	Zone Executive - ATEA
Evie Devitt-Rix	WALGA
Joanne Burgess	WALGA
Natasha Mahar	Australia's North West
Danelle Dowding	RDA Kimberley
Tim Bray	Kimberley Development Commission
Krissie Dickman	Department of Communities
Greg Hayes	WALGA Roadwise

APOLOGIES:

Sam Mastrolembro	Shire of Broome
Cr Harold Tracey	Shire of Broome
Cr Chris Loessl	Shire of Halls Creek
Cr Tony Chafer	Shire of Wyndham East 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

Leave of Absence: Nil

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

MOTION:

(REPORT RECOMMENDATION)

Moved: G Haerewa

Seconded: D Menzel

That the Minutes of the Kimberley Regional Group held on 21 April 2020, as published and circulated, be confirmed as a true and accurate record of that meeting.

5. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

6. PRESENTATIONS FROM REPRESENTATIVES

- 6.1 AUSTRALIA'S NORTH WEST TOURISM**
Natasha Mahar, Chief Executive Officer

7. REPORTS FROM REPRESENTATIVES

- 7.1 RDA KIMBERLEY**
Danelle Dowding, Executive Officer
- 7.2 KIMBERLEY DEVELOPMENT COMMISSION**
Tim Bray, Director Regional Planning and Projects
- 7.3 DEPARTMENT OF LOCAL GOVERNMENT SPORT AND CULTURAL INDUSTRIES**
Krissie Dickman, Regional Manager Kimberley

7.4 WALGA ROADWISE
Greg Hayes, Road Safety Advisor

8. REPORTS FROM KIMBERLEY COUNTRY ZONE

8.1 WALGA STATE COUNCIL AGENDA & PRESIDENTS REPORT	
LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY: To consider the recommendations on Matters for Decisions that will be considered at the WALGA State Council meeting on the 1 July 2020 and provide an update on Matters for Noting.

BACKGROUND

Nil.

COMMENT

The next WALGA State Council meeting will be held on 1 July 2020. The following matters for decision will be considered.

	Matters for Decision	WALGA Recommendation	Zone Recommendation
5.1	That the draft State and Local Government Agreement for Public Libraries be endorsed.	<p>The first Western Australian Public Libraries Strategy Consultation Report was endorsed by WALGA State Council in July 2018.</p> <p>WALGA State Council endorsed the new Public Library Tiered Service Model in May 2019.</p> <p>At its September 2019 meeting, State Council endorsed the transfer of ownership of stock from State to Tier 1 Local Governments and that the provision of Public Library services in Western Australia be delivered through a formal agreement between State and Local Government of Western Australia and governed by the <i>Library Board Act 1951</i>.</p> <p>The State Library of Western Australia, the Department of Local Government Sport and Cultural Industries, Public Libraries</p>	Support

		Western Australia and WALGA have consulted on a draft Library Agreement which is included in the WALGA State Council Agenda for reference.	
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Matters for Noting

6.1 Draft Aviation Strategy 2020 (05-003-02-0005 SD)

Recommendation that the submission to the Department of Transport in response to the Draft State Aviation Strategy 2020 be noted. The Infrastructure Policy Team discussed the WALGA submission on 20 April and recommended that it be considered by State Council using Flying Agenda, State Council endorsed the Submission by Flying Minute. WALGA submitted the endorsed comments to the Department of Transport.

[WALGA Draft-State-Aviation-Strategy-2020-WALGA-submission](#)

6.2 Regional Aviation Policy Issues Paper (05-003-02-0004 SD)

Recommendation that the submission to the Australian Government Department of Infrastructure, Transport, Regional Development and Communications, in response to the Draft Regional Aviation Policy Issues Paper be noted. The Infrastructure Policy Team discussed the WALGA submission on 20 April and recommended that it be considered by State Council using Flying Agenda. Following State Council endorsement by Flying Minute, WALGA submitted the endorsed comments to the Department of Infrastructure, Transport, Regional Development and Communications.

[WALGA Submission Regional-Aviation-Issues-Paper-2020](#)

6.3 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

A document has been developed collating information and guidance on COVID-19 Waste Management Considerations

WALGA President's Report July 2020

The WALGA President's Report covered a number of key items including the significant effort in relation to the COVID-19. The report highlighted the Ministerial Order specifically relating to local government hardship policies, which saw 102 local government's respond rapidly and the development of a WALGA template.

WALGA, with feedback from members, was also able to estimate the amount of economic stimulus that could be facilitated through local governments.

The President expressed concern that the National Cabinet approach to decision making currently excluded ALGA representation, with WALGA working with ALGA on this issue.

Other matters in the President's report included changes to the Planning and Development Act, which is covered separately in this agenda item, the Performance Monitoring Report 2018-2019 which shows that the majority of Local Governments continue to meet statutory timeframes and the Ministerial Review of the State Industrial Relations System which recommends Local Government move from the Federal to the State system, which is opposed by WALGA.

CONSULTATION

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

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

Economy Goal – A sustainable and diverse economy:

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

MOTION:**(REPORT RECOMMENDATION)**

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Notes the State Council Agenda items;**
- 2. Supports the recommendations in the Matters for Decision; and**
- 3. Notes the WALGA President's Report July 2020.**

CARRIED UNANIMOUSLY 4/0

Attachments

1. WALGA STATE COUNCIL AGENDA 1 JULY 2020 (Under separate cover)
2. WALGA President's Report July 2020

President's Report

July 2020



COVID 19 Update

WALGA's response to COVID-19 on behalf of the sector has continued since the last round of Zone and State Council meetings. We have been working on multiple fronts to provide communications, support and advocacy on behalf of our members.

One of the more significant issues facing the sector over this period of time was the issue of penalty and instalment interest rates. The Minister for Local Government listened to the sector's concerns and implemented a Ministerial Order with the following key components:

- Penalty interest reduced from a maximum of 11% to 8%, which is in line with ATO penalty rates.
- Instalment interest to remain at 5.5% if a Local Government has a hardship policy, and to be a maximum of 3% if a Local Government does not have a hardship policy.
- For those that are in hardship and meet the Local Government hardship policy eligibility, then no penalty interest or instalment interest rate applies. Importantly, each Local Government decides on approving the application for hardship.

WALGA appreciated the response from the sector with 102 Local Governments responding in rapid time to our survey on the impacts of the proposal; the weight of responses was instrumental in the advocacy effort.

As per the requirement for a hardship policy, WALGA released a template Financial Hardship Policy to help Local Governments assess the unique circumstances and challenges that ratepayers might encounter as a consequence of the COVID-19 pandemic. To compliment the policy, WALGA also prepared a template Financial Hardship Policy Implementation Guide. This Guide will assist in the administration of a Local Governments Policy and lead to the establishment of a consistent approach to the assessment of financial hardship across the Local Government sector.

The template Financial Hardship Policy and template Financial Hardship Policy Implementation Guide are both available by contacting WALGA's governance staff.

A further piece of significant work being carried out, relates to initiatives to reboot local economies.

WALGA has recently undertaken a survey of member Local Governments to obtain information that has allowed us to:

- estimate the amount of economic stimulus that could be facilitated through the Local Government sector during the recovery phase of COVID-19, if additional support was provided from the State Government, and
- Quantify the collective financial support and stimulus that the WA Local Government sector has already committing to providing local communities.

These two points will form the basis of WALGA's advocacy to the State Government on rebooting local economies.

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A rebooting the economy advocacy document has been produced that demonstrates that Local Governments are providing in excess of \$512 million in financial relief and economic support for its communities. The proposal seeks State Government financial support to stimulate the economy by bringing forward shovel ready capital and maintenance projects with matched funding provided by Local Governments.

WALGA has provided the document to the Premier, Treasurer, Minister for Local Government, Minister for Regional Development, State Recovery Controller and Under Treasurer; seeking their support for the proposal.

Effective communication has been important during this period and we have continued to provide daily updates that summarise the key developments to ensure the sector is well briefed. In addition WALGA has continued to host the weekly webinars with Ministers and senior Agency representatives across a range of key State Government portfolios. These have proved popular together with the Showcase webinars where we have been showcasing the work of the sector, featuring presentations from Local Governments discussing innovative approaches to managing COVID and providing ongoing services to their communities.

I encourage you to look at the State Council agenda item on WALGA's COVID-19 response, that outlines all the activities and initiatives that directly support the sector in this time of need.

National Cabinet

The Federal Government have announced that they are replacing COAG with the National Cabinet. Local Government are not represented through ALGA on the national cabinet.

Local Government's role at National Cabinet was discussed at the ALGA Board meeting on Thursday 11 June 2020 where it was resolved that ALGA and State Associations will continue to advocate for a seat at the National Cabinet table.

There has been correspondence between ALGA and the Prime Minister and I have written to the Premier seeking the State Government's support for Local Government to be represented at the National Cabinet. WALGA worked with other State Associations on a joint media release highlighting the sector's concerns.

We will continue to work with ALGA on the broader advocacy strategy, noting any change would require the concurrence of all First Ministers.

Planning and Development Act Amendments Bill 2020

Last month the WA Planning Minister tabled the *Planning and Development Act Amendment Bill 2020* into the Lower House with minimal consultation with the sector.

Many Local Governments support planning reform. However, there is concern that not enough consideration has been given to the potential impact on residents and communities of wide ranging planning reforms currently before the WA Parliament. However an expedited process of reviewing the potentially unforeseen impacts of the legislation could be achieved within one month.

Rushing through such important legislation under the cover of COVID19, without the proper consideration by all affected parties, especially residents and the community, is not without risk. The unintended consequences on the community could be projects that are not required to give consideration to issues such as, traffic, heritage, or appropriate building heights to reduce overlooking and overshadowing of private property. It has already passed the Lower House, and will likely pass the Upper House, with some amendments that we are now seeking through the opposition and cross benches.

Performance Monitoring Report – 2018-19 edition

The third version of the Local Government Performance Monitoring Report on the planning and building functions of Local Government has been finalised. This year's data is from 26 Local Governments and

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shows that the majority of Local Governments continue to meet statutory timeframes for approvals and referrals.

Participants now equate to 77% of the states total population and 94% of all population growth between 2008 and 2018, and thus form a represented sample which is likely to be applicable to other Local Governments.

This has proved a valuable tool in providing empirical data to stakeholders when discussing the performance of the sector in WA and how they are meeting statutory timeframes in relation to planning approvals.

Rates Campaign

Following the unsuccessful request for the revaluations to be deferred, we have received many requests for WALGA to look at a coordinated campaign to explain to the community the rating process and where many Local Governments have resolved to freeze their total rate income, some ratepayers will have rate increases and some will have decreases.

We will be carrying an advertising campaign in the West Australian plus we have produced a video recording that will be used on our social media channels and for Local Governments to use on their websites. In addition we have also produced an information page that Local Governments can use to disseminate to your communities.

The link to the page for Council resources for the rates campaign is here; <https://walga.asn.au/About-Local-Government/Rates/Rates-Resources>

Ministerial Review of State IR System - Update

The State Government tabled a report into the review of the State Industrial Relations (IR) system in April 2019. The report recommends that Local Governments be regulated by the State IR system rather than the national IR system. To date there has been little acknowledgement of the amount of work, time, cost and resources involved in transitional from one IR system to another by the State Government. In WA, the Local Government sector consists of 139 Local Governments and nine Regional Councils. 88% of WA Local Governments operate in the federal jurisdiction and have done for well over two decades. WALGA has commenced political advocacy and contacted Federal and State Ministers advocating against the recommendation in late 2019.

WALGA is concerned to learn that despite the unprecedented challenges faced by the sector as a result of COVID-19, the State Government is progressing the policy recommendation by circulating a proposed *Industrial Relations Legislation Amendment Bill 2020* for comment. WALGA has sent letters to State and Federal parliamentarians advising of our concern, our opposition against the policy and where appropriate requested support in writing or by way of a meeting.

PRESIDENT'S CONTACTS

From the 7 May to 30 June 2020 period, contacts that have occurred or are scheduled to take place prior to the July State Council meeting are as follows:

State Government Relations

- Hon David Templeman MLA, Minister for Local Government; Heritage; Culture and the Arts (COVID-19 Briefings x3)
- Deputy Premier and Minister for Health the Hon Roger Cook MLA (COVID-19 Briefing webinar)
- State Emergency Coordinator, Police Commissioner Chris Dawson (COVID-19 Briefing webinar)
- Department of Health, Dr Michael Lindsay (COVID-19 Briefing webinar)
- Minister for Transport; Planning; Hon Rita Saffioti MLA x2 (incl 1 COVID-19 Briefing webinar)

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- Minister for Regional Development, Agriculture and Food; Ports the Hon Alannah MacTiernan MLC (COVID-19 Briefing webinar)
- Public Sector Commission, State Recovery Controller Sharyn O'Neill x2 (incl 1 COVID-19 Briefing webinar)
- Department of Primary Industries and Regional Development, Director General, Ralph Addis (COVID-19 Briefing webinar)
- Auditor General for Western Australia, Ms Caroline Spencer - (COVID-19 Briefing webinar)
- Shadow Minister for Planning; Government Accountability and Procurement; Public Sector Integrity and Performance; Veterans Issues, Hon Tjorn Sibma MLC
- Senator Dean Smith
- Regional Capitals Alliance Western Australia, Paul Rosair
- Recovery Roundtable – Local Government with Hon David Templeman MLA and Hon Fran Logan MLA
- Business News Interview for the Launch of The Business of Local Government Magazine 30 June
- Flashpoint Interview
Participated in filming for an edition of the Channel 7 TV current affairs show 'Flashpoint', focussed on the proposed changes to planning legislation and different approaches across government to cut red tape. I was joined on the panel by Minister for Planning; Transport, the Hon Rita Saffioti MLA, City of Swan Mayor Cr Kevin Bailey and West Australian Newspaper Chief Reporter Ben Harvey.
- State Recovery Advisory Group meeting

Zone Meetings

- Special State Council Meeting
- State Council Video conference – Rates Campaign
- South East Metropolitan Zone Meeting
- East Metropolitan Zone Meeting
- Goldfields Esperance Country Zone Meeting

Local Government Relations

- Weekly update via webinar 5x
- City of South Perth, CEO Geoff Glass and Mayor Greg Milner
- Radio interviews x3
- TV interview 1x
- ALGA Board and General Meeting video conference
- ALGA Board Forum video conference
- LGIS Board Meeting
- State Recovery Advisory Group Meeting
- LGIS Board Meeting video conference
- Joint Venture Management Committee meeting (WALGA/LGIS)
- Finance and Services Committee Meeting
- ALGA Board Forum
- CEO Performance Review Committee Meeting

Conferences, Workshops, Public Relations

- Regional Capitals Alliance Western Australia – video call presentation

Please take care and keep safe.

CONTACTS

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8.2 SPECIAL STATE COUNCIL MEETING 25 MAY 2020

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY: To provide an update on the WALGA position on the changes to the *Planning and Development Act 2005*.

BACKGROUNDPrevious Considerations

Nil.

COMMENT

WALGA State Council met on 25 May 2020 to discuss the proposed changes to the *Planning and Development Act 2005*, expressing concern at the truncated timelines and the potential unintended consequences of the significant changes that were proposed.

The changes to the Act were introduced on 20 May 2020 with the third reading on 28 May 2020, with the original recommendation to write to the Premier and Minister amended to be writing to Upper House members.

Notwithstanding the need for Planning Reform and recognising the proposed impacts the *Planning and Development Amendment Bill 2020* has on local planning, WALGA does not support the Bill in its current form and;

That WALGA;

- 1. Advocate to the State Government for extensive consultation on the proposed legislation, noting:

 - a) Without due consideration of the full impact of the proposed 26 amendments, there is the potential for unintended consequences due to the haste in the drafting of this Bill;**
 - b) The Bill provides unfettered powers to the WA Planning Commission, circumventing meaningful involvement of local communities in the planning process;****
- 2. Writes to the Premier and Minister for Local Government to raise the sector's concerns with the Government's actions in setting aside the State and Local Government Partnership Agreement for the fast tracking of proposed legislative reforms under the cover of COVID-19 recovery.**
- 3. Requests member Local Governments to inform the communities of possible impacts of the proposed legislation on local planning decisions.**

4. Write to all non-Government Upper House members to discuss the sectors concerns.

The amendments are yet to be considered by the Legislative Council. A summary of the changes has been prepared by WALGA and is provided below.

Proposed Changes	Explanation	Impact on Local Government
<p>Special Covid 19 Development Powers</p>	<p>A new pathway for 'significant developments' - interim 18-month measure. Significant development is defined as:</p> <p>"\$30 million or more, involving residential development of 100 or more dwellings, or commercial development with the total net lettable area of 20000m2 or more space."</p> <p>WAPC is approval authority – DPLH will assess - streamlined advertising, consultation and assessment processes.</p> <p>Ministerial call in power for 'any development', on recommendation from the Premier. These would not be restricted to the requirements of the significant definition.</p> <p>Under s.274 of Part 17, new WAPC powers includes setting aside the 'normal' planning rules that otherwise apply to a development application. These rules are replaced with new powers defined under s.275 as follows: - The WAPC is not bound by any legal instrument, which is to say any planning or non-planning law, rule or other requirement; - The Commission is not strictly bound by any planning consideration and may consider any other matter in the public interest; - While the Commission is not strictly bound by any planning or non-planning law, rule or other requirement, it must still give due regard to relevant considerations in making a</p>	<p>Special Covid-19 Development Powers</p> <p>A new pathway for 'significant developments' - interim 18-month measure. Significant development is defined as:</p> <p>"\$30 million or more, involving residential development of 100 or more dwellings, or commercial development with the total net lettable area of 20 000 m2 or more space."</p> <p>WAPC is approval authority – DPLH will assess - streamlined advertising, consultation and assessment processes.</p> <p>Ministerial call in power for 'any development', on recommendation from the Premier. These would not be restricted to the requirements of the significant definition.</p> <p>Under s.274 of Part 17, new WAPC powers includes setting aside the 'normal' planning rules that otherwise apply to a development application. These rules are replaced with new powers defined under s.275 as follows: - The WAPC is not bound by any legal instrument, which is to say any planning or non-planning law, rule or other requirement; - The Commission is not strictly bound by any planning consideration and may consider any other matter in the public interest; - While the Commission is not strictly bound by any planning or non-planning law, rule or other requirement, it must still give due regard to relevant considerations in making a determination.</p> <p>This power may become permanent following the initial interim period. WAPC is not bound by the local planning framework</p>

	<p>determination.</p> <p>This power may become permanent following the initial interim period.</p>	<p>Local Planning Scheme will be a due regard consideration. Therefore it may be disregarded when a decision is made.</p> <p>WAPC can consider matters besides planning considerations.</p> <p>WAPC must consult with the Local Government when making a decision and give due regard to their submission.</p> <p>WAPC can consider matters besides planning considerations. It could also lead to rezoning by stealth. For example, in a zone where a land use is prohibited under the Scheme, there appears no limitation to now allowing such development if it is deemed significant development, or development of State / Regional significance (referred by the Premier).</p> <p>There is no requirement that mandates community consultation of a proposal where a Local Planning Scheme requires it.</p> <p>This reform was not raised in previous reviews of the Planning and Development Act or the recent planning reform agenda. DAPs Creation of 'special matter DAP'.</p> <p>Based on technical specialties as opposed to geography. "To provide more refined technical expertise and more narrowly focused in order to better deal with some of the State's most important but challenging planning matters."</p> <p>Other DAPs will remain in place, though they will be renamed 'district DAP'. Detail will come with changes to the DAP Regulations, however it has not been clearly stated that a Local Government Elected Member will sit on the special mater DAPs. Only that a representative of the 'local government sector' will participate.</p> <p>WALGA's current position is opposed to</p>
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		the existence of DAPs.
Public Works	<p>Expand the definition of public works by reference to region and local planning schemes.</p> <p>Allows for proposals by 'public authorities' to now be considered as public works</p> <p>Changes to the level of regard the WAPC must have to a local planning scheme when making a decision on an exempt public works</p>	<p>An expansion of public works exemptions would allow a greater range of State Government agencies and government trading enterprises to be exempt from development approval under a local planning scheme.</p> <p>Public Works approvals are assessed by the DPLH and approved by WAPC.</p> <p>These have to give due regard to the local planning scheme, which is an increase from the existing level of regard they must give.</p> <p>This expansion of works that could be classified as public works was included in previous reviews of the Planning and Development Act.</p> <p>WALGA supported these proposals, subject to being involved in the drafting of the provisions.</p>
Planning Schemes & Amendments	<p>Clarify the Minister's power to direct local governments for failing to have a satisfactory scheme or amendment.</p> <p>Clarify the Minister's power for consent to advertise new schemes or amendments. This power can be delegated.</p>	<p>Clarify the Minister's powers where a local government resolved to prepare the amendment, but failed to proceed to advertise the amendment in accordance. This occurrence is rare and is unlikely to cause any significant issues across the sector.</p> <p>Provides the Minister with a power to require consent before a Local Government advertises a scheme amendment. This may create additional regulatory tasks for a Local Government and will also delay the process by requiring a Local Government to await consent where they currently do not.</p> <p>This was included in previous reviews of the Planning and Development.</p> <p>WALGA did not support the requirement for a Local Government to seek consent from the Minister to advertise a scheme amendment.</p>
EPA referral	<p>Introduction of s.48AAA into the new EP Act, and permits regulations to be made prescribing classes of planning schemes that may not require referral to the EPA.</p>	<p>Will remove the requirement for Local Governments to refer some scheme amendments to the EPA prior to advertising.</p> <p>This would reduce regulatory burden on Local Governments and speed up the</p>

	<p>Currently all scheme amendments must be referred to the EPA to determine if an assessment is required or not.</p>	<p>assessment of scheme amendments that are unlikely to have a detrimental impact on the environment.</p> <p>WALGA in its recent submission to the review of the EP Act made recommendations similar to this proposed change.</p> <p>This matter was referred to in previous Planning and Development Act.</p> <p>WALGA supported the proposition that some scheme amendments could avoid the need for EPA referral.</p>
<p>State Planning Policies & planning code (new instrument)</p>	<p>Introduce a new requirement for all planning related decision-makers to have due regard to the State policy framework in decision-making.</p> <p>Introduce the concept of a 'planning code' to remove current legal ambiguity where a State Planning Policy is 'read into' a Local Planning Scheme. Will in effect create a new type of policy that will in effect govern prescriptive and mandatory policies.</p>	<p>The LPS Regulations already make it a requirement for Local Government to have due regard to State Planning Policies – these changes have been proposed to ensure state agencies and the WAPC must have due regard when making decisions. This proposal was not included in previous reviews of the Planning and Development Act or the planning reform agenda.</p> <p>The ramifications of this on Local Government decision making are still unclear, but they are likely to afford greater reliance on the provisions of planning codes when making a decision than currently afforded. A transitional provision of the Bill will establish the R Codes as a planning code immediately.</p> <p>The establishment of 'planning codes' was included in previous reviews of the Planning and Development Act.</p> <p>WALGA did not support the proposition at that time, noting that further discussion with the Local Government sector was required around the role of State Planning Polices.</p>
<p>Cash-in-lieu</p>	<p>The first proposed amendment will allow the WAPC to request cash-in-lieu without first having to request the land be given up.</p> <p>Reformulate the use of the trust account.</p> <p>Currently cash-in-lieu funds are</p>	<p>Will likely reduce the administrative burden where there is agreement that a cash-in-lieu contribution is supported. This may make it easier to impose cash-in-lieu contributions on smaller strata subdivisions.</p> <p>With regards to trust account, it provides clarity as to how cash-in-lieu</p>

	<p>received under s.153 need to go into a trust account rather than a special reserve account as is required for developer contributions under State Planning Policy SPP 3.6 Development Contributions for Infrastructure (SPP 3.6).</p>	<p>for POS monies are to be managed. Many Local Governments have requested this change.</p> <p>These matter was referred to in previous reviews of the Planning and Development Act.</p> <p>WALGA supported these proposals</p>
<p>Acquisition of land</p>	<p>This clause amends s.190, and clarifies the capacity of a responsible authority (i.e. the Commission in relation to a region planning scheme and local government in relation to a local planning scheme) to acquire or purchase zoned land to avoid sterilisation of development potential.</p>	<p>Under the current application of s.190, it appears a responsible authority is not entitled to purchase the unreserved portion of a lot that is otherwise reserved, as this unreserved portion of land could not acquire 'for the purpose of a planning scheme'. This can result in unfavourable outcomes, including remaining unreserved portions of land becoming sterilised.</p> <p>This new section would afford Local Government additional powers to acquire land that is not reserved when acquiring land that is reserved.</p> <p>This matter was referred to in previous reviews of the Planning and Development Act.</p> <p>WALGA supported these proposals on the proviso that these powers be applied to Local Government as well.</p>
<p>Community Infrastructure – Development Contribution Plans</p>	<p>Clarify community infrastructure is a type of infrastructure contemplated for the purposes of clause 5, and then further detail what is further expected as community infrastructure.</p> <p>Defines Community Infrastructure as including community centres, libraries, schools and other educational facilities, child care centres (including outside school hours care services) and sporting facilities.</p>	<p>There may be an impact on Local Governments that are currently operating community infrastructure contribution schemes. Unclear what would occur where they were collecting on an item that doesn't conform to the new definition.</p> <p>This definition is limited but the categories provided in the Bill are consistent with those provided in the Draft SPP 3.6 Infrastructure Contributions. The definition in the Bill is not inconsistent with WALGA's recommendations on the Draft SPP 3.6.</p> <p>This matter was not referred to in previous reviews of the Planning and Development Act or the Planning Reform Agenda.</p>
<p>Ministers Powers over</p>	<p>The proposed provisions aim to address the following particular</p>	<p>Clarifies that a LG must comply with all regulations made under the Act as</p>

<p>LG</p>	<p>areas of reform:</p> <p>Clarifies that an obligation imposed on a local government to comply with duties under regulations includes all regulations made under the PD Act.</p> <p>Expand the oversight of the Minister's use of such powers, by requiring any such notice be laid before Parliament and subject to Parliament's scrutiny</p>	<p>opposed to only regulations made under one section.</p> <p>The Minister will now be required to table the notice before Parliament when making one. This is a transparency matter.</p> <p>This matter was referred to in previous Planning and Development Act.</p> <p>WALGA supported this proposal on the proviso that the Minister's powers not be amended.</p>
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CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995
Planning and Development Act 2005
Environment Protection Act 1986

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.

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

Liveable towns supporting regional communities

High standard of infrastructure planning

VOTING REQUIREMENTS

Simple Majority

MOTION:
(REPORT RECOMMENDATION)

Moved: G Haerewa

Seconded: M Edwards

That the Kimberley Regional Group:

- 1. Notes the WALGA recommendation; and**
- 2. Encourages members to inform their communities of the possible impacts of the proposed legislation on local planning decisions.**

CARRIED UNANIMOUSLY 4/0

Attachments

1. MINUTES OF THE SPECIAL STATE COUNCIL MEETING 25 MAY 2020 (Under separate cover)
2. EXPLANATORY MEMORANDUM (Under separate cover)

9. REPORTS FROM KIMBERLEY REGIONAL GROUP

9.1 MEETING DATES 2020

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To provide an update on meeting dates for the Joint Kimberley Regional Group and Kimberley Zone meetings in 2020 which have been impacted by the COVID-19 pandemic and seeks support for a recommendation to change face to face meeting dates.

BACKGROUND

Previous Considerations

Nil.

COMMENT

The meeting dates for 2020 were set in December 2019 and included face-to-face meetings in Halls Creek on 21 April 2020 and a meeting in Perth to be held on 3 and 4 of August 2020 in conjunction with the WALGA Convention and Annual General Meeting (AGM).

The WALGA Regional State Council meeting was also scheduled to be held in Broome on 3 and 4 September 2020, with many Zone members likely to attend. The Kimberley Regional Group/ Kimberley Zone Joint September meeting is scheduled to be held via teleconference the week prior to the State Council regional meeting to enable consideration of State Council agenda items for decision.

Due to COVID-19 Shire border closures, the scheduled April meeting in Halls Creek was changed to a video conference, with the in-person meeting in Halls Creek to be deferred to a later date. Members had expressed a desire to have Community Development staff attend and observe Halls Creeks youth diversionary programs.

Confirmation has been received that the WALGA AGM scheduled for 3 and 4 August 2020 has been cancelled and the event rescheduled to 25 September 2020. The September WALGA Regional State Council meeting has also been cancelled and the AGM will now be held in Perth on 2 September 2020.

All Shires have expressed the view that the Halls Creek meeting is a priority, including a session for Community Development Officers on youth engagement programs.

It is recommended that the Halls Creek face to face meeting be moved to 4 August 2020 with the observation of the Youth Engagement Program occurring on the evening of 3 August 2020.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Recognition of Kimberley Local Government issues and opportunities

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

VOTING REQUIREMENTS

Simple Majority

MOTION:

(REPORT RECOMMENDATION)

Moved: G Haerewa

Seconded: D Menzel

That the Kimberley Regional Group:

- 1. Endorses a face to face meeting in Halls Creek on 4 August 2020; and***
- 2. Requests the Chief Executive Officer of the Shire of Halls Creek to make arrangements to facilitate the observation of Youth Engagement Programs in place at the Shire on the evening of 3 August 2020.***

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

9.2 ALCOHOL MANAGEMENT REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To provide members with an update on Alcohol Management in the Kimberley.

BACKGROUNDPrevious Considerations

Nil.

COMMENT

COVID-19 has impacted on the progress of alcohol management initiatives including:

- Restrictions on hotels and restaurants which made takeaway alcohol the only source of alcohol, noting that some restaurants had takeaway meals with the option of a bottle of wine or six pack of beer/cider.
- Increased disposable income for some welfare recipients.
- Implementation of state-wide alcohol restrictions limiting take away sales to 3 x bottle of wine, or 1 bottle of spirits, or one carton beer/cider or any combination of two of those options.
- Withdrawal of state-wide restrictions in the Kimberley then, at the request of the Kimberley Regional Group, the reintroduction of the alcohol restrictions listed above in the Kimberley.
- Application of temporary restrictions further limiting alcohol sales, at the request of the Police at various times due to ongoing social issues and violence.

Some licensees in the West Kimberley expressed concern in relation to the proposed timing of voluntary restrictions given the effect of the COVID-19

restrictions on business viability and the prospect of a highly constrained tourism season due to the ongoing state and national border closures.

Progress had been made on obtaining the infrastructure required for the voluntary restrictions including commencement and consideration processes associated with the procurement of the:

- takeaway alcohol management system machines;
- the independent report into the outcomes of the trial restrictions; and
- communications infrastructure including posters and website.

No contracts were awarded through the procurement processes, however it highlighted a significant risk given the voluntary nature of the agreement and the ability for a licensee to at anytime withdraw, leaving the Shires with an expense and no outcome.

Discussions are continuing through the Broome and Derby Liquor Accords, and there is a need for further information before a decision can be made by the Kimberley Regional Group/Kimberley Zone in relation to the allocated funds and the position on Voluntary Restrictions moving forward.

Prior to the COVID-19 pandemic the Police Commissioner had submitted a Section 64 application to limit alcohol sales to “light” only, meaning no spirits or fortified wines could be sold through takeaway outlets and a very limited range of wine, beer and ciders would be available.

The assessment of this application is anticipated to take up to three years. The Shires have been opposed to the severe restrictions proposed by the Commissioner.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Recognition of Kimberley Local Government issues and opportunities

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

Better alcohol management across the Kimberley.

VOTING REQUIREMENTS

Simple Majority

MOTION:

(REPORT RECOMMENDATION)

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group notes the update on Alcohol Management.

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

9.3 AUSTRALIA'S FIRST CONTRACT AIRMAIL SERVICE CENTENARY

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY: To provide information on the centenary of the first contracted mail run in Australia, which operated from Geraldton to Derby from December 1921.

COMMENT

2021 marks the centenary of the first official flight for a weekly contracted mail run which flew from Geraldton to Derby via Carnarvon, Onslow, Roebourne, Port Hedland and Broome. The service was later extended to Wyndham.

The Office of Jossie Farrer MLA sent through a request for the consideration of the Zone to support a re-enactment of the flight to commemorate the anniversary, noting that the original flight path crossed a number of local governments.

Sir Charles Kingsford Smith was one of the pilots and Michael Durack (Member for Kimberley from 1917-1924) provided a hangar at his house in Adelaide Terrace and used the Esplanade as a runway. Mr Durack was also the fledgling airlines first passenger.

The inaugural flight took place on 5 December 1921 however it is suggested that any active commemoration is scheduled to coincide with the awarding of the contract on 2 August 1921 due to the potential of wet season interference.

Attached are notes and a map provided by Doug Fong who is a keen supporter of this project however, due to his age, is not in a position to lead the promotion and organisation of the event.

Note: the first mail run in Australia was a "one off" between Melbourne and Sydney undertaken by a visiting stunt pilot in 1914 and covered 584km but was not carrying "general mail" rather promotional post cards and official letters between state governors and French consuls.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

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

VOTING REQUIREMENTS

Simple Majority

MOTION:**(REPORT RECOMMENDATION)**

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Supports the promotion of the centenary of the first contracted airmail service in Australia by writing to all key stakeholders to increase awareness of the milestone including:
 - (a) Local Governments and associated WALGA Zone groups on the route;**
 - (b) Australia Post;**
 - (c) Key Ministers;**
 - (d) Aviation organisations.****
- 2. Support the Kimberley Regional Group / Kimberley Zone having involvement in the event but not undertaking a coordination role for this event.**

CARRIED UNANIMOUSLY 4/0

Attachments

1. West Australian Airways

WEST AUSTRALIAN AIRWAYS 1921-1936 Australia's first airline

A pictorial history compiled by Geoff Goodall

Photographs from the compiler's collection, some taken by WAA ground engineer Frank Colquhoun.
The majority are from personal photo album of WAA founder Sir Norman Brearley

PART ONE - THE NORTH-WEST SERVICE



*WAA pilot Charles Kingsford Smith about to depart Wallal Station in Bristol Tourer G-AUDF in September 1922 .
A hardy passenger climbs into the two-seat cabin behind the cockpit.*



*Kingsford Smith departs Wallal Station, a regular stop on the North West service to Derby
Both heading photographs taken by Ernest Brandon-Cremer in September 1922, courtesy Lee Brandon-Cremer*

Founded in August 1921 as **Western Australian Airways Ltd**, this pioneering air service was created and managed by West Australian businessman and aviator Major Norman Brearley. The fledgling airline's first route was to connect Perth with Derby, 1,500 miles north with stops at all main West Australian coastal towns. Such an air service was not viable without a Federal Government subsidy, which stipulated that the southern terminus must be Geraldton WA, to protect the Government owned railway. Passengers, mail bags and air freight would travel by train between Perth and Geraldton, with

WAA flying between Geraldton and Derby.

A fatality on the inaugural northbound service from Geraldton on 5 December 1921 was a tragic start. Undaunted, Brearley got the service running to schedule over the long distances of deserted inhospitable terrain. During the 1920s WAA maintained the coastal service with increased schedules and better aircraft. In 1926 the company name was changed to **West Australian Airways Ltd** and in 1929 a dramatic expansion came with the introduction of the first Transcontinental air service between Adelaide and Perth. WAA proved it was a world leader by boldly importing four new DH.66 Hercules, then the largest aircraft seen in Australia.

WAA survived poor loadings during the Great Depression period, but continued scheduled services on the North-West coastal service as well as Perth-Adelaide. The company suffered a mortal blow in 1934 when the Federal Government allocation of Empire Air Mail connecting services took the North-West subsidy from WAA in favour of a small Adelaide company MacRobertson Miller Aviation Co.

West Australian Airways struggled on for two years on the barely profitable Transcontinental Service between Perth and Adelaide until Managing Director Norman Brearley and the Board agreed to sell out to Adelaide Airways in 1936. Later that year Adelaide Airways was absorbed by the formation of Australian National Airways Pty Ltd (ANA), which grew to become Australia's major domestic airline.

The Joyriding Period 1919-1920

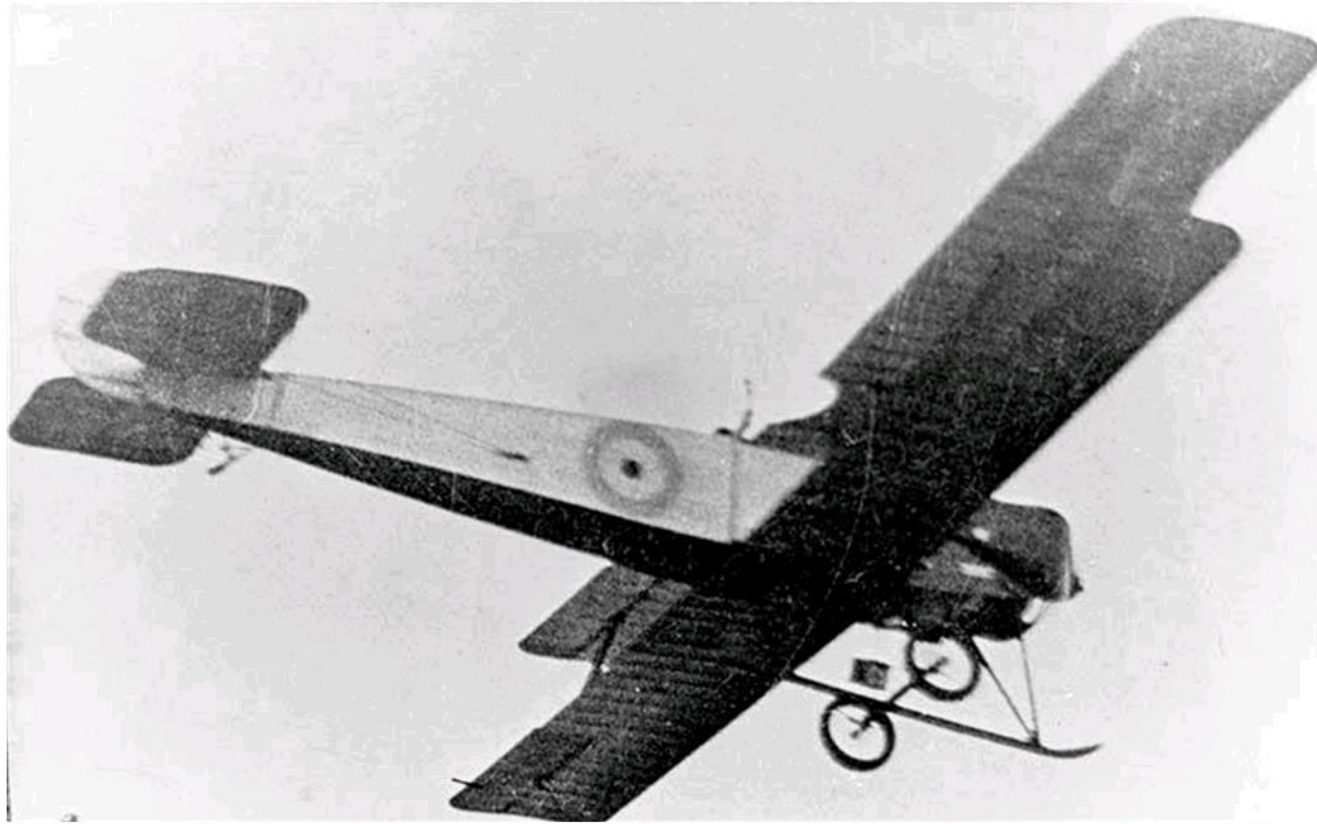
At the outbreak of World War One, a young air-minded Norman Brearley worked his passage by ship from Perth to Britain, where he enlisted in the Royal Flying Corps as a pilot. His DH.2 was shot down in France 9 November 1916, Norman receiving serious injuries which ruled him unfit for further active service. He continued as a flying instructor, promoted to commander of instructor training at Gosport.

After the Armistic, Major Norman Brearley, DSO, MC, AFC purchased two Avro 504Ks from the Aircraft Disposals Board. He had them modified to Avro 504J standard by his own groundstaff at RAF Station Lilbourne, prior to having them shipped to Australia.

Back at home in Perth, Brearley used the two Avros for extensive joyriding in Western Australia, to raise funds for the airline he was determined to establish.



*Major Norman Brearley's two Avro 504Js were shipped to Fremantle on board the Port Napier, arriving in July 1919.
Here they are being assembled at the Belmont Racecourse in Perth at the end of that month.
Both were powered by 100hp Gnome Monosoupapes rotary engines*



Brearley flying one of the Avros. Their previous RAF serials were painted over and their identities have never been traced



The Avros flew joyriding tours across Western Australia. Brearley is in his flying gear at a property near Carnarvon with an Afghan camel team, at that time widely used to carry supplies overland



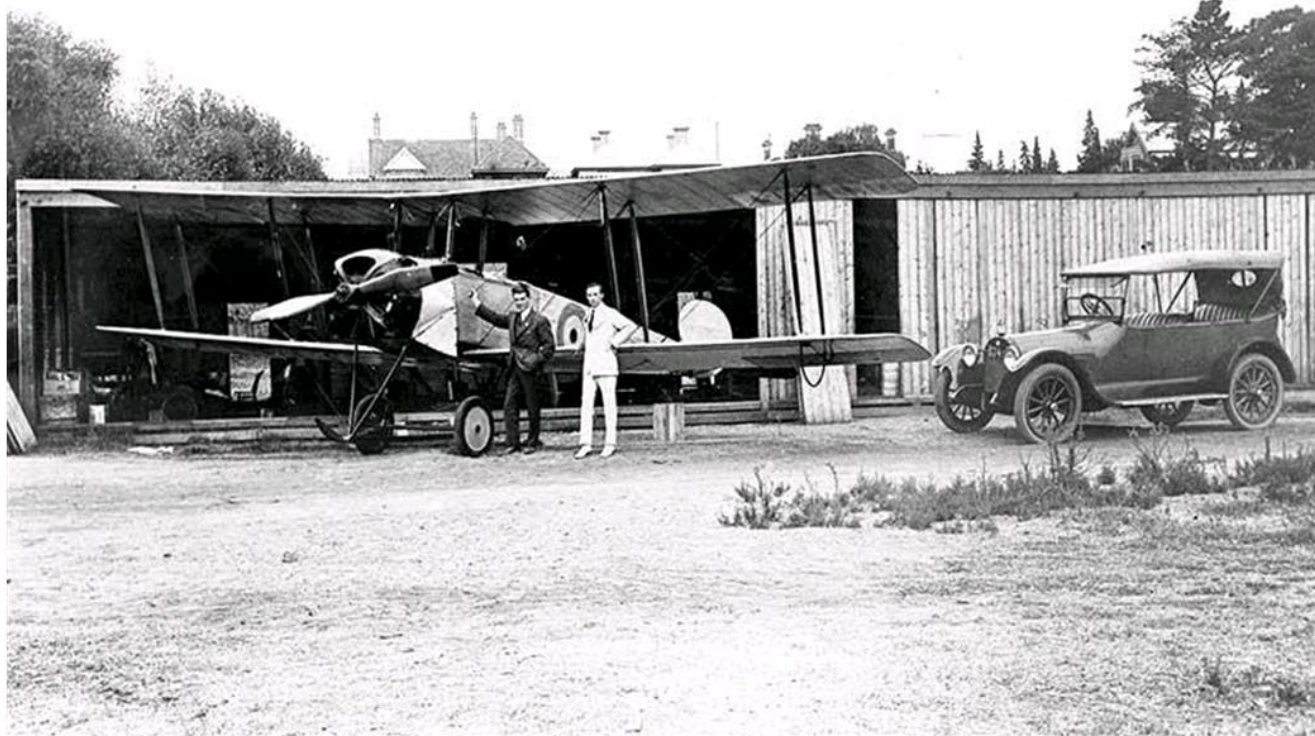
Brearley's 16 months of barnstorming tours proved very profitable. Most people had never seen an aeroplane at that time



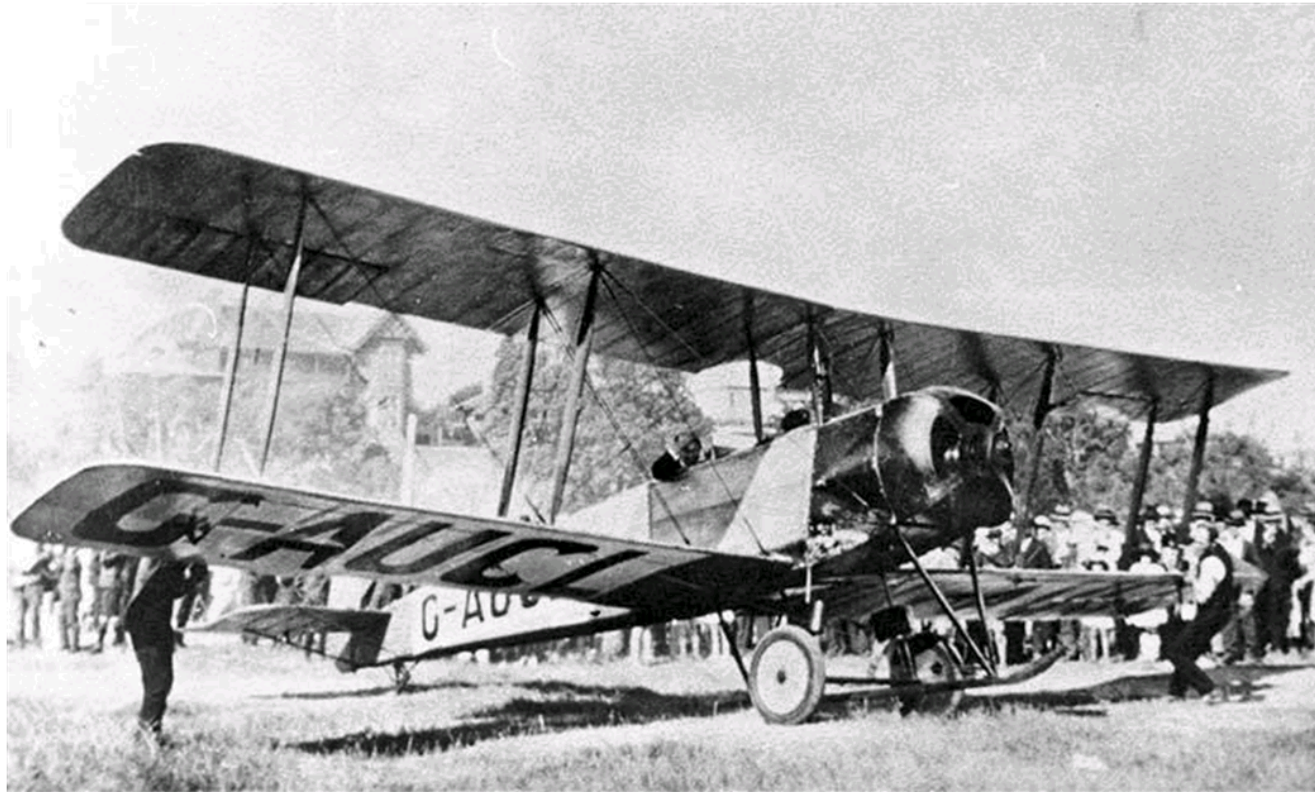
*Joyriding scene with the farm dog taking advantage of the shade under the Avro.
Note the stitching in the fuselage fabric*



One of the Avro 504Js at Kalgoorlie Racecourse during a joyriding tour to the Goldfields



Brearley (in the white suit) established Perth's first airfield, on The Esplanade between Government House and the Swan River. A larger hangar was later constructed on the site to house six Bristol Tourers



The surviving Avro 504J became G-AUCL when the Australian Civil Aircraft Register was created in June 1921. Here before an admiring crowd at the Perth Esplanade, with Government House in the background

Western Australian Airways begins - The Bristol Tourer era

Brearley had submitted detailed proposals for a scheduled mail and passenger air service from Perth to the North of the State, (referred to as the Nor'West in the parlance of the day) stopping at towns along the mostly coastal route. In May 1921 the Federal Government called for tenders for a air service from Geraldton to Derby, over a route of 1,260 miles in each direction. Brearley's tender, based on 6 new Bristol Tourers, was accepted, requiring an initial annual subsidy of £25,000 for one return trip per week. The southern terminus of Geraldton rather than Perth was to avoid competition with the

railways.

Brearley immediately formed **Western Australian Airways Ltd** and a prospectus was issued. He placed orders for 6 new Bristol Tourers plus a spare fuselage, which were basically WWI Bristol F2B Fighters modified for two passengers in a small cabin with coupe top, pilot in open cockpit, and storage compartments for mail and baggage. The engine was a 240hp Siddeley Puma.

The Government sent a RAAF survey party to select airfield sites along the route to Derby, and Brearley went to RAAF Point Cook in Victoria to select prospective pilots from those answering newspaper advertisements.

The Bristol Tourers arrived from the Bristol factory on board a cargo ship at Fremantle on 20 November 1921. They were assembled at the Perth Esplanade aerodrome and test flown, in preparation for the inaugural service of Australia's first airline on 5 December 1921. The Bristols were:

Bristol 28 Coupe Tourers		240 h.p. Siddeley Puma
Reg	c/n	
G-AUDF	6108	ex G-EAXK Bristol Aeroplane Co, CofA 21.6.21 Destroyed 27.1.25 by engine-start fire Onslow WA, mail saved
G-AUDG	6111	Sold .28 to Wilson Air Service, Sydney
	6113	spare fuselage: see UDX
G-AUDH	6115	Crashed 15.7.24 Port Hedland WA. Used in rebuild of G-AUDZ
G-AUDI	6116	Crashed 5.12.21 Murchison River WA
G-AUDJ	6118	sold 1.27 to Charles Kingsford-Smith & Keith Anderson, Sydney
G-AUDK	6119	sold 1.27 to Charles Kingsford-Smith & Keith Anderson, Sydney
G-AUDX	6113	Spare fuselage assembled 3.23 at the Esplanade as G-AUDX. Sold .27 to F.T.O'Dea, Sydney
G-AUDZ	6115	Assembled Maylands 11.24, based on wreck of G-AUDH Sold .29 to F.T.O'Dea, Sydney



Newly-assembled Bristol Tourers at the large WAA hangar on Perth Esplanade in November 1921. Frank Walters collection



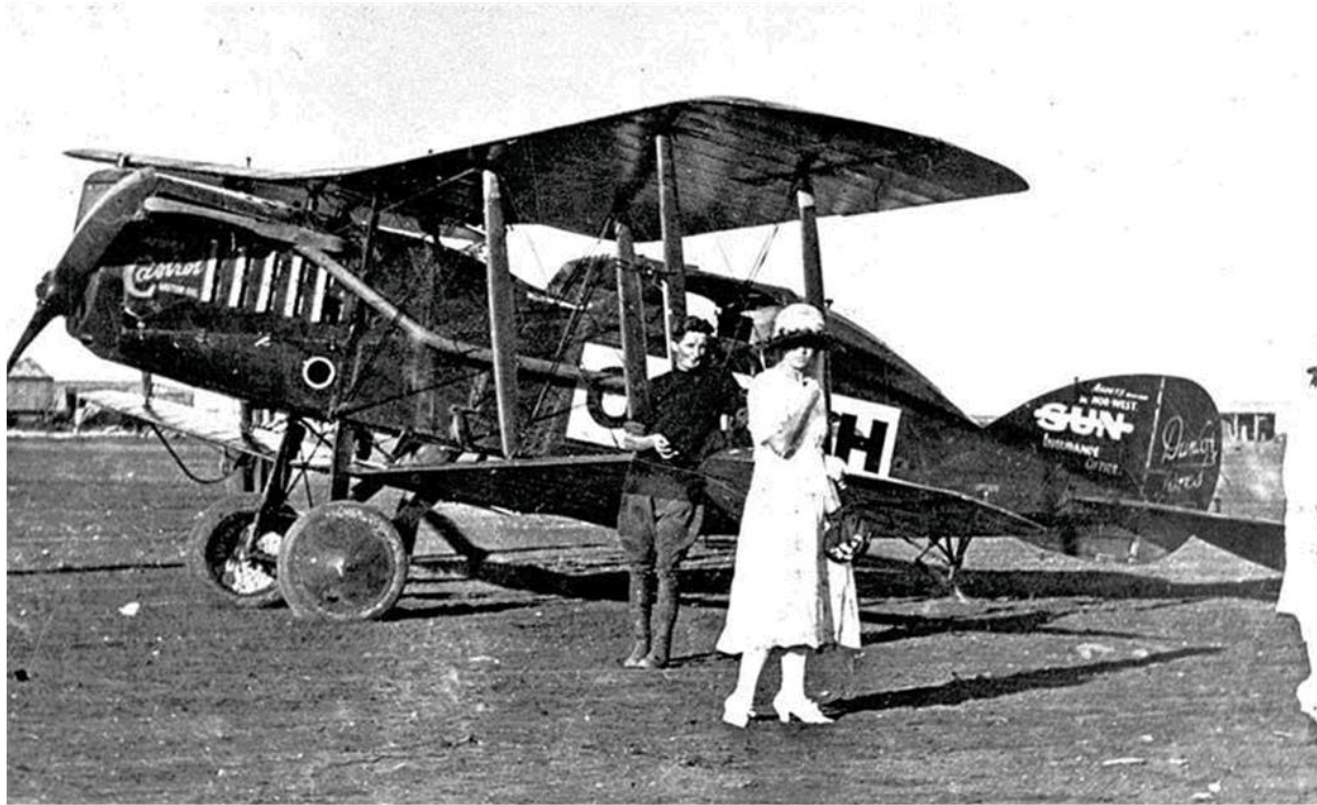
Perth Esplanade 4 December 1921. Norman Brearley (centre in flying gear) about to depart for Geraldton to commence the inaugural North-West air service the following day. The first WAA pilots and mechanics are assembled, including Bob Fawcett second from left and Charles Kingsford Smith second from right. The gentleman with coat over his arm was the airline's first passenger, Mr. M. P. Durack



Tragedy on the first day. G-AUDI crashed at Murchison River, killing pilot Bob Fawcett and mechanic Edward Broad. They had been circling G-AUDG in which Len Taplin had made a forced landing without any damage



In WAA service, the Bristols gained advertising on the tailplane



A dashing WAA pilot admires a lady passenger at Onslow. UDH's tail now has advertising for Sun Insurance and Dunlop Tyres.

Photo: The Collection

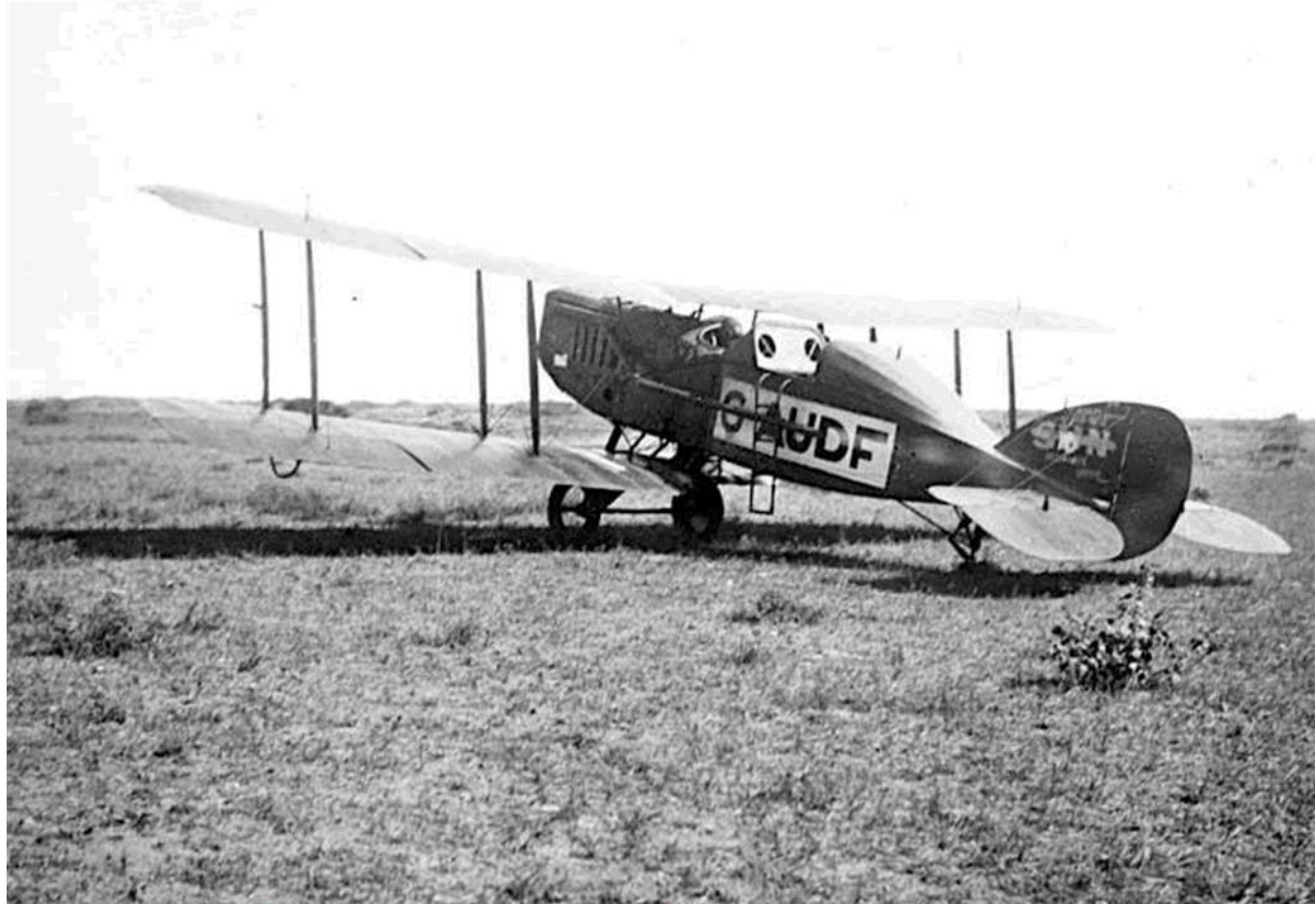


*The metal box attached under the fuselage carried supplies and tools. It was referred to by WAA staff as the "Gubbins Box".
Photo: The Collection*

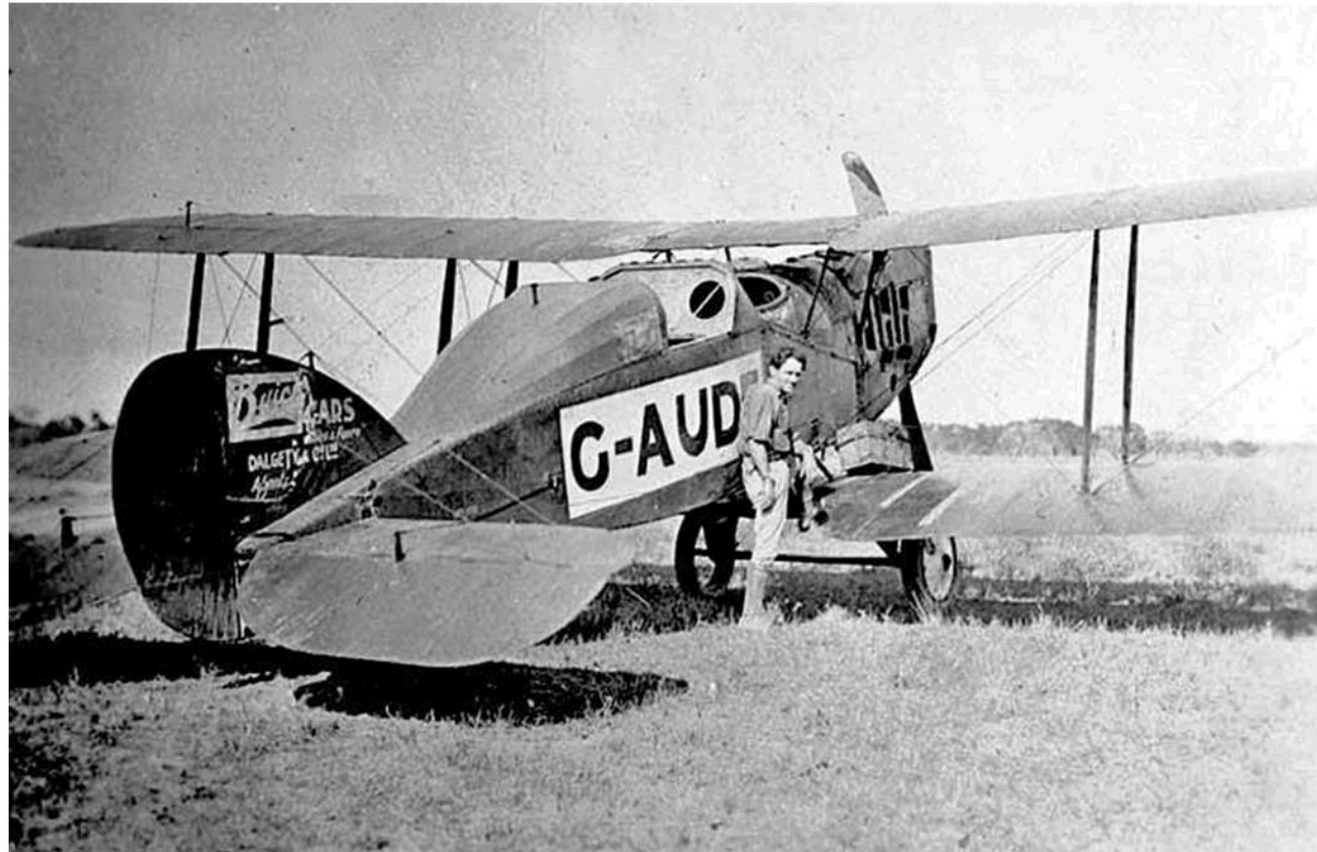
Remote "Walla" Station, between Port Hedland and Broome was the scene of great scientific activity in September 1922. It was chosen as the Australian location best suited for a scientific recording of a rare solar eclipse. Five international groups of scientists headed for Walla, giving WAA valuable charter work carrying the personnel, provisions, large telescopes and delicate measuring equipment. Most of these flights were carried out by Norman Brearley and Charles Kingsford Smith, in addition to maintaining the northern section of the regular air service to Derby. After the eclipse, photographs taken at Walla were flown by WAA to Perth for developing and printing. Norman Brearley later wrote *"After the scientific equipment had been dismantled, its despatch back to Perth was another big job for Airways. The surplus stores and food left at Walla enabled the station folk to live high for some time. For weeks after, whenever a pilot was late*

arriving at Port Hedland he always claimed he was "delayed at Wallal".

The following three photographs were taken by Ernest Brendon-Cremer, senior photographer for the Australian scientific party at Wallal for the eclipse, courtesy his grandson Lee Brendon-Cremer. Ernest's recollection was that Brearly and Kingsford Smith were the two pilots who flew into Wallal Station and also made mail drops to the scientific groups camped on the property.



Bristol G-AUDF at Wallal Station, showing the Sun Insurance advertising on left side of tailplane



Other side of G-AUDF at Wallal, showing advertising for Buick Cars on the right side



Two greats of Australian aviation: WAA pilot Charles Kingsford Smith (left) and Norman Brearley at Wallal September 1922

More pictures form the Bristol Tourer era:



The wreck of G-AUDH on 15 July 1924, after pilot Len Taplin crashed in Port Hedland creek. The flight was a charter by Mundabullunga Station owner Keith Mackay who drowned in the wreckage. Taplin and his engineer received minor injuries.

*The aircraft remains were shipped to Perth to be used in a major rebuild which was given a new registration G-AUDZ.
Photo courtesy Lindsay Nothrop collection*



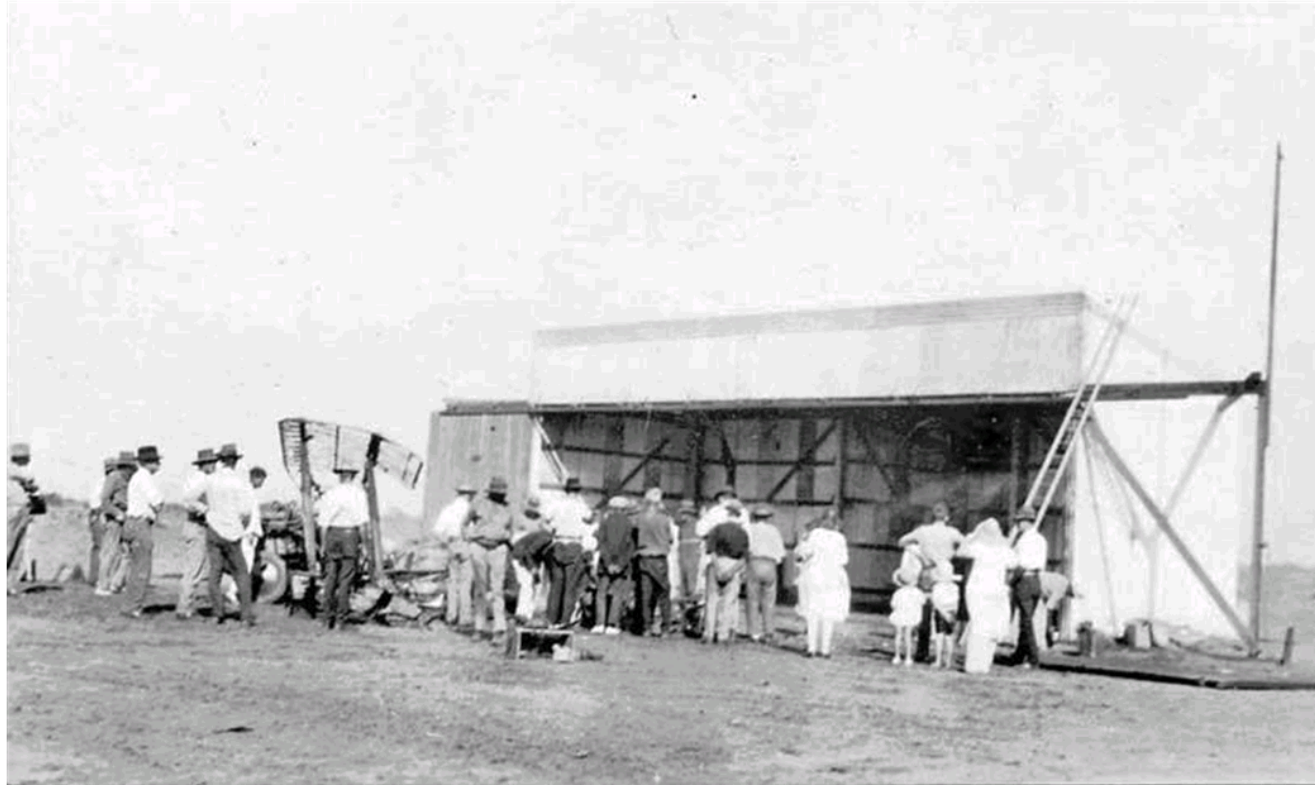
*G-AUDZ in November 1924 while under construction by WAA ground staff at Maylands, based on the wreck of G-AUDH.
L-R: Dave Colquhoun, Gordon Iles, Frank Colquhoun, Frank Poulton, Jack Hopkins, Jack Hammond, Bill Bland*



G-AUDZ on completion at Maylands with the WAA-designed horn-balanced rudder which was fitted to all the Bristols



*G-AUDF being dismantled after an accident at Koordarrie Station 50 miles south of Onslow WA.
Photo by Joseph McGrath, owner of Koordarrie, via Roland Jahne collection*



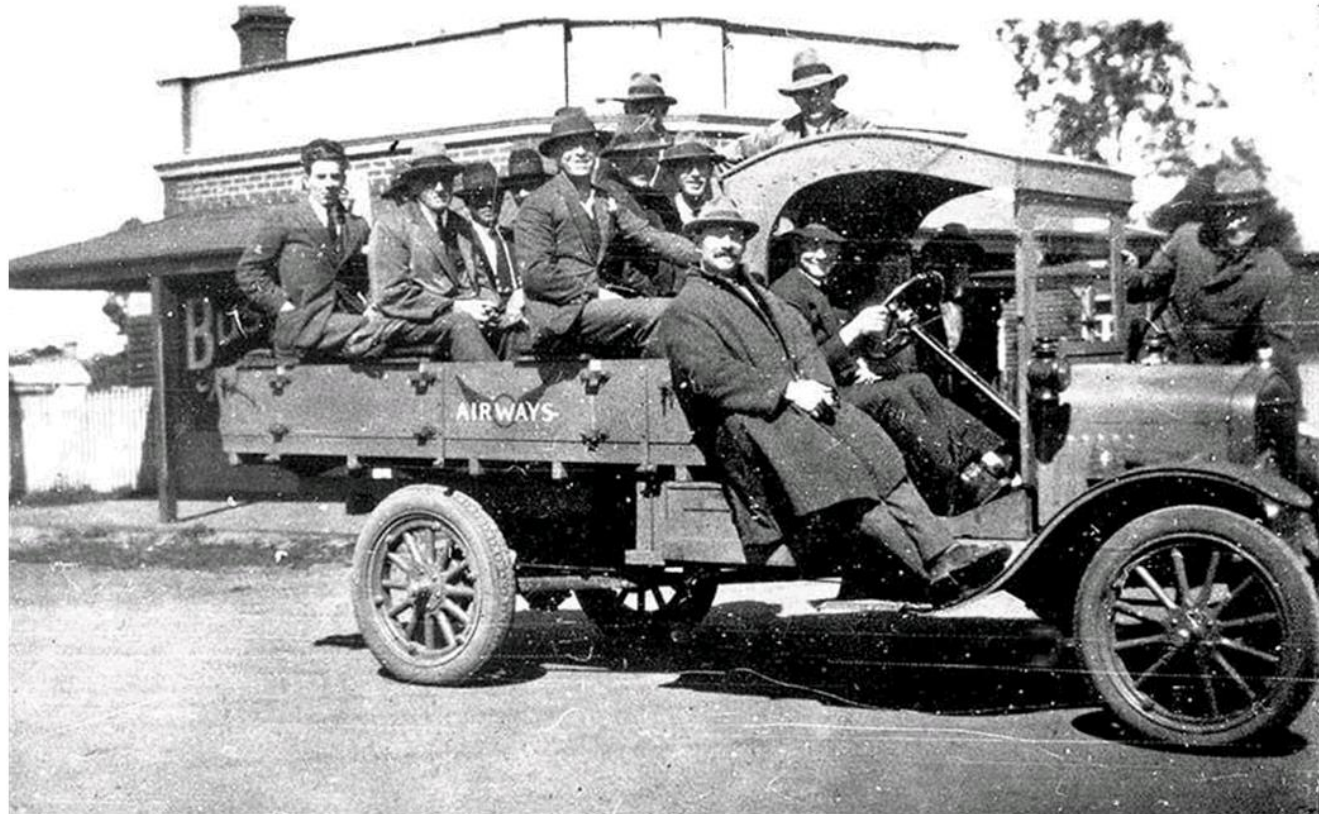
Locals inspect the remains of G-AUDF at Onslow Aerodrome after it was destroyed by fire on 27 January 1925. The engine back-fired during start-up, igniting the fabric. The pilot removed all mail sacks and dragged them clear. The loss was covered by WAA's insurance. Photo by Joseph McGrath via Roland Jahne collection



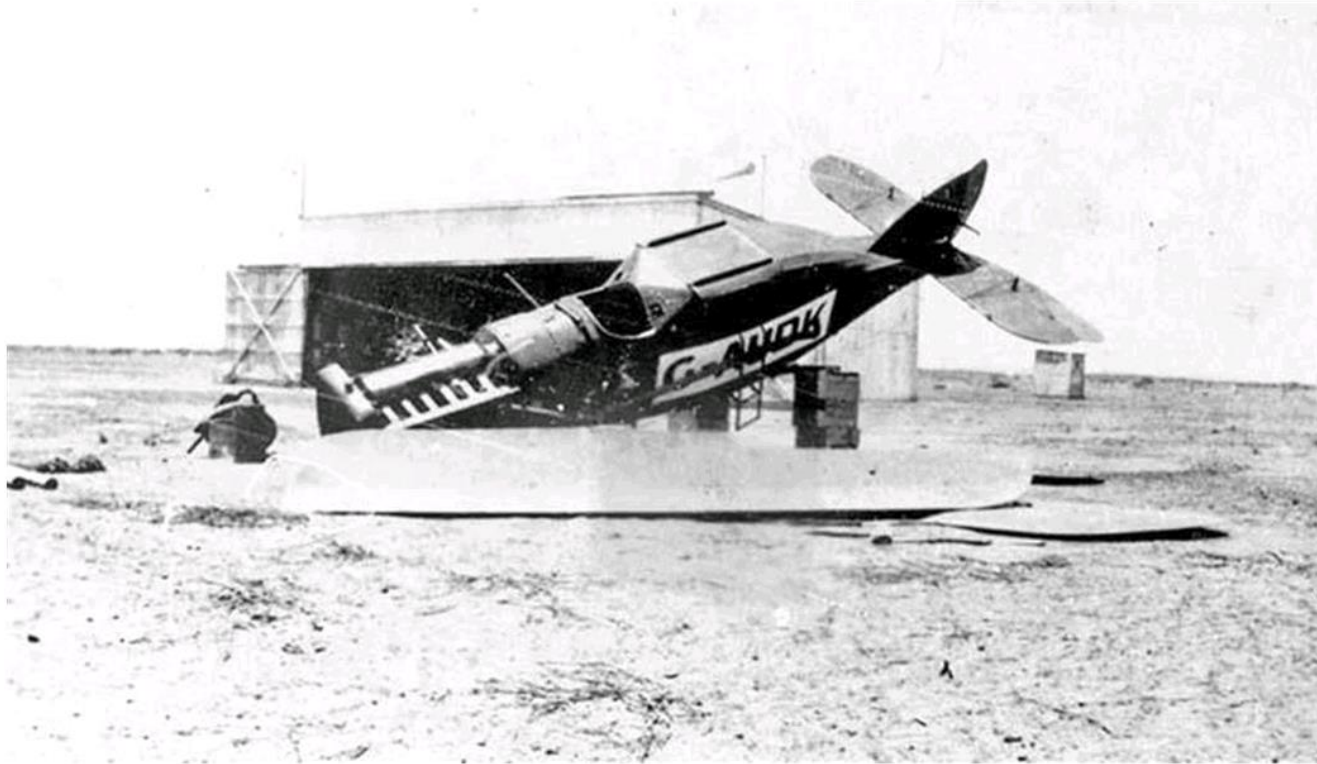
During 1924 WAA moved its Esplanade hangar to the newly-opened Government Aerodrome in the Perth suburb of Maylands.

Maylands aerodrome was flooded by the Swan River in July 1926. Inside WAA's hangar, aircraft were suspended from the rafters by cables, engines and equipment stacked above the water level. WAA's Avro 504J G-AUCL on the right.

Photo: Frank Walters collection



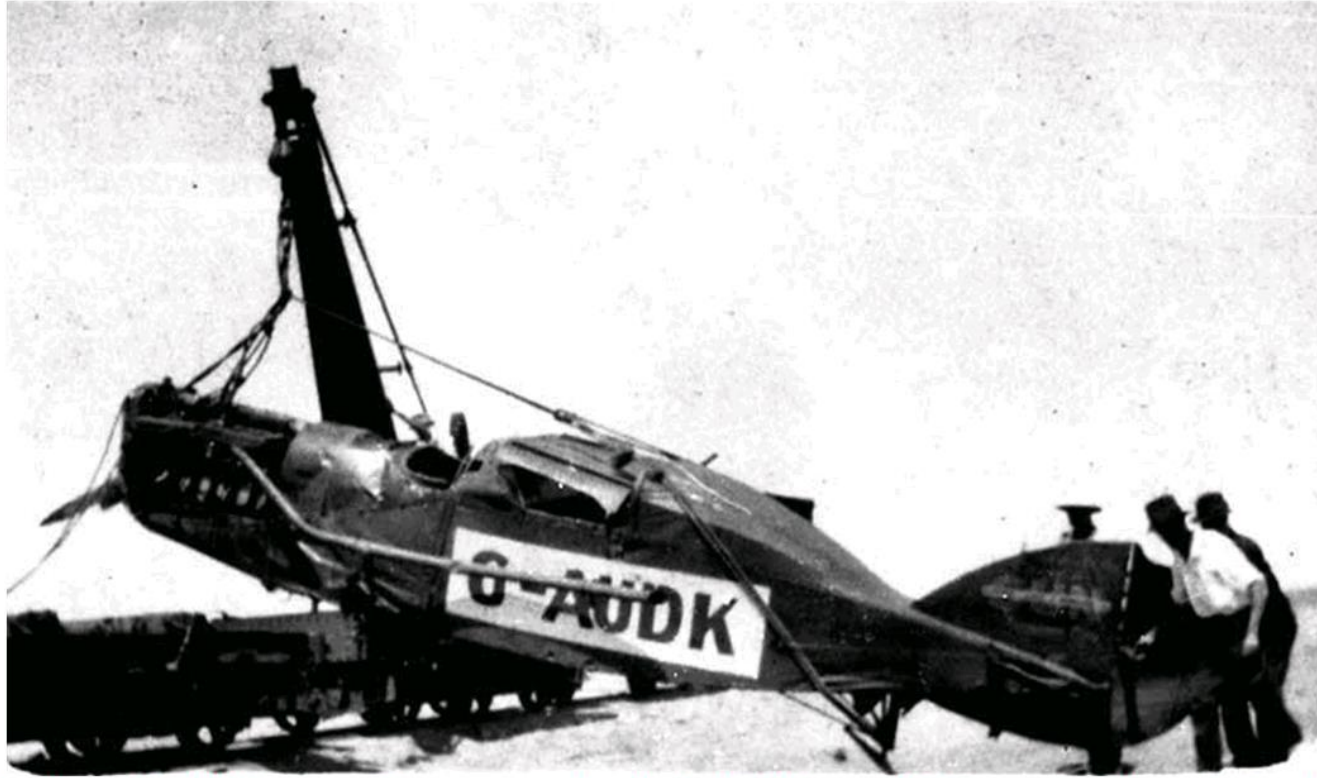
The WAA staff bus collects employees for a day's work at the airline's Maylands hangar circa 1923



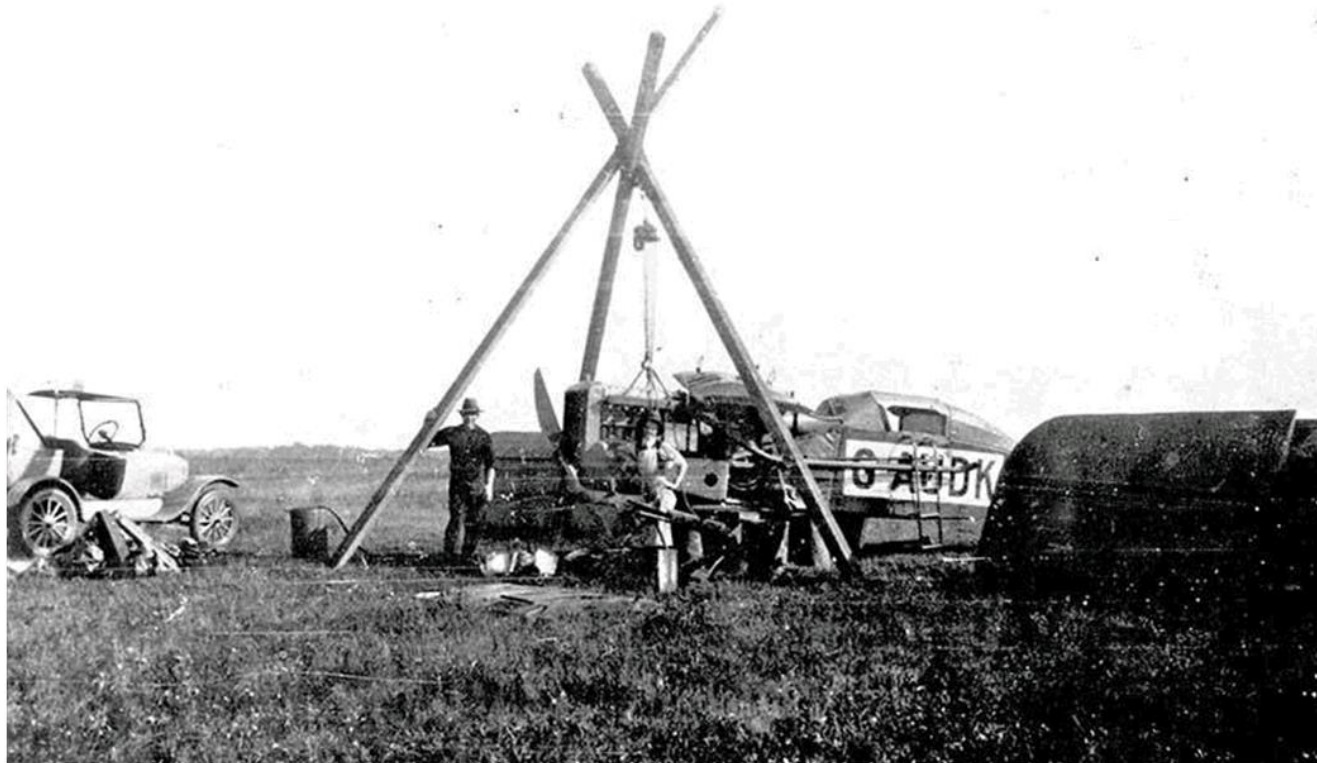
Accidents were many, but WAA were able to rebuild most of the damaged Bristols. Carnarvon, pilot Saunders



G-AUDK struck a fence on takeoff Port Hedland 30 January 1923. Pilot Walter Cochraine received minor injuries but passenger Mr. S. Harper of the Civil Aviation Board who was inspecting the service, was killed. Photo: The Collection



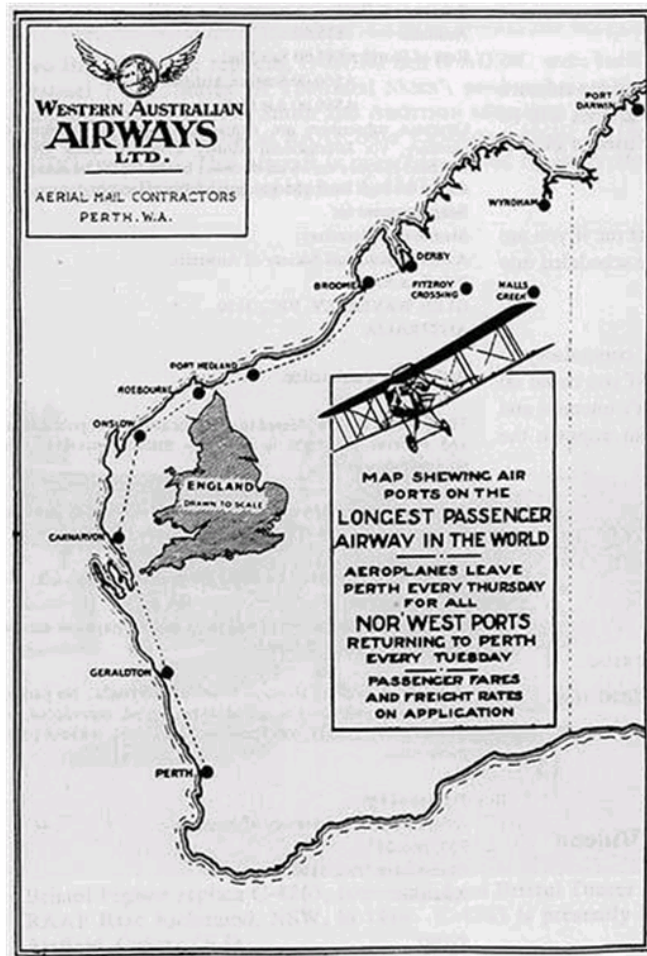
Loading the wreck of UDK on to a railway wagon at Port Hedland in February 1932 to move it to the port for loading on a coastal steamer for return to Perth for rebuilding



G-AUDK yet again, at Midland Junction near Perth in August 1924. Pilot was Stanley Brearley, Norman's brother



G-AUDX at Geraldton circa 1924, pilot Stan Brearley. The Bristol was rebuilt and continued in WAA service



1925 WAA map after Perth became the southern terminus

In January 1924 the Government finally decided the air service was little threat to the Perth-Geraldton railway and allowed the the North-West service to operate from Perth. WAA settled into a steady schedule of a Bristol departing Maylands Aerodrome at 6am each Thursday, returning from Derby via all ports the following Tuesday. The Bristol Tourers

gave excellent service to WAA, flying over a half million miles and carrying over 3,000 passengers. A Civil Aviation Branch report quoted WAA Bristols as achieving 97% regularity on the NorthWest service. From 1927 they were retired and replaced by DH.50s.

The De Havilland DH.50 era

In June 1924 WAA Managing Director Norman Brearley sailed for England to purchase replacement aircraft for the Bristols. He had decided on the De Havilland DH.50 unnamed biplane, which housed four passengers in an enclosed cabin, with the pilot in an open cockpit. Brearley ordered two new DH.50s, specifying the same Siddeley Puma engines as the Bristol Tourers. He also negotiated the rights for WAA to construct DH.50s and the new DH.60 Moths under licence.

The first two DH.50s arrived by sea from the DH factory in September 1924. The pair were assembled at Maylands Aerodrome and the following month entered WAA service as G-AUEL & G-AUEM on the North-West service. At the Maylands hangar, preparations got under way for the big task of constructing complete airframes to DH drawings after the airline Directors authorised expenditure to build three DH.50s and two DH.60 Moths.

As spares for the DH.50s Brearley had acquired a stock of DH.9 wings which were reconditioned to be basically interchangeable. He was also watching developments in England to increase the power of the Puma engines, which was urgently needed in the high temperatures of the Nor'West. From 1928 onwards, the WAA DH.50s were re-engined with the new 300hp ADC Nimbus engine, developed from the Puma by the Aircraft Disposals Company.

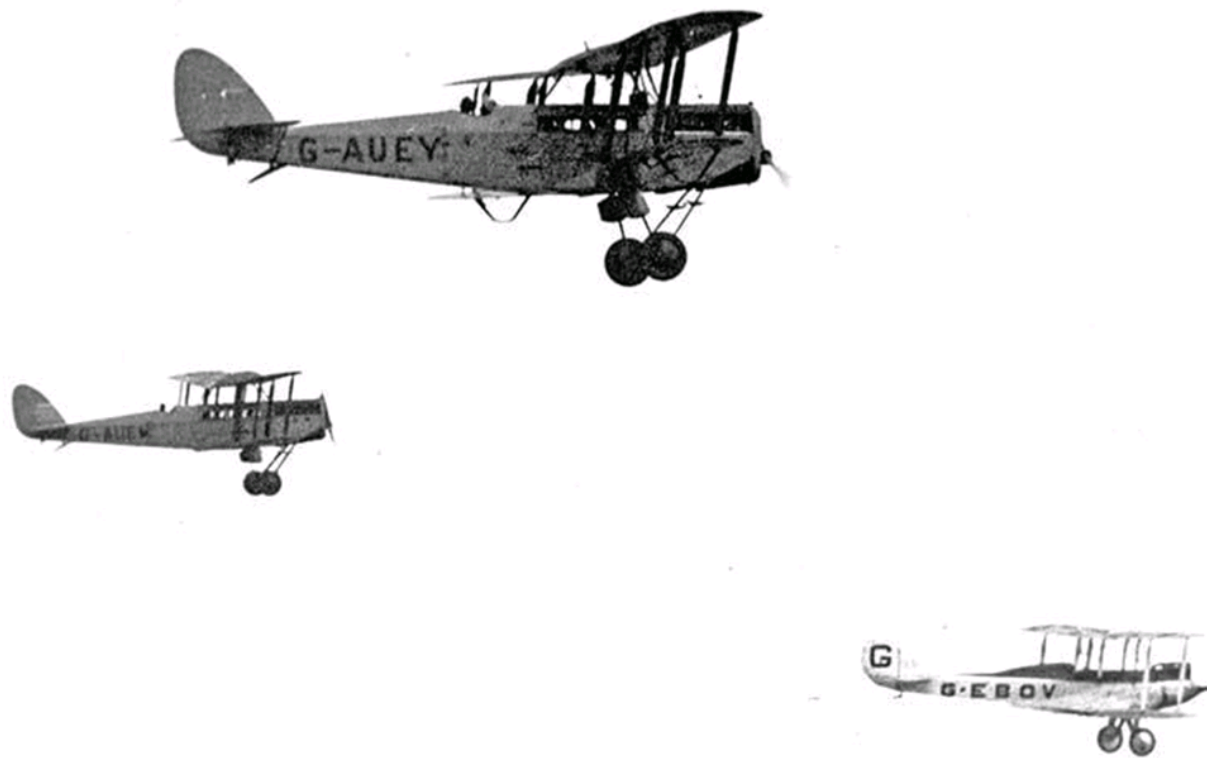
On 3 December 1926 **Western Australian Airways Ltd** changed the company name to **West Australian Airways Ltd**, although it was always known to the people of WA as just "Airways".

De Havilland DH.50 240 h.p. Siddeley Puma, later 300 h.p. ADC Nimbus engines

Reg	c/n	Type	Reg	
G-AUEL	127	DH.50A	10.24	Sold to Adelaide Airways 7.36
G-AUEM	128	DH.50A	10.24	Sold to Adelaide Airways 7.36
G-AUFD	1 (WAA)	DH.50A	12.26	Crashed Geraldton WA 11.5.29
G-AUFE	2 (WAA)	DH.50A	12.26	Sold to Adelaide Airways 7.36
G-AUFN	3 (WAA)	DH.50A	7.27	Crashed Noonkanbah Station WA 20.9.31
G-AUEY	73	DH.50	4.26	ex G-EBFN. Sold to Adelaide Airways 7.36
G-AUMC	74	DH.50J	9.29	ex G-EBFO. Crashed Mia Mia Station 1.3.32



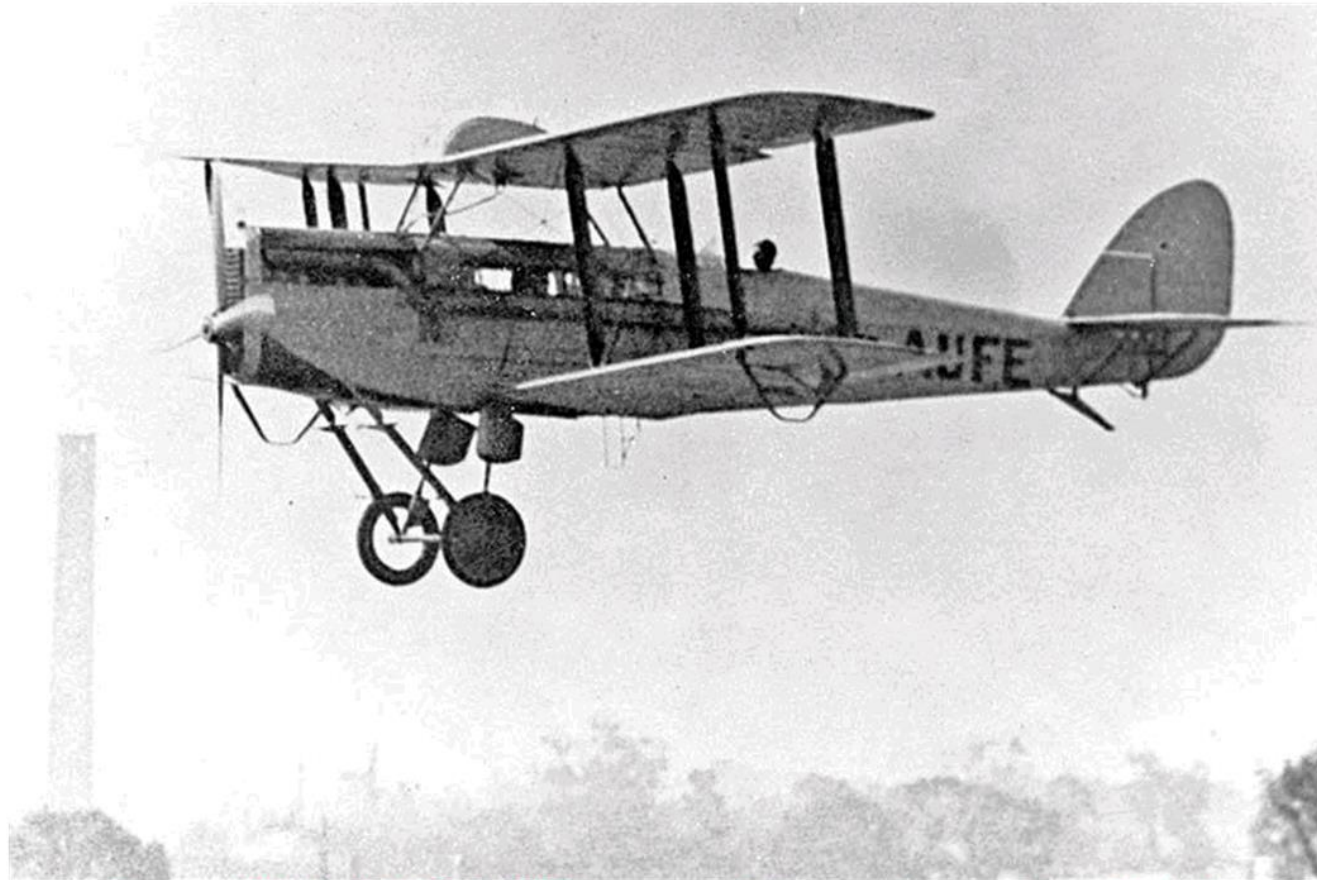
Norman Bearley (centre) at Maylands in October 1924 with one of the first two DH.50As shipped from England



WAA DH.50s G-AUEY & UEM escort Bert Hinkler in his record-breaking Avian on arrival Perth in April 1928



The size of the DH.50 is evident in this view of Bert Heath checking the engine compartment



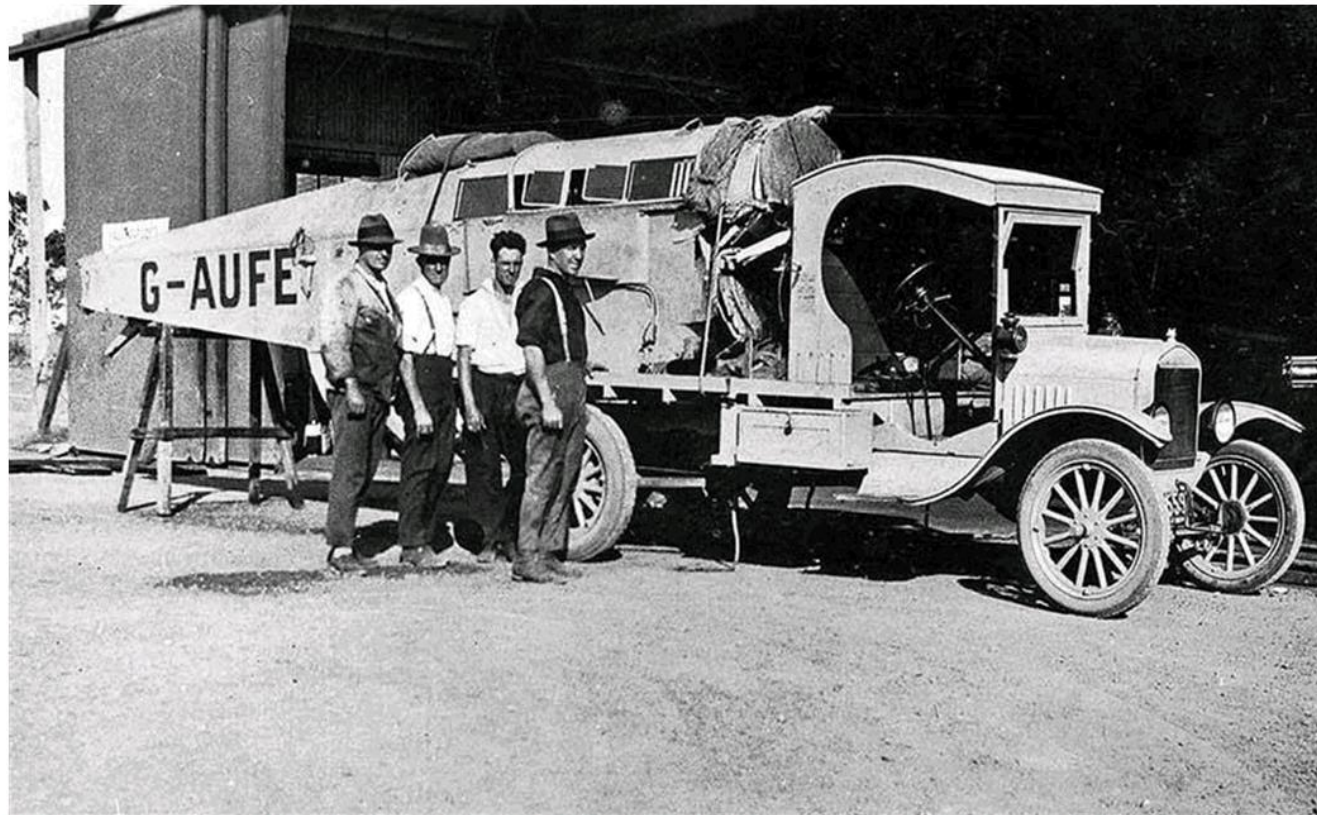
The second WAA-built DH.50 G-AUFE comes over the fence on a foggy morning at Maylands.



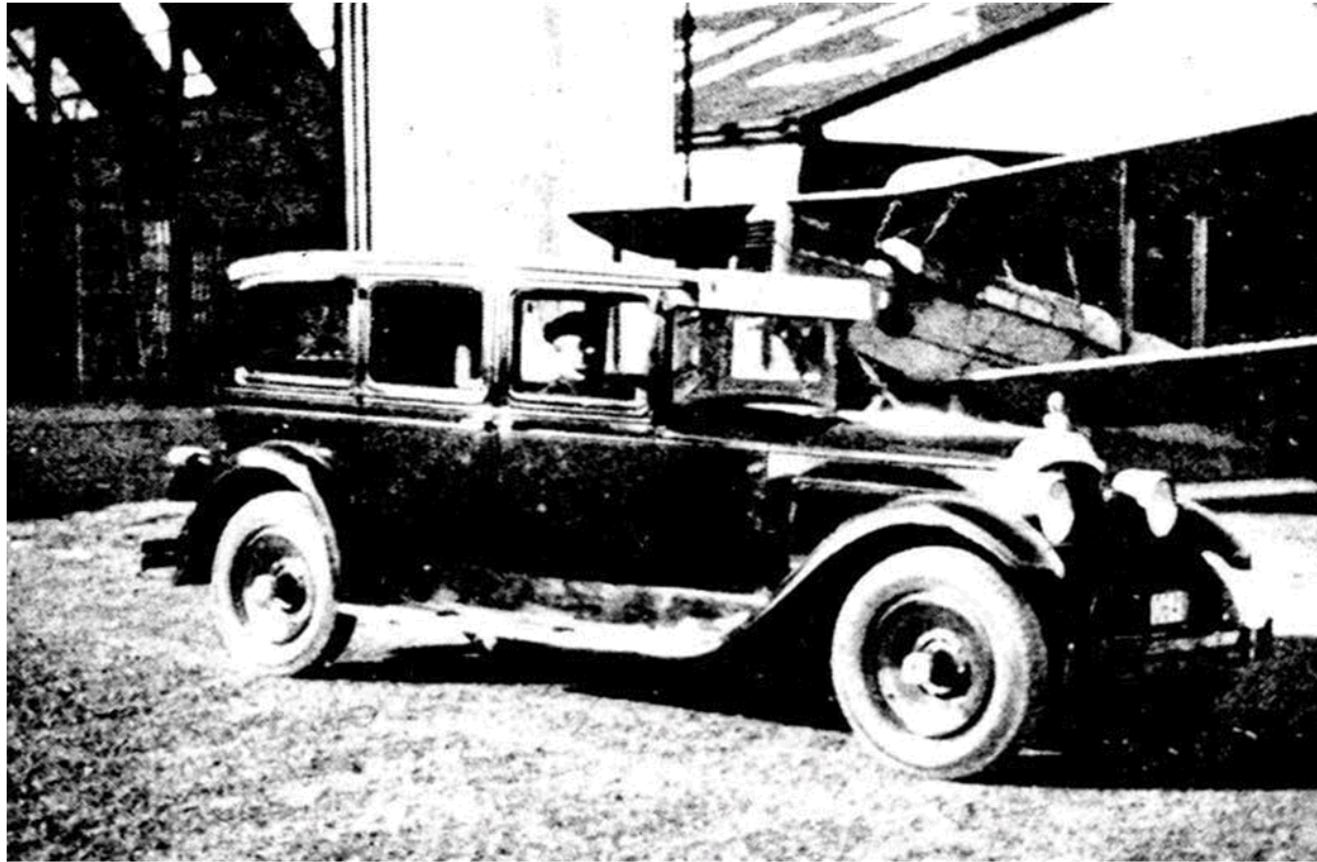
Pilot Stan Brearley (centre) and four passengers pose with G-AUFE



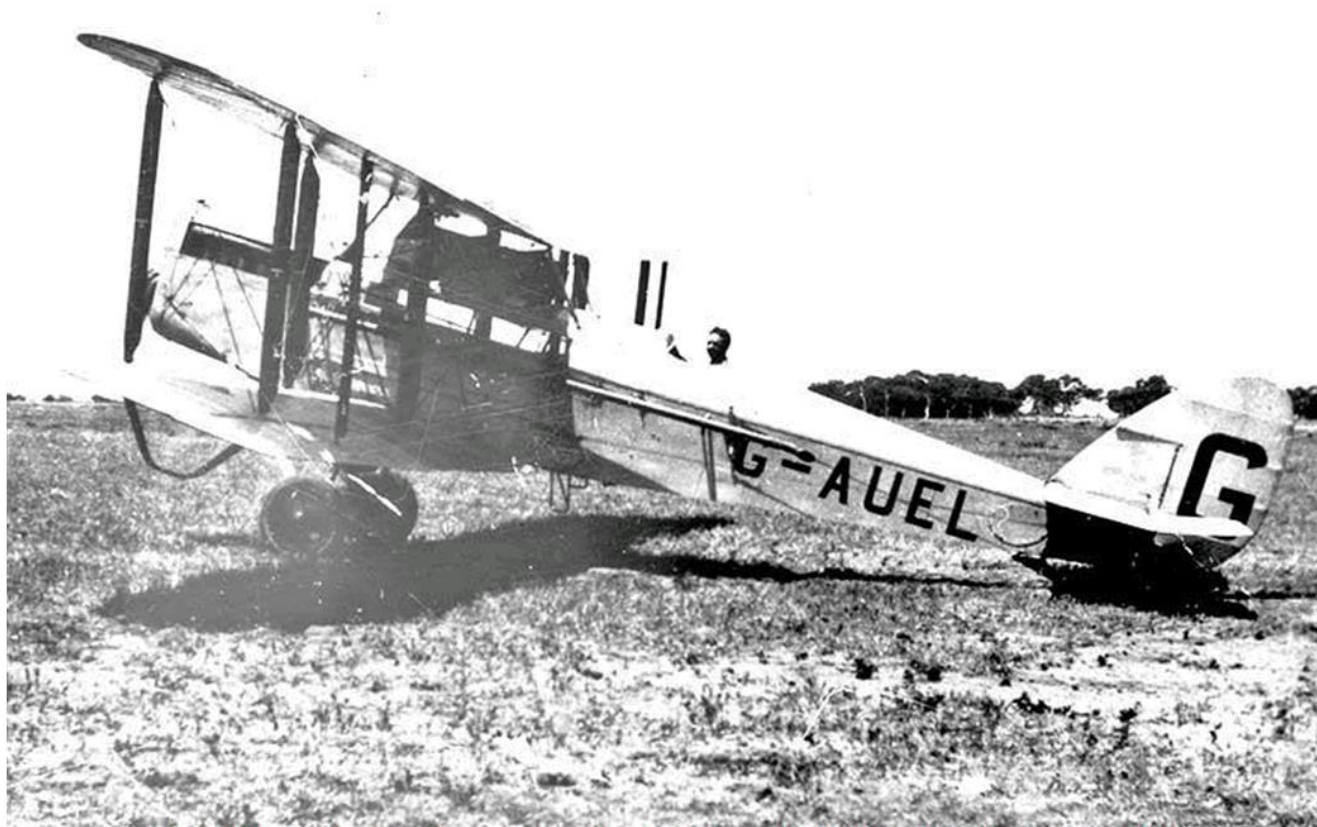
*WAA DH.50 G-AUEM at Perth 1928 after a night arrival of the North West airline service.
Pilot Bert Heath is at the right with two passengers*



G-AUFE again, returning to Maylands in February 1927 after a landing accident at Yallingup WA, where Norman Brearley had been conducting joyrides at the popular Caves House Hotel. The DH.50 was quickly repaired.



1926 WAA flight souvenir postcard titled "Airways Motor Service Car conveys passengers to and from the aerodrome"



G-AUEL shortly after it was shipped to Perth from de Havillands in England in 1924



*The same DH.50 circa 1930 at Maylands after a repaint and change to the new Australian VH- registration series.
Photo: The Collection*



Popular WAA pilot Bertie Heath flew VH-UMC in the 1929 West Australian Centenary Air Race from Sydney to Perth. Here he has a spot of bother at Forrest WA, but reached Perth to take 2nd place in 23 hours 24 minutes flying time. The newly-built WAA hangar and passenger hostel can be seen behind.



VH-UFN at Noonkanbah Station in the Kimberleys September 1931, after a tyre burst on landing causing a severe ground-loop.

Pilot J. F. Nicholas was unhurt and the fractured undercarriage had been propped up against the fuselage by the time Frank Colquhoun's recovery team arrived from Perth. They dismantled the DH.50, moved it overland to Derby where it was loaded on a coastal steamer for Perth, where it was soon repaired in the WAA workshops at Maylands Aerodrome



VH-UFE flying from the Swan River at Maylands in November 1931 when it was fitted with floats built by Short Brothers. This DH.50 reverted to a landplane only two months later but the floats were then fitted to VH-UEM, and one later loaned to the German aviator Hans Bertram to fly out his Junkers W33 after being lost and rescued in northern WA.

Perth Flying School 1927-1930

In a far-sighted policy, Lt. Col. Brinsmead of the Civil Aviation Branch (a predecessor of the Department of Civil Aviation) had encouraged the establishment of civilian aero clubs to provide pilot training. He saw the value in clubs starting as adjuncts to existing commercial aviation companies to utilise their experience. In 1927 the CAB gave West Australian Airways a 2 year contract to create a flying school at Maylands Aerodrome which would be later taken over by the WA Section, Australian Aero Club. The Club held its first general meeting at the Savoy Hotel, Perth on 13 April 1927 at which Norman Brearley was elected President.

With typical WAA flair, the following Monday the new flying school commenced with 33 listed pupils and two instructors Charles Nesbitt and Stanley Brearley. The airline was prepared for these events, having just completed the construction of two DH.60 Moths G-AUFI & G-AUFK under licence in their Maylands workshops. The name **Perth Flying School** was adopted and the demand for pilot training soon prompted another new DH.60X G-AUGO to be imported from De Havillands.

The flying school was a success, the WAA contract being extended for another year until the Aero Club was ready to take over. WAA continued its close association with the Club, and maintained their growing fleet of Moths. From this start, the **Royal Aero Club of WA** became one of the most successful in the Australian aero club movement and is still operating today at Perth's Jandakot Airport.



*West Australian Airways DH.60X Moth G-AUGO at Maylands circa 1928, operating for Perth Flying School
Photo: Frank Walters collection*

* * * * *

Continues at WEST AUSTRALIAN AIRWAYS Part 2

**WA AIRWAYS
NORMAN BREARLEY**

- August 1920 Brearley toured many centres within 600kms approx. of Perth accumulating finance to commence his airline;
AVRO 504 shipped to Carnarvon for tours around sheep stations as far as Onslow;
Mrs De Pledge was the first passenger from Yanrey Station, 90kms south of Onslow, to Perth;
First team of pilots – N. Brearley, Bob Fawcett, Len Taplin, Charles Kingsford Smith, Val Abbott.
- December 16, 1920 Civil Aviation Branch (later Department of Civil Aviation, DCA) commenced;
First Controller Lt. Col. H.C. Brinsmead.
- August 2, 1921 Brearley awarded contract for mail run from Geraldton to Derby;
H.V. McKay, Victorian manufacturers of farm machinery, is the financial backer.
- December 5, 1921 First official flight for a weekly mail run commences;
Bob Fawcett and Edward Broad (mechanic) killed in a crash at Murchison Station.
- December 5-10, Broome
- December 16-26 Landing grounds re-checked.
- November 2, 1922 Qantas awarded mail contract for 580 miles in Queensland. This is half the length of WA Airways.
- 1923 Service extended Perth-Geraldton
- 1924 First Pilot's Strike;
Kingsford Smith and Keith Anderson commence a trucking and transport business in the Carnarvon area.
- 1934 MMA wins contract for NW;
Horrie Miller with MacRobertson;
Confectioners finance.

This is a significant event in Australian history and needs to be celebrated.

9.4 BUSINESS PLAN STATUS UPDATE REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY: This report provides an update of the Strategic Community Plan and Business Plan for the period 2020-2024.

COMMENT

The Strategic Community Plan and Business Plan for the period 2020-2024 was adopted in April 2020. The attached report provides an update on progress towards the achievement of the Business Plan for items identified for completion by end of financial year 2021, noting that period has just commenced.

For the period from 1 March to 30 May 2020, the most significant undertaking was coordinating and representing the interests of the Kimberley Zone/Kimberley Regional Group (KRG) in relation to the COVID-19 pandemic. This lies outside of the Business Plan however is within the intent of the Strategic Community Plan including the “alignment and integration of regional and local priorities for member Councils” and “improved Kimberley regional outcomes in health.” This has stifled progress on other items.

The end date for items has not yet been determined as the impact of COVID-19 on workload capacity was unknown so only the 12 month completion horizon was approved at the April 2020 meeting.

Item	Description	Comment
4.3.1.3	Alcohol Management Initiatives	The COVID-19 pandemic has impacted on the implementation of the TAMS and voluntary alcohol restrictions in the West Kimberley. State wide restrictions have remained in place in the Kimberley, at the request of the KRG, to provide consistency between the quantity of takeaway alcohol permitted noting that some locations have no takeaway alcohol permitted under Section 64.
3.1.1.1	Develop a Freight Logistics Infrastructure Discussion Paper, including a gap analysis between existing priorities in third party reports, priorities identified by	Discussion paper has been developed and is currently under review.

	members, the need to develop or update the business case(s), and a recommended listing of integrated logistics priorities for Zone approval.	
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CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

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

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

MOTION:

(REPORT RECOMMENDATION)

Moved: M Edwards

Seconded: Cr C Mitchell (JP)

That the Kimberley Regional Group notes the Business Plan 2020-2024 Status Report Update Report.

CARRIED UNANIMOUSLY 4/0

Attachments

1. Business Plan Update Report May 2020

BUSINESS PLAN AND OPERATIONAL REQUIREMENTS UNDER THE GOVERNANCE MANUAL TO 30 JUNE 2021

Update as of 1 June 2020



BUSINESS PLAN

ITEM	DESCRIPTION	STATUS	END DATE
2.2.1.1	Review the effectiveness and value for money of existing regional waste procurement contracts.	Commenced	TBC
2.2.2.1	Develop a strategy for regional Integrated Waste Management, which includes waste generated in towns and communities, to explore the use of transfer stations, mobile and in-situ equipment and the re-use of waste materials and any staging that would be required for implementation. ¹	Commenced	TBC
2.2.2.2	Develop a KRG Business Case to consider the capital funding requirements of a regional Integrated Waste Management Plan.	Not yet Commenced	TBC
2.2.2.3	Develop and adopt a Communication and Engagement Plan to promote the need for, and funding of, the IRWMP.	Not yet Commenced	TBC
2.2.2.4	Review funding sources for resource recovery projects and education programs and provide a report for members.	Not yet Commenced	TBC
3.1.1.1	Undertake a review of improvements to freight logistics (land, air and sea) identified in endorsed reports (such as the Kimberley Regional Planning and Infrastructure Framework and Regional Roads Group 2030 Plan Priorities), priorities previously identified by the Zone such as one lane bridges and identify existing business cases related to the KRG priority list.	Commenced	TBC
3.1.1.2	Identify member transport priorities of regional significance, consistent with the procedure in 1.2.1.1.	Commenced	TBC
3.1.1.3	Develop a Freight Logistics Infrastructure Discussion Paper, including a gap analysis between existing priorities in third party reports, priorities identified by members, the need to develop or update the business case(s), and a recommended listing of integrated logistics priorities for Zone approval.	Commenced	TBC
3.1.1.4	Adopt the regional Freight Logistics Transport priority list and develop a Kimberley Freight Logistics Infrastructure Priority Report, based on the prioritized infrastructure list	Not yet Commenced	TBC
3.1.1.5	Develop a Communications and Stakeholder Engagement Plan to promote action on the Kimberley Freight Logistics Infrastructure Priority Report.	Not yet Commenced	TBC
3.1.2.1	North West Infrastructure Audit (Defence) Undertake an audit and develop a discussion paper, in conjunction with the Shires in the Pilbara and appropriate government agencies, to determine the appropriateness for military use. ² (Note this project would have a contribution from the Pilbara Shires).	Budgeted	TBC
3.2.1.1.	Review The value of membership of the Savannah Way Pty Ltd		July 2020
3.1.3.2.	Review key tourism infrastructure identified in endorsed reports.	Not yet Commenced	TBC
3.1.3.3.	Identify member priorities of tourism infrastructure of regional significance, consistent with the procedure in 1.2.1.1.	Not yet Commenced	TBC

¹ The work of the Waste TAG will inform the Discussion Paper.

² Note: this project would have a contribution from the Pilbara Shires.

3.1.3.4.	Develop a Tourism Infrastructure Discussion Paper, including a gap analysis between existing priorities in third party reports, priorities identified by members, the need to develop or update the business case(s), and a recommended priority listing for Zone approval.	Not yet Commenced	TBC
3.1.3.5.	Adopt the regional tourism infrastructure priority list and develop a Kimberley Tourism Infrastructure Priority Report, based on the prioritized tourism infrastructure list (noting the priorities in the Kimberley Freight Logistics Infrastructure Priority Report).	Not yet Commenced	TBC
3.1.3.6.	Develop a Communications and Stakeholder Engagement <i>Plan</i> to promote action on the Kimberley Tourism Infrastructure Priority Report.	Not yet Commenced	TBC
3.1.3.1	Review options for increased direct access into the Kimberley for tourists from other states, international visitation and improved business connectivity.	Not yet Commenced	TBC
3.3.1.1	Develop a Discussion Paper on the availability of grants for underground power in the Kimberley, including the need and member preparedness to pay, and the appropriate threshold. ³	Not yet Commenced	TBC
3.3.1.2	Adopt position on the appropriate threshold for grants for underground power in the Kimberley.	Not yet Commenced	TBC
3.3.1.3	Develop an Engagement and Communications <i>Plan</i> to advocate for the reduction in the threshold for grants for underground power in the Kimberley.	Not yet Commenced	TBC
3.3.3.1	Develop a Discussion Paper on opportunities for alternative power provision in the Kimberley.	Not yet Commenced	TBC
4.4.1.1	Undertake a review of the outcomes of the 12 month voluntary alcohol restriction trial.	Deferred	TBC
4.5.1.1	Review and update the Kimberley Youth Strategy and Action Plan.	Budgeted	TBC
4.5.2.1	Review the State Government's Kimberley Juvenile Justice Strategy.	Not yet Commenced	TBC
5.1.3.1	Investigate the current practices of state and federal governments in relation to tenders with a view to ensuring that the process maximises opportunities for local businesses and local employment.	Not yet Commenced	TBC
5.2.1.1	Develop a Discussion Paper on the potential for tourism recovery and growth through investment, restructured funding and further developing the Kimberley brand.	Not yet Commenced	TBC

MOU

Item	Description	Status	End Date
	Strategic planning priorities and targets for the following 12-month period.	COMPLETED	31 March
	Presentation of Budget		31 May
	Annual Financial Report		31 August
	Annual Performance Report		31 August

³ Note: subsidised program occurred in the Pilbara in 2014 utilizing \$75m Royalties for regions funding).

9.5 CONSULTANT'S REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY: This report provides an overview of the activity undertaken by the consultant to support the activities of the Zone in the period to 31 May 2020.

COMMENT

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. This report provides an overview of the activities undertaken by ATEA Consulting in the period to 31 May 2020 and is attached for consideration.

Key activities this period have focused on the COVID-19 pandemic including coordination of Extraordinary Meetings, letters to the Premier and other stakeholders, press releases, along with the coordination with key stakeholders of a Kimberley wide position on the level of restrictions required at different points through the declared state of emergency.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT***Local Government Act 1995*****FINANCIAL IMPLICATIONS**

Nil.

STRATEGIC IMPLICATIONS**Governance Goal – A collaborative group demonstrating strong regional governance:**

Recognition of Kimberley Local Government issues and opportunities

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

VOTING REQUIREMENTS

Simple Majority

MOTION:

(REPORT RECOMMENDATION)

Moved: D Menzel

Seconded: M Edwards

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

CARRIED UNANIMOUSLY 4/0

Attachments

1. EXECUTIVE REPORT JUNE 2020



2 JUNE 2020

ATEA CONSULTING | PO BOX 2823 BROOME WA 6725 | +61 8 9193 7363 | ATEACONSULTING.COM.AU



Summary of Activities since Previous Report (1 April - 31 May 2020)

Strategic Plan	Item	Activity
Goal 1 Governance	Alignment of regional priorities	Member Communication and Engagement Plan
Outcome 1.1 Effective governance protocols and systems for business efficiency and improved services through collaboration.		
Outcome 1.4 Recognition of Kimberley Local Government issues and opportunities at the regional, state, national and international Levels	COVID-19	<ul style="list-style-type: none"> Development, coordination and representation of regional requirements in relation to the removal of COVID-19 restrictions in a measured and timely manner.
Goal 2 Natural Environment		
Outcome 2.2 Integrated waste management.	Regional Waste Management Plan	Review of existing business plan and Regional Waste Management Plan to compile a draft strategy.
Goal 3 Built Environment		
Outcome 3.1 Improved regional arterial road network, ports and airports.	2020 Priorities	Progress the development of an initial draft Freight Logistics Discussion Paper – due June 2020.
Goal 4 Community		
Outcome 4.5 Better alcohol management across the Kimberley.	Voluntary Kimberley Wide Alcohol Restrictions	Liaison re resumption of State Emergency Act conditions for the Kimberley
Goal 5 Economy		
Outcome 5.4 Sustainable Primary Industries		
Outcome 5.5 Energy Sustainability	Joint Forum	Nil
Administration	Zone June Meeting	Preparation of Zone/KRG agenda items, meeting coordination.



Virtual Meetings and Phone Contacts

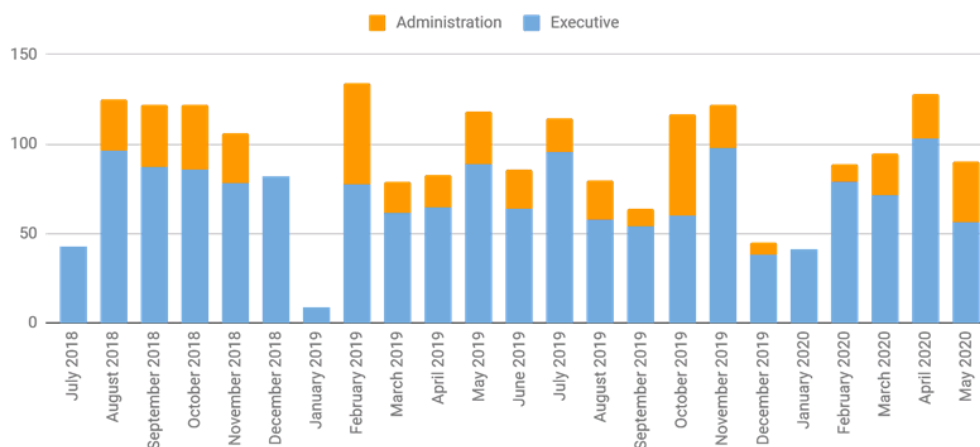
	Stakeholder Representative	Action/Outcomes
	Federal Members and Ministers: <ul style="list-style-type: none"> ▪ Office of Hon Melissa Price ▪ Office of the Hon Ken Wyatt 	<ul style="list-style-type: none"> • Follow up on specific matters relating to COVID-19.
	State Members and Ministers: <ul style="list-style-type: none"> • Office of the Hon Ben Wyatt • Office of the Hon Alannah MacTieranan • Office of the Premier 	<ul style="list-style-type: none"> • Follow up on specific matters relating to COVID-19.
	Agencies <ul style="list-style-type: none"> • Police – Superintendent Greg Crofts • Main Roads – Gerry Zoetelief • WA Country Health Service – multiple • Kimberley Aboriginal Health Service – Vicki O'Donnell • Aboriginal COVID-19 Taskforce – Tyrone Garstone, Peter Yu, Lawford Benning. 	<ul style="list-style-type: none"> • Follow up on specific matters relating to COVID-19.

Summary of Hours

Activities for the period to 31 May 2020 primarily relate to the COVID-19 pandemic and include coordination of:

- Extraordinary meetings
- Letters to the Premier
- Press Releases
- Coordination with third parties to gain a whole of Kimberley position.

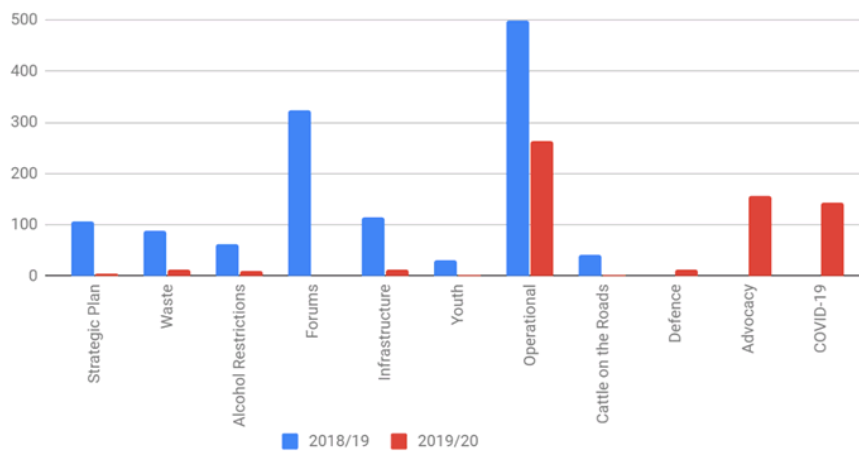
Contract Rolling Hours



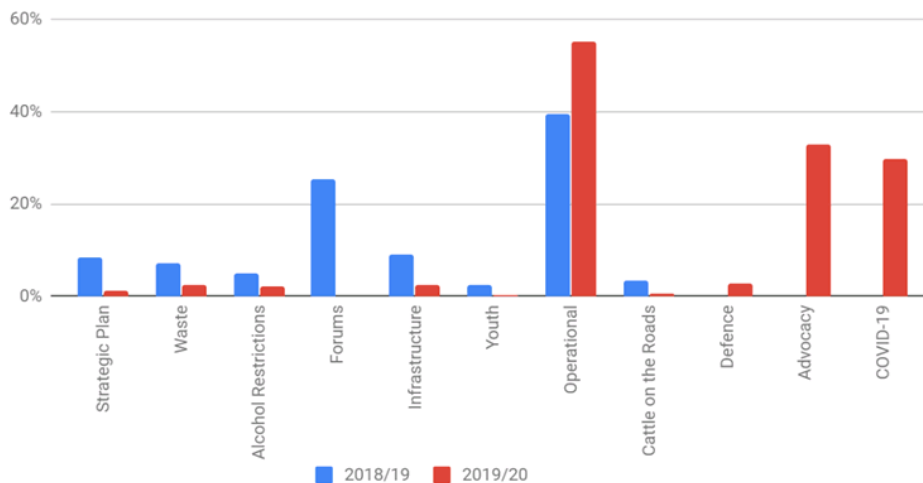


At the last meeting it was anticipated that the impact of COVID-19 on workloads would diminish as restrictions were released however the complications of restrictions under the Federal Biosecurity Security Act for the Kimberley with Shire borders and Aboriginal communities controlled under state legislation. Combining COVID-19 with the broader Advocacy role of the Kimberley Zone/KRG demonstrates the current focus on representing the region. It is anticipated that the period to the end of June will be focused on projects to meet the deadlines within the Business Plan.

Project time Inputs 2018/19 and 2019/20 (Hrs)



Project time Inputs 2018/19 and 2019/20 (% of YTD)



9.6 KIMBERLEY JUVENILE JUSTICE STRATEGY

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To provide members with an update on the progress of the Kimberley Juvenile Justice Strategy.

BACKGROUNDPrevious Considerations

Nil.

COMMENT

The Kimberley Regional Group (KRG) Strategic Community Plan and Business Plan lists youth as a priority and includes a review of the Kimberley Juvenile Justice Strategy.

The development of the Kimberley Juvenile Justice Strategy was a \$900,000 State Government budget commitment in 2019 and aimed to find alternatives to detention and identify services aimed at diversion and engagement of at risk youth.

The Productivity Commission's Report on Government Service, released in January 2019, documented 174 instances of self-harm in 2017-18, with two attempted suicides at Banksia Hill Juvenile Detention Centre. This was down on the previous year when there were eight attempted suicides.

Kimberley Regional Group representatives met with government officials on several occasions on this matter and took the opportunity to visit Banksia Hill Juvenile Detention Centre in Perth last year.

In May 2019 the Statement of Intent on Aboriginal Youth Suicide [LINK](#) was released by the State Government which described the Kimberley Juvenile Justice Strategy as: "a cross-government approach, led by the Department of Justice, to involve Aboriginal people, communities and organisations in the co-design of place-based initiatives that aim to positively impact the livelihood of young Aboriginal people."

The Statement of Intent noted that the Department of Justice, through the Kimberley Juvenile Justice Strategy, will establish a range of services in different locations, including

youth hubs or drop-in centres. The Statement of Intent went on to say that the development of the strategy is being carried forward by senior Government officers.

In November 2019 the WA Government, in response to a query by the ABC, stated that the Kimberley Aboriginal Law and Culture Centre had been “brought on board” to run six months of consultations with a final plan to be submitted to the Minister for Corrective Services “early in 2020”.

In March 2020, the State Government released the Commitment to Aboriginal Youth Wellbeing [LINK](#) which stated that by June 2020 “a range of initiatives under the Kimberley Juvenile Justice Strategy will be underway” [P.31].

A month prior, the Hon Stephen Dawson, representing the Minister for Corrective Services responded to a question on notice regarding the Kimberley Juvenile Justice Strategy and stated that Kimberley-wide recommendations will be delivered by December 2020 with options for a juvenile justice facility in the Kimberley considered as part of the co-design process [Hansard].

Clarification from the Department of Justice has been sought in relation to the timeframe for the completion of the strategy. At the time of writing no response had been received.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

Young Offenders Act 1994

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

Greater participation in the community and workforce

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

VOTING REQUIREMENTS

Simple Majority

<i>MOTION:</i>

(REPORT RECOMMENDATION)

Moved: G Haerewa

Seconded: Cr C Mitchell (JP)

That the Kimberley Regional Group:

- 1. Notes the update as provided;**
- 2. Writes to the Minister for Corrective Services to seek clarification on the progress of the Kimberley Juvenile Justice Strategy and the planned date of release.**
- 3. Invite the Minister for Corrective Services to meet with representatives of the Kimberley Regional Group to discuss the Strategy.**
- 4. Invite the Department of Justice to provide a briefing to the Kimberley Regional Group at the earliest mutually convenient time.**

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

MOTION:

(REPORT RECOMMENDATION)

Moved: G Haerewa

Seconded: D Menzel

That the item be moved in the order of business to 12. Matters behind closed doors.

9.7 KIMBERLEY REGIONAL GROUP / ZONE EXECUTIVE SERVICES

This item is located in these Minutes under Section 14, Matters To Be Discussed Behind Closed Doors.

10. CORRESPONDENCE**10.1 CORRESPONDENCE IN**

20200501 WACHS; Response to KRG COVID-19 Position Statement.

20200504 Broome International Airport; Letter of Support for Lifting Border Restrictions.

20200506 BCCI; Letter of Support for Lifting Border Restrictions.

20200506 Cruise Broome; Letter of Support for Lifting Border Restrictions.

20200507 Australia's NW Tourism; Letter of Support for Lifting Border Restrictions.

20200507 Derby Chamber of Commerce; Letter of Support for Lifting Border Restrictions.

20200507 Minister Roberts; Kimberley Position on Regional Borders.

20200528 Premier; Kimberley Position on Regional Borders.

Attachments**1. CORRESPONDENCE IN**



Government of Western Australia
WA Country Health Service
Kimberley Regional Office

Your Ref:
Our Ref : TRIM Reference
Enquiries to: Kerry Winsor, 9195 2450

Mr. Sam Mastrolembo
Secretariat
Kimberley Regional Group
PO Box 653
Broome WA 6725

Via email: Sam.Mastrolembo@broome.wa.gov.au

Dear Sam

KIMBERLEY REGIONAL GROUP POSITION STATEMENT

I refer to the document titled Kimberley Regional Group (KRG) position statement – COVID-19 dated 09 April 2020, which was submitted to the Kimberley Operational Area's Support Group (OASG) secretariat on 14 April 2020 for tabling at the OASG meeting on the same day.

I note the points and suggested actions raised in the document are as follows:

- **Enforcement of all Legal Requirements relevant to COVID-19.**
Action – All instances of failure to obey the social distancing requirements, loitering, being drunk and disorderly in a public place be actively enforced and vulnerable people relocated to safe accommodation.
- **Self-Isolation.**
Action – Actively identify and enforce the 14-day self-isolation period for people returning from outside of the region.
- **Limiting Travel**
Action – Immediately deploy adequate resources to support the local police to enforce the Shire borders over the course of this pandemic and protect vulnerable communities.
- **Recognise the role of the Shires in the management of the state emergency.**
Action – Recognised as an equal stakeholder with state agencies in the communication of all information relevant to the role of the Shires in the State Governments Pandemic Plan. This includes the identification of new cases as well as the location and the potential scale of the contacts to enable planning to occur as soon as possible.
Action – That the shires are members of all senior committees operating within and for the region that are relevant to the COVID-19 pandemic.
- **Ensure effective leadership during the Emergency**
Action – WA Police are assigned the responsibility of providing coordination leadership for the pandemic in the Kimberley as they have the skills, experience and systems that are required, supported by the expert health advice provided by WACHS.

Unit 1 and 2, 29 Coghlan Street BROOME WA 6725
Letters: Locked Bag 4011, BROOME WA 6725
Tel: (08) 9195 2450 Fax: (08) 9192 5757
ABN 28 680 145 816
www.wacountry.health.wa.gov.au

Our Values: Community | Compassion | Quality | Integrity | Equity | Curiosity

Page 2

In relation to points one and three I note these relate to ongoing matters which the WA Police (WAPol) are managing on a daily basis. All of the available evidence, including feedback from a range of Kimberley stakeholders, including local government representatives, indicates that these issues continue to be very effectively managed by WAPol officers across the Kimberley.

With respect to the point relating to vigilance and active enforcements regarding the 14 day self-isolation period for people returning from outside of the region, as you would be aware under a State of Emergency, WAPol have the statutory powers to enforce self-isolation in order to curb community spread of COVID-19. WAPol officers across the Kimberley continue to actively and proactively monitor and enforce these requirements. WACHS has implemented additional risk assessment processes for all staff and contractors entering the region, to ensure appropriate measures are enacted whilst assuring service continuity.

In relation to the point raised by KRG regarding information sharing, this has been escalated by WACHS to the Minister for Health, Minister for Aboriginal Affairs and the Department of Premier and Cabinet (DPC). WACHS continues to work closely with these offices to implement a solution and has passed on KRG representative contact details, so that together, we can ensure you are appropriately updated.

One initiative that has arisen from this dialogue is the development of a daily Infographic sheet which provides updates on COVID-19 positive cases across the Kimberley, including the number of cleared and active cases as well as the number of individuals tested for COVID-19 in the Kimberley. This information is emailed out to Kimberley stakeholders from DPC. Please note example of this Infographic attached (Attachment one).

This information supplements the information available on the Department of Health website, which is also updated daily, and provides information on COVID-19 case numbers identified by Local Government Areas (LGA's). This information is available on the following website: https://ww2.health.wa.gov.au/Articles/A_E/Coronavirus/COVID19-statistics

WACHS recognises the importance of providing coordinated leadership in managing a rapidly evolving emergency situation, and working collaboratively with all local and regional stakeholders. Importantly, information provision must be balanced in the context of statutory requirements as well as adherence to strict patient confidentiality measures. Individuals seeking care and treatment at WACHS facilities have a right to expect that their personal and sensitive health details will be treated in confidence.

I acknowledge KRG's request for WAPol to assume a coordination role to the Pandemic Response in relation to the COVID-19 state of emergency situation. It is appropriate that Greg Crofts, District Superintendent, WAPol Kimberley, respond directly to this action in his capacity as the District Emergency Coordinator (DEC).

In addition to District Superintendent Croft's response, I can also advise that WAPol currently hold coordination powers under the *Emergency Management Act 2005*. The State Emergency Coordinator (SEC) role, which sits with the Police Commissioner, is responsible for coordinating the emergency response during a state of emergency (s. 11 (1) *EM Act*).

The authority that the SEC has during a state of emergency includes the authority to direct public authorities, and several directives have already been issued by the SEC. Further,

Page 3

there are District Emergency Coordinators (DECs) and Local Emergency Coordinators (LECs) appointed to provide coordination across each respective region or local area. In this instance, District Superintendent Crofts is a DEC for the Kimberley region.

It is also important to clarify that COVID-19 is being managed as a state level incident, with a State Incident Controller (IC) working out of the State Health Incident Coordination Centre. There is no local IC in the Kimberley. WACHS Kimberley is a forward operational arm of the Incident Management Team (IMT) established by the State IC.

WACHS Kimberley looks forward to the ongoing support of the KRG in order to best support and protect communities and individuals across the Kimberley in the face of the challenges that the COVID-19 pandemic poses.

Finally I would like to re-emphasise the extraordinary and difficult circumstances presented by COVID-19, an unprecedented event for all of us. Whilst we have seen localised instances of COVID-19 in the Kimberley, we feel there has been a coordinated, multi-faceted, and multi-agency response to these outbreaks.

There will continue to be ongoing preparedness activities and shared responsibilities going forward to protect our communities. We are pleased to say we find ourselves in a situation currently with no active cases in the region and are further assured we collectively are better placed to respond into the future.

Yours sincerely



Kerry Winsor
A/REGIONAL DIRECTOR
WA Country Health Service – Kimberley

01 May 2020

Attachments:

1. Kimberley Infographic example 02 May 2020



BROOME INTERNATIONAL AIRPORT

Mr Sam Mastrolembo
Chief Executive Officer
Shire of Broome
PO Box 44
BROOME WA 6725

Email: shire@broome.wa.gov.au

Dear CEO, Sam Mastrolembo

Lifting of the COVID-19 restrictions in Broome and the Kimberley

We are writing to you about the need to lift the biosecurity restrictions and the current lockdown for the COVID-19 virus in the Kimberley region of Western Australia as soon as it is reasonable and safe to do so. We believe this time is fast approaching now that Western Australia has been so successful in flattening the curve.

Current COVID-19 restrictions

The current restrictions in Broome and the Kimberley are having a very material and adverse impact on the local economy and tourism in particular, and is causing massive damage from which many businesses will struggle to recover. Tourism is the biggest industry in Broome and the Kimberley.

The Kimberley region (including Broome) has been a restricted biosecurity zone since 26 March 2020 which restricts persons who can enter the Kimberley Region to those who are deemed to be exempt, or who are travelling for essential reasons and have self-isolated for 14 days and are free of COVID-19 symptoms.

The WA Government has closed the State's borders and put regional travel restrictions in place restricting travel between 9 regions in WA including the Kimberley region. These restrictions isolate the Kimberley from the rest of WA. The WA Government has also put in place additional restrictions within the Kimberley region that prohibit travel between the 4 Shires (Shire of Broome, Shire of Derby/West Kimberley, Shire of Halls Creek and the Shire of East Kimberley) until further notice.

As at the date of writing this letter the Kimberley Region is free of COVID-19 cases, no infections have been reported in the Kimberley for some weeks and there are now only 19 active and known cases in Western Australia. For the last week WA has been reporting either one or zero new cases each day. Each of the new cases has been linked to either overseas travel or to cruise ships, which have been readily detected and placed into isolation and/or medical care. It has been some time since there has been any community transmission in Western Australia.

Reduction in regular public transport (RPT) services to Broome

There are no regular public transport (RPT) services with the eastern States at this time and only 5 RPT services per week between Perth and Broome, which are financially underwritten by the Federal Government. These minimal RPT services are not only essential but greatly

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Locked Bag 4016, BROOME WA 6725
Telephone 08 9194 0600 Fax 08 9194 0610
www.broomeair.com.au

appreciated by us in Broome. However, they are only being operated for a period of 8 weeks, although we understand a further 8 weeks will be assessed by the Federal Government when the first period ends. If the Federal Government did not underwrite the costs of these flights Broome would have no RPT services to Perth. In addition, there are 3 flights per week between Darwin and Broome, via Kununurra with Airnorth using smaller jet aircraft.

The RPT connection to Perth is vital for Broome and the Kimberley for many reasons, including those travelling for medical, compassionate, personal, education and other essential job-related reasons. We are well aware that the Government cannot continue to fund these flights so we must look to open up Broome and the Kimberley to re-establish economic activity that will support more RPT flights without the need for Government help.

Effect of current COVID-19 restrictions

The current restrictions have had a devastating impact on airport revenue including the following:

- Aeronautical fees (which are charged each time an aircraft uses the airport) are our major revenue. At this time of year Broome usually has between 55 and 60 RPT flights per week. The current level of activity means we only have approximately 10% of normal flights so you can understand our enormous loss of revenue.
- Due to the complexity of moving its personnel in and out of a restricted biosecurity zone, Inpex have moved their aviation logistics operations for their Ichthys Project in the Browse Basin out of Broome for the foreseeable future. After Qantas, Inpex are the largest corporate user of the airport and their move has been a massive loss for the airport, and also devastating for the Broome economy.
- We have quite a number of tenants with businesses on the airport in financial difficulty because of the lockdown. Many of them are unable to pay rent and we are working with them to waive, defer and /or reduce rent in accordance with the National Cabinet Mandatory Code of Conduct for commercial leases.

We are one of the largest employers in Broome. The very substantial loss of revenue is severely impacting on our ability to continue to pay our staff and to keep the airport operational. It is essential we retain our staff, even though there is now insufficient work for many of them, as the airport is critical to Broome and the Kimberley region.

Unlike airlines we are not able to park large items of infrastructure such as aircraft and only bring them back on line when required. Further, we do not receive funding support from the State or Federal Governments to assist us keep the airport operational although like many businesses we may be able to access the Jobkeeper program.

In the last week, restrictions in WA have been lifted to allow people to mix in groups of up to 10 people (while maintaining social distancing), limits on alcohol sales in liquor stores have been removed and schools re-opened this week, with an 80% attendance rate in Broome.

We are now hearing that by June/July this year travel restrictions within WA are likely to be removed, allowing travel within WA with the exception of the Kimberley region. If the Kimberley remained closed this would be a terrible blow.

We are aware that there is a view from some within the Kimberley that the biosecurity restrictions should remain in place for the longer term. We strongly disagree with this view and to our knowledge it is not shared by other stakeholders in Broome and the Kimberley. We note that, in general, the view that the restrictions should continue in place come from those

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who do not suffer from the financial devastation caused by the current restrictions which are most unfairly impacting on some sections of the community, especially businesses forced to close or who can only operate at a greatly reduced capacity, and not others.

Importance of the 2020 tourism season

The tourism season for Broome and the Kimberley is May through to October. This is when the vast majority of visitors come and these are the months that all businesses rely on to earn the majority of their revenue that is require to sustain them through the wet season, November to April, when visitor numbers and revenue greatly reduce.

If the Kimberley is not able to re-open in line with the rest of Western Australia this would be a catastrophic result for Broome and the Kimberley and its many tourism operators. Without even an intra WA only tourism season in 2020, tourism operators in Broome will suffer a period of some 18 months without cash flow (wet season 2019/2020, dry (tourist) season 2020 and wet season 2020/21). Put bluntly, this will cause many operators to go out of business and the tourism offering in Broome and the Kimberley will be in tatters for years to come. We must do everything we can to prevent this.

Lifting of current COVID-19 restrictions

The Northern Territory has announced a staged lifting of its restrictions even though it is also subject to biosecurity restrictions. We understand the Northern Territory Government is calling for the biosecurity restrictions to be lifted in June 2020. Fortunately for the Northern Territory, their main cities and towns such as Darwin, Alice Springs and Katherine are not included in the biosecurity areas. Broome has not been so lucky.

We consider the current restrictions in Broome and the Kimberley can be safely lifted without impacting on vulnerable communities at the same time as the rest of WA comes out of the lockdown. If the Government wishes to continue with additional protection for indigenous communities, particularly remote communities, then they can remain in isolation while towns like Broome and Kununurra open up for business, welcome visitors and allow the people to go back to work.

We believe there is no compelling reason to stop Broome and other major towns in the Kimberley having a tourism season in 2020 and we implore you to assist in this regard to ensure the Kimberley re-opens in line with the rest of Western Australia. There is little point re-opening the Kimberley after October 2020 once the tourism season has passed. The damage will have already been done.

We look forward to your support and would welcome an opportunity to discuss this matter with you at your earliest convenience.

Yours sincerely



Paul McSweeney
Chief Executive Officer
Broome International Airport

4 May 2020



Shire of Broome
PO Box 44
BROOME WA 6725

Via email: ceo@broome.wa.gov.au

Attention: Sam Mastolembo, Secretary, Kimberley Zone Group.

Dear Sam,

Lifting of the Kimberley Biosecurity Status and Reconnecting the Kimberley for Intrastate Travel.

On behalf of our members and the broader business community, the Broome Chamber of Commerce & Industry requests the Kimberley Zone Committee to urgently ask the Premier of WA to request the Federal Government change the biosecurity status of the Kimberley to allow travel restrictions to be lifted so the Kimberley can reconnect with the rest of WA.

Nothing less than reopening the Kimberley borders with the rest of WA as soon as reasonable possible can now help mitigate what is already major and will become an enduring financial crisis for Broome and the Kimberley.

The BCC is hearing daily firsthand harrowing accounts of the level of personal financial stress and anxiety in the small business sector. This is a sector that has perhaps collectively had to sacrifice more than any other sector of the community in combatting this virus?

The Kimberley economy is fragile, has limited local demand for goods and services and for many local businesses' activity is very seasonal. Local businesses have been disproportionately impacted by the urgent but necessary restrictions to combat Covid-19 just as many businesses were gearing up for the tourist season. The closure of the Kimberley border and the loss of our usual influx of tourists this season directly impacts the tourist sector but also impacts many other small businesses beyond those normally labelled as tourism businesses. If the borders are not opened very soon the tourism sector will have effectively have no income from September 2019 to April 2021.

Many businesses have already had to close or layoff staff despite the Jobkeeper program and other measures already. Whilst reopening cafes, restaurants, gyms etc and allowing travel between Shires is a significant step forward, many businesses will not survive, and jobs will not be recreated in such a limited local market.

Every day a business is closed, increases the chance of that business failing. And behind every business closed and every job lost is a family or individual under financial stress. Some will never



bccci

#LoveBroome

recover from the damage already inflicted to date in fighting this pandemic. We urge you to move quickly on our request to reopen the intrastate borders.

We remain concerned about the Covid-19 virus but we are now even more concerned about the long term damage to our people and the local economy if intra state borders remain closed for much longer and we cannot leverage off the broader WA economy over the next few months.

Best regards

A handwritten signature in black ink, appearing to read 'Peter Taylor', with a long horizontal flourish extending to the right.

PETER TAYLOR
President
Broome Chamber of Commerce & Industry

6 May 2020

cc: Harold Tracey, Shire President



6 May 2020

Sam Mastrolembo
Secretariat,
Kimberley Zone

Via Email

RE: Lifting of the Covid-19 Bio Security Restrictions in Broome and the Kimberley

Dear Sam

Just following up on my great concerns of some communications last week that there would be no tourist season this year in Broome.

After hearing that by June - July this year travel restrictions within WA are likely to be removed, allowing travel within WA with the exception of the Kimberley region. For the Kimberley remained closed for the rest of the year would be devastating for all involved in the business and tourist industry in this region.

The view that the restrictions should continue in place come from those who do not suffer from the financial devastation caused by the current restrictions which are most unfairly impacting on some sections of the community, especially businesses forced to close or who can only operate at a greatly reduced capacity.

If the Government wishes to continue with additional protection for indigenous Communities, particularly remote communities, then they can remain in isolation while towns like Broome and Kununurra open up for business to welcome visitors and allow the people to go back to work.

Could you please convey these concerns to the Kimberley Zone Committee along with the urgency of our support with communications to the Premier Mark McGowan with lifting of the Covid-19 Bio Security Restrictions in Broome and the Kimberley.

Regards

Shayne Murray
CHAIR - CRUISE BROOME

Mob: 0418 922 657



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Western Australia 6725Tel: (+61) 08 9193 6660
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Attention: The Kimberley Zone
C/- Sam Mastrolembo

LIFTING THE COVID-19 RESTRICTIONS IN BROOME AND THE KIMBERLEY

As the Kimberley's peak Tourism Body, on behalf of our Kimberley Tourism Operator members we call upon the Kimberley Zone and the Premier Mark McGowan to seriously consider lifting all restrictions in the Kimberley region.

I have spent the last 8 weeks or so on the phone with our members whose businesses have been completely decimated by these restrictions. They have been in tears. **Businesses who have been operating for over 20 years will not survive 18 months without income.**

Many of these businesses are Mum and Dad businesses who have fallen through the cracks in regard to any current Government stimulus. They simply cannot afford to hibernate until the dry season of 2021. I am also extremely worried about the mental health of some of our members due to the stress of these restrictions and the grave impact it's having on their business and subsequently their families.

We believe the current restrictions can be lifted to still safely allow a tourist season with visitors from both within the Kimberley and from other Western Australian regions. Aboriginal communities could still remain in isolation. This will allow the economic engine of the Kimberley to kick start again, put hundreds of jobs back into the Tourism and Hospitality Industry and prevent a complete industry from being wiped out which will have dire future circumstances on the region.

With the Northern Territory lifting their Bio Security Zone as early as June, we see no reason why the Kimberley cannot do the same. If the region could have some semblance of a season in July, we could save the Tourism Industry in the Kimberley, we cannot wait until October, it will be too late.

ANW Members are already looking at COVID-19 Safe practices for welcoming visitors and we look forward to working with Government on any Tourism Containment plans to enable the region to be open for Intrastate visitors in July.

We implore you to support the Tourism Industry in the Kimberley.

yours sincerely,



Natasha Mahar
Chief Executive Officer
Australia's Northwest Tourism
7 May 2020

Cc. Premier Mark McGowan
Cc: Minister Paul Papalia
Cc: Brodie Carr MD Tourism WA.



DERBY
Chamber of
Commerce Inc

DERBY CHAMBER OF COMMERCE (INC)

ABN 43 328 480 684

PO Box 99, DERBY WA 6728

Phone (08) 9121 1910

Email admin@derbychamber.com.au

7th May 2020

The CEO
Shire of Derby West Kimberley
PO Box 94
DERBY WA 6728

Dear Amanda,

Lifting of COVID-19 Restrictions in Derby WA

The Kimberley region has been heavily impacted by the travel restrictions that have been in place since the 26th March 2020, especially amongst the small business sector with the loss of income and jobs within the community.

Despite the economic impact these restrictions have had in Derby, The Derby Chamber of Commerce is acutely aware of the impact this pandemic will have on our outlying Communities and as a result will support ongoing travel restrictions within the remote areas as is necessary and safe to do so.

Having said this, we believe that the restrictions that have been in place within the four Shires could be eased to allow travel within the Kimberley region, and intrastate travel (within WA) could be lifted to allow travel to Perth for both domestic and business requirements.

Do not hesitate to contact me in this regard,

Yours sincerely,

Stewart Milne
President



Our Ref: 63-16337

Mr Chris Mitchell
Chair
Kimberly Regional Group and Kimberley Zone
PO Box 653
BROOME WA 6725

BY EMAIL: debra.goostrey@kimberleyzone.com.au

Dear Mr Mitchell *Chris*

Thank you for your email regarding the actions taken by the Kimberley Regional Group (KRG) due to the COVID-19 pandemic and the current State of Emergency.

I have no doubt the community leadership shown by the KRG and their members is especially appreciated by the Kimberley community in these times. Your ongoing cooperation with local police and other emergency services is welcomed and assists our frontline personnel to tackle the tasks they must face in protecting our community.

Yours sincerely

A handwritten signature in blue ink that reads "Michelle Roberts".

**HON MICHELLE ROBERTS BA DipEd MLA
MINISTER FOR POLICE; ROAD SAFETY**

28 MAY 2020



Premier of Western Australia

Our Reference: 59-200110; 59-200536

Mr Chris Mitchell
Chair
Kimberley Zone and Kimberley Regional Group
debra.goostrey@kimberleyzone.com.au

Dear Mr Mitchell 

Thank you for your correspondence of 22 March, 14 April and 1 May 2020, that outlined the shared position of the four Kimberley Local Governments on the level of restrictions required in the Kimberley region to manage the COVID-19 pandemic. These positions have helped shape the Western Australian (WA) Government's response to the issue, which has been successful in limiting the spread of COVID-19 in the Kimberley.

I am conscious of how social distancing measures and travel restrictions significantly impact WA businesses. On 10 May 2020, I released the WA Roadmap for easing restrictions, which allowed travel between Kimberley Shires and permitted the re-opening of many businesses and community facilities. The removal of further restrictions will be implemented cautiously across the State.

My Government is working with the Australian Government to resolve the Biosecurity Determination restrictions that limit travel into the Kimberley in the near future. This will provide further relief to Kimberley businesses that rely on tourism.

The WA Government is committed to reducing alcohol related harm in the Kimberley and I am pleased to have your support for the continuation of the alcohol restrictions, which were enacted on 15 May 2020. My Government will continue to explore methods of reducing alcohol related harm in the Kimberley and I look forward to the continued assistance of the Kimberley Regional Group to this process.

Thank you for your ongoing contribution to the WA Government's efforts to protect the wellbeing of Kimberley residents during the COVID-19 pandemic.

Yours sincerely


Mark McGowan MLA
PREMIER

28 MAY 2020

2 Havelock Street, West Perth, Western Australia 6005
Telephone: +61 8 6552 5000 Facsimile: +61 8 6552 5001 Email: WA-Government@dpc.wa.gov.au
www.premier.wa.gov.au

10.2 CORRESPONDENCE OUT

20200414 PREMIER; Alcohol Issues in the Kimberley

20200501 PREMIER; Alcohol Issues in the Kimberley

20200519 PREMIER; Joint Letter - COVID-19 Pathway Forward

20200526 PREMIER; Acknowledgement of COVID-19 Actions

20200512 Broome International Airport; Acknowledgement of Letter

20200512 Derby Chamber of Commerce; Acknowledgement of Letter

20200512 Australia's NW Tourism; Acknowledgement of Letter

20200512 Broome CCI; Acknowledgement of Letter

20200512 Cruise Broome; Acknowledgement of Letter

Attachments

1. CORRESPONDENCE OUT

14 April 2020

Hon Mark McGowan BA LLB MLA
Premier
5th Floor Dumas House
2 Havelock Street
West Perth WA 6005
e-Mail: wa-government@dpc.wa.gov.au

Dear Premier

RE: KIMBERLEY REGIONAL GROUP POSITION STATEMENT - COVID-19 - 9 APRIL 2020

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively they seek to improve the outcomes for the region through improved social, economic and cultural outcomes.

The KRG has been vigilantly representing the Kimberley community during the current State of Emergency triggered by the COVID-19 pandemic and seek to work collaboratively with government agencies at all levels.

The KRG would like to express their grave concern for the people in our region and strongly urge the State and Federal Governments to continue to address the emerging and potentially tragic situation in the region. It is for this reason that the KRG has met again to identify priorities which are provided in the attachment to this letter and we request these issues are addressed as a matter of urgency.

We were pleased to see the proactive efforts of the WA Police across the Easter long weekend to prevent unnecessary travel and enforce social distancing. Local Shires are playing our part. We are providing civic leadership and keeping our communities informed to the best of our ability consistent with the state government's pandemic plan.

The KRG supports the State Government's existing alcohol restrictions across the state and Shires are working with takeaway liquor outlets to fast track the implementation of the full Takeaway Alcohol Management System (TAMS) which is being funded by the KRG and individual Shires. This will support the state wide restrictions on alcohol sales. Further, the Shires are working to fast track an interim arrangement for electronically monitoring sales. Whilst alcohol abuse remains an issue in the Kimberley, the problem drinkers are a small portion of the overall population and the measures we are taking are targeted and proportionate.

.../2.

PO Box 653 Broome 6725 Ph: (08) 9192 8355



2

The KRG and the four Shires represented remain committed to working proactively with the State Government in the best interests of our community and are happy to discuss further any of these issues.

Yours sincerely



Cr Chris Mitchell
Chair
Kimberly Regional Group and Kimberley Zone

Distribution List for this Position Statement

WA Government

- Premier
- Minister for Aboriginal Affairs/Treasurer
- Minister for Health
- Minister for Local government
- Minister for Police
- Minister Emergency Services

Agency

- Police Commissioner
- DG Dept Health
- CEO KDC

PO Box 653 Broome 6725 Ph: (08) 9192 8355



ATTACHMENT – KIMBERLEY REGIONAL GROUP POSITION STATEMENT - COVID-19 - 9 APRIL 2020

1. Enforcement of all Legal Requirements relevant to COVID-19

It is essential that there is strong enforcement of all legal obligations which impact on the ability of agencies to manage the COVID-19 pandemic, including but not limited to requirements in relation to social distancing, loitering, as well as drunk and disorderly behaviour.

The intent is to move vulnerable people to safe accommodation where the practices to prevent the spread of COVID-19 can be ensured, noting that there is concern that some of these people have been exposed to recent arrivals from Perth (see item below).

The Shires have previously provided a complete list of accommodation options and we urge the State Government to leverage every opportunity to move those that are vulnerable to spaces where the transmission of COVID-19 can be minimised.

ACTION 1:

All instances of failure to obey the social distancing requirements, loitering, being drunk and disorderly in a public place be actively enforced and vulnerable people relocated to safe accommodation.

2. Self-Isolation

There are known instances where itinerants have returned from Perth without undertaking self-isolation. These people should be immediately taken to a secure location and the 14-day period of isolation enforced.

ACTION 2:

Actively identify and enforce the 14-day self-isolation period for people returning from outside of the region.

PO Box 653 Broome 6725 Ph: (08) 9192 8355



3. Limiting Travel

All available opportunities should be utilised at State and Federal levels to ensure that the movement of people across Shire borders is stopped except where an exemption is in place. It is recognised that Police are applying significant resources over the Easter break but we seek support in ensuring that travel is limited during the course of this pandemic to constrain the spread of the disease. We also support actions to limit unnecessary movement between communities and towns where ever practicable.

ACTION 3:

Immediately deploy adequate resources to support the local police to enforce the Shire borders over the course of this pandemic and protect vulnerable communities

4. Recognise the role of the Shires in the Management of the state emergency

It is essential that Shires are fully briefed on matters to enable them to provide feedback and act swiftly for the benefit of the community. In too many instances, information is being released by the media or becomes common knowledge before Shires are officially informed. Shires have a defined role under the Western Australian Government Pandemic Plan (WAGPP) March 2020 and this should be fully observed by all state agencies.

ACTION 4:

It is essential that the Shire Leadership Team are:

- 4.1 Recognised as an equal stakeholder with state agencies in the communication of all information relevant to the role of the Shires in the State Government's Pandemic Plan. This includes the identification of new cases as well as the location and the potential scale of the contacts to enable planning to occur as soon as possible.
- 4.2 That the Shires are members of all senior committees operating within and for the region that are relevant to the COVID-10 pandemic.

PO Box 653 Broome 6725 Ph: (08) 9192 8355



5. Ensure effective leadership during the Emergency

The current management approach in the Kimberly region is not acceptable and we would therefore request that it moves from the management of WACHS to WA Police for the purpose coordination. Whilst the expertise of WACHS in the health aspects of this pandemic is recognised, the KRG is concerned that WACHS does not have the expertise of the Police and DFES in managing a rapidly evolving emergency situation.

Action 5:

5.1 WA Police are assigned the responsibility of providing coordination leadership for the pandemic in the Kimberley as they have the skills, experience and systems that are required, supported by the expert health advice provided by WACHS.

PO Box 653 Broome 6725 Ph: (08) 9192 8355



1 May 2020

Hon Mark McGowan BA LLB MLA
Premier
5th Floor Dumas House
2 Havelock Street
West Perth WA 6005
e-Mail: wa-government@dpc.wa.gov.au

Hon Alannah MacTiernan
Minister for Primary Industries, Regional Development; Ports
11th Floor Dumas House
2 Havelock Street
WEST PERTH WA 6055
E : Minister.MacTiernan@pc.wa.gov.au

Dear Premier and Minister MacTiernan

Kimberley Region Pathway to Recovery - Stage One

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively they seek to improve the outcomes for the Kimberley through improved social, economic and cultural outcomes.

The KRG has been pro-active in supporting State and Commonwealth governments in the implementation of strong controls to prevent the spread of COVID-19 in the Kimberley and protect our people. We continue to support the leadership you have shown through those actions, we understand and support the need for continued controls and are determined to provide the leadership required by our communities and businesses in the times ahead.

It is now 22 days since the Kimberley recorded any new active cases of COVID-19 and the rapid testing facilities you established are in place in Broome hospital to ensure early identification of any re-occurrence of the virus. The Kimberley has been both protected and prepared by those prudent actions which exceed those undertaken anywhere else, a level of security we support.

We also understand the real economic & financial pain caused particularly in the uniquely effected Kimberley tourism industry which has been decimated in the north and faces the prospect of no cash flow for 18 months, a situation we fear many businesses will not survive.

The KRG believes that it is time to assess the potential for cautious relaxation of some measures as the first stage of the pathway forward. These initial actions seek to balance the epidemiological management requirements with a well-considered process for the lifting of restrictions whilst minimizing risk.

Each of the elements in this first stage has merit and can be implemented in isolation, but together they provide an integrated approach that is more powerful, measured, responsible and lays the foundation for further recovery in the region whilst maintaining critical protections and we encourage you to consider them as a package.

..../2.

PO Box 653 Broome 6725 Ph: (08) 9192 8355



To that end, the KRG has resolved to support the first stage of the pathway forward being:

1. Supporting economic and social recovery through the conditional reopening of businesses such as cafes, restaurants and places for recreation/entertainment.
2. Reconnecting Kimberley businesses and families by lifting of Shire border restrictions whilst retaining (at this time) the Kimberley Bio-Security border and access restrictions for Aboriginal communities to maintain the protection of our most vulnerable people.
3. Looking after our community through the reduction of alcohol related harm

The attachment outlines the details of these resolutions.

Should you seek further information on any of the matters above please contact Debra Goostrey in Kimberley Zone Secretariat on 0439 380 266.

Yours sincerely



Chris Mitchell

Chair

Kimberley Zone and Kimberley Regional Group.

PO Box 653 Broome 6725 Ph: (08) 9192 8355





KIMBERLEY REGIONAL GROUP



POSITION STATEMENT

1 May 2020



**Shire of Derby /
West Kimberley**

Regional Pathway to Recovery

STAGE 1



INTRODUCTION

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively they seek to improve the outcomes for the Kimberley through improved social, economic and cultural outcomes.

The KRG has been pro-active in supporting State and Commonwealth governments in the implementation of strong controls to prevent the spread of COVID-19 in the Kimberley and protect our people. We understand and support the need for continued, fit-for-purpose controls as we move towards recovery.

It is now more than three weeks since the Kimberley recorded any new active cases of COVID-19 and the region is now free of active cases. Rapid testing facilities have been established and are in place in the Broome hospital to ensure early identification of any re-occurrence of the virus.

Our Kimberley Shires understand the real economic & financial pain for local business, particularly in the Kimberley tourism industry which has been decimated in the north and faces the prospect of no cash flow for 18 months, a situation we fear many businesses will not survive. We also recognise the flow on impact for jobs and families.

The KRG believes that it is time to assess the potential for cautious relaxation of some measures as the first stage of the pathway forward. These initial actions seek to balance the epidemiological management requirements with a well-considered process for the lifting of restrictions whilst minimizing risk.

Each of the elements in this first stage has merit and can be implemented in isolation, but together they provide an integrated approach that is more powerful, measured, responsible and lays the foundation for further recovery in the region whilst maintaining critical protections.

To that end, the KRG has resolved to support the first stage of the pathway forward being:

1. Supporting economic and social recovery through the conditional reopening of businesses such as cafes, restaurants and places for recreation/entertainment.
2. Reconnecting Kimberley businesses and families by lifting of Shire border restrictions whilst retaining (at this time) the Kimberley Bio-Security border and access restrictions for Aboriginal communities to maintain the protection of our most vulnerable people.
3. Looking after our community through the reduction of alcohol related harm.

Details of these resolutions are provided on the following pages.

1. Supporting Economic and Social Recovery Through the Conditional Reopening of Businesses

The Kimberley Regional Group supports:

1. The reopening of businesses that are impacted by the restriction of gatherings of a maximum of ten people when mandatory requirements are met.
2. Early notification for businesses to enable them to undertake the necessary training and preparation.

The COVID-19 pandemic has led to significant negative impacts on the global, national, state, regional and local economies. The Kimberley economy has a significant reliance on tourism which has ceased due to the introduction of the Commonwealth Determination of Designated Regions under the Biosecurity Act 2015 (Cth) as well as the effective closure of State and National borders.

Restaurants, cafes and other food outlets have been restricted to takeaway service only with gyms, cinemas and other entertainment/recreational businesses not permitted to operate. The KRG supported these measures in the management of the COVID-19 pandemic however believe that the conditions are now considerably different from when those measures were imposed including the practices and protocols that have been implemented which have supported the reduction of the number of active cases in the Kimberley to zero.

The KRG believes that restrictions do not need to be lifted in all regions concurrently if there is a variation in active cases between locations in Western Australia. This is consistent with the approach taken nationally where states are at different points along the continuum of control and recovery.

The Kimberley represents an excellent opportunity for the State government to lift restrictions as the dine-in clientele will be residents and readily traceable. Further, there are no active cases of COVID-19 in the region and there is now a rapid testing facility available which will facilitate testing of staff or residents if they display any symptoms of COVID-19. The strong Kimberley border controls and boundaries for Aboriginal communities adds further weight to the case for early reopening of businesses, including dine-in cafes and restaurants.

It is noted that as part of the process for the easing of restrictions and a return to business, the State Government and the AHA have developed a COVID-19 Hygiene Course with tier two for managers and supervisors being made available from the 6th May 2020.

The KRG recognises the importance of the hygiene training and proposes that compliant businesses are able to reopen as soon as they meet those requirements. To facilitate the smooth return to business, notification of the opportunity to reopen, including the criteria from a business perspective and from an epidemiological perspective. Early notification will avoid the lag period whilst businesses become compliant, order in supplies (noting the isolation in the Kimberley), as well as train and roster staff. Further, it is recognised that any forward notice of re-opening would be contingent upon the maintenance of positive outcomes in the management of COVID-19.

The reopening of businesses for dine-in meals and other activities will assist the mental health of locals and help to avert bankruptcy for businesses reliant on "dry season" trade in the Kimberley. Further, those businesses will provide a multiplier economic impact for other businesses across the region, saving businesses and jobs.

2

2. Reconnecting Kimberley Businesses and Families by Lifting of Shire Border Restrictions

The Kimberley Regional Group:

1. Supports the lifting of restrictions between Shires in the Kimberley as the public health reasons for putting those Shire borders in place has now passed and the region and vulnerable Aboriginal Communities are protected by other strong border protections.
2. Does not support any relaxation at this time in the:
 - a. Commonwealth Determination of designated regions under the Biosecurity Act 2015 (Cth).
 - b. Remote Aboriginal Communities Directions under Section 67 of the State Emergency Act.

The Kimberley Region has the most restrictive conditions for any region in Western Australia. Controls currently in place include:

- Commonwealth Determination of designated Regions under the Biosecurity Act 2015 (Cth), closing the border for all but those with exemptions.
- Remote Aboriginal Communities Directions under Section 67 of the State Emergency Act which effectively closed Aboriginal communities to outsiders
- Declaration of the closure of the Shire borders in the Kimberley to anybody that does not have an exemption.

The KRG strongly supported the implementation of the restrictions listed above due to the lack of the required testing facilities, intensive care beds and respirators that would be required in case of a significant outbreak. These conditions have now changed with rapid testing facilities now available in the region and the extremely successful management of COVID-19 which has led to zero active cases in the Kimberley.

Given this change of circumstance the KRG supports the lifting of the borders between the Shires within the Kimberley but the retention, at this time, of the Commonwealth Determination of a Designated Region and the Remote Aboriginal Communities Directions under Section 67 of the State Emergency Act.

The lifting of Shire borders will reunite families and friends that are separated across Shire borders and support business recovery.

It is noted, that should the need arise due to an outbreak of COVID-19 in a specific location, travel restrictions may need to be reapplied in that area.

On balance, the lifting of Shire borders will have a positive impact on business and mental health in the community whilst presenting a low risk for the spread of COVID-19 with the other border restrictions remaining in place at this time.

3. Protecting the Community through Reinstatement of Takeaway Alcohol Limits in the Kimberley

The Kimberley Regional Group supports the reintroduction of alcohol restrictions, consistent with the State wide restrictions imposed in March 2020, in the Kimberley where the restrictions:

- are supported by WA Police and WACHS;
- are supported by other government agencies and key community groups, including Aboriginal leaders; and
- are implemented after consultation with affected the Liquor Accords.

The State government introduced alcohol restrictions on 25 March 2020 under the State Emergency Act to reduce alcohol related harm whilst the hospital and police prepared for the management of the COVID-19 pandemic.

The restrictions, which limited sales to three bottles of wine, one carton of beer, cider or pre-mix spirits, one litre of spirits or one litre of fortified wine or any combination of two of the items listed above, were seen to be operationally important. Given the relatively short duration of the restrictions and the significant change in local circumstance, obtaining credible data that attributes the reduction in crime, vehicle related incidents and hospital admissions specifically to alcohol restrictions is difficult, however anecdotally there would seem to have been a material reduction.

On 20 March 2020, the State Wide restrictions were lifted. This meant an immediate return to the pre-existing situation where Section 64 restrictions were in place for all takeaway alcohol in Fitzroy Crossing and Halls Creek, and Section 64 restrictions in Kununurra/Wyndham apply for take away alcohol as follows: 1 carton of mid to full strength beer, 3 bottles of wine or 1 litre of spirits or a combination of any two of those items. This is consistent with the State wide restrictions imposed under the State of Emergency. Across the Kimberley Section 64 limits the sale of individual containers of more than one litre of liquor with an alcohol content of 6% or more (for example, wine casks of more than one litre); and in glass bottles of 400ml or more of beer.

COVID-19 stimulus package

The Zone/Kimberley Regional Group welcomes the injection of funds through the COVID-19 stimulus package which will see some categories of welfare recipients receive \$550 per fortnight from the end of April/beginning of May. In the East Kimberley most of this funding will be quarantined via that Cashless Debit Card where alcohol purchases are not permitted. In the West Kimberley, the Cashless Debit Card has not been implemented which means that approximately \$1million per week will be injected in the economy as available cash. Whilst the number of people that will be exposed to alcohol related harm are statistically a minor proportion of the population, the KRG is committed to the health, safety and welfare of all residents across the region and is concerned that the uplift in funds may translate to an increase in alcohol abuse.

Reduction of Alcohol Related Harm

The KRG, as a matter of principle, supports the application of consistent alcohol restrictions across the Kimberley which enables residents to access reasonable levels of alcohol for domestic use and permitted usage associated with remote pastoral stations and businesses, whilst reducing alcohol related harm in the community. This overarching principle of consistent alcohol restrictions across the Kimberley is seen as critical in reducing the movement of itinerant problem drinkers to Shires with the lowest restrictions imposed on the sale of alcohol.

The KRG also recognises the significant work being undertaken by the WA Police to manage a range of risks in the Kimberley region, including the reduction in alcohol related harm.

Further, the KRG notes the right of Aboriginal Communities to strictly enforce a zero alcohol policy.

To reduce the risk of alcohol related harm during the State of Emergency, the KRG supports the introduction in the Kimberley of restrictions consistent with those that were imposed under the State Emergency Act in March 2020 where those restrictions are supported by WA Police, WACHS, other government agencies and key community groups, including Aboriginal leaders. It is also considered important to consult with the Liquor Accords on the process of implementation. Further, the KRG supports exemption for businesses such as remote pastoral stations as applied under Section 64 Restrictions in place in the Shire of Wyndham East Kimberley to avoid confusion.

There may also be operational requirements to support policing and health services from time to time which require a further tightening of the supply of alcohol. In this case the KRG supports the imposition of appropriate restrictions for a limited period in specific locations with the opportunity for the restrictions to be extended where the circumstances that triggered the restrictions remain valid and the restrictions have been initiated by the police with the support of health agencies.

12 May 2020

Mr Paul McSweeney
Chief Executive Officer
Broome International Airport
Locked Bag 4016,
BROOME WA 6725

By email: RachelM@broomeair.com.au

Dear Paul

ACKNOWLEDGEMENT OF YOUR CORRESPONDENCE

Thank you for your correspondence dated 6 May 2020 outlining your concerns in relation to the impact of the ongoing border restrictions in the Kimberley.

It is apparent there is concern at both State and Federal levels in relation to our Aboriginal communities which are home to a range of vulnerable people. The Kimberley Regional Group (KRG), comprising the four Shires in the region, worked with WACHS, WAPOL and State agencies to return people to country and responded very swiftly to lobby for travel restrictions when the situation called for it.

We have now had over four weeks without a confirmed case in the Kimberley and Western Australia is largely COVID-19 free so the circumstance has changed along with our preparedness to manage the virus.

We now have confirmation that Shire border restrictions in the Kimberley will be lifted and our attention has turned to the process for lifting the regional travel restrictions to enable businesses to resume operations.

The KRG is keenly aware of the economic consequences should the Kimberley borders remain closed. An effective 18 month hibernation would be catastrophic at a regional, local, business and personal level for many with commercial and tourism operators at risk of being unable to reopen for the 2021 season, eroding years of work in building the Kimberley brand.

Further meetings of the Zone have been scheduled now that the State has announced their direction forward. We will continue to work towards an outcome that will enable business operations to resume this tourism season whilst supporting targeted measures to protect vulnerable members of our communities.

Thank you for your correspondence, it has been tabled as part of our deliberations.

Yours sincerely



Chris Mitchell
Chair
Kimberley Regional Group and Kimberley Zone

PO Box 653 Broome 6725 Ph: (08) 9192 8355



12 May 2020

Mr Stewart Milne
President
Derby Chamber of Commerce
PO Box 99
Derby WA 6728

By email: admin@derbychamber.com.au

Dear Stewart

ACKNOWLEDGEMENT OF YOUR CORRESPONDENCE

Thank you for your correspondence dated 6 May 2020 outlining your concerns in relation to the impact of the ongoing border restrictions in the Kimberley.

It is apparent there is concern at both State and Federal levels in relation to our Aboriginal communities which are home to a range of vulnerable people. The Kimberley Regional Group (KRG), comprising the four Shires in the region, worked with WACHS, WAPOL and State agencies to return people to country and responded very swiftly to lobby for travel restrictions when the situation called for it.

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Yours sincerely



Chris Mitchell
Chair
Kimberley Regional Group and Kimberley Zone

PO Box 653 Broome 6725 Ph: (08) 9192 8355



12 May 2020

Natasha Mahar
Chief Executive Officer
Australia's Northwest Tourism
PO Box 554
Broome WA 6725

By email: info@australiasnorthwest.com

Dear Natasha

ACKNOWLEDGEMENT OF YOUR CORRESPONDENCE

Thank you for your correspondence dated 7 May 2020 outlining your concerns in relation to the impact of the ongoing border restrictions in the Kimberley.

It is apparent there is concern at both State and Federal levels in relation to our Aboriginal communities which are home to a range of vulnerable people. The Kimberley Regional Group (KRG), comprising the four Shires in the region, worked with WACHS, WAPOL and State agencies to return people to country and responded very swiftly to lobby for travel restrictions when the situation called for it.

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Yours sincerely



Chris Mitchell
Chair
Kimberley Regional Group and Kimberley Zone

PO Box 653 Broome 6725 Ph: (08) 9192 8355



12 May 2020

Mr Peter Taylor
President
Broome Chamber of Commerce and Industry
PO Box 1307
Broome WA 6725

By email: administration@broomechamber.com.au

Dear Peter

ACKNOWLEDGEMENT OF YOUR CORRESPONDENCE

Thank you for your correspondence dated 6 May 2020 outlining your concerns in relation to the impact of the ongoing border restrictions in the Kimberley.

It is apparent there is concern at both State and Federal levels in relation to our Aboriginal communities which are home to a range of vulnerable people. The Kimberley Regional Group (KRG), comprising the four Shires in the region, worked with WACHS, WAPOL and State agencies to return people to country and responded very swiftly to lobby for travel restrictions when the situation called for it.

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Yours sincerely



Chris Mitchell
Chair
Kimberley Regional Group and Kimberley Zone

PO Box 653 Broome 6725 Ph: (08) 9192 8355



12 May 2020

Mr Shayne Murray
Chair
Cruise Broome

By email: shaynemurray@cruisebroome.com

Dear Shayne

ACKNOWLEDGEMENT OF YOUR CORRESPONDENCE

Thank you for your correspondence dated 6 May 2020 outlining your concerns in relation to the impact of the ongoing border restrictions in the Kimberley.

It is apparent there is concern at both State and Federal levels in relation to our Aboriginal communities which are home to a range of vulnerable people. The Kimberley Regional Group (KRG), comprising the four Shires in the region, worked with WACHS, WAPOL and State agencies to return people to country and responded very swiftly to lobby for travel restrictions when the situation called for it.

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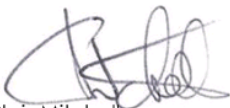
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Thank you for your correspondence, it has been tabled as part of our deliberations.

Yours sincerely



Chris Mitchell
Chair
Kimberley Regional Group and Kimberley Zone

PO Box 653 Broome 6725 Ph: (08) 9192 8355



19 May 2020

Hon Mark McGowan BA LLB MLA
Premier
5th Floor Dumas House
2 Havelock Street
West Perth WA 6005

e-Mail: wa-government@dpc.wa.gov.au

Dear Premier

Kimberley Region Pathway to Recovery

As you are aware the Kimberley region has many complex issues and we, the signatories listed below, are united in our belief that achieving long term sustainable outcomes should be undertaken in an informed, considered and collaborative manner. To this end we have come together with a view to working over the longer term with State and Federal Government agencies to facilitate the safe and sustainable reactivation of business and community activity in the Kimberley.

Tyronne Garstone	Chair COVID-19 Aboriginal Taskforce
Peter Yu	Chair Northern Australia Indigenous Reference Group, Member COVID-19 Aboriginal Taskforce
Lawford Benning	Member Northern Australia Indigenous Reference Group, Member COVID-19 Aboriginal Taskforce
Myrtle Ward	Chair, Kimberley Aboriginal Medical Services Ltd
Harold Tracey	President Shire of Broome
David Menzel	President Shire of Wyndham East Kimberley
Malcolm Edwards	President Shire of Halls Creek
Geoff Haerewa	President Shire of Derby West Kimberley
Chris Mitchell	Chair Kimberley Regional Group and Kimberley Zone
Elsia Archer	Chair Regional Development Australia (Kimberley)

Significant positive change has occurred in Australia since the initial restrictions were put into place and we thank both the State and Commonwealth governments for your responsiveness in our time of greatest need.

We now have rapid COVID-19 testing facilities in Broome with kits being distributed to Aboriginal communities throughout the region. There is far greater awareness across the region of the need for hygiene and clear protocols, including those relating to isolation, to manage any infection that may occur. The success is evidenced by the fact that it has been nearly five weeks since the last confirmed case of COVID-19 in the Kimberley and no cases recorded amongst our resident Aboriginal population.

Going forward, the group seeks to work together with agencies to guide the Kimberley regional recovery effort as restrictions that have been in place at a local, regional, state, national and global level are eased and eventually lifted.

.../2.

While we believe it is time to remove the current restrictions, we are conscious that there will be no guarantees of future outbreaks, and in remote communities, such an outbreak could quickly lead to a significant outbreak with multiple fatalities. Accordingly, we are also of the view that the State Government should stand ready to support local health services, particularly community controlled Aboriginal health services, to respond immediately to any such outbreaks and take appropriate action as required.

Regardless of whether a person is a local resident or a visitor, it is vitally important that testing for COVID-19 is readily available if a person feels unwell and we urge the State government to consider amending the guidelines to facilitate this.

The key priorities we are working towards as we move towards opening the Kimberley include:

- The development and implementation of an Outbreak Management Plan to respond should there be a positive case and close contact in a community, including the safeguarding of specific locations (rather than putting in the restriction across the Kimberley).
- The development of a Management Plan for Tourists testing positive, including an evacuation and quarantine protocol where required, noting that protocols are in place for people from Aboriginal communities.
- Strong encouragement by the State government, local government, tourism businesses and other organisations to ensure that all visitors to the region have downloaded the COVID App.
- Implementation of a Communication Strategy including signage at Visitors Centres, hotels and roadhouses to promote social distancing, hygiene and other key messages to safeguard against the transmission of COVID-19. Further, the delivery of information and signage to clarify where visitors may and may not travel including relevant penalties. Local Governments have committed their support for the communication actions within their remit and we seek a similar commitment from the state in relation to matters within their jurisdiction, for example relevant signage on routes managed by Main Roads.

In addition to supporting the matters listed above, specific consideration by the State should be given to:

- Improved Point of Care Testing – GeneXpert machines available in key locations¹ for testing with a 45 minute result for the Aboriginal people and the increase in availability of cartridges.
- Financial and other forms of support from the State Government for clinics likely to be accessed by visitors including, but not limited to, Bidyadanga, the Dampier Peninsula and Gibb River Road clinics.

Importantly, we know that the risk of such outbreaks will continue for the foreseeable future, perhaps for three years or more and therefore it is imperative that governments at both the state and federal level move immediately to reduce overcrowding in remote communities to parity levels with the broader community.

In the short term, it is imperative to ensure there is adequate accommodation to meet the existing level of need, and as well it is necessary to ensure that in each community there is accommodation capacity to meet any surge in the need for quarantining of community members at short notice.

.../3.

¹ OVAHS – Kununurra; YYMS – Halls Creek; WACHS – Fitzroy Crossing; DAHS – Derby; Balgo; Bidyadanga; Kalumburu; Beagle Bay.

3

Immediate focus on housing construction to meet these two objectives will have the added attraction of helping kick start the local economy and deliver local jobs and training opportunities through local housing and construction companies.

Lifting the border restrictions for the Kimberley region has a strong economic justification as the risk profile reduces across our state and in many of the regions beyond our state borders. We believe that the time has come to reunite the Kimberley with the rest of Western Australia enabling families, businesses and communities to move firmly into the recovery phase of this COVID-19 pandemic, improving mental health outcomes and our economic destiny.

We are aware that you will be well informed of the perilous state of the Kimberley economy, with mining, tourism, service industries and the construction sector all deeply affected by the current situation. Feedback from mining sector, which generates some \$364million in the Kimberley, is that reliance on a fly-in-fly-out or a drive-in-drive-out workforce in isolation is not sustainable and some operations have entered hibernation until the Kimberley border reopens. The tourism industry, which has a substantial number of offerings from the Aboriginal business sector and domestic visitor revenue of some \$500million, is facing catastrophe if the dry season tourism remains in hibernation. All of the businesses in these sectors have financial commitments and many have made significant investments in infrastructure and need to negotiate with lenders as well as landlords, staff and customers.

With consideration of the preparedness of the Kimberley to manage COVID-19, and the economic and social consequences of ongoing isolation we, the leaders in the region, believe that it is time to lift the Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Determination 2020 as it relates to the Kimberley and recommends the date of the 18th of June 2020 as an appropriate timeframe dependent of no further cases across the Region.

Further, we request that the intent to remove the border control be communicated as early as possible. This will enable agencies to prepare, businesses to begin the planning and the marketing of a 2020 northern tourism season on a level playing field with other destinations in Western Australia, and the reactivation of other businesses across the region. It will also relieve the uncertainty for those that have been separated from family members and friends over the last two months, delivering considerable mental health benefits for residents in the region.

We acknowledge the complexities of border controls relating specifically to Aboriginal communities and encourage the State to work with individual Aboriginal communities to determine their readiness for the lifting of those restrictions including those that select to continue their isolation.

We thank you for your consideration of this request and we look forward to working with your agencies to progress and finalise the initial transition from regional border controls in the Kimberley and the ongoing milestones for the region over the next eighteen months as we recover from the COVID-19 pandemic.

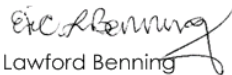
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Should you seek further information on any of the matters above please contact Debra Goostrey in Kimberley Zone Secretariat on 0439 380 266.

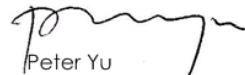
Signatories to this letter follow:



Tyrone Garstone
Chairperson
COVID-19 Aboriginal
Kimberley Taskforce



Lawford Benning
Member Northern
Australia Indigenous
Reference Group,
Member COVID-19
Aboriginal Taskforce



Peter Yu
Chair Northern Australia
Indigenous Reference
Group,
Member COVID-19
Aboriginal Taskforce



Myrtle Ward
Chairperson
Kimberley Aboriginal
Medical Services Ltd



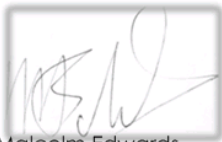
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Chair
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Kimberley Regional
Group



Harold Tracey
President
Shire of Broome



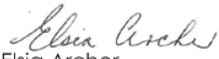
David Menzel
President
Shire of Wyndham East
Kimberley



Malcolm Edwards
President
Shire of Halls Creek



Geoff Haerewa
President
Shire of Derby West
Kimberley



Elsie Archer
Chair Regional
Development Australia
(Kimberley)

26 May 2020

Hon Mark McGowan BA LLB MLA
Premier
5th Floor Dumas House
2 Havelock Street
West Perth WA 6005

e-Mail: wa-government@dpc.wa.gov.au

Dear Premier

Kimberley Region Pathway to Recovery

On behalf of the Kimberley Regional Group, we would like to thank you for your prompt consideration of our correspondence dated the 19th May and welcome your announcement yesterday on progress towards the lifting of our regional borders, including the establishment of a target date of 5 June 2020.

We support the application to the Commonwealth Government to lift the Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Determination 2020 as it applies to the Kimberley and other locations in Western Australia.

Further, we acknowledge and support the intent to consult individually with affected communities in relation to the lifting of the Remote Aboriginal Communities Directions (No 2) under Section 67 of the Emergency Management Act 2005 (WA). This differentiation is an important signal of respect and care for the needs of those communities.

The vital and essential benefits to Kimberley businesses are clear as the lifting of regional restrictions will allow local operators to plan their economic future. We expect business survival rates to lift substantially as a result and we would welcome the opportunity to continue to work with you on a sensible pathway to allow the hospitality sector across Western Australia to cater for visitors to the regions in a financially viable manner.

The benefits for the community are more subtle but are equally important. Those needing to travel to Perth for medical treatment will no longer have to endure the 14 day quarantine period each time, families can reconnect and our broader community will be able to go through a time of healing after a period of disruption and disfunction. This has been a challenging time for everybody and we thank you, personally and on behalf of our communities, for your ongoing leadership during this COVID-19 pandemic.

.../2.

PO Box 653 Broome 6725 Ph: +61 439 380 266



2

The Kimberley Regional Group will continue to work collaboratively with State and Federal Governments on the COVIDSafe reopening of the region and look forward to the next stage of this journey towards recovery.

Yours sincerely



Cr Chris Mitchell
Chair
Kimberley Zone and Kimberley Regional Group



Cr Harold Tracey
President
Shire of Broome



Cr Geoff Haerewa
President
Shire of Derby West Kimberley



Cr Malcolm Edwards
President
Shire of Halls Creek



Cr David Menzel
President
Shire of Wyndham East Kimberley

PO Box 653 Broome 6725 Ph: +61 439 380 266



11. GENERAL BUSINESS

11.1 Question from Cr Geoff Haerewa regarding the COVID-19 State of Emergency alcohol restrictions in place in the Kimberley and the end date of those restrictions.

The alcohol restrictions are in alignment with the State of Emergency and will cease when the State of Emergency ends. It is not possible to extend those restrictions as the powers used will be removed once the State of Emergency is lifted.

11.2 Cr David Menzel requested support from the State Government regarding border restrictions and the current COVID-19 situation.

WA restrictions were looking likely to be lifted up until the recent spike in cases in NSW and Victoria. May be an opportunity to look at re-aligned borders or a "travel bubble" between WA, SA and NT.

Zone Executive to draft a letter of support for the region regarding support of a travel bubble.

12. MATTERS BEHIND CLOSED DOORS

MOTION:

(REPORT RECOMMENDATION)

Moved: D Menzel

Seconded: G Haerewa

That the meeting be closed to the public at 2:26pm

CARRIED UNANIMOUSLY 4/0

Members of the Public departed the Chambers at 2:26pm.

This item and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(iii)) as it contains "a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government".

9.7 KIMBERLEY REGIONAL GROUP / ZONE EXECUTIVE SERVICES

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report considers the Executive Services contract delivering executive and

administrative support and presents options and a recommendation to the group.

MOTION:

(REPORT RECOMMENDATION)

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Notes the high level of activity and support provided by ATEA Consulting in their Executive and Administrative Services role over the previous 2-year period;**
- 2. Awards a 2-year contract extension to ATEA Consulting to a maximum contract value of \$289,760.00, based on 864 hours of Executive Support and 296 hours of Administrative Support per annum, subject to any required minor variations;**
- 3. 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 for the 2-year period; and**
- 4. Authorises the Secretariat to finalise negotiations and sign any documents required to enact the contract, subject to any minor variations.**

CARRIED UNANIMOUSLY 4/0

Attachments: Nil

MOTION:

(REPORT RECOMMENDATION)

Moved: D Menzel

Seconded: G Haerewa

That the Meeting again be open to the public at 2:31pm.

CARRIED UNANIMOUSLY 4/0

The Council chambers were opened and it was noted that no members of the public returned to the Chambers.

13. MEETING CLOSURE