



# **KIMBERLEY REGIONAL GROUP Meeting**

# **UNCONFIRMED MINUTES**

**1:00PM, 22 FEBRUARY 2021**

**Video Conference**

**SHIRE OF BROOME**  
**KIMBERLEY REGIONAL GROUP**  
**MONDAY 22 FEBRUARY 2021**  
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**MINUTES OF THE KIMBERLEY REGIONAL GROUP OF THE SHIRE OF BROOME,  
HELD IN THE SHIRE OF BROOME, CORNER WELD AND HAAS STREETS, BROOME, ON  
MONDAY 22 FEBRUARY 2021, COMMENCING AT 1:00PM.**

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

The Chair welcomed Members, officers and guests and declared the meeting open at 1:00pm.

**2. RECORD OF ATTENDANCE / APOLOGIES**

**ATTENDANCE:**

Cr Chris Mitchell	Shire of Broome
Sam Mastrolembo	Shire of Broome
Cr Paul White	Shire of Derby West Kimberley
Amanda O'Halloran	Shire of Derby West Kimberley
Cr David Menzel	Shire of Wyndham East Kimberley
Cr Tony Chafer	Shire of Wyndham East Kimberley
Vernon Lawrence	Shire of Wyndham East Kimberley
Cr Malcolm Edwards	Shire of Halls Creek
Noel Mason	Shire of Halls Creek
Debra Goostrey	Zone Executive - ATEA
James Watt	Shire of Broome
Nick Sloan	Chief Executive Officer, WALGA
Tim Lane	WALGA
Tim Bray	Kimberley Development Commission
Krissie Dickman	Department of Communities
Greg Hayes	WALGA Roadwise

**APOLOGIES:**

Cr Chris Loessl	Shire of Halls Creek
Cr Harold Tracey	Shire of Broome
Cr Gordon Thomson	Shire of Christmas Island
Cr Kee Heng Foo	Shire of Christmas Island
David Price	Shire of Christmas Island
Cr Tony Lacy	Shire of Cocos (Keeling) Islands
Cr Seriwati Iku	Shire of Cocos (Keeling) Islands
Andrea Selvey	Shire of Cocos (Keeling) Islands
Danelle Dowding	Kimberley RDA

**3. DECLARATION OF INTERESTS**

FINANCIAL INTEREST			
Member	Item No	Item	Nature of Interest
		Nil	

IMPARTIALITY			
Member	Item No	Item	Nature of Interest
		Nil.	

**4. CONFIRMATION OF MINUTES****KIMBERLEY REGIONAL GROUP RESOLUTION:****(RECOMMENDATION)****Minute No. KRG/0221/001****Moved: Cr D Menzel****Seconded: Cr M Edwards**

**That the Minutes of the Kimberley Regional Group held on 27 November 2020, as published and circulated, be confirmed as a true and accurate record of that meeting.**

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

Nil.

**6. PRESENTATIONS FROM REPRESENTATIVES**

Nil.

**7. REPORTS FROM REPRESENTATIVES****7.1 KIMBERLEY DEVELOPMENT COMMISSION**

Tim Bray, Director Regional Planning and Project Delivery

**7.2 WALGA**

Nick Sloan, Chief Executive Officer

Tim Lane, Manager Strategy and Association Governance

**7.3 DEPARTMENT OF LOCAL GOVERNMENT SPORT AND CULTURAL INDUSTRIES / DEPARTMENT OF COMMUNITIES**

Krissie Dickman, Regional Manager Kimberley

**7.4 WALGA ROADWISE**

Greg Hayes, WALGA Roadwise Safety Advisor

## 8. REPORTS FROM KIMBERLEY COUNTRY ZONE

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

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	KRG01; RCG03
<b>AUTHOR:</b>	Zone Executive
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

To consider the recommendations on Matters for Decisions that will be considered at the WALGA State Council meeting on the 3<sup>rd</sup> March 2021.

#### COMMENT

The next WALGA State Council meeting will be held on 3 March 2021. The following matters for decision will be considered.

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>	<b>Zone Comment &amp; Recommendation</b>
5.5.1	External Oversight and Intervention – Authorised Inquiries and Show Cause Notices (05-034-01-0001 FM)	That WALGA: <ol style="list-style-type: none"> <li>1. Continues to advocate for the State Government to ensure that there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995; and</li> <li>2. Requests the Minister for Local Government to:               <ol style="list-style-type: none"> <li>a. Engage with affected Local Governments in order to attempt to resolve identified issues, improve performance and achieve good governance before considering an intervention under Part 8 of the Local Government Act 1995;</li> </ol> </li> </ol>	The Local Government sector has expressed concern at the time taken for authorised enquiries to be carried out and the manner in which the powers under Part 8 of the Local Government Act have been exercised. Greater engagement is required to avoid show cause notices and Authorised Inquiries and resources allocated to carry out any inquiries in a timely manner.  <b>Support</b>

		<p>b. Provide written reasons prior to issuing any Show Cause Notices;</p> <p>c. Require regular progress reports to be provided to any Local Government that is the subject of any Authorised Inquiry; and</p> <p>d. Require that any Authorised Inquiry be conducted within a specified timeframe that may be extended with the approval of the Minister.</p>	
5.2	Cost of Revaluations (05-034-01-0001 TB)	That WALGA advocate to the State Government for the equal distribution of valuation costs for properties where the Water Corporation, the Department of Fire and Emergency Services and the Local Government require the valuation.	<p>The current apportionment is:</p> <p>39% Local Govt. 39% Water Corp 22% DFES</p> <p>WALGA disputes the "capacity to pay" premise which has historically been applied by</p> <p><b>Support</b></p>
5.3	Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding (05-024-02-0001 SM)	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. Supports the inclusion of capital costs of Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS).</li> <li>2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021).</li> <li>3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with</li> </ol>	<p>Slip On Fire Fighting Units (usual configuration - tank, motor/pump, hose and reel on rigid frame) are designed for quick loading onto the load space of flat back utilities. Slip On Fire Fighting Units are an important part of the rapid bushfire response capacity of many regional Local Government bushfire brigades and are a fraction of the cost of fully equipped appliances.</p> <p><b>Support</b></p>

		<p>the LGGGS.</p> <p>4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process.</p>	
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#### Matters for Noting:

- 6.1 Local Government Car Parking Guideline – Western Australia (05-036-03-0063 AR)
- 6.2 Submission – Draft Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2020 (05-034-01-0104 TB)
- 6.3 Submission – Proposed Reportable Conduct Scheme for Western Australia (05-034-01-0104 TB)
- 6.4 Submission – Draft State Planning Policy 4.2: Activity Centre (05-036-03-0020 CH)
- 6.5 Submission – Registration of Builders (and Related Occupations) Reforms (05-015-02-0010 CL)
- 6.6 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

#### Organisational Reports

- Report on Key Activities, Commercial and Communications (01-006-03-0017 ZD)
- Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)
- Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- Report on Key Activities, Strategy, Policy and Planning (01-006-03-0014 ID)
- Policy Forum Reports (01-006-03-0007 TB)

#### President's Report

- COVID-19 Update
- State Election 2021 Campaign Update
- Sector Promotional Campaign
- WALGA Corporate Strategy
- Australian Local Government Association (ALGA)

#### 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

**Economy Goal – A sustainable and diverse economy:**

Sustainable Local Government revenue

**VOTING REQUIREMENTS**

*Simple Majority*

**KIMBERLEY ZONE RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. KRG/0221/002**

**Moved: Cr D Menzel**

**Seconded: Cr C Mitchell**

**That the Kimberley Regional Group:**

- 1. Notes the State Council Agenda Items.**
- 2. Notes the WALGA President's Report.**
- 3. Supports the recommendations in the Matters for Decision.**

**CARRIED UNANIMOUSLY 4/0**

**Attachments**

1. WALGA State Council Agenda March 2021 (Under separate cover)
2. WALGA Presidents Report March 2021



# President's Report

## March 2021



### Introduction

Activity in the Local Government sector has commenced at a hectic pace in 2021, with COVID-19 lockdowns for parts of the State; Bushfires and Floods in other areas. In addition we have a State Election, not forgetting of course our Local Government operational matters, which I will outline in this report.

### COVID-19 Recovery

It is clear that COVID-19 will continue to be with us in 2021. February's five-day lockdown, which just happened to coincide with the Perth fires and flooding in the State's north, was a reminder of the continued risk that the virus poses and just how quickly the relative freedoms we have enjoyed in WA in recent months can change. The sector responded to the lockdown magnificently, pivoting operations and maintaining the essential services that our community expects from us. Nick Sloan's participation in State Emergency Coordination Group meetings and WALGA's presence at the State Health Incident Coordination Centre enabled WALGA to represent Local Government perspectives directly and provide daily updates to the sector.

### State Election 2021 Campaign Update

Late last year I wrote to all members of the Western Australian Parliament as well as endorsed candidates in the upcoming State election, outlining WALGA's campaign priorities.

The aim of the campaign is to:

- Elicit commitments to a priority policy and strategic initiatives;
- Complement local and regional advocacy;
- Leverage the influence of Members to enhance advocacy effectiveness, and
- Enhance relationships between Local Government leaders and Members of Parliament.

I have been encouraged by the responses to date with a number of meetings held across all major political parties and positive indications regarding commitments against key initiatives. I am sure that many Local Governments have met with their local candidates to ensure they are fully aware of the sector's, and your, local priorities for the next term of Government

### Sector Promotional Campaign

Following the State election in March, WALGA will commence a new campaign to promote the various facilities and services provided by the sector in WA. The campaign has been created to help enhance awareness and support for Local Government services and to refute the proposition that Councils limit themselves to road repairs and rubbish services.

The campaign will include advertising in both regional and metropolitan television, state-wide press and online, including a competition mid-way through the campaign to help engage the community.

## CONTACTS

T: (08) 9213 2000 [www.walga.asn.au](http://www.walga.asn.au)

The concept underpinning the campaign is to encourage recognition that Local Governments provide services and facilities that help improve the quality of life in their local area. Themed as "What's Your Happy Place?" the campaign initially presents WA sporting personalities in their self-nominated "happy place" and explaining why the location they have chosen is important to them. The later stages of the campaign will draw on the experiences of everyday people from the community nominating their Local Government 'happy place.'

### **WALGA Corporate Strategy**

State Council endorsed WALGA's Corporate Strategy 2020-2025 at our December meeting.

The Corporate Strategy outlines WALGA's purpose, *"to leverage the collective strength and influence of the Local Government sector for the benefit of WA Local Governments and their communities."*

The focus of the organisation remains:

- Undertaking research on key issues
- Facilitating collaboration to inspire innovation
- Delivering services to support the sector and build capacity, and
- Influencing decision makers through evidence-based advocacy.

Further work is being undertaken to develop key strategic initiatives and operationalise the strategy.

### **Australian Local Government Association (ALGA)**

I was pleased to participate in a two-day ALGA Strategic Planning Meeting on 8 and 9 February, with fellow Board Directors, including Cr Karen Chappel. The meeting covered a lot of ground, including a review of last year's Action Plan and the current three-year Strategic Plan, identifying priorities for 2021, identifying issues for the next Federal election, and the current recruitment process for a new ALGA CEO. Importantly, Board Directors also considered the outcomes of a comprehensive independent review of ALGA by Nous Consulting. The review recommends some significant changes for ALGA designed to ensure the Association is best positioned to deliver for Local Governments and the communities they serve. Nous Consulting will now finalise the report. The report and its implementation will be considered at the March Board meeting.

ALGA has submitted its pre-Budget submission for 2021-22 to the Federal Government. The submission includes a range of funding requests to support Local Governments to deliver economic and social recovery in their communities and, in so doing, contribute to national economic recovery and growth, by stimulating businesses and creating jobs. Our on the ground connections and expertise mean councils will play a vital role in coming months and years to bolster local economies, make communities more resilient and build a better, more prosperous Australia. ALGA's pre-Budget submission can be found here <https://alga.asn.au/pre-budget-submission-2021-22/>

### **PRESIDENT'S CONTACTS**

President's contacts since 2 December 2020 and scheduled before 3 March 2021 are as follows:

#### **State Government Relations**

- Breakfast Forum with the Hon Peter Tinley AM MLA, - State's Building Stimulus program and the State's planning reform agenda for single house approvals Hon. Bill Johnston MLA
- Mr Peter Katsambanis MLA LLB BComm, Member for Hillarys
- Hon David Templeman MLA, Minister for Local Government; Heritage; Culture and The Arts
- Hon Tjorn Sibma MLC, Member for the North Metropolitan Region
- David Michael MLA, Member for Balcatta
- Reg Howard-Smith (Chair BCIT Board) and Tiffany Allen (CEO) from Construction Training Fund

## **CONTACTS**

T: (08) 9213 2000 [www.walga.asn.au](http://www.walga.asn.au)

### **Zone Meetings**

- Central Metro Zone Meeting
- Pilbara Zone meeting - Video Conference
- Gascoyne Zone – Video Conference

### **Local Government Relations**

- LGC21 Committee meeting x 2
- Special ALGA Board Meeting
- Joint Venture Management Committee (WALGA/LGIS) x 2
- LGIS Preliminary Planning meeting
- Mayor of Nedlands video conference
- LGIS Board Meeting x 2 (1 by video conference)
- ALGA Board Directors Forum video conference
- ALGA Strategic Planning Meeting video conference
- ALGA Food Minister Forum
- LGHT Meeting
- Finance and Services Committee meeting
- Regional Capitals Alliance WA meeting

### **Conferences, Workshops, Public Relations**

- ALGA Board Directors Forum video conference
- ALGA Strategic Planning Meeting video conference
- ALGA Food Minister Forum
- LGIS Member Function

Please take care and keep safe.

**Mayor Tracey Roberts JP**  
**President**

## CONTACTS

T: (08) 9213 2000 [www.walga.asn.au](http://www.walga.asn.au)

**8.2 ASSET PRESERVATION MODEL**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	
<b>AUTHOR:</b>	Zone Executive
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

The Road Asset Preservation Model is used to allocate large sums of funding however is widely regarded as inadequate. WALGA is seeking feedback on the level of review that Local Governments believe would be appropriate to improve useability and funding distribution.

**COMMENT**

The Asset Preservation Model was developed by Main Roads WA and Local Government representatives to distribute the untied roads component of the Commonwealth Financial Assistance Grants between Local Governments.

The WA Local Government Grants Commission took over responsibility for distributing the identified Commonwealth road funds and undertook a comprehensive review of the Asset Preservation Model and modified and refined it. Application of the APM has since been broadened and it is now used to determine the distribution between Local Governments of a range of state and federal funding.

The Road Asset Preservation Model is used to allocate large sums of funding to local governments. Despite the importance of the model, it is not widely understood due to its complexity and limited documentation. This results in a lack of transparency, risk of corporate memory loss, the risk of unfair or otherwise inappropriate allocations of funding, and the reputational risk due to funds distribution not being fully explainable and region allocations being subject to question.

A Zone Council recommendation to review the APM was referred to the WALGA Infrastructure Policy Team in December 2020. The Team resolved to seek feedback from the Zones as the matter had not been widely identified as an issue of concern.

To assist Local Governments make decisions regarding preferred approaches to the use and development of the Asset Preservation Model a manual has been developed by WALGA describing the APM and how it functions. The manual can be viewed [here](#).

The Kimberley Zone referred this matter to Shire Officers to provide their expert feedback on the options listed below. The options are not mutually exclusive and all or some of them could be recommended to be implemented in phased approach.

Model is controlled by the WA Local Government Grants Commission and any decisions regarding development of the model or use of a different approach would be made by the Commission. It must be noted that if Options 2, 3 or 4 are implemented, there is a risk of some Local Governments receiving a lower grant allocation. This risk may be mitigated by advocating for increased funding from the State or Federal Governments, although there is no guarantee that such funding would be forthcoming.

1. Advocate to the Grants Commission to re-format and re-label the APM, to improve its legibility for all users. A detailed record should also be made of the model's parameters, and the process that was used for determining their values.
2. Advocate to the Grants Commission for a review of the various parameters contained within the APM, such as the array of annual maintenance costs for different asset types, road reconstruction frequencies and the components of reconstruction costs. This option would increase the accuracy of road maintenance costs within the model, although would not address the underlying problems of excessive complexity and a lack of transparency and predictability.
3. Advocate to the Grants Commission to undertake a review of the cost regions and minimum standards to ensure that these appropriately reflect the costs faced by Local Government and the current development of the road network.
4. Advocate to the Grants Commission to undertake an appropriately-resourced process to review and rebuild the APM. This new model should be as simple as possible while still delivering an equitable distribution of funding among Local Governments. Its variables and assumptions should be easily indefinable to model users, being clearly labelled and documented.
5. Retain Status quo.

It should be noted that these are all potential WALGA advocacy positions. The Road Asset Preservation Feedback from member Shires in the Kimberley has highlighted a range of issues with the current documentation including:

1. The APM is unnecessary complex and lacks transparency.
2. Due to the complexity, many local governments lack a strong understanding of their own attributes and how these affect their grant allocation.
3. Each LG is placed into a Cost Region. These cost regions are supposed to group like-for-like local governments together on a wide range of factors, but this broad brush approach can disadvantage some Local Governments.
4. The model is wholly inadequate for unsealed roads; therefore rural local governments with high proportional levels of unsealed road and few town-site roads are typically disadvantaged.
5. Model ignores the lead distances to gravel borrow pits and water sources to work areas.
6. Model makes various conservative assumptions on the frequency of re-gravelling and frequency of resealing. Noting the risk of flooding in the Kimberley, this is a significant added disadvantage.

Feedback from Shires is that option 1, which is to retain the status quo is not appropriate. Further options 1-3 represent an inadequate response if implemented individually with these options being:

- re-format and re-label the APM;
- review of the various parameters contained within the APM; and
- review of the cost regions and minimum standards

Option 4, which is to undertake an appropriately-resourced process to review and rebuild the APM is preferred, noting the methodology to distribute costs above grant funding across local governments as well as the total contribution per shire will need to be considered.

A WALGA options paper is attached which includes analysis of the varying levels of cost, effort and risk.

## **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

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

High standard of infrastructure planning

### **Economy Goal – A sustainable and diverse economy:**

Sustainable Local Government revenue

Improved regional infrastructure

## **VOTING REQUIREMENTS**

*Simple Majority*

**KIMBERLEY ZONE RESOLUTION:**

**(REPORT RECOMMENDATION)**

***Minute No. KRG/0221/003***

**Moved: Cr D Menzel**

**Seconded: Cr P White**

**That the Kimberley Regional Group:**

- 1. Supports Option 4, which is to undertake an appropriately resourced process to review and rebuild the APM.**
- 2. Notes the methodology to distribute costs above grant funding across local governments as well as the total contribution per shire will need to be considered in any final decision making, pending the outcomes of WALGA advocacy.**

**CARRIED UNANIMOUSLY 4/0**

### **Attachments**

1. Asset Preservation Model Options Paper

# Proposed Review of the Road Asset Preservation Model (APM)

## Options Paper

### Recommendation

That the Zone:

- Provide feedback to the WALGA Infrastructure Policy Team regarding a preferred advocacy approach to any review of the Road Asset Preservation Model (APM).

### Executive Summary

- A Zone Council recommendation to review the Road Asset Preservation Model (APM) was referred to the Infrastructure Policy Team in December 2020. The Policy Team resolved to seek views from Zones before recommending the development of a formal State Council agenda paper.
- This paper sets out options to guide the development of a Zone resolution.
- The Asset Preservation Model was developed as a Commonwealth requirement for the distribution of Commonwealth Government road grants among Local Governments in an efficient and equitable manner, taking account of local asset preservation needs and costs. It is currently used to distribute a range of Federal and State Government grant funding allocations.
- Despite being used to allocate large sums of public funding, operation of the APM is not well understood within the Local Government sector.
- The APM is not readily accessible to Local Governments. Limited documentation and complexity means that more open access alone would not be helpful in achieving strong understanding of the processes that underpin the output.
- Complexity of the APM makes it difficult to predict the effects on funding allocations of changes to the model or input parameters.
- This paper proposes five options that could be considered to address this issue, for WALGA to advocate to the Grants Commission.
- The options are not mutually exclusive, and some could be combined as a staged approach.
- The five options are:
  1. Re-format and re-label the model, to improve its legibility for all users and make it available to the Local Government sector in a form that would enable stakeholders to understand it.
  2. Review the parameters within the model, in order to increase the accuracy of road maintenance costs within the model.
  3. Advocate to the Grants Commission to undertake a review of the cost regions and minimum standards to ensure that these appropriately reflect the costs faced by Local Government and the current development of the road network
  4. Advocate to the Grants Commission to undertake an appropriately-resourced process to review and rebuild the road Asset Preservation Model. This new model should be as simple as possible while still delivering an equitable distribution of funding among Local Governments. Its variables and assumptions should be easily indefinable to model users, being clearly labelled and documented.
  5. Accept the status quo with no further action



## Background

A Zone Council recommendation to review the APM was referred to the Infrastructure Policy Team in December 2020. The Team resolved to seek feedback from the Zones as the matter had not been widely identified as an issue of concern.

The Asset Preservation Model was developed by Main Roads WA and Local Government representatives, to distribute the untied roads component of the Commonwealth Financial Assistance Grants between Local Governments.

The WA Local Government Grants Commission took over responsibility for distributing the identified Commonwealth road funds and undertook a comprehensive review of the Asset Preservation Model and modified and refined it. Application of the APM has since been broadened and it is now used to determine the distribution between Local Governments of a range of state and federal funding.

To assist Local Governments make decisions regarding preferred approaches to the use and development of the Asset Preservation Model a manual has been developed by WALGA describing the APM and how it functions. The manual can be viewed [here](#).

## Problem Statement

The Road Asset Preservation Model is used to allocate large sums of funding. Despite the importance of the model, it is not widely understood, due to its complexity and limited documentation. This results in a lack of transparency, risk of corporate memory loss, the risk of unfair or otherwise inappropriate allocations of funding, and the reputational risk due to funds distribution not being fully explainable and region allocations being subject to question.

## Options

***There are five options identified in the text below, and the table on the final page of this paper. Note that the options are not mutually exclusive and all or some of them could be recommended to be implemented in phased approach.***

1. Advocate to the Grants Commission to re-format and re-label the APM, to improve its legibility for all users. A detailed record should also be made of the model's parameters, and the process that was used for determining their values.
2. Advocate to the Grants Commission for a review of the various parameters contained within the APM, such as the array of annual maintenance costs for different asset types, road reconstruction frequencies and the components of reconstruction costs. This option would increase the accuracy of road maintenance costs within the model, although would not address the underlying problems of excessive complexity and a lack of transparency and predictability.
3. Advocate to the Grants Commission to undertake a review of the cost regions and minimum standards to ensure that these appropriately reflect the costs faced by Local Government and the current development of the road network.
4. Advocate to the Grants Commission to undertake an appropriately-resourced process to review and rebuild the APM. This new model should be as simple as possible while still delivering an equitable distribution of funding among Local Governments. Its variables and assumptions should be easily indefinable to model users, being clearly labelled and documented.
5. Retain Status quo.

It should be noted that these are all advocacy positions. The Road Asset Preservation Model is controlled by the WA Local Government Grants Commission and any decisions

regarding development of the model or use of a different approach would be made by the Commission. It must be noted that if Options 2, 3 or 4 are implemented, there is a risk of some Local Governments receiving a lower grant allocation. This risk may be mitigated by advocating for increased funding from the State or Federal Governments, although there is no guarantee that such funding would be forthcoming.

The current membership of the WA Local Government Grants Commission is:

- Chairperson — Hon Cr Fred Riebeling AM JP
- Deputy Chairperson — Mr Luke Stevens, Legal Counsel, DLGSC
- Metropolitan Member — Cr Deb Hamblin, Deputy Mayor, City of Rockingham
- Country Urban Member — Dr Wendy Giles, Councillor, City of Bunbury
- Country Rural Member — Cr Ian West, Shire of Irwin
- Deputy to the Deputy Chairperson — Ms Darrelle Merritt, A/Director - Strategic Initiatives, DLGSC
- Deputy Metropolitan Member — Vacant
- Deputy Country Urban Member — Cr Deborah Botica, City of Kalgoorlie-Boulder
- Deputy Country Rural Member — Cr Moira Girando, President, Shire of Coorow

### **Analysis of the Options**

The options have varying levels of cost, effort and risk attached to them.

Changes to the APM would affect the funding allocation between Local Governments in ways that are difficult to predict, due to the complexity of the model. The total available funding is fixed, so an increase in one Local Government's funding would necessarily reduce the level of funding available to others, unless additional funding can be secured.

There are also risks associated with no change being made to the APM. The model's complexity and incomplete documentation and labelling creates a risk of corporate memory loss. There is also a reputational risk associated with large sums of money being allocated based on a model that is not well understood by the Local Government sector.

Comparatively simple and lower-cost changes can be made to the APM, under Options 1, 2 and 3. These options would address some of the concerns raised here, but do not address the underlying problems noted above.

### **Next Steps**

Resolutions made by the Zones will guide the development of an agenda item for the next meeting of State Council, to provide WALGA with direction on the sector's preference for its advocacy position regarding the Road Asset Preservation Model.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>
	<b>Reformat and label</b>	<b>Review model cost parameters</b>	<b>Review cost regions/ min. standards</b>	<b>Full model review and rebuild</b>	<b>Status quo</b>
<b>Advantages</b>	Improves operation of existing model. Helps retain corporate memory. Improves transparency. Low risk and cost, in the short term.	Improves link between funding allocation and road maintenance costs.	Addresses concerns about inappropriate groupings of Local Governments.	Opportunity to review the model objectives. Improvement in transparency. Opportunity to incorporate contemporary modelling and user functionality.	Avoids conflict between Local Governments over funds distribution. Lowest short-term risk. No direct cost.
<b>Disadvantages</b>	Does not address: <ul style="list-style-type: none"> <li>questionable parameter values.</li> <li>complexity and transparency.</li> </ul>	May require some additional resourcing. Does not address complexity and transparency. Possible reduction in funding for some LGs.	May require some additional resourcing. Does not address complexity and transparency. Likely reduction in funding for some LGs.	If no material impact on funds distribution, the rationale for the exercise may be questionable. Would require additional resourcing.	Does not address: <ul style="list-style-type: none"> <li>questionable parameter values.</li> <li>complexity and transparency</li> <li>corporate memory issues.</li> </ul>
<b>Risks / Dependencies</b>	Reputational risk, due to funds distribution not being fully explainable.	Reputational risk, due to funds distribution not being fully explainable.	Reputational risk, due to funds distribution not being fully explainable. Continued risk of corporate memory loss.	Difficult to predict the distribution of funds. A review may trigger disagreement between Local Governments over the distribution of funds. The Grants Commission may not agree to implement.	Reputational risk, due to funds distribution not being fully explainable and regional allocations being subject to question. Continued risk of corporate memory loss.
<b>Effort / Cost</b>	Low-medium	High	Medium	Very high	None
<b>Notes</b>		Assumes Option 1 also undertaken: reformat and labelling.		Mutually exclusive of the other options or as an aspirational addition.	Mutually exclusive of the other five options.





## 9. REPORTS FROM KIMBERLEY REGIONAL GROUP

### 9.1 2021 KIMBERLEY ZONE AND KIMBERLEY REGIONAL GROUP MEETING DATES

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

#### SUMMARY:

The Kimberley Zone and Kimberley Regional Group meetings for 2021 were set at the November 2020 meeting, however an adjustment has been required to ensure full participation for the Kimberley Zone and Kimberley Regional Group Strategic Community Planning session.

#### BACKGROUND

##### Previous Considerations

Item 9.1 23 November 2020

#### COMMENT

The Kimberley Zone and Kimberley Regional Group meetings are established within the range of preferred meeting dates identified by WALGA. This process ensures that meetings are scheduled to provide an appropriate amount of lead time prior to the WALGA State Council meetings.

At the Meeting held on 23 November 2020 the following dates were adopted.

22 February	Broome
26 April	Video Conference
28 June	Video Conference
2 September	Broome
22 November	Kununurra

Due to COVID-19 the normal frequency of flights between the east and west of the Kimberley has reduced making the scheduled February meeting impracticable for members. The decision was made to change the February meeting to a video conference. As a consequence, the strategic planning session scheduled for the 22<sup>nd</sup> February 2021 has been deferred to the 20 April 2021 with the 26 April meeting cancelled as it is a public holiday.

Shires have been advised of the changes.

WALGA has confirmed the intent to hold the Regional State Council meeting in Broome on 2 and 3 September 2021, subject to any COVID-19 restrictions.

## **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

## **VOTING REQUIREMENTS**

*Simple Majority*

### **KIMBERLEY REGIONAL GROUP RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. KRG/0221/004**

**Moved: Cr M Edwards**

**Seconded: Cr P White**

***That the Kimberley Regional Group:***

- 1. Notes the change of change of date and venue for the April meeting to 20 April 2021 in Broome.***
- 2. Notes that the Strategic Community Planning session will be conducted in conjunction with the meeting on 20 April 2021.***
- 3. Notes that WALGA has confirmed that their Regional Meeting will be held in Broome on 2 and 3 September 2021.***

**CARRIED UNANIMOUSLY 4/0**

## **Attachments**

Nil

**9.2 ALCOHOL MANAGEMENT**

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

**SUMMARY:**

The State Government has offered to include the Kimberley in the Pilbara Banned Drinkers Register (BDR) trial, with the financial support from the KRG and Shires. This item provides an update on the progress on the introduction of the BDR and additional steps to be considered.

**COMMENT**

The Kimberley Regional Group (KRG) has been supportive of focused processes which:

- Reduce alcohol related harm.
- Are proportional and targeted.
- Are practical and implementable.

The State Government wrote to the KRG on Friday 19 September 2020 inviting participation in the Pilbara Banned Drinkers Register Trial. This item provides an update on progress towards the implementation of a Banned Drinkers Register in the Kimberley.

A Banned Drinkers Register, combined with an effective Takeaway Alcohol Management System (TAMS) and alcohol restrictions, which balance reasonable community access with reducing illegal on-selling, is seen to be a sustainable pathway forward.

On 11 December the KRG wrote to Minister Papalia MLA confirming that the KRG and member Shires would make a one off GST inclusive contribution of \$228,000 towards the estimated cost of \$9.7million, with the State confirming funding for the balance.

The State Government announced on 6 January 2021 the implementation of a two year Banned Drinkers Register trial for the Kimberley commencing May 2021.

The State Government, through the Department of Local Government Sport and Cultural Industries, will be responsible for the implementation and management of the trial including the procurement of the TAMS machines.

The writs have been called for the 2021 State Election so no further information has been made available by the State Government during caretaker mode.



Suggested and agreed at the Broome liquor accord meeting on Wednesday 17 February was the desire for the State Government to amend, the legislation regarding prohibition notices to also include:

- individuals convicted of domestic violence at sentencing; and
- as a condition of bail for relevant offences.

Further, that the Minister considers, once the TAMS machines and the BDR soft-roll-out period ends to lift the current Section 31 restrictions (apart from a State of Emergency and, if not lifted prior) and reverts back to the proposed Broome and Derby liquor accord voluntary restrictions.

The request from the Broome Liquor Accord to prepare a letter to the Minister is consistent with previous discussions by the KRG on mechanisms for individuals to be placed on the Banned Drinkers Register and the move towards lifting some or all restrictions in the longer term to create consistency across the region if the Banned Drinkers Register proves to be effective.

## **CONSULTATION**

Minister for Tourism, Racing and Gaming, the Hon Paul Papalia MLA

## **STATUTORY ENVIRONMENT**

***Local Government Act 1995***

***Liquor Control Act 1988***

## **FINANCIAL IMPLICATIONS**

Nil – expenditure approved 23 November 2020.

## **STRATEGIC IMPLICATIONS**

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

Secure funding for regional initiatives

Recognition of Kimberley Local Government issues and opportunities

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

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

Better alcohol management across the Kimberley.

## **VOTING REQUIREMENTS**

*Simple Majority*

### **KIMBERLEY REGIONAL GROUP RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. KRG/0221/005**

**Moved: Cr D Menzel**

**Seconded: Cr M Edwards**

**That the Kimberley Regional Group:**

- 1. Notes the Alcohol Management Update.**
- 2. Supports the criteria for being added to the Banned Drinkers Register proposed by the Broome Liquor Accord.**
- 3. Writes to the Minister to request that:**
  - a. The legislation is changed to recognise individuals convicted of domestic violence at sentencing and as a condition of bail for relevant offences.**
  - b. Once the TAMS machines and the BDR soft-roll-out period ends, to lift the current Section 31 restrictions (apart from a State of Emergency - if not lifted prior) and reverts back to the proposed Broome and Derby liquor accord voluntary restrictions in the West Kimberley.**
- 4. Secretariat investigates current bulk purchase restrictions and reverts back to the Kimberley Regional Group.**

**CARRIED UNANIMOUSLY 4/0**

**Attachments**

Nil

**9.3 BRANDING**

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

**SUMMARY:**

This item is to provide an update on the Kimberley Regional Group and Kimberley Zone branding project.

**BACKGROUND***Previous Considerations*

Item 9.8 - November 23<sup>rd</sup> 2020.

**COMMENT**

The Strategic Community Plan includes the development of a website and branding collateral.

A graphic artist was engaged to develop a logo that could be used for both the KRG and the Kimberley Zone with minimal variation as the current option of all four or all six logos cumbersome.

The first concepts were circulated prior to the 23 November 2020 meeting with Option 3, the stylized map, the preferred option. At the 23<sup>rd</sup> November meeting it was resolved that the logo be refined to simplify the aesthetic.

The revised version was circulated with the majority supporting this version to be put forward for formal adoption.

**CONSULTATION**

Nil

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

Nil

## **STRATEGIC IMPLICATIONS**

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

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

## **VOTING REQUIREMENTS**

*Simple Majority*

### **KIMBERLEY REGIONAL GROUP RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. KRG/0221/006**

**Moved: Cr D Menzel**

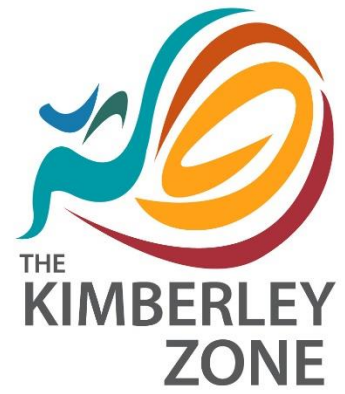
**Seconded: Cr M Edwards**

***That the Kimberley Regional Group adopts the revised logo for use on letterhead and other branding collateral including the website.***

**CARRIED UNANIMOUSLY 4/0**

## **Attachments**

1. Final Draft Logo



**9.4 BUSINESS PLAN STATUS UPDATE REPORT**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	KRG01
<b>AUTHOR:</b>	Zone Executive
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	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 FY 2021.

Item	Description	Comment
2.2.1.1	Review the effectiveness and value for money of existing regional waste procurement contracts.	Coordinated input from Shires to develop RFQ documentation for Stage One of the Kerbside waste collection tender process.
3.4.3.2	Develop a Discussion Paper on opportunities for alternative power provision in the Kimberley.	The Alternative Power discussion paper has been completed and will be circulated prior to the planning session.
4.3.1.3	Alcohol Management Initiatives	Tasks prior to and after the announcement of the Banned Drinkers Register including coordination and correspondence across Shires and review of associated grant funds.
3.1.1.1	Develop a Freight Logistics Infrastructure Discussion Paper.	Completed and will be distributed prior to the planning day.  An infrastructure audit for the purposes of defence logistics has also been updated.
3.1.1.2	Identify Member Transport Priorities	Transport priorities were encapsulated into the COVID-19 Recovery Package.  Items in strategic documents included in the KRG database.

3.1.1.3	Identify member priorities of tourism infrastructure of regional significance.	Developed as part of the COVID-19 Recovery Package.
3.3.1.1	Develop a Discussion Paper on the availability of grants for underground power in the Kimberley.	Investigations have been undertaken, in particular in relation to the Town of Karratha project.
3.3.1.1	Develop a Discussion Paper on opportunities for alternative power provision in the Kimberley.	Completed and will be distributed prior to the Strategic Planning day.
4.5	Youth /Juvenile Justice	Liaison with the Department of Justice regarding an update for members.

## 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.

### **Natural Environment Goal – Responsible management of the environment:**

Integrated waste management

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

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

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

Better alcohol management across the Kimberley.

**Economy Goal – A sustainable and diverse economy:**

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Energy sustainability

Improved regional infrastructure

**VOTING REQUIREMENTS**

*Simple Majority*

**KIMBERLEY REGIONAL GROUP RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. KRG/0221/007**

**Moved: Cr P White**

**Seconded: Cr D Menzel**

**That the Kimberley Regional Group notes the Business Plan 2020-2024 State Report for the period ending 31 January 2021.**

**CARRIED UNANIMOUSLY 4/0**

**Attachments**

1. Business Plan Update Report February 2021



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

Update as of 10 February 2021



BUSINESS PLAN

ITEM	DESCRIPTION	STATUS	END DATE
2.2.1.1	Review the effectiveness and value for money of existing regional waste procurement contracts.  This item is completed with the decision to release a tender for the Kerbside and other waste services.	Completed	
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. <sup>1</sup>	Commenced	TBC
2.2.2.2	Develop a KRG Business Case to consider the capital funding requirements of a regional Integrated Waste Management Plan.	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.	Completed	
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.	Completed	
3.1.1.2	Identify member transport priorities of regional significance.  This item was included in the COVID-19 recovery research.	Completed	
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.	Completed	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	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. <sup>2</sup> (Note this project would have a contribution from the Pilbara Shires).	Commenced	TBC
3.2.1.1.	Review The value of membership of the Savannah Way Pty Ltd		July 2021
3.1.3.2.	Review key tourism infrastructure identified in endorsed reports.	In progress	TBC
3.1.3.3.	Identify member priorities of tourism infrastructure of regional significance, consistent with the procedure in 1.2.1.1.	In progress	TBC

<sup>1</sup> The work of the Waste TAG will inform the Discussion Paper.

<sup>2</sup> 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 Plan 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. <sup>3</sup>	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 Plan 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.	Completed		
4.4.1.1	Undertake a review of the outcomes of the 12 month voluntary alcohol restriction trial.  TRANSFERRED This is now a responsibility of the State Government	Transferred to the State Government	TBC	
4.5.1.1	Review and update the Kimberley Youth Strategy and Action Plan.  <ul style="list-style-type: none"> <li>12month Youth Plan developed</li> <li>Full project to be carried forward</li> </ul>	12 month plan Completed  Budgeted	TBC	
4.5.2.1	Review the State Government's Kimberley Juvenile Justice Strategy. Strategy not yet released although procurement for services has commenced by the State.	Not yet Commenced		
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.	Completed	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. Currently deferred until the implications of COVID-19 are better understood.	Not yet Commenced	TBC	

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

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

**9.5 CONSULTANT REPORT**

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

**SUMMARY:**

This report provides an overview of the activity undertaken by the consultant to support the activities of the Zone.

**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 19 July 2020 and is attached for consideration.

2020 represented a period of significant adaptation to a new COVID-19 policy environment which impacted on the delivery of some matters that had previously been identified for completion. The decision was made by the Board to suspend timeframes until the situation was better understood and focus on advocacy on behalf of the region. Alcohol Management also created some turbulence in workflows as the policy environment changed rapidly at the end of 2020.

This period has coincided with the wet season slow-down in the region and leave was taken during this period. The balance of the period was used to undertake works that had previously been suspended including the development of several discussion papers and preparation for the Strategic Community Plan review process which will now occur in April 2021.

Matters considered during this period include:

- Alcohol management – including the Banned Drinkers Register
- Waste Management
- Juvenile Justice Strategy – Law and Order
- Transport Priorities
- Energy Strategies – including underground power and alternative energy

Other activities included the development of a data base to explore other strategic plans in the lead up to the planning session in April and support for the Senate Enquiry into the success of the Northern Australian Agenda.

## **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

Secure funding for regional initiatives

Effective engagement with Aboriginal governance structures

Recognition of Kimberley Local Government issues and opportunities

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

### **Natural Environment Goal – Responsible management of the environment:**

Integrated waste management

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

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

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

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

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

**Economy Goal – A sustainable and diverse economy:**

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Energy sustainability

Sustainable Local Government revenue

Improved regional infrastructure

**VOTING REQUIREMENTS**

*Simple Majority*

**KIMBERLEY REGIONAL GROUP RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. KRG/0221/008**

**Moved: Cr M Edwards**

**Seconded: Cr D Menzel**

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

**CARRIED UNANIMOUSLY 4/0**

**Attachments**

Nil

<b>10. CORRESPONDENCE</b>
---------------------------

### 10.1 CORRESPONDENCE

#### CORRESPONDENCE IN

DATE	FROM	SUBJECT
7 December 2021	Hon Paul Papalia Minister for Racing & Gaming	Update on Banned Drinkers Register and request for funding from the KRG.

#### CORRESPONDENCE OUT

DATE	FROM	SUBJECT
1 December 2020	Mr Duncan Ord Director Liquor Licencing Director General DLGSC	Review of Liquor Control (Section 31) (Kimberley) Notice 2020.  Copies to the Premier; Minister for Tourism, Racing and Gaming; Minister for Regional Development.
3 December 2020	Hon Melissa Price MP Member for Durack	Reticulation of Fibre Optic Cable in Halls Creek.
11 December 2020	Hon Paul Papalia MLA Minister for Racing & Gaming	Confirmation of KRG funding for Banned Drinkers Register in the Kimberley.

#### Attachments

1. Letter from Hon Minister Papalia - Update on Banned Drinkers Register and request for funding from the KRG.
2. Letter to Mr Duncan Ord Regarding Review of Liquor Control (Section 31) (Kimberley) Notice 2020.
3. Hon Melissa Price re Reticulation of Fibre Optic Cable in Halls Creek.
4. Letter to Minister Papalia MLC - Confirmation of KRG funding for Banned Drinkers Register in the Kimberley.



**MINISTER FOR TOURISM; RACING AND GAMING; SMALL BUSINESS;  
DEFENCE ISSUES; CITIZENSHIP AND MULTICULTURAL INTERESTS**

Our Ref: 70-22152

Cr Chris Mitchell  
Chair  
Kimberley Zone & Kimberley Regional Group  
PO Box 653  
BROOME WA 6725

Email c/o - Debra Goostrey - [debra.Goostrey@kimberleyzone.com.au](mailto:debra.Goostrey@kimberleyzone.com.au)

Dear Cr Mitchell

Following my correspondence to you of 18 September 2020 regarding a Banned Drinkers Register (BDR) and Takeaway Alcohol Management System (TAMS) trial across the Kimberley Region, I am writing to you to provide an update on the progress to secure funding for the trial and to confirm the Kimberley Zone's commitment to support the project.

I appreciate that the Kimberley Zone does not have the resources to independently implement a two year trial of a BDR and TAMS concurrently across all takeaway liquor outlets in the Kimberley region. However given this project has been widely supported by the Kimberly Zone, local liquor accords and key industry representative groups the McGowan Government has been working to help secure the sufficient funding required to implement this trial.

Funding for a two year trial is proposed to be secured through a combination of parties, including the State Government, a third party and the Kimberley Zone.

I understand that just over \$200,000 of funding was secured for a TAMS trial, by the Kimberley Zone. Therefore I would request confirmation that the Zone would approve for this funding to be redirected to the delivery of a two year Kimberley wide trial of a TAMS and BDR, administered by the Department of Local Government, Sport and Cultural Industries.

I look forward to hearing from you as soon as practicable regarding this request.

Please do not hesitate to contact my Senior Policy Adviser, Mrs Alannah Maurice, at [Alannah.maurice@dpc.wa.gov.au](mailto:Alannah.maurice@dpc.wa.gov.au) or on (08)6552 5240 if you have any queries.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Paul Papalia', with a long horizontal flourish extending to the right.

**PAUL PAPALIA CSC MLA  
MINISTER FOR RACING AND GAMING**

07 DEC 2020

Level 10, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005  
Telephone: +61 8 6552 5600 Facsimile: +61 8 6552 5601 Email: [minister.papalia@dpc.wa.gov.au](mailto:minister.papalia@dpc.wa.gov.au)

1 December 2020

Mr Duncan Ord  
Director of Liquor Licensing  
Director General  
Department of Local Government, Sport and Cultural Industries  
PO Box 8349  
Perth Business Centre WA 6849

By email: [duncan.ord@dlgsc.wa.gov.au](mailto:duncan.ord@dlgsc.wa.gov.au)

Dear Mr Ord

**RE REVIEW OF LIQUOR CONTROL (SECTION 31) (KIMBERLEY) NOTICE 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 the group seeks to improve the outcomes for the region through improved social, economic and cultural outcomes.

The issue of Alcohol Management is extremely complex in the Kimberley, compounded by intergenerational disadvantage that sees some of our most vulnerable unable to break the cycle of substance abuse and consequential violence. The Kimberley is also home to many thousands of people that have responsible drinking habits that do not require intervention in relation to access to alcohol.

The KRG, as a matter of principle, supports the application of consistent alcohol restrictions across the Kimberley which enable residents to access reasonable levels of alcohol for domestic and business use including functions, 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. Further, the KRG notes the right of Aboriginal Communities to strictly enforce a zero alcohol policy.

The intent of the KRG is responsible alcohol management to stem untraced alcohol being purchased in high volumes and consumed or potentially on-sold illegally.

The COVID-19 pandemic increased the disposable income for some people with high dependency on alcohol and there was deep concern for the consequences for individuals and the broader community. The KRG wrote to the Premier on the 1st May on the Kimberley Regional Pathway to Recovery (Stage 1) [The Paper]. Under Part 3 of that paper, the KRG articulated their position on alcohol management during the State of Emergency as follows:

.../2.

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





'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.

The Paper went on to say that:

"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."

It has been drawn to the attention of the KRG that no consultation was undertaken with licensees either directly or through the Liquor Accords in the period before Gazettal of the Notice on the 15<sup>th</sup> May. Unfortunately since that time there has been significant confusion and conflicting advice from the government. The understanding of the KRG is that Licensees were advised of the alcohol restrictions however, in the first instance the WA Police were providing an approval process for bulk orders. Subsequently, an occasional licence for bulk orders, which could be applied for on-line, was an approved pathway. The latest advice as of the 26 November, is that no bulk orders are to be permitted outside of the of the specific exemptions under Section 31 and the use of the occasional licence is not permitted. This means that:

- A function such as a birthday, wedding or even hosting a festive season event which is self-catered cannot be supplied with alcohol from a local merchant unless purchased over an extended period of time to remain within the daily per person limits.
- A business seeking to order alcohol for an event, such as end-of-year drinks with staff and clients, could not do so unless an individual goes into the liquor outlet on multiple occasions and purchases the alcohol for the business, noting that will prevent that person purchasing alcohol that day for personal use.
- Those that live in locations that may be several hours drive from the nearest outlet that sells wine or mid-strength beer do not have reasonable access, noting the trip may involve travel of several hundred kilometres.

It is recognised that the COVID-19 pandemic created a need for rapid implementation of policy, however it is now nearly six months since the Liquor Control (Section 31) (Kimberley) Notice 2020 was issued. We note from information provided by Mr Mick Connolly, Deputy Director General, Racing, Gaming and Liquor (Department of Local Government Sport and Cultural Industries), received on the 18<sup>th</sup> November 2020, that exemptions for bulk orders under the Section 31 notice are under review. This review is supported by the KRG as the current notice prevents local businesses and residents from reasonable local access to alcohol for events and celebrations. Further, the current limits only apply to local licensees, whilst those that seek to do the wrong thing can continue to do so through mail order.

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We urge the State Government to undertake open and urgent consultation with the Liquor Accords. A particular focus should be on practical exemptions and associated procedures which will enable reasonable access to alcohol in larger quantities than the daily limit for agreed purposes, with traceability to support police in their efforts to identify and prosecute "sly groggers."

Should you seek further information on this matter please contact the Kimberley Zone Secretariat on 0439 380 266.

Yours sincerely



Chris Mitchell  
Chair  
Kimberley Zone and Kimberley Regional Group.

CC

- Premier of Western Australia
- Minister Tourism, Racing and Gaming
- Minister for Regional Development

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



3 December 2020

Hon Melissa Price MP  
Member for Durack  
Minister for Defence Industry  
PO Box 6022  
House of Representatives  
Parliament House  
Canberra ACT 2600

By email: [Melissa.Price.MP@aph.gov.au](mailto:Melissa.Price.MP@aph.gov.au)

Dear Minister

RE RETICULATION OF FIBRE OPTIC CABLE IN HALLS CREEK

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 the group seeks to improve the outcomes for the region through improved social, economic and cultural outcomes.

We write to you as the Federal Member for Durack to inform you of an exciting initiative for the reticulation of fibre optic cable in Halls Creek which is currently partly funded. The nbn infrastructure currently runs from Broome to Kununurra through Halls Creek but is not locally accessible.

Access to high speed broadband throughout the Kimberley has been a key plank of the KRG Advocacy Agenda and is seen as an essential component for fostering business growth and to help bridge the gap for some of the most disadvantaged people in Australia.

The internet is vital for business development and, with an emerging mining hub, fast broadband will assist in driving efficiencies for both the enterprises themselves and the many small businesses in Halls Creek servicing the sector. It will also support the delivery of training to facilitate local employment in new and emerging skills areas. Further, both business and government will benefit from reliable video conferencing facilities given the extreme remoteness of the region.

The impact on education could be significant. In Halls Creek, the Australian Early Development Census indicates the highly vulnerable nature of young children. For example, the Language and Cognitive Skills domain measures children's literacy, numeracy and interest in literacy and numeracy along with memory and shows that 54.7% of children measured were categorised as vulnerable in 2018 and unable to read simple words, count to 20 and unable to attach sounds to letters. A quarter of children in Halls Creek that were assessed were developmentally vulnerable in communication skills and general knowledge and had difficulty talking, understanding and being understood by others.

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The Shire has worked with key stakeholders to develop an alternative education strategy that addresses poor education outcomes including the Olabud Doogethu Virtual Academy which will create free community wi-fi in residential living areas that builds safe spaces for young people to learn vital skills. Increased broadband in the home will allow education providers to deliver online educational content to all age groups.

Health services would also benefit significantly, through a consistent and reliable Telehealth service along with access to innovations in virtual technology which allows for more effective patient diagnosis and monitoring. This is vitally important as 75 percent of deaths in the Shire of Halls Creek were regarded as "premature" analysis by the Australian Institute of Health and Welfare, with Coronary heart disease, Diabetes and Chronic obstructive pulmonary disease the three leading causes of death (latest data 2016).

The Shire of Halls Creek has been proactive in securing funding for the project and has a commitment from nbn and from the Western Australian State Government for a total of \$4.29 million towards the total project cost of \$6.07m. The Shire recently submitted an application for the balance through the Regional Connectivity Program as part of a consortia with nbn.

The KRG applauds this initiative of the Shire of Halls Creek and is hopeful of a positive response to this key Advocacy item when the successful applicants are announced in Q1 2021.

Should you seek further information on this matter please contact the 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



11 December 2020

Honourable Paul Papalia MLA  
Minister for Tourism; Racing and Gaming; Small Business;  
Defence Issues; Citizenship and Multicultural Interests  
10th Floor, Dumas House  
2 Havelock Street  
WEST PERTH WA 6005

By email: Minister.Papalia@dpc.wa.gov.au

Dear Minister

### CONFIRMATION OF FUNDING

On behalf of the Kimberley Regional Group (KRG) I would like to thank you for your government's commitment to fund the two year trial of a Banned Drinkers Register in the Kimberley, with the support of the funding set aside by the Kimberley Regional Group and member Shires. By way of background and confirmation of our commitment, the following resolutions have been made:

- At the meeting of the Kimberley Regional Group on the 23rd November 2020, it was resolved that the Kimberley Regional Group reallocate the funds to support the procurement of the Takeaway Alcohol Management System (TAMS) by Shires to the TAMS operated by the State in conjunction with the Banned Drinker's Register Trial in the Kimberley. This was an amount of \$100,000 (\$110,000 inclusive of GST). Further, it was resolved to allocate funds to underwrite the project.
- The Shire of Wyndham East Kimberley will contribute funding to the project, contingent upon negotiations with the existing provider of the TAMS equipment. In the interim, the KRG has underwritten this \$33,000 GST inclusive contribution.
- The Shire of Broome resolved to support the project with a \$55,000 GST inclusive contribution, which was reconfirmed at the meeting held on the 10 December 2020.
- The Shire of Derby West Kimberley resolved on the 19 October 2020 to increase their support to a \$30,000 GST inclusive contribution.

This provides a GST inclusive contribution of \$228,000 for the two-year Banned Drinkers Register trial in the Kimberley.

Thank you for your commitment to reducing alcohol related harm.

Should you require any further information, please contact Debra Goostrey on 0439380266 or by email on [debra.goostrey@kimberleyzone.com.au](mailto:debra.goostrey@kimberleyzone.com.au).

Yours sincerely



Chris Mitchell  
Chair  
Kimberley Regional Group and Kimberley Zone

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**11. GENERAL BUSINESS**

Nil.

**12. MATTERS BEHIND CLOSED DOORS**

Nil

**13. MEETING CLOSURE**

There being no further business the Chair declared the meeting closed at 2:02pm.