



Shire of Derby /
West Kimberley



KIMBERLEY REGIONAL GROUP Meeting

UNCONFIRMED MINUTES

1:00PM, 28 JUNE 2021

Microsoft Teams

SHIRE OF BROOME
KIMBERLEY REGIONAL GROUP
MONDAY 28 JUNE 2021
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**MINUTES OF THE KIMBERLEY REGIONAL GROUP OF THE SHIRE OF BROOME,
HELD IN THE MICROSOFT TEAMS, ON MONDAY 28 JUNE 2021, COMMENCING AT
1:00PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman welcomed Members and Officers and declared the meeting open at 1:04pm.

2. RECORD OF ATTENDANCE / APOLOGIES

ATTENDANCE:

Sam Mastrolembro	Shire of Broome (left the meeting at 1:56pm)
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
Vernon Lawrence	Shire of Wyndham East Kimberley
Cr David Menzel	Shire of Wyndham East Kimberley
Cr Malcolm Edwards	Shire of Halls Creek
Kelli Small	Shire of Cocos Keeling Islands (left meeting at 3:00pm)
Debra Goostrey	Zone Executive - ATEA
Joanne Burges	WALGA
Sebastian Davies-Slate	WALGA
Krissie Dickman	Department of Communities
Natasha Maher	Australia's North West
Janine Hatch	Kimberley RDA
Greg Hayes	WALGA Roadwise

APOLOGIES:

Cr Harold Tracey	Shire of Broome
Cr Chris Loessl	Shire of Halls Creek
Noel Mason	Shire of Halls Creek
Cr Tony Chafer	Shire of Wyndham East Kimberley
Cr Paul White	Shire of Derby/West Kimberley
David Price	Shire of Christmas Island
Cr Gordon Thomson	Shire of Christmas Island
Cr Kee Heng Foo	Shire of Christmas Island
Cr Tony Lacy	Shire of Cocos (Keeling) Islands
Cr Seriwati Iku	Shire of Cocos (Keeling) Islands

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**COMMITTEE RESOLUTION:****(RECOMMENDATION)***Minute No. KRG/0621/001***Moved: G Haerewa****Seconded: D Menzel**

That the Minutes of the Kimberley Regional Group held on 24 May 2021, 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, Acting Chief Executive Officer

7.2 RDA KIMBERLEY
Janine Hatch, Executive Officer

7.3 AUSTRALIA'S NORTH WEST TOURISM
Natasha Maher, Chief Executive Officer

7.4 WALGA
Joanne Burges, Intergovernmental Relations and Senior Risk Advisor
Sebastian Davies-Slate, Policy Officer – Transport and Roads

7.5 WALGA ROADWISE
Greg Hayes, Road Safety Advisor

7.6 DEPARTMENT OF LOCAL GOVERNMENT SPORT AND CULTURAL INDUSTRIES
Krissie Dickman, Kimberley Regional Manager

8. REPORTS FROM KIMBERLEY COUNTRY ZONE

8.1 WALGA STATE COUNCIL AGENDA AND PRESIDENT'S REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG03
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To consider the recommendations on Matters for Decisions that will be considered at the WALGA State Council meeting on 7 July 2021.

COMMENT

The next WALGA State Council meeting will be held on 7 July 2021. The following matters for decision will be considered.

	Matters for Decision	WALGA Recommendation	Zone Comment & Recommendation
5.1	Reviews of the Cat Act 2011 and Dog Act 1976	That WALGA seek a commitment from the State Government: <ol style="list-style-type: none"> 1. for the conduct of comprehensive reviews of the Cat Act 2011 and Dog Act 1976; and 2. that the reviews incorporate Local Government-specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders 	The DLGSC released the Statutory Review of the Cat Act 2011 and Dog Amendment Act 2013 Report in December 2019 and in February 2021 WALGAs Governance Policy Team endorsed a recommendation that State Council seek this commitment from the State Government. In part the review highlighted the lack of a head of power in relation to containment of a cat on a property, in contrast to a dog. Support
5.2	Amendments to WALGA's Constitution.	Constitutional amendments are necessary: <ul style="list-style-type: none"> • To remove requirements for delegates to attend annual and special general meetings in person; and, • As a result of WALGA's change of financial year end to 30 June, from the previous 	Amendments to the Constitution require a Special Majority of State Council and a Special Majority at a General Meeting. These Constitutional Amendments will be put to the 20 September 2021 Annual General Meeting after consideration at the State Council meeting on 7 July 2021. Support

		31 May year end.	
		<ul style="list-style-type: none"> • Other minor amendments. 	

Matters for Noting:

- 6.1 Submission to Ministerial Expert Committee on Electoral Reform (01-006-02-0010 TL)
- 6.2 Legal Response to the Coastal Hazard Planning Issues Paper (05-036-03-0065 AR)
- 6.3 WALGA Submission – Child Safety Officer (05-065-03-006 BW)
- 6.4 State Planning Policy 3.1 Residential Design Codes Volume 1 – Medium Density Code (05-015-02-002 CH)
- 6.5 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)
- 6.6 Local Government Performance Monitoring Project (05-047-01-0011 CH)
- 6.7 Review of Fire Weather Districts (05-024-03-0004 SM)
- 6.8 2021-22 State Budget Submission Approach (05-001-03-0006 DM)
- 6.9 Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA (05-031-01-0001 MM)

Organisational Reports

- 7.1.1 Report on Key Activities, Commercial and Communications Unit (01-006-03-0017 ZD)
- 7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)
- 7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- 7.1.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0017 NM)

President's Report

Tropical Cyclone Seroja

Insurance claims arising from the cyclone are estimated to be over \$180 million and 160 properties remain without power. WALGA has been working to facilitate resource sharing between Local Governments to assist impacted Local Governments.

Electoral Reform

At the June Special Meeting State Council the draft submission on Electoral Reform was considered and, following some amendments, endorsed WALGA's final submission by Flying Minute which recommends that:

- Group Ticket Voting be removed from the Legislative Council electoral system, and reforms be adopted modelled on the Senate reforms of 2016.
- A regional system be retained, and the whole state electorate option be rejected.
- The Ministerial Expert Committee on Electoral Reform be required to consider the importance of political representation for rural and regional Western Australia.

WALGA Breakfast Forum with Local Government Minister Hon John Carey MLA

The Minister provided an address that advised of a legislative reform agenda, however ruled out any forced amalgamations. Some of the key points he addressed were:

- Greater transparency and accountability, including more mandated baseline reporting and mandating live streaming of Council meetings for Band 1 and 2 Local Governments.
- Finance reporting. The Minister acknowledged the effectiveness of WALGA's financial ratios and indicated he would look at mandating credit card reporting and address different financial reporting for smaller Local Governments.
- Clearer roles and responsibilities - the Minister spoke about a range of measures, which could include a prescriptive model around communication between CEO, Mayor/President and Council.
- Earlier intervention. The Minister mentioned that the current system is not working – he would like to look at a better model for early external intervention instead of inquiries.

Planning Reform – Phase 2

The State Government has announced Phase 2 of its Action Plan for Planning Reform, with a three month consultation window to collect the 'views of all Western Australians on measures to further reform the planning system, including reforms in the local government sector that can support changes in our planning system and identify changes to encourage more community participation through improved processes and greater access to information'. As part of the consultation process WALGA will be drawing attention to the reforms and achievements of our members in their local communities to support businesses and residents through planning reform, particularly through the COVID-19 pandemic.

Telecommunications Resilience

WALGA has been working collaboratively with the Department of Fire and Emergency Services to ensure that both State and Federal telecommunications improvement initiatives are planned and executed to optimise community outcomes. A key outcome of this work has been the recent establishment of a Telecommunications Working Group comprising key planning/technical staff from Telstra, Optus, Vodafone, nbnCo, Western Power, Horizon Power, WALGA, and the Departments of Fire and Emergency Services, Primary Industries and Regional Development with a focus of collaboratively seeking opportunities for a more coordinated planning approach and to explore sustainable solutions.

Waste Management

WALGA has been working with ALGA and other State and Territory Associations on key national issues in the waste management area, including e-waste, ways to improve the TV and Computer Product Stewardship Scheme and the impact of Export Bans for recycled plastics, paper and cardboard.

Regional Climate Change Alliances Program

The Regional Climate Change Alliances Program is being administered by WALGA on behalf of the Department of Water and Environmental Regulation and is an initiative under the State Government's Western Australian Climate Policy.

WALGA 2021 Local Government Convention

Registration for the 2021 WA Local Government Convention and AGM is now open. To be held at the Crown, it will commence the evening of the 19 September and conclude Tuesday 21.

Kimberley Country Zone Status Report June 2021

The Kimberley Country Zone has sought the support of WALGA on two matters being:

2021 20 April – Item 11.1. Disaster Relief and Funding Recovery Arrangements. WALGA has endorsed the Advocacy Position.

2021 22 February – Item 8.2 Asset Preservation Model.

Attached are the full details of the Zone Status Report.

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/0621/002

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group:

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

CARRIED UNANIMOUSLY 4/0

Attachments

1. WALGA State Council Agenda 7 July 2021
2. President's Report July 2021

3. Kimberley Country Zone Status Report



State Council Agenda

7 July 2021



NOTICE OF MEETING

Meeting No. 4 of 2021 of the Western Australian Local Government Association (WALGA) State Council to be held at City of Cockburn, 9 Coleville Crescent, Spearwood on Wednesday, **7 July 2021** beginning at 12:30pm.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

Members	President of WALGA - Chair Deputy President of WALGA, Northern Country Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	Mayor Tracey Roberts JP President Cr Karen Chappel JP President Cr Ken Seymour President Cr Phillip Blight Cr Paul Kelly Cr Jenna Ledgerwood Cr Catherine Ehrhardt Cr Cate McCullough President Cr Malcolm Cullen President Cr Cheryl Cowell President Cr Stephen Strange Cr Ronnie Fleay Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Cr David Lagan – Deputy Cr Russ Fishwick JP President Cr Michelle Rich Deputy to be advised Cr Julie Brown Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	Lord Mayor – City of Perth Local Government Professionals WA	Lord Mayor Basil Zempilas Mr Jamie Parry
Secretariat	Chief Executive Officer EM Commercial & Communications EM Governance & Organisational Services EM Infrastructure Acting EM Strategy, Policy & Planning Manager Strategy & Association Governance Chief Financial Officer Manager Governance Executive Officer Governance Governance Support Officer	Mr Nick Sloan Mr Zac Donovan Mr Tony Brown Mr Ian Duncan Ms Nicole Matthews Mr Tim Lane Mr Rick Murray Mr James McGovern Ms Katherine Robertson Ms Chantelle O'Brien
1.2 Apologies	North Metropolitan Zone Pilbara Country Zone Intergovernmental Relations & Risk	Mayor Mark Irwin Mayor Peter Long Ms Joanne Burges



1.3 Announcements

- 1.3.1** WALGA acknowledges the Whadjuk Nyoongar people who are the Traditional Custodians of this land we meet on today and pays respects to their Elders past and present.

2. MINUTES

2.1 Minutes of Meeting Held 2 June 2021

Recommendation

That the Minutes of the WALGA State Council Special Meeting held on [Wednesday, 2 June 2021](#) be confirmed as a true and correct record of proceedings.

2.2 Flying Minute – 2021-22 Budget Submission Approach

Recommendation

That the [Flying Minute – 2021-22 Budget Submission Approach](#), be confirmed as a true and correct record of proceedings.

2.3 Flying Minute – Managing Public Health Risks from Wastewater Conveyance Treatment and Disposal in WA

Recommendation

That the [Flying Minute – Managing Public Health Risks from Wastewater Conveyance Treatment and Disposal in WA](#), be confirmed as a true and correct record of proceedings.

2.4 Flying Minute – Draft Submission to Ministerial Expert Committee on Electoral Reform

Recommendation

That the [Flying Minute – Draft Submission to Ministerial Expert Committee on Electoral Reform](#), be confirmed as a true and correct record of proceedings.

3. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

- *Cr Paul Kelly declared an interest in Item 6.8 as his work position is responsible for licensing and regulating the 19 Local Governments referred to in the paper.*

4. EMERGING ISSUES

Notification of emerging issues must be provided to the Chair no later than 24 hours prior to the meeting.

5. MATTERS FOR DECISION

- As per matters listed
- Items Under Separate Cover to State Council only



6. MATTERS FOR NOTING / INFORMATION

- As per matters listed.

7. ORGANISATIONAL REPORTS

7.1 Key Activity Report

- 7.1.1 Commercial and Communications Unit
- 7.1.2 Governance and Organisational Services
- 7.1.3 Infrastructure
- 7.1.4 Strategy, Policy and Planning

7.2 President's Report

Recommendation

That the President's Report for July 2021 be received.

7.3 CEO's Report

Recommendation

That the CEO's Report for July 2021 be received.

7.4 Ex Officio Reports

- 7.4.1 LG Professionals President, Jamie Parry, to provide LG Professionals Report to the meeting.
- 7.4.2 Lord Mayor Basil Zempilas to provide City of Perth Report to the meeting.

8. ADDITIONAL ZONE RESOLUTIONS

To be advised following Zone meetings.

9. DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council be hosted by the Shire of Broome at The Continental Hotel, Broome on Friday, 3 September 2021 commencing at 10:00am.

10. CLOSURE



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STATUS REPORT ON STATE COUNCIL RESOLUTIONS



5. MATTERS FOR DECISION

5.1 Reviews of the *Cat Act 2011* and *Dog Act 1976* (05-034-01-0001 JM)

By James McGovern, Manager Governance and Procurement

Recommendation

That WALGA seek a commitment from the State Government:

1. for the conduct of comprehensive reviews of the *Cat Act 2011* and *Dog Act 1976*; and
2. that the reviews incorporate Local Government-specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders.

Executive Summary

- The Department of Local Government, Sport and Cultural Industries released the *Statutory Review of the Cat Act 2011 and Dog Amendment Act 2013 Report* in December 2019;
- A number of Local Governments, Zones and VROCs have requested that this statutory review progress to a full review of both Acts, with a particular emphasis on the *Cat Act*;
- In February 2021, WALGA's Governance Policy Team endorsed a recommendation that State Council seek this commitment from the State Government.

Attachment

- The *Statutory Review of the Cat Act 2011 and Dog Amendment Act 2013 Report* can be found [here](#).

Background

The Department of Local Government, Sport and Cultural Industries released the *Statutory Review of the Cat Act 2011 and Dog Amendment Act 2013 Report* in December 2019. A statutory review of legislation is required when a provision is included in the statute, which appears in Section 86 of the *Cat Act* and Section 60 of the *Dog Amendment Act*.

The Report summarises the consultation process that led to the summary of findings. The feedback and information gathered as part of the Review were intended to inform any future review or amendments of the Acts.

Consultation

The review commenced in May 2019 for a 12 week period with the release of the 'Pause for Paws' Paper. The Department received approximately 7,000 written and online submissions in total, substantially from members of the public and dog and cat representative associations and bodies.

Consultation with the Local Government sector was planned in discussion with WALGA, Local Government Professionals WA and WA Rangers Association, resulting in the following key themes arising:

1. *A centralised registration database – to include microchip details and if a dog has been declared dangerous.*
2. *The need for rangers to have the power to enter premises, seize animals and obtain owners details in some situations. It was noted that this would be particularly useful in circumstances of repeated non-compliance of pet owners.*
3. *Sterilisation*
 - a. *Mandatory sterilisation should be introduced for dogs (unless an approval to breed or other exemption is approved)*
 - b. *Sterilisation age for cats should be reduced as they reach sexual maturity before six months (the current sterilisation age)*
4. *Penalties should be incurred when cats wander/trespass on property without consent. A cat curfew should be introduced, or cats should be confined to their property.*



The Summary of Findings in Appendix 1 of the Report contains the range of proposals arising from the entire consultation process.

In communicating the outcome of the Statutory Review, the Department informed WALGA that *'the Government is considering the feedback from the review and...if specific changes to the Cat Act or Dog Act are to be considered/proposed (as a result of the review), further detailed consultation would be undertaken'*¹. There is yet to be an announcement by the State Government of an intention to conduct a full review and *Cat Act* and/or *Dog Act*.

Comment

Commentary from Local Governments and Zones since the Review is that Item 4 of the above key themes is of particular importance to the sector, with Local Governments currently frustrated with the lack of enforcement capability for cats wandering, causing a nuisance or impacting on sensitive environments.

The local law-making head of power under Section 79 of the *Cat Act 2011* does not permit Local Governments to require that cats be contained within their owner's property, as is the case with the *Dog Act* requiring dogs to be 'effectively confined' within the owner's property, and creates an offence for a 'person liable for the control of a dog' if it is not kept under effective control in a public place (except a dog exercise area).

The Annual Report 2014² of the Joint Standing Committee on Delegated Legislation identifies a number of occasions when attempts to make local laws that require containment of cats to properties were frustrated by the lack of the relevant head of power under the *Cat Act*.

¹ Email from DLGSC to WALGA, 3 December 2019.

² [Report 74](#), January 2015, Pages 10-13



5.2 Amendments to WALGA's Constitution (01-001-01-0001 TL)

By Tim Lane, Manager Strategy and Association Governance

Recommendation

That the WALGA Constitution be amended as follows:

1. INSERT Definition – “*Present*” means attendance in person or by electronic means deemed suitable by the Chief Executive Officer.
2. Clause 5 (10) – DELETE “and Associate Members”.
3. Clause 5 (11) – DELETE “Ordinary Member or”, REPLACE “State Council” with “Chief Executive Officer” in the first sentence, INSERT “or its delegate” after State Council in the second sentence.
4. Clause 6 (3) – REPLACE “31 May” with “30 June”.
5. Clause 7 (2) – REPLACE “30 June” with “31 July”.
6. Clause 11 (1) – after Chief Executive Officer, INSERT “in accordance with the Corporate Governance Charter”.
7. Clause 11 (2) – after Chief Executive Officer INSERT “by providing notice to State Councillors of the date, time, place and purpose of the meeting”
8. DELETE Clause 11 (3)
9. Clause 12 (1) – DELETE “as, being entitled to do so, vote in person”
10. DELETE Clause 12 (2)
11. Clause 12 (3) – DELETE “as, being entitled to do so, vote in person”
12. Clause 12 (4) – DELETE “as, being entitled to do so, vote in person”
13. Clause 16 (1) & (2) – After Any election INSERT “other than to elect the President or Deputy President”, REPLACE “generally in accordance with the provisions of the *Local Government Act 1995* as amended (2) For the purposes of the election referred to in subsection (1)” with “as follows”.
14. Clause 16 (2) (f) – REPLACE two instances of “2” with “1”.
15. INSERT Clause 16A – Election Procedure – President and Deputy President
 - (1) An election to elect the President or Deputy President shall be conducted as follows:
 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of “first-past-the-post”;
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;
 - (g) when the meeting resumes, an election will be held in accordance with subsections 1(a), 1(b), 1(c) and 1 (d);
 - (h) if two or more candidates receive the same number of votes so that subsection 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
16. Clause 21 (4) – REPLACE “Chairman” with “Chair”.
17. Clause 22 (1) – REPLACE “in August or September of” with “prior to 31 October”.
18. Clause 22 (3) – DELETE “in person”
19. DELETE Clause 22 (4) (b).
20. Clause 23 (3) – DELETE “in person”
21. Clause 24 (2) – DELETE “and of which vote is to be exercised in person”
22. Clause 24 (4) – DELETE “as, being entitled to do so, vote in person”
23. Clause 28 (1) – DELETE “The common seal shall be held in the custody of the Chief Executive Officer at all times.”
24. Clause 29 (1) – DELETE “as, being entitled to do so, vote in person”



- 25. Clause 29 (2) – DELETE “as, being entitled to do so, vote in person”
- 26. Clause 31 (4) (c) – DELETE “and Regional Development”.

Voting Requirement: SPECIAL MAJORITY

Executive Summary

- A number of amendments are proposed to the WALGA Constitution;
- Amendments are necessary:
 - To remove requirements for delegates to attend annual and special general meetings in person; and,
 - As a result of WALGA's change of financial year end to 30 June, from the previous 31 May year end.
- Other amendments are proposed to:
 - Allow a second vote to be conducted if two candidates tie in an election for President or Deputy President;
 - Clarify the application process for Ordinary and Associate Members;
 - Simplify the process for providing notice of State Council meetings;
 - Allow motions at Special State Council meetings to be passed with a simple, as opposed to absolute, majority, except as required elsewhere in the Constitution, such as the absolute majority requirement to adopt the budget; and,
 - Tidy up outdated wording.
- Amendments to the Constitution require a Special Majority of State Council and a Special Majority at a General Meeting;
- Consequently, these Constitutional Amendments will also be put to the 20 September 2021 Annual General Meeting.

Attachment

- WALGA Constitution – Proposed Amendments Mark-Up

Background

Amendments to the Constitution are required to allow delegates to attend and vote virtually through a videoconference, webinar or other platform at Annual or Special General Meetings of the Association if required.

In addition, WALGA has this year changed its financial year end from 31 May to 30 June. The 30 June year end means that WALGA's financial year now aligns with Local Governments' year end. Amendments to clauses relating to the budget, termination of membership and the timeframe for holding the AGM are required as a result of this change.

The requirement to amend the Constitution has provided an opportunity to amend the election procedure for WALGA President and Deputy President. The proposed change would enable a second ballot to be held if two or more candidates are tied for the position. This aligns with the procedure in the *Local Government Act 1995* for the election by Council of Mayors, Presidents, Deputy Mayors and Deputy Presidents.

Other minor changes to remove outdated and tidy up wording are proposed, as per the mark-up version of the Constitution attached.

Comment

Amendments to the Constitution require endorsement by a special (75 percent) majority at State Council, as well as a 75 percent majority at an Annual General Meeting or Special General Meeting.

Consequently, if the proposed amendments are endorsed by State Council, they will be put to the 20 September 2021 WALGA Annual General Meeting.



Item 5.2 Attachment
WALGA Constitution – Proposed Amendments Mark-Up

Association Constitution

Adopted: 7 August 2001
Amended: 8 August 2004
6 August 2006
5 August 2007
6 August 2011
7 August 2013
3 August 2016
1 August 2018



Constitution

Preamble

This Constitution serves as the instrument for establishment of the Western Australian Local Government Association (WALGA).

WALGA marks the progression from a structure in which the Western Australian Municipal Association (WAMA) serves as a federation of three separate constituent Associations to a single association tasked with directly representing the needs and interests of all Western Australia.

The Constituent Associations of WAMA were: the Country Shire Councils' Association (dissolved in August 2003), the Country Urban Councils' Association (dissolved in August 2002) and the Local Government Association (dissolved in August 2003).

The establishment of WALGA in 2001 represents an evolution in the process by Local Government to promote more effective representation on behalf of its elected membership and the broader community.

Central to this process is the recognition of the sense of history and significant contribution of WAMA's constituent Associations, both in terms of the creation of WALGA and in the pursuit of aims and objectives on behalf of all Western Australian Local Governments as represented within this Constitution.



1. NAME

The name of the Association is "**Western Australian Local Government Association**".

2. INTERPRETATION

(1) Throughout this Constitution, if not inconsistent with the context:

"Absolute Majority" means, in relation to the State Council or any General Meeting of the Association, a majority comprising enough of the representatives of the State Council or delegates of Ordinary Members for the time being for their number to be more than 50% of the number of voting positions of representatives or delegates (whether present and voting or not);

"Annual General Meeting" means the meeting convened under clause 22 of this Constitution;

"Association" means Western Australian Local Government Association (WALGA);

"Associate Member" means:

- in relation to the Association, those Members of the Association referred to in sub-clause 5(6) and those persons admitted as Associate Members of the Association in accordance with sub-clause 5(9); or
- in relation to a Zone, those Ordinary Members of the Association admitted as Associate Members of a Zone in accordance with sub-clause 14(9);

"Chief Executive Officer" means the Chief Executive Officer of the Association;

"Code of Conduct" means the written guidelines which define the minimum standards of professional conduct and integrity that are expected of all State Council members.

"Commissioner" means a commissioner appointed to a Local Government under sections 2.6(4) or 2.36A(3) of the *Local Government Act 1995*;

"Constituency" means such country and metropolitan groupings of Ordinary Members as the Association for the time being, may determine;

"Councillor" has the same meaning as under the *Local Government Act 1995* except that it includes a mayor or president elected by electors and includes a Commissioner appointed under section 2.6(4) or section 2.36A(3) of the *Local Government Act 1995*;

"Country Constituency" means the Ordinary Members as are grouped within the geographical area of the State of Western Australia not included within the boundaries of the Metropolitan Region Planning Scheme;

"Country Shire Councils' Association" means the Country Shire Councils' Association constituted under section 9.58 of the *Local Government Act 1995*;

"Country Urban Councils' Association" means the Country Urban Councils' Association of Western Australia constituted under section 9.58 of the *Local Government Act 1995*;

"Delegate" means a councillor or officer nominated or appointed to represent an Ordinary Member and exercise voting entitlements at General Meetings of the Association pursuant to clauses 22 and 23 of this Constitution, or on a Zone pursuant to clause 14 of this Constitution;

"Deputy President" means the Deputy President for the time being of the Association;



“Ex-officio” means a person or organisation who has an entitlement to membership of the State Council or another committee, by virtue of their office, but is not entitled to exercise a deliberative vote on any matter before the State Council or another committee;

“Governance Charter” means the written policy document that clearly defines the respective roles, responsibilities and authorities of the President, State Council members (individually and collectively) and the Chief Executive Officer in setting the direction, management and control of the Association.

“In Writing” means notice provided by posting or transmission in electronic form;

“Life Members” means those members of the Association referred to in sub-clause 5(1) and those persons admitted as Life Members of the Association in accordance with sub-clause 5(8) of this Constitution;

“Local Government” means an entity constituted under Part 2 of the Western Australian *Local Government Act 1995*;

“Local Government Act” means the Western Australian *Local Government Act 1995*;

“Local Government Association” means the Local Government Association of Western Australia constituted under section 9.58 of the *Local Government Act 1995*;

“Local Government Professionals Australia WA” means the Western Australian Division of Local Government Professionals Australia;

“Member” means:

- in relation to the Association, a Local Government, organisation or person admitted to Ordinary, Life or Associate membership of the Association in accordance with the provisions of this Constitution; or
- in relation to a Zone, those Ordinary Members of the Association that are determined to be members of a Zone by State Council in accordance with sub-clause 14 (2); or
- a new Council created pursuant to a merger or amalgamation of existing Councils that were Ordinary Members of the Association prior to the merger or amalgamation.

“Metropolitan Constituency” means the Ordinary Members as are grouped within the geographical area of the State of Western Australia within the Metropolitan Region Planning Scheme;

“Ordinary Member” means a Local Government admitted to membership of the Association in accordance with the provisions of this Constitution and includes a new Council created pursuant to a merger or amalgamation of existing Councils that were Ordinary Members of the Association prior to the merger or amalgamation;

“President” means the President for the time being of the Association;

“Present” means attendance in person or by electronic means deemed suitable by the Chief Executive Officer

“Representative” means a member on the State Council elected or appointed by the country and metropolitan constituencies in accordance with the provisions of sub-clause 9(1) and 9(3);

“Secretariat” means the staff of the Association appointed from time to time by the State Council and includes the Chief Executive Officer;



“Special General Meeting” means the meeting convened under clause 23 of this Constitution.

“Special Majority” means, in relation to the State Council or any General Meeting of the Association, a majority comprising enough of the representatives of the State Council or delegates of Ordinary Members for the time being for their number to be at least 75% of the number of representatives or delegates (whether present and voting or not);

“Simple Majority” means, in relation to the State Council or any General Meeting of the Association, a majority comprising enough of the representatives of the State Council or delegates of Ordinary Members for the time being for their number to be more than 50% of the number of representatives or delegates that are present;

“State Council” means the governing board of the Association established pursuant to clause 9; and

“Zone” means a geographically based subdivision containing Ordinary Members and incorporated within a country and metropolitan constituency. The country and metropolitan zones are set out in the Register of Zone Membership referred to in sub-clause 14(8).

- (2) In this Constitution:
- (a) a reference to any written law, whether specific or general, includes a reference to all amendments, modifications, re-enactments or replacements and includes all orders, ordinances, regulations, rules and by-laws made under or pursuant to that written law;
 - (b) words meaning persons include natural persons, corporations and associations; and
 - (c) the headings shall not affect the interpretation or construction of this Constitution.

3. OBJECTS

The objects of the Association shall be:

- (a) to provide a united voice for Local Government in Western Australia;
- (b) to promote the credibility and profile of Local Government;
- (c) to speak on behalf of Local Government in Western Australia;
- (d) to represent the views of the Association to the State and Federal Governments on financial, legislative, administration and policy matters;
- (e) to provide services to Local Government in Western Australia;
- (f) to promote Local Government issues of importance by involvement with national bodies;
- (g) to do all and any such other things as in the opinion of the State Council may conveniently be carried on by the Association or which promote or assist or are incidental or conducive to the attainment of these objects or any of them, or anything considered beneficial to the members of the Association; and
- (h) to use the property and income of the Association solely for the promotion of the objects or purposes of the Association. No part of the property or income of the Association may



be paid or otherwise distributed, directly or indirectly, to members of the Association, except in good faith in the promotion of those objects or purposes.

4. POWERS

- (1) The Association shall have such specific powers as may be vested in it from time to time by the Ordinary Members. The initial powers of the Association are set out in the Register of Powers (Schedule One).
- (2) The powers of the Association may be added to, amended, withdrawn, modified or substituted in accordance with the provisions of sub-clause 12(3).
- (3) The Chief Executive Officer shall keep an up-to-date copy of the Register of Powers which records all changes and the dates thereof. The Register of Powers shall be open for inspection to the representatives of Ordinary Members during office hours and on reasonable notice.
- (4) Subject to obtaining the requisite majority support, the Association shall have general power to act in connection with all other matters in its discretion.
- (5) The Association may do all acts and things as are necessary, incidental or conducive to the attainment or execution of its objects and shall have all the powers conferred on an association constituted under section 9.58 of the *Local Government Act 1995* including, but without limitation, power to:
 - (a) acquire hold and dispose of real and personal property;
 - (b) accept any gift of any real or personal property or any interest or estate in that property or disclaim the benefit of any such gift;
 - (c) sue and be sued; and
 - (d) do all things that bodies corporate may do.

5. MEMBERSHIP OF THE ASSOCIATION

- (1) Three classes of membership to the Association shall be available:
 - (a) Ordinary Membership;
 - (b) Associate Membership; and
 - (c) Life Membership.
- (2) Ordinary Membership of the Association shall be open to all Western Australian Local Governments.
- (3) Ordinary membership shall be immediately conferred upon any new Council created by the merger of existing Councils that were Ordinary Members of the Association prior to the merger, provided that all membership fees and subscriptions owed to the Association up to the date of merger by the predecessor Councils of that new Council have been paid.
- (4) An Ordinary Member shall belong to either the metropolitan constituency or the country constituency, but not both.
- (5) Subject to subclause (5), if an Ordinary Member has land both within and outside the Metropolitan Region Planning Scheme (MRPS), if the greater land area is in the MRPS, it will be deemed to be in the metropolitan constituency, otherwise it will be deemed to belong to the country constituency; or



- (6) State Council, on application from an Ordinary Member, may resolve to set aside the general rule prescribed in subclause (4) and permit an Ordinary Member to be a member of an alternate constituency. In considering any application made pursuant to this subclause, State Council shall give regard to the reasons provided in support of the application and any views expressed by Ordinary Members within the two constituencies. State Council may approve or refuse any application, advising accordingly and including any reason therefore.
- (7) Associate Members shall be:
 - (a) the Local Government Professionals Australia WA; and
 - (b) any other Associate Member admitted to membership pursuant to sub-clause 5(11).
- (8) Associate Members are ineligible to vote at all meetings of the Association.
- (9) The State Council from time to time will determine nominations for Life Membership of the Association.
- (10) Additional Ordinary Members ~~and Associate Members~~ may be admitted from time to time on a simple majority resolution of the State Council.
- (11) Any person or organisation seeking admission as an ~~Ordinary Member or~~ Associate Member shall make written application to the ~~State Council~~ Chief Executive Officer. The State Council ~~or its delegate~~ shall consider the application and may admit or refuse the applicant, advising accordingly including any reason therefore.
- (12) If an application for membership is granted, the membership shall commence upon payment of the appropriate subscription.
- (13) The Chief Executive Officer shall keep and maintain in an up-to-date condition a Register of the Members of the Association. The Register shall be open for inspection to the representatives of Ordinary Members during office hours and on reasonable notice.

6. TERMINATION OF MEMBERSHIP OF THE ASSOCIATION

- (1) Membership of the Association may be terminated upon -
 - (a) receipt by the Chief Executive Officer of not less than 3 months notice in writing from a Member requesting to withdraw from membership of the Association; or
 - (b) non-payment by a Member of the required subscription within three months of the date fixed by the State Council for subscriptions to be paid, unless the State Council decides otherwise; or
 - (c) expulsion of a Member in accordance with clause 30.
- (2) Pursuant to subclause 6(1), where the membership of an Ordinary Member is terminated, the Chief Executive Officer shall remove the name of the Ordinary Member from the Register of the Members of the Association and that Ordinary Member shall cease to be a Member of the Association.
- (3) A Member who withdraws from membership to the Association shall not be entitled to a refund of any portion of such subscription as the Member will have paid in advance for the period up to and including ~~31 May~~ 30 June of that year.



7. BUDGET

- (1) The Association's Budget shall be prepared annually by the Chief Executive Officer in consultation with the State Council, including such other Committees as the State Council may deem expedient pursuant to clause 21.
- (2) The Budget shall be submitted to the State Council for approval not later than ~~30 June~~31 July prior to the financial year to which it relates.

8. SUBSCRIPTION

- (1) The annual subscriptions of all Members of the Association shall be as determined by the State Council.
- (2) Subscription levels shall be submitted for approval by the State Council together with the relevant Budget each year.
- (3) Subscriptions shall be due and payable on such date or dates as the State Council may decide having regard to all relevant circumstances.

9. STATE COUNCIL

- (1) The State Council is to be the governing board of the Association, responsible for the management and affairs of the Association. Members of the State Council shall include:
 - (a) 12 Councillors elected as representatives from amongst the delegates to the Zones of the metropolitan constituency;
 - (b) 12 Councillors elected as representatives from amongst the delegates to the Zones of the country constituency;
 - (c) The President (ex-officio); and
 - (d) The President of Local Government Professionals Australia WA (ex-officio).
- (2) The metropolitan constituency and country constituency shall determine the allocation of representational positions on State Council between the Zones within each respective constituency.
- (3) Representatives and deputy representatives to the State Council shall be elected by Zones of the metropolitan and country constituencies from amongst the delegates to the Zones for a term commencing on the day of the first Ordinary Meeting of State Council immediately following the biennial Local Government elections and concluding on the day before the first Ordinary Meeting of State Council of the following biennial Local Government elections.
- (4) The State Council shall be the body responsible for establishment and review of the processes which are to be applied by the Zones of the metropolitan and country constituencies to determine the election of their representatives and deputy representatives to the State Council.
- (5) The Secretariat shall be the body responsible for coordinating the nominations and election processes by which the Zones of the metropolitan and country constituencies elect their representatives and deputy representatives to the State Council.



- (6) A deputy representative elected from amongst the delegates to that Zone to act in the capacity of a representative unable to attend a meeting of the State Council shall exercise all rights of that representative.
- (7) If for any reason, a representative or deputy representative is unable to hold office for the full period for which the representative or deputy representative was appointed, the affected Zone shall be entitled to fill that vacancy by appointing some other Councillor from within that Zone as a representative or deputy representative. The representative or deputy representative so appointed shall hold office for the balance of the term of the representative or deputy representative originally elected.

10. PROCEEDINGS OF STATE COUNCIL

- (1) The State Council must meet together for the dispatch of business not less than four times in each year.
- (2) Each representative on the State Council shall be entitled to exercise one (1) deliberative vote on any matter considered by the State Council provided that this clause shall not apply to any ex-officio members of the State Council. The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16 in which the President is entitled to a deliberative vote only.
- (3) At any meeting of the State Council, thirteen (13) representatives present and entitled to vote shall form a quorum.
- (4) The President shall preside at all meetings of the State Council.
- (5) In the absence of the President, the Deputy President shall preside at a meeting of the State Council. In presiding, the Deputy President shall be entitled to exercise one (1) deliberative vote in respect of a matter considered by the State Council, and in the event of there being an equality of votes in respect of a matter considered, shall exercise a casting vote.
- (6) In the absence of the President and Deputy President, the State Council shall choose a representative of the State Council to preside at the meeting of the State Council. The representative chosen to preside shall exercise a deliberative vote in respect of a matter considered by the State Council, and in the event of there being an equality of votes in respect of a matter being considered, shall exercise a casting vote.
- (7) The State Council shall establish a Corporate Governance Charter as the instrument to be used by State Council in implementing good governance policies, procedures and practices.
- (8) The State Council shall establish a Code of Conduct to which all State Council members must comply.
- (9) State Council shall adopt Standing Orders that will apply to all meetings.

11. NOTICE OF STATE COUNCIL MEETINGS

- (1) Ordinary Meetings of the State Council shall be called by the Chief Executive Officer [in accordance with the Corporate Governance Charter.](#)



- (2) Special Meetings of the State Council shall be called by the Chief Executive Officer by providing notice to State Councillors of the date, time, place and purpose of the meeting upon the written request of the President or at least one quarter of the representatives to the State Council.
- ~~(3) The Chief Executive Officer must give all members to the State Council at least 7 days' notice of a meeting unless all of the members have agreed in writing to shorter notice. Notice shall be at the destinations for members appearing in the records of the Association for the time being. Such notice shall specify the nature of the business to be transacted at the meeting and shall be deemed to have been delivered immediately if transmitted electronically or, on the second date after posting.~~

12. RESOLUTIONS OF STATE COUNCIL

- (1) Except as provided in this clause, all motions concerning the affairs of the Association shall be passed by a simple majority of the representatives of the State Council ~~as, being entitled to do so, vote in person~~ or by their deputy representatives.
- ~~(2) Any matter considered by the State Council at a Special Meeting convened pursuant to sub-clause 11 (2) of this Constitution, shall not be passed unless having received an absolute majority of representatives of the State Council as, being entitled to do so, vote in person or by their deputy representatives.~~
- ~~(3)(2)~~ The following resolutions shall not be passed unless they receive a special majority of not less than 75% of representatives of the State Council ~~as, being entitled to do so, vote in person~~ or by their deputy representatives:
- (a) any addition, amendment, withdrawal, modification or substitution to, of or in the powers of the Association; or
 - (b) any allocation or change in allocation of any representation or voting rights on the State Council; or
 - (c) any change to the membership of Ordinary Members to Zones.
- ~~(4)(3)~~ The annual budget, including annual subscriptions, shall not be adopted unless passed by an absolute majority of representatives of the State Council ~~as, being entitled to do so, vote in person~~ or by their deputy representatives.

13. CHIEF EXECUTIVE OFFICER AND SECRETARIAT

- (1) The State Council may appoint a Chief Executive Officer at such remuneration and on such terms and conditions and with such powers, authorities, discretions and duties as it deems appropriate and may terminate the appointment of the Chief Executive Officer.
- (2) The State Council may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under this Constitution from time to time in such manner as the State Council determines and the scope of which are set out in Schedule Two. The Chief Executive Officer shall be responsible for the establishment and maintenance of a Register of Powers, Authorities, Discretions and Duties delegated by the State Council.
- (3) Subject to the control of the State Council, the Chief Executive Officer shall be solely responsible for the appointment of the staff of the Secretariat and the administration of the Association.



- (4) The Chief Executive Officer shall be the custodian of records, books, documents and securities of the Association.

14. ZONES

- (1) Ordinary Members of the Association shall be grouped into Zones of the metropolitan and country constituencies.
- (2) The membership of Ordinary Members to Zones shall be determined from time to time by State Council.
- (3) The number of Zones shall be determined from time to time by the Ordinary Members of the Association at a Special or Annual General Meeting.
- (4) Each member of a Zone shall be entitled to be represented by a delegate or delegates elected or appointed by the member to represent its interests. Zones shall determine the number of delegates to which each member is entitled to be represented by on the Zone.
- (4a) The term of a person who is a delegate of a member of a Zone expires when the person:
- (a) dies;
 - (b) ceases to be a Councillor of the Ordinary Member;
 - (c) resigns the position by notice in writing given to the Ordinary Member who elected or appointed the person as its delegate and the resignation is accepted;
 - (d) becomes a member of State or Federal Parliament;
 - (e) is convicted of an offence under the *Local Government Act 1995*;
 - (f) is permanently incapacitated by mental or physical ill-health; or
 - (g) is the subject of a resolution passed by the Ordinary Member who appointed the person as its delegate terminating their appointment as the delegate of that Ordinary Member.
 - (h) is a Councillor that has been suspended by the Minister for Local Government under part 8 of the *Local Government Act 1995*.
- (5) The management and affairs of the Zone shall be vested in the delegates that are elected or appointed to the Zone by each member of the Zone.
- (6) The functions of each Zone shall be:
- (a) electing a representative or representatives and deputy representative or deputy representatives to the State Council;
 - (b) considering the State Council agenda;
 - (c) providing direction and/or feedback to their representative or representatives on the State Council; and
 - (d) any other functions deemed appropriate by the members of the Zone.
- (7) An application for change in membership between Zones may only be made by the member seeking to change its membership and with the approval of the receiving Zone.
- (8) Applications for changes in membership between Zones shall be determined by the State Council. In considering such applications, State Council shall give regard to the reasons provided in support of the application and any views expressed by the Zones directly affected by the application. State Council may approve or refuse any application, advising accordingly and including any reason therefore.



- (9) The Chief Executive Officer is to keep and maintain in an up-to-date condition a Register of Zone Membership, which may be varied from time to time by State Council. Upon request of an Ordinary Member, the Chief Executive Officer shall make the Register available for inspection by the representatives of an Ordinary Member during office hours and on reasonable notice.
- (10) A Zone may, from time to time, resolve to admit an Ordinary Member or Associate Member of the Association from outside their existing membership as an Associate Member of their Zone. In considering whether to admit an Ordinary Member or an Associate Member of the Association as an Associate Member of a Zone, the Zone shall give regard to the significance of communities of interest between the existing membership of the Zone and the Ordinary Member or Associate Member of the Association that is seeking to become an Associate Member of the Zone.
- (11) Subject to subclause (12), Zones shall determine the participation of any Associate Member admitted to the Zone, including the extent to which the representatives of an Associate Member may speak to and vote on matters considered by the Zone.
- (12) An Associate Member of a Zone may not:
 - a) nominate a delegate for election to any office of the Zone;
 - b) participate in an election held for any office bearer of the Zone; or
 - c) vote on any matter considered by the Zone requiring a 75% majority.

15. ANNUAL REPORT AND AUDITED FINANCIAL STATEMENTS

Prior to the Annual General Meeting, the President and Chief Executive Officer shall prepare the President's annual report and audited financial statements of the Association for presentation to Members at the Annual General Meeting.

16. ELECTION PROCEDURE

- (1) Any election ~~other than to elect the President or Deputy President~~ held by the Association shall be conducted ~~as follows: generally in accordance with the provisions of the Local Government Act 1995 as amended.~~
- ~~(2) For the purposes of the election referred to in sub-section (1)–~~
 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of "first-past-the post";
 - (d) if the election is to fill one vacancy, the candidate who receives the greater or greatest number of votes is elected;
 - (e) if the election is to fill two or more vacancies, the candidates elected are -
 - (i) the candidate who receives the greatest number of votes; and
 - (ii) the candidate who receives the next highest number of votes; and
 - (iii) the candidate who receives the next highest number of votes,and so on up to the number of vacancies to be filled; and
 - (f) if two or more candidates receive the same number of votes so that sub-section ~~21~~(d) or ~~21~~(e) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.



16A. ELECTION PROCEDURE – PRESIDENT AND DEPUTY PRESIDENT

- (1) An election to elect the President or Deputy President shall be conducted as follows:
- (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of “first-past-the-post”;
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;
 - (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1(d);
 - (h) if two or more candidates receive the same number of votes so that sub-section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.

17. PRESIDENT

- (1) Subject to subclause 17(3) of this Constitution, the State Council shall elect a President from amongst those of its members that are representatives from the Zones of the metropolitan and country constituencies or were originally elected to State Council in that capacity.
- (2) The President shall be elected by the State Council at the first Ordinary Meeting of State Council of an even numbered year. The President's term shall commence from the date of election and shall conclude on the day of the first Ordinary Meeting of State Council of the following even numbered year.
- (3) A person, other than the incumbent President of the Association, shall not be eligible for election as President unless they have first been elected by the metropolitan or country constituencies as a representative on the State Council.
- (4) The metropolitan or country constituency from which the President is elected has the right to nominate a further representative to the State Council, with that representative being drawn from the same zone and entitled to serve for the same term as their originally nominated representative.
- (5) Where the incumbent President seeks and is re-elected for a consecutive term, that person shall not hold office beyond two (2) full consecutive terms.

17A. ROTATION OF PRESIDENCY

- (1) At an election for the position of President conducted under sub-clause 17(2), only the incumbent President, subject to complying with sub-clause 17(5), or State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.
- (2) At an election for the position of President conducted under Clause 19, only State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.



18. DEPUTY PRESIDENT

- (1) Following determination of the election of the President pursuant to clause 17 of this Constitution, the State Council shall elect a Deputy President from amongst its metropolitan and country representatives, provided the Deputy President represents the alternate constituency to the President elected pursuant to clause 17.
- (2) The Deputy President shall be elected by the State Council at the first Ordinary Meeting of State Council of an even numbered year. The Deputy President's term shall commence from the date of election and shall conclude on the day of the first Ordinary Meeting of State Council of the following even numbered year.
- (3) Prior to expiration of a term of office, a Deputy President may seek re-election for a consecutive term.
- (4) Where a Deputy President seeks and is re-elected for a consecutive term, that person shall not hold office beyond two (2) full consecutive terms.

19. VACANCY – PRESIDENT AND DEPUTY PRESIDENT

- (1) If the office of the President becomes vacant or if for any other reason the President is unable to take or hold office at a period which exceeds six months from the date of the next scheduled election for that office, then the State Council shall meet to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced.
- (2) Where a vacancy occurs in the office of President at a period which is six months or less from the date of the next scheduled election for that office, the State Council may convene a meeting to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced, or the State Council may in its discretion, determine that the vacancy be filled by the Deputy President until the date of the next scheduled election.
- (3) An election pursuant to sub-clause 19(1) or sub-clause 19(2) shall cause the office of Deputy President to be declared vacant immediately prior to the conduct of the election.
- (4) Following an election pursuant to sub-clause 19(1) or sub-clause 19(2) an election pursuant to Clause 19 (5) will be conducted for the office of Deputy President from amongst representatives of the alternative constituency to that of the President just elected.
- (5) If the office of Deputy President becomes vacant or if for any other reason the Deputy President is unable to take or hold office, then the State Council shall meet to elect from among their number a Deputy President who shall hold the office for the balance of the term of the Deputy President replaced, provided the Deputy President represents the alternate constituency to that of the President.
- (6) A State Council representative elected to fill a vacancy of President or Deputy President pursuant to clause 19 shall still be eligible for election for a subsequent two (2) full consecutive terms.



20. VACATION OF OFFICE

A person shall cease or be disqualified from being a representative or deputy representative on the State Council or from being President or Deputy President of the Association, or from attending State Council in an ex-officio capacity, if that person:

- (a) dies;
- (b) ceases to be a Councillor of the Ordinary Member;
- (c) resigns the position by notice in writing delivered or sent by post to the Chief Executive Officer, and such resignation is accepted;
- (d) is a member of State or Federal Parliament;
- (e) is convicted of an offence under the *Local Government Act 1995*;
- (f) is permanently incapacitated by mental or physical ill-health;
- (g) is absent from more than 3 consecutive State Council meetings;
- (h) is a member of a Local Government that ceases to be a member of the Association;
- (i) is the subject of a resolution passed by the Zone from which that person was originally elected terminating his or her appointment as a representative or deputy representative of that Zone, except where that person is the subject of any resolution consequent upon his or her being elected President of the Association and in pursuance of sub-clause 17(4); or,
- (j) is a Councillor that has been suspended by the Minister for Local Government under Part 8 of the *Local Government Act 1995*.

21. COMMITTEES AND SUB-COMMITTEES

- (1) The State Council may from time to time as it may deem necessary or expedient appoint, delegate or refer to any person or committee any of its powers, duties and functions as it thinks fit except the powers to:
 - (a) acquire, hold and dispose of real property;
 - (b) borrow money;
 - (c) set subscription levels; and
 - (d) progress any matter requiring a resolution of the State Council pursuant to sub-clauses 12(2) or 12(3) of this Constitution.
- (2) The person or the members of any committee so appointed shall not be required to be representatives on the State Council.
- (3) Any person or committee in the exercise of the powers, duties or functions so delegated or referred to it shall observe and perform any rules, regulations and directions that may be made by the State Council.
- (4) Each Committee shall elect a Chairman from the members of the Committee.

22. ANNUAL GENERAL MEETING

- (1) The Annual General Meeting of the Association shall be held at a date to be determined by the State Council, provided that such date occurs ~~in August or September~~ of prior to 31 October each year.
- (2) The Chief Executive Officer shall give at least ninety (90) days' notice of the date of the Annual General Meeting and the closing date on which notice of proposed business for the Annual General Meeting will be received by posting notice thereof to each Ordinary Member at the address appearing in the records of the Association for the time being. Such notice shall be



deemed to have been delivered to the Ordinary Member immediately if transmitted electronically or on the second date after posting.

- (3) At an Annual General Meeting, greater than one half of the delegates of Ordinary Members who are eligible to vote and are present ~~in-person~~ constitute a quorum.
- (4) At each such Annual General Meeting the order of business shall be as follows:
 - (a) attendance, apologies and announcements;
 - ~~(b) adoption of standing orders;~~
 - ~~(e)~~(b) confirmation of minutes from last Annual General Meeting;
 - ~~(d)~~(c) adoption of President's annual report;
 - ~~(e)~~(d) consideration of annual financial statements; and
 - ~~(f)~~(e) consideration of Executive and Member motions.
- (5) In respect of the Annual General Meeting:
 - (a) a notice of motion may only be submitted by the State Council or an Ordinary Member; and
 - (b) a motion may only be moved seconded or voted upon by a delegate of an Ordinary Member.
- (6) An agenda paper shall be forwarded by the Chief Executive Officer to each Ordinary Member, at the address appearing in the records of the Association for the time being, at least thirty (30) days before the date of the Annual General Meeting. The agenda paper shall be deemed to have been delivered to the Ordinary Member immediately if transmitted electronically or on the second date after posting.
- (7) Where the State Council considers that a direction or decision from an Annual General Meeting has been made without information of a material nature or in circumstances which have materially altered and such direction or decision is not in the best interests of the Association, the State Council may decline to follow that direction or decision and, in that event, the Chief Executive Officer by notice shall advise the Ordinary Members of the decision of the State Council and the reasons for that decision.
- (8) Notwithstanding the provisions of sub-clause (7), the State Council is required to give consideration to any direction or decision made at an Annual General Meeting in its discharge of responsibilities and functions.

23. SPECIAL GENERAL MEETING

- (1) A Special General Meeting shall be called by the Chief Executive Officer upon the instructions of the State Council or the written demand of not less than any twenty (20) Ordinary Members.
- (2) The Chief Executive Officer shall give at least thirty (30) days notice of any Special General Meeting by posting notice thereof to each Ordinary Member at the address appearing in the records of the Association for the time being. Such notice shall specify the nature of the business to be transacted at the Special General Meeting and shall be deemed to have been delivered immediately if transmitted electronically or on the second date after posting.
- (3) At a Special General Meeting, greater than one half of the delegates of Ordinary Members who are eligible to vote and are present ~~in-person~~ constitute a quorum.
- (4) Where the State Council considers that a direction or decision from a Special General Meeting has been made without information of a material nature or in circumstances which have



materially altered and such direction or decision is not in the best interests of the Association, the State Council may decline to follow that direction or decision and, in that event, the Chief Executive Officer by notice shall advise the Ordinary Members of the decision of the State Council and the reasons for that decision.

- (5) Notwithstanding the provisions of sub-clause (4), the State Council is required to give consideration to any direction or decision made at a Special General Meeting in its discharge of responsibilities and functions.

24. REPRESENTATION AND VOTING AT GENERAL MEETINGS

- (1) Subject to this Constitution, each Ordinary Member shall be entitled to be represented at any Annual General Meeting or Special General Meeting of the Association by two (2) delegates.
- (2) A delegate shall be entitled to one (1) deliberative vote at the Annual General Meeting or Special General Meeting of the Association ~~and of which vote is to be exercised in person.~~
- (3) A delegate unable to attend any Annual General Meeting or Special General Meeting shall be entitled to cast a vote by proxy. A proxy shall be in writing and shall nominate the person in whose favour the proxy is given which person need not be a delegate. Proxy authorisations shall be delivered to the Chief Executive Officer before the commencement of the general meeting at which the proxy is to be exercised and shall be signed by the delegate or by the Chief Executive Officer of the Ordinary Member that nominated the delegate.
- (4) Except as provided in this Constitution, all matters considered at an Annual General Meeting or Special General Meeting of the Association shall be passed by a simple majority of the Ordinary Members' delegates ~~as, being entitled to do so, vote in person~~ or by a duly authorised proxy vote exercised on their behalf.
- (5) At any Annual General Meeting or Special General Meeting of the Association, greater than one half of the delegates who are eligible to vote must be present to form a quorum.

25. MINUTES OF MEETINGS OF ASSOCIATION

- (1) The Chief Executive Officer must cause proper minutes of all proceedings of all general meetings and State Council meetings to be taken and then to be entered within 30 days after the holding of each general meeting or State Council meeting, as the case requires, in a minute book kept for that purpose.
- (2) The President must ensure that the minutes taken of a general meeting or State Council meeting under sub-clause (1) are checked and signed as correct by the person who presided at the general meeting or State Council meeting to which those minutes relate or by the person who presides at the next succeeding general meeting or State Council meeting, as the case requires.
- (3) When minutes have been entered and signed as correct under this clause, they are, until the contrary is proved, evidence that-
 - (a) the general meeting or State Council meeting to which they relate (in this sub-clause called "the meeting") was duly convened and held;
 - (b) all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and



- (c) all appointments or elections purporting to have been made at the meeting have been validly made.

26. AUDIT

- (1) At least once a year the State Council shall cause the Association's accounts to be audited by a person or persons appointed by the State Council or its delegated body.
- (2) The accounting records of the Association shall be open for inspection by the representatives of Ordinary Members during office hours and on reasonable notice.

27. BANKING

- (1) All moneys received by the Association shall be banked into an operating account established by the State Council, in the name of the Association.
- (2) Payments drawn on the account and other documents relating to such account shall be authorised by the Chief Executive Officer and such other authorised persons as the State Council may deem appropriate.
- (3) (a) The operating account to be so established, may be utilised for the purposes of paying salaries and operating expenses and for other purposes authorised by a resolution of the State Council.
- (b) The State Council on the advice of the Chief Executive Officer, may appoint any member of the Secretariat to manage the operating account.

28. COMMON SEAL

- (1) The Association shall have a common seal on which its corporate name appears in legible characters. ~~The common seal shall be held in the custody of the Chief Executive Officer at all times.~~
- (2) The common seal of the Association must not be used without the approval of the State Council and every use of that common seal must be recorded in the minutes of the State Council meeting.
- (3) The affixing of the common seal of the Association must be witnessed by any two of the Chief Executive Officer, the President and the Deputy President.
- (4) The common seal of the Association must be kept in the custody of the Chief Executive Officer or of such other persons as the State Council from time to time decides.

29. AMENDMENT TO THE CONSTITUTION

The Constitution of the Association may be altered, added to or repealed by:

- (1) A resolution at any meeting of the State Council on the receipt of a special majority of not less than 75% of representatives ~~as, being entitled to do so, vote in person~~ or by their deputy representatives; and



- (2) A resolution at an Annual General Meeting or Special General Meeting passed by a majority of not less than 75% of delegates ~~as, being entitled to do so, vote in person~~ or duly authorise a proxy vote to be exercised on their behalf, provided that:
 - (a) 75% of Ordinary Members who are eligible to vote are present or represented; and
 - (b) the Chief Executive Officer has given not less than sixty (60) days notice of any proposal to alter, add or repeal the Constitution to all Ordinary Members.

30. EXPULSION OF MEMBERS

- (1) An Ordinary Member may be expelled from the Association by resolution at a meeting of the State Council on the consent in writing to the proposition for expulsion being first received from not less than 75% of the Ordinary Members.
- (2) The Ordinary Member whom it is proposed to expel must receive at least sixty (60) days notice of the State Council meeting referred to in sub-clause (1) and shall be given the opportunity of attending the meeting and being heard with respect to the motion for expulsion.
- (3) An Associate Member may be expelled by resolution of State Council.

31. DISPUTES, MEDIATION AND ARBITRATION

- (1) The grievance procedure set out in this clause applies to disputes arising in connection with this Constitution between:
 - (a) a member and another member; or
 - (b) a member and the Association; or
 - (c) if the Association provides services to non-members, those non-members who receive services from the Association, and the Association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the dispute must, within ten (10) days, be referred initially to a panel to settle the dispute by mediation and if the dispute cannot be resolved, to arbitrate the dispute.
- (4) The panel shall be established by the State Council having regard to the nature and circumstances of the dispute and shall comprise such number of persons as the State Council may decide, being not less than three (3), who shall be drawn from amongst the following:
 - (a) Life Members of the Association;
 - (b) the President or Past Presidents of Local Government Professionals Australia WA;
 - (c) the Director General, Department of Local Government ~~and Regional Development~~; or
 - (d) such other persons as the State Council considers appropriately qualified having regard to the nature and circumstances of the dispute.
- (5) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (6) The panel, in conducting the mediation, must:
 - (a) give the parties to the mediation process every opportunity to be heard;



- (b) allow due consideration by all parties of any written statement submitted by any party;
and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (7) Any arbitration shall be conducted in accordance with the provisions of the *Commercial Arbitration Act 1985 (WA)* and, notwithstanding section 21 (1) of that Act, each disputant may be represented by a duly qualified legal practitioner or other representative.
- (8) If a matter proceeds to arbitration, then the decision of the panel shall be final and binding on the disputants.
- (9) Any mediation or arbitration conducted under this clause must be confidential and without prejudice.

32. DISTRIBUTION OF SURPLUS PROPERTY ON WINDING UP OF ASSOCIATION

The State Council shall if instructed in writing by all of the Ordinary Members dissolve the Association and, after paying and discharging out of the Association's funds and assets all debts and liabilities, transfer the funds or realise the same and transfer the proceeds to any organisation or organisations constituted with similar objects to those of the Association and which organisation or organisations prohibit the distribution of property among the Ordinary Members thereof or in the absence of such an organisation as determined by a Judge of the Supreme Court.

6. MATTERS FOR NOTING / INFORMATION

6.1 Submission to Ministerial Expert Committee on Electoral Reform (01-006-02-0010 TL)

By Tim Lane, Manager Strategy and Association Governance

Recommendation

That the Submission to the Ministerial Expert Committee on Electoral Reform be noted.

Executive Summary

- The Minister for Electoral Affairs, Hon John Quigley MLA, has announced the formation of a Ministerial Expert Committee to take submissions and make recommendations to Government to reform the Legislative Council electoral system.
- To facilitate the development of a WALGA submission to the Ministerial Expert Committee, the WALGA President established a Policy Forum of State Councillors that met twice during May 2021.
- The Policy Forum:
 1. Considered a [background paper](#) and the Expert Committee's [discussion paper](#),
 2. Discussed key issues with ABC Election Analyst, Antony Green,
 3. Considered a range of models, ultimately recommending a preferred model, and
 4. Shaped the arguments put forward in the submission.
- Following the Policy Forum's deliberative process, a submission was put forward for State Council consideration at the 2 June 2021 special meeting of State Council.
- Following a number of amendments, the final submission was endorsed via Flying Minute on Friday, 4 June.

Attachment

- [Flying Minute – Draft Submission to the Ministerial Expert Committee on Electoral Reform](#)

Background

Hon. John Quigley MLA, Attorney General; Minister for Electoral Affairs, announced on Friday, 30 April 2021 the [establishment of a Ministerial Expert Committee](#) to advise the Government on electoral reform.

The Committee's Terms of Reference are as follows:

The Government now asks the Committee to review the electoral system for the Legislative Council and provide:

1. *Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council, and*
2. *Recommendations for the distribution of preferences in the Legislative Council's proportional representation system.*

The Ministerial Panel comprises the following members:

- Hon. Malcolm McCusker QC AO (Chair)
- Professor John Phillimore
- Professor Martin Drum
- Dr Sarah Murray



The Ministerial Panel's website is available here: <https://www.wa.gov.au/government/wa-electoral-reform>.

To consider and develop a submission on the issues to be addressed by the Ministerial Panel's Terms of Reference, the WALGA President, Mayor Tracey Roberts, convened a Policy Forum, comprised of the following State Councillors:

- Mayor Tracey Roberts (Chair)
- President Cr Karen Chappel
- Mayor Carol Adams
- President Cr Phil Blight
- Cr Ronnie Fleay
- Mayor Albert Jacob
- Cr Les Price
- President Cr Michelle Rich
- President Cr Stephen Strange

The Policy Forum held two meetings to deliberate on the issues associated with Legislative Council electoral reform and to shape a draft submission for State Council consideration.

At the first meeting, the Policy Forum considered the [Background Paper](#) and the [discussion paper prepared by the Ministerial Expert Committee](#).

Antony Green, ABC Elections Analyst, presented to the first meeting of the Policy Forum and discussed key issues. Antony Green's brief was to:

- Outline key issues, including the issues identified by the Government such as malapportionment and group ticket voting, and
- Discuss options for reform.

Following Antony Green's presentation, discussions focused on the need for maintenance of political representation for rural and remote Western Australia, and arguments in support of this position, which are enunciated in the submission.

At this meeting, the Policy Forum also agreed to the first two recommendations put forward in the draft submission, being:

1. That Group Ticket Voting be removed from the Legislative Council electoral system, and reforms be adopted modelled on the Senate reforms of 2016; and,
2. That a regional system be retained, and the whole state electorate option be rejected.

The second meeting of the Policy Forum focused on strengthening the arguments in the submission and agreeing on a region-based model to put forward for State Council to consider submitting to the Ministerial Expert Committee. To facilitate the Policy Forums' discussions, a paper with eight options for consideration was prepared.

The Policy Forum reiterated the need for political representation of rural and remote Western Australia. Following deliberations, the Policy Forum agreed to recommend a model for State Council consideration.



State Council considered the draft submission at the 2 June Special Meeting and resolved not to include a preferred model as part of the submission, as follows:

That:

1. **the draft submission to the Ministerial Expert Committee on Electoral Reform be amended as follows:**
 - a. **remove pages 11 and 12**
 - b. **amend recommendation 3 to the following:**

That the Ministerial Expert Committee on Electoral Reform be required to consider the importance of political representation for rural and regional Western Australia.
 - c. **provide information regarding the importance of representation for Aboriginal communities.**
2. **the amended submission be considered by State Council by way of Flying Agenda/Minutes.**
3. **Local Governments be encouraged to put forward a submission to the Ministerial Expert Committee on Electoral Reform.**

The final submission was endorsed by State Council on Friday, 4 June by Flying Minute.

Comment

The final submission contains the following sections:

- **Background** – including establishment of the panel and the State Council Policy Forum.
- **Group Ticket Voting** – recommending that group ticket voting be removed from the electoral system.
- **Whole State Electorate** – rejecting the option of electing the Legislative Council from an electorate comprising the whole state of WA.
- **Regional, Rural and Remote Representation** – arguing the importance of political representation for rural, remote and Aboriginal communities, highlighting the increased role for Local Government if Parliamentary representation is reduced, pointing out the economic contribution of regional Western Australia, and noting lower levels of government services relative to more populous regions. Also noting that Aboriginal communities remain significantly disadvantaged in Regional Western Australia and removing or limiting access to Members of Parliament will have significant repercussions and does not achieve electoral equality.
- **Conclusion** – emphasising the importance of rural and remote political representation, and restating the recommendations put forward in the submission.

The deadline for submissions to be received by the Ministerial Expert Committee was 5:00pm, Tuesday, 8 June 2021.



6.2 Legal Response to the Coastal Hazard Planning Issues Paper (05-036-03-0065 AR)

By Ashley Robb, Senior Policy Advisor, Planning

Recommendation

That the update on the *Legal Response to the Local Government Coastal Hazard Planning Issues Paper (2021)* be noted.

Executive Summary

- The *Legal Response to the Coastal Hazard Planning Issues Paper (2021)* is a certified legal response to questions outlined in the *Coastal Hazard Planning Issues Paper (2019)*.
- The legal response will be useful for Local Governments preparing and revising Coastal Hazard Risk Management and Adaptation Plans (CHRMAs), which Local Governments are required to prepare under *State Planning Policy 2.6: State Coastal Planning Policy*.
- The legal response is a confidential document owned by the organisations who contributed funding and resources to seek the advice; 28 Local Governments, WALGA and LGIS.
- The project is estimated to have saved the sector approximately \$1.3 million in legal fees, had each participating Local Government sought independent legal advice.

Relevance to Strategic Plan

Key Strategies

Sustainable Local Government

- Represent the diversity of members' aspirations in the further development of Local Government in Western Australia.

Background

The *Legal Response to the Coastal Hazard Planning Issues Paper (2021)* is a certified legal response to questions raised in the *Coastal Hazard Planning Issues Paper (2019)*.

The issues paper was noted by State Council in September 2019. It was prepared by WALGA and LGIS in partnership with the Local Government Coastal Hazard Risk Management and Adaptation Planning (CHRMAs) Forum and considers nine coastal adaptation scenarios common to Local Governments in Western Australia (WA). Each scenario raises a number of questions, mostly of a legal nature. The CHRMAs forum determined that a qualified legal response to these questions was needed, to clarify Local Government responsibilities and potential legal liabilities in each scenario, and help Local Governments prepare and revise CHRMAs, which Local Governments are required to prepare under *State Planning Policy 2.6: State Coastal Planning Policy*.

In 2020, WALGA, on behalf of the forum, released an expression of interest to all Local Governments in WA with coastal or estuarine lands to co-fund the legal response through an equal contribution model. 28 Local Governments (listed below) responded and formed a collaborative funding partnership with WALGA and LGIS to engage a qualified legal firm from WALGA's preferred supplier list. McLeods Barristers and Solicitors was selected by a governing subcommittee of collaboration representatives. The report was completed and distributed to participants in April 2021.

Comment

The legal response is a confidential document owned by the organisations who contributed funding and resources to seek the legal advice, which include the participating Local Governments, WALGA and LGIS. The report's findings are general in nature and owners should consider seeking specific legal advice and assistance to ensure appropriate adaptation of the general advice to specific local circumstances.



A selection of the report's key findings include:

- a) In a coastal context, the primary role of a Local Government is to manage risks and impacts to public assets which they own and manage. The preparation of CHRMAPs is an important aspect of the Local Government's role.
- b) Determinations on applications for development approval in coastal zones must consider coastal risks, and SPP2.6 will be an important factor in assessing the planning merits. Provided the Local Government's decision has due regard to relevant considerations and has a reasonable basis, the risk of the decision attracting liability is minimised.
- c) Local Governments should consider amending local planning schemes to create special control areas that apply to coastal hazard zones. Doing so will allow greater control to be exercised over development which is likely to be affected by coastal hazards, and for suitable guidelines and development standards to be applied to permissible development.
- d) Where land falls within a mapped coastal hazard area, the Local Government should take steps to ensure that the information is linked to the Local Government's property file and online mapping for the affected land, to ensure that the existence of the coastal hazard is made known (or is at least available) to those who make an enquiry about the property.
- e) Unlike in other Australian states, in WA, private land that becomes permanently inundated by coastal waters is likely to remain in private ownership under the current legislative framework. This means that in order to maintain public coastal access and recreational use in areas where the shoreline is projected to recede beyond private property boundaries, the options are, in no particular order, (1) stabilise the existing shoreline using engineering techniques to prevent shoreline recession; (2) advocate for change to the current legislative framework to preserve long-established public uses in areas where private land may be permanently inundated, or (3) acquire affected private land to extend the public foreshore reserve.

The report is the first of its kind in any state or territory in Australia and is estimated to have saved the sector approximately \$1.3 million in legal fees had each participant sought independent legal advice. It puts participating Local Governments on the front foot in supporting their communities to prepare for the changes posed by increasing storm intensities and rising sea levels due to climate change.

The project was administered within budget and a small credit note was issued to contributors upon project completion. Local Governments who did not participate in the funding collaboration will be able to seek access by way of making a funding contribution to support the future activities of the LG CHRMAP Forum, to be determined but likely in line with the <\$1500 contributions made by participating Local Governments. The LG CHRMAP Forum, WALGA and LGIS will now consider the findings of the report to identify matters beyond the powers or resources of Local Governments to address and that require collaboration with State or Commonwealth Agencies.

Participating Local Governments: City of Albany, Shire of Ashburton, Shire of Augusta-Margaret River, City of Belmont, Shire of Broome, City of Bunbury, City of Busselton, Town of Cambridge, Shire of Carnamah, City of Cockburn, Town of Cottesloe, Shire of Dandaragan, Shire of Dardanup, Town of East Fremantle, City of Fremantle, Shire of Gingin, City of Greater Geraldton, City of Joondalup, Town of Kwinana, City of Mandurah, City of Melville, Town of Mosman Park, Shire of Murray, City of Perth, Town of Port Hedland, City of Rockingham, City of Stirling, City of Wanneroo.

6.3 WALGA Submission: Child Safety Officer (05-065-03-006 BW)

By Bec Waddington, Policy Officer, Resilient Communities

Recommendation

That the submission to the Department of Local Government, Sport and Cultural Industries and the Department of Communities in response to the *Discussion Paper On The Implementation Of Child Safety Officers In Local Governments* be noted.

Executive Summary

- The State Government is consulting on the proposed implementation of child safety officers within Local Government, which is a recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse (Recommendation 6.12).
- WALGA hosted a series of online discussions to gather feedback from Local Governments and encouraged Local Governments to make individual submissions.
- WALGA has made a number of recommendations, including the establishment of a State and Local Government working group to guide future consultation and policy development.
- The submission was endorsed by State Council via flying minute on 31 March 2021 and was provided to DLGSC on 1 April 2021. It is anticipated the State will release a findings paper in June and following this, invite WALGA to participate in a focus group to assist in the policy development.

Attachment

- [Flying Minute – WALGA Submission: Child Safety Officer](#)

Background

In December 2020, DLGSC and Department of Communities released the "*Discussion paper on the implementation of child safety officers in local governments*" to guide the consultation on recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse.

In order to provide feedback on the discussion paper, WALGA hosted a series of online discussions for Local Governments with LG Professionals, DLGSC and Department of Communities in attendance. 111 people from 56 Local Governments participated in these with participants ranging from CEOs to staff in Community Development, Governance, Human Resources, Recreation Services, and Libraries. Diverse Local Governments in terms of size, capacity and perspective participated. The majority of Local Government participants in the consultation process acknowledge that Local Governments have a role to play in child safety.

Comment

WALGA acknowledges that this is the State Government's first phase in consultation on Recommendation 6.12 with a focus on identifying opportunities and requirements for the Child Safety Officer role; therefore Local Governments are not required to make a decision about resourcing implications at this stage. WALGA welcomes this early consultation with the sector, however a lack of clarity around the staged approach to the consultation and the timeline has caused some concern and confusion in the sector.

The submission makes the following recommendations:

1. It is recommended that the State Government, in consultation with Local Government, develop a clear framework for the implementation of Recommendation 6.12 and in that framework approach child safety as a function (similar to disability access and inclusion) within a Local Government, rather than an officer. This approach will provide a clear delineation between State and Local Government roles and responsibilities; limit risk to individual staff members; and enable Local Government to consider ways to strengthen child safety across all areas of the organisation, rather than focusing on one team or area of the organisation.



2. It is recommended that the scope of the Child Safety Officer function be clearly articulated, including minimum requirements and reporting requirements, and ensure that it does not cross over into child protection work. Prioritising the development of a clear framework within which the child safety function sits will address this issue.
3. The State Government should provide capacity building support to Local Governments, through the provision of resources including the following:
 - a. supporting materials such as template policies, procedures and guidelines ;
 - b. consistent key messaging and resources to promote and share in venues and facilities and online;
 - c. examples of best practice, including case studies;
 - d. self-assessment tools to assist Local Government ; and
 - e. ongoing training and skills development for Local Government staff to ensure that they can adequately fulfil the child safety function, including online training options.
4. It is recommended that the State's independent oversight body is resourced to provide expert officers within each region to provide support and guidance to Local Government on child safety. This is similar to the approach in NSW where a Local Government child safety advisor is provided by the NSW Children's Guardian.
5. It will be necessary for the State or Commonwealth to provide funding for the delivery of the child safety function within smaller, less well resourced (Tier 3 and Tier 4) Local Governments, as they do not have the current capacity to fulfil the child safety function. Consideration should be given to an alternative model for delivery of the child safety function in regional and remote areas, utilising existing State Government agencies such as DLGSC/Department of Communities outreach officers attached to the independent oversight body.
6. It is recommended that State Government and Local Government form a Working Group to guide further consultation and policy development on child safety.



6.4 State Planning Policy 3.1 Residential Design Codes Volume 1 – Medium Density Code (05-015-02-002 CH)

By Chris Hossen, Policy Manager, Planning and Building

Recommendation

That the endorsed submission on the interim review of State Planning Policy 3.1 Residential Design Codes Volume 1 Medium Density Code be noted.

Executive Summary

- On 27 November 2020, the WA Planning Commission (WAPC) released the draft State Planning Policy 3.1 Volume 1: Medium Density Code (Medium Density Code) for public comment. The comment period closed on 16 April 2021.
- The submission was presented to the People and Place Policy Team on 1 April 2021 and subsequently endorsed by State Council via Flying Minute.

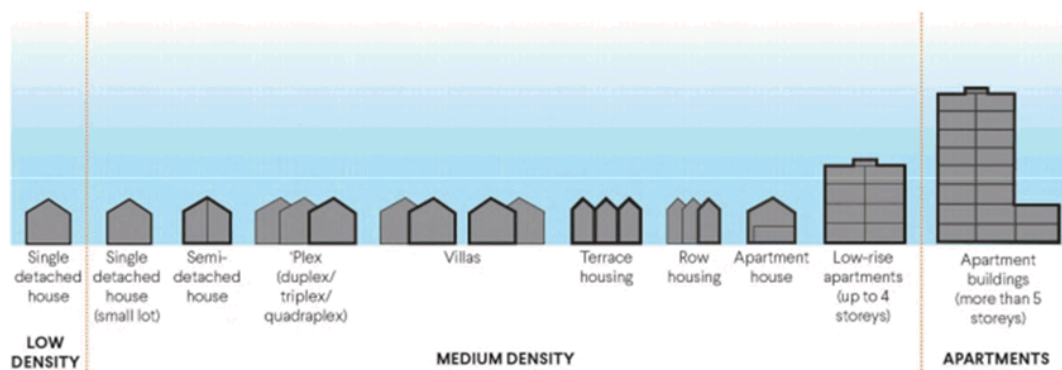
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- [Flying Minute – State Planning Policy 3.1 Residential Design Codes Volume 1 – Medium Density Code](#)

Background

The State Government through its Action Plan for Planning Reform has identified three main goals for reform of the WA planning system, being: that planning creates great places for people; that planning is easier to understand and navigate; and that planning systems are consistent and efficient. Beneath each goal sits a range of initiatives, including Design WA, a project that seeks to elevate the importance of design quality across the whole built environment. As part of Design WA is the review and reorganisation of the suite of State Planning Policies that relate to built form, the most important of these being the R-Codes.

As part of these reforms the R-Codes is being split into two distinct volumes: Volume 1 medium density (townhouses and low-level apartments), and low density (single houses); and Volume 2 higher density (apartments). The figure below provides a visual explanation of the parts of the R-Codes.



Unlike other states, the delivery of medium density housing products is not a new phenomenon in Western Australia, these housing types form most infill development in the metropolitan region. This trend has settled on a common type of infill development, being 3 to 4 units placed on a traditional suburban block. The form of development has come under growing criticism in recent years both in terms of how the style of development has changed neighbourhoods (altered streetscapes, loss of trees), and how the internal design of homes has led to energy inefficiencies and reduced quality of



life for residents. The intent of the Medium Density Code is to improve the quality and consistency of housing in WA and promote a wider range of building types that are more in keeping with their site, the streetscape and neighbourhood around them. The policy emphasises:

- More trees and gardens;
- Better solar access and ventilation
- Flexible, functional living spaces
- Safe, attractive streetscapes
- More space for people and less cars

Comment

The Association welcomes the release of the Medium Density Code for public consultation. The R-Codes control the design of most residential development in WA, and thus are fundamental in ensuring that both homes and communities across WA remain sustainable and liveable through the maintenance of high qualities of urban amenity. Continued improvements to the R-Codes to ensure that its policy measures meet both the expectations of the community and contemporary practice are therefore necessary to ensure that relevancy is maintained.

Local Government as the level of government that administers and applies the R-Codes is a key stakeholder in any review. The WAPC directly engaged with Local Government officers to assist in the framing and testing of the proposed modifications and this early engagement is supported. The WAPC has also actively engaged with the sector during the community consultation period.

The Association has been supportive of the Design WA initiative as good design and positive built form outcomes have always been at the forefront of Local Government intentions and the land use planning outcomes that the sector seeks to achieve. To this end, while the Association broadly supports the intent and approach that has been taken by the Medium Density Code, there remains a number of matters that require modification and clarification to ensure that optimal land-use and design outcomes can be achieved. These matters are addressed in the specific comments and recommendations of the submission.

During the public consultation period, the Association sought feedback from the Local Government sector to inform a representative submission to the WAPC. Feedback from officers at the Town of Bassendean, and Cities of Fremantle and Stirling was received.

The public comment period closed on the 16 April 2021. The submission was presented to the People and Place Policy Team on 1 April 2021 and subsequently determined (200.FM/2021) by State Council via flying minute. The endorsed submission was provided to DPLH before the submission deadline.



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

By Rebecca Brown, Manager, Waste & Recycling

Recommendation

That State Council note the resolutions of the Municipal Waste Advisory Council at its 28 April 2021 meeting.

Executive Summary

- This item summaries the outcomes of the MWAC meeting held on 28 April 2021.

Background

- The Municipal Waste Advisory Council is seeking State Council noting of the resolutions from the **28 April** meeting, consistent with the delegated authority granted to the Municipal Waste Advisory Council to deal with waste management issues.
- Copies of Agendas and Minutes are available from WALGA staff, on request.

Comment

The key issues considered at the meeting held on **28 April 2021** included:

Submission on the National TV and Computer Product Stewardship Scheme Rules

The TV and Computer Product Stewardship Scheme (the Scheme) is a Program, funded by importers of TVs and Computers which was intended to cover the costs associated with recycling these materials. The Scheme was initially put in place through the *Product Stewardship Act 2011*. The Rules are the new Regulations required to implement the Scheme because the legislation which was the head of power for the Scheme has changed. In 2018, the Scheme was reviewed and the updated Rules contain some improvements.

However, as highlighted in the Draft Submission some of the major concerns that were raised in the Review of the Scheme have not been addressed, in particular the need to make recycling targets applicable at a State/Territory level, rather than national. WALGA will continue to advocate, along with the other State and Territory Local Government Associations, to improve the Scheme and expand it to cover all electronic waste and the costs associated with recycling these products.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

Moved: Cr Abetz

Seconded: Mayor Butterfield

That the Municipal Waste Advisory Council endorse the draft Submission on the National TV and Computer Product Stewardship Scheme Rules.

CARRIED

Submission on the Inquiry into the Hazardous Waste (Regulation of Exports and Imports) Amendment Bills 2021

The Australian Government, with other signatories, agreed to various changes to the Basel Convention in May 2019. These changes will be enacted through the Hazardous Waste (Regulation of Export and Imports) Amendment Bill 2021.

The main focus of the Associations short Submission was to ensure there was no duplication of effort or inconsistency with the Waste Plastic Rules, which will be implemented under the *Recycling and Waste Reduction Act 2020*.



MUNICIPAL WASTE ADVISORY COUNCIL MOTION

Moved: Cr Abetz

Seconded: Mayor Butterfield

That the Municipal Waste Advisory Council endorse the draft Submission to the Inquiry into the Hazardous Waste (Regulation of Export and Imports) Amendment Bill 2021.

CARRIED

Submission on the Waste Plastic Export Ban Rules

MWAC provided [comment](#) on the Discussion Paper on the Waste Plastic Export Ban, which preceded the development of the Rules (the regulations required to implement the ban).

In the draft Submission on the Rules, the key issues highlighted include:

- Waste Plastic Specifications – further clarification is required to determine what materials will be accepted for export and the standards that the material will need to meet
- Contingency planning – will ensure that if processing facilities are impacted by natural disasters or other events it is important that options are available, such as export, if the alternative is that the material would be landfilled.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

Moved: Cr Abetz

Seconded: Mayor Butterfield

That the Municipal Waste Advisory Council endorse the draft Submission on the Waste Plastic Export Ban Rules.

CARRIED

Submission on the Review of the NEPM for Used Packaging

The National Environmental Protection (Used Packaging Materials) Measure (Packaging NEPM) is the legislative framework which currently underpins the Australian Packaging Covenant Organisation (APCO).

The review of the Packaging NEPM offers an opportunity for significant change to how packaging is managed in Australia, including making it easy for the community to recycle, for the materials collected to be recycled and ensuring that the packaging industry take financial and/or physical responsibility for their products at end of life.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

Moved: Cr Abetz

Seconded: Mayor Butterfield

That the Municipal Waste Advisory Council endorse the draft Submission on the Review of the co-regulatory arrangement under the National Environmental Protection (Used Packaging Materials) Measure 2011.

CARRIED



6.6 Local Government Performance Monitoring Project (05-047-01-0011 CH)

By Chris Hossen, Policy Manager, Planning and Building

Recommendation

That the results of the *Local Government Performance Monitoring Report (2019/2020)* be noted.

Executive Summary

- In 2018, WALGA initiated the Local Government Performance Monitoring Project and through this project prepared the *Local Government Performance Monitoring Report (2018)*. This report demonstrates the planning and building performance of 11 Local Governments during the 2016/17 financial year. WALGA has continued and expanded the Project producing subsequent reports in 2019, 2020.
- This new report: *Local Government Performance Monitoring Report (2021)* demonstrates the planning and building performance of 29 Local Governments from across Western Australia during the 2019/20 financial year.
- The report indicates that Local Governments continue to provide efficient and effective management of their planning and building regulatory functions.

Attachment

- [Local Government Performance Monitoring Report \(2021\)](#)

Background

In September 2016 the Property Council released the report *Benchmarking Greater Perth Local Governments*, which purported to measure the planning performance of 29 Local Governments in the Greater Perth area. The media stated at the time that the report had “*shone a light on the poor performance of local planning by most Local Governments in Greater Perth*” and highlighted “*a worrying lack of strategic and statutory planning amongst councils.*”

The release of the Property Council’s report, which contained a number of inaccuracies and selective use of data, was not well received by Local Governments.

In response to the Property Council report, the Chief Executive Officers of WALGA’s Growth Alliance Perth and Peel (GAPP) policy forum initiated the *Local Government Performance Monitoring Project*, to accurately report the planning and building performance of GAPP Local Governments during the 2016/17 financial year. 11 Local Governments participated in this report.

Due to the positive reception to the 2016/2017 report, WALGA has continued to encourage other Local Governments to participate in the project. This advocacy resulted in additional Local Governments participating in the project in each subsequent year. This new report: *Local Government Performance Monitoring Report (2021)*, demonstrates the planning and building performance of 29 Local Governments from across Western Australia during the 2019/20 financial year.

Comments

29 Local Governments participated in the 2019/2020 report: the Cities of Armadale, Bayswater, Belmont, Bunbury, Busselton, Canning, Cockburn, Fremantle, Gosnells, Greater Geraldton, Joondalup, Kalamunda, Kwinana, Mandurah, Melville, Mundaring, Rockingham, South Perth, Stirling, Subiaco, Swan, Vincent, Wanneroo; the Towns of Bassendean, Port Hedland and Victoria Park; and, the Shires of Augusta-Margaret River, Broome and Nannup.

These Local Governments are home to approximately 79% of Western Australia’s population and between 2009 and 2019 accounted for 86% of the state’s total population growth. As such they provide a strong indication of how the Local Government sector in Western Australia is performing in the areas of strategic and statutory planning.



Key findings from the *Local Government Performance Monitoring Report (2021)*:

- 94% of all applications assessed by Local Governments (planning development applications, subdivision referrals and clearances, and building permits) were approved or responded to within statutory timeframe requirements.
- 10 Local Governments have a current Local Planning Strategy (LPS), 17 Local Governments are currently reviewing their LPS, and two Local Governments neither have a current LPS nor are they developing or reviewing their strategy.
- On average, 27% of the total time taken to review an LPS can be attributed to waiting for the State Government to give consent to advertise or endorsement.
- On average, Local Governments have six other strategic planning documents which support Local Government strategic planning functions. These documents generally cover the following topics: strategic community planning, activity centres, community infrastructure, commerce, environment, economic, heritage, housing, transport and open space.
- 45% of Local Governments have reviewed, consolidated or undertaken an audit of their LPS within the past five years. 58% of Local Governments are in the process of reviewing their scheme.
- For scheme amendments, on average:
 - Local Governments finalised two scheme amendments in 2019/2020, with each taking an average of 20 months to complete.
 - 51% of the time taken to complete scheme amendments could be attributed to State Government processes, including time with the Environmental Protection Authority, Western Australian Planning Commission and the Minister for Planning. This compares to 31% in 2018/19.
- For development applications, on average:
 - 98% of all applications received were approved.
 - 82% of decisions on development applications were determined within the required statutory timeframes (noting there were two Local Governments that did not perform particularly well on this indicator).
 - 97% of all decisions were determined by planning officers under delegated authority.
- On average 99% of building permits are approved within statutory timeframes (10 or 25 days).

The 2019/2020 report provides a collated view of 29 Local Governments who participated. The relatively low variance collectively and within most of the individual performance indicators suggests that the performance of these Local Governments may be reflective of the Local Government sector as a whole, although there are exceptions.

Importantly, while the report is not intended to be a comparison of individual Local Government performance it does allow individual Local Governments to draw comparisons themselves with other Local Governments, which may be useful for those who may have similar development pressures and resourcing.

WALGA has, and will continue to, encourage relevant State Government agencies to consider and use this performance information in any legislation, policy or regulations prepared by the State which affects Local Government.

Finally, WALGA has been discussing this project with other Local Government members, with a view to continue to increase member participation in the 2020/2021 financial year reporting period.



6.7 Review of Fire Weather Districts (05-024-03-0004 SM)

By Susie Moir, Policy Manager Resilient Communities

Recommendation

That State Council note information regarding the consultation on the review of the Western Australian Fire Weather Districts (FWD) being conducted by the Department of Fire and Emergency Services (DFES) and the Bureau of Meteorology (BoM).

In Brief

- Issues have been identified with the current West Australian Fire Weather Districts.
- DFES and BOM through the Interagency Bushfire Operations Committee Australian Fire Danger Rating System Subcommittee has determined that the new ADFRS presents an appropriate opportunity to review and update the current Fire Weather Districts.
- A working group comprising DFES and BoM representatives are managing the consultation and review process.

Attachments

- [Fire Weather Districts Review – Feedback Form](#)

Relevance to Strategic Plan

Key Strategies

Engagement with Members

- Deliver a broad range of benefits and services that enhance the capacity of member Local Governments.

Enhanced Reputation and Relationships

- Strengthen effective relationships with external peak bodies and key decision makers in State and Federal Government
- Develop simple and consistent messages that are effectively articulated.

Background

Fire danger ratings (FDR) are issued for Fire Weather Districts on a scale of low to catastrophic. The FDR for each Fire Weather District is calculated as the highest FDR value that covers at least 10% of the Fire Weather District. Therefore if only 15% of a Fire Weather District is forecast to have a severe FDR, the severe rating is applied across the remaining 85% of the Fire Weather Districts. This results in a FDR that may not be representative of the whole Fire Weather District.

This can create over warning and result in confusion for the public, significantly impact industries and agencies subject to regulations that are linked to FDR thresholds, such as Total Fire Bans and the automatic cancelling of Permits to Burn. For example, when a catastrophic FDR has been forecast for a Fire Weather District the usual Total Fire Ban exemptions do not apply.

Furthermore, the current Fire Weather Districts do not necessarily take into account boundaries of fuel types, terrain or weather influence which can significantly impact fire behaviour. In addition, the Fire Weather District boundaries do not necessarily align with Local Government boundaries, which can result in confusion for the community, agricultural sector and industry.

DFES and BOM through the Interagency Bushfire Operations Committee Australian Fire Danger Rating System Subcommittee determined that the new Australian Fire Danger Rating System presents an appropriate opportunity to review and update the current Fire Weather Districts and has undertaken consultation with key stakeholders including Local Government. The consultation closes on 4 June 2021.



The following principles have guided the review:

- Where possible, to avoid confusion align Fire Weather Districts and Public Forecast Boundaries
- Combine areas of similar climate
- Combine areas of similar land use and vegetation;
- Reduce area of the largest Fire Weather Districts
- Use Local Government boundaries where possible
- Use climate, vegetation, land use and infrastructure (such as major roads) as boundaries where possible
- Consider activity restrictions impacting industry and agriculture
- Limit the number of Fire Weather Districts (i.e. BOM have suggested a maximum of 40, due to practicality of issuing daily forecasts).

Comment

DFES and BOM's primary method for consulting with Local Government on the Fire Weather District review was intended to be through presentations at bushfire District Operational Advisory (DOAC) and Regional Operational Advisory (ROAC) meetings, however due to a delay in the preparation of the consultation materials this was not achieved in all instances.

WALGA assisted to ensure that Local Government were adequately consulted by disseminating the consultation materials to Local Government via Infopage and through the Local Government Emergency Management Network and WALGA Emergency Management newsletter; facilitating a webinar for Local Government on 21 May attended by representatives from 15 Local Governments; and scheduling for DFES to present on the review to the Local Government Emergency Management Advisory Group meeting on 28 May 2021.

The Interagency Bushfire Operations Committee Australian Fire Danger Rating System Subcommittee plans to finalise the changes to the Fire Weather Districts prior to September to allow for BOM Australian Fire Danger Rating System testing.



6.8 2021-22 State Budget Submission Approach (05-001-03-0006 DM)

By Dana Mason, Principal, Economics and Strategic Projects

Recommendation

That the approach for the 2021-22 State Budget Submission, which was endorsed via flying minute be noted.

Executive Summary

- Each year, WALGA prepares a submission to the State Government outlining the sector's priorities for the upcoming budget.
- The attached presentation outlines WALGA's proposed approach to this submission, based on the current economic and political environment.
- It is proposed that WALGA has the best chance of achieving funding by putting forward a targeted list of initiatives that are aligned with Government priorities, and deliver a demonstrated return for the State and Community.
- The Association's approach to the State Budget Submission was endorsed by State Council on 21 May 2021 via Flying Minute.
- The final submission will be provided to State Council for endorsement in mid-June.

Attachment

- [Flying Minute – 2021-22 State Budget Submission Approach](#)

Background

Each year, WALGA prepares a submission to the State Government outlining the sector's priorities for the upcoming budget. Given the recent State Election and delays to the 2020-21 Budget, this year's budget will now be handed down in September.

The stronger than expected recovery in the WA economy and the record iron ore price has meant that there will be a substantial budget surplus (expected to be in the order of \$4 billion) in 2020-21, with further surpluses expected across the forward estimates. However, net debt is also at record levels. WALGA has received feedback that focus of the Budget will be to deliver on existing election commitments.

There is significant competition for funding from the State Budget. WALGA's submission will be one of many put forward by industry associations, advocacy groups, Government agencies and individuals.

WALGA has identified 10 initiatives that it is proposed will form the basis of the 2021-22 State Budget Submission. These include:

- Funding to fill existing gaps in **FOGO processing infrastructure** needed to turn the collected FOGO into high quality compost.
- Evolution of the **State Underground Power Program**, with State Government funding prioritized to project areas where the benefits to the households are less (lower property values) and the financial capacity to contribute is less.
- Investment in **climate change adaptation**, including funding for managing urgent **coastal erosion** hotspots, and enhancing the **urban tree canopy**.
- Funding to repurpose, upgrade and build new **cultural and social infrastructure** at a local level and as part of joint initiatives between the State and Local Governments and community organisations.



- Additional investment in **telecommunications infrastructure**, to unlock further opportunities to work in partnership with the Commonwealth and other key players to reduce communications gaps in regional areas.
- Extending the election commitment for funding for **homelessness outreach services** for an additional financial year.
- Extending funding for the **Small Business Friendly Approvals Program** to allow a greater number of Local Governments to participate.
- **Support for the Local Government sector to transition to the State Industrial Relations System.**
- Funding to WALGA for a service level agreement with the Department of Local Government, Sport and Cultural Industries to provide **capacity building support to assist Local Governments with good governance, financial management and process.**

Comment

The State Budget Submission is an important opportunity to put forward priority issues for Local Governments, and to demonstrate the sector's willingness to work collaboratively with the State Government.

There is significant competition for funding from the State Budget. WALGA's submission will be one of many put forward by industry associations, advocacy groups, Government agencies and individuals.

To provide the best chance of receiving funding, the submission will be:

- Targeted and succinct – An extended list of priorities is not likely to be considered by Government given they already have a full agenda of election commitments and other emerging priorities.
- Aligned to Government priorities – The Government is more likely to fund requests that align with their agenda or that address a pressing or emerging issue.
- Infrastructure-focussed – The windfall nature of the surplus means that there is a better chance of receiving funding for capital, rather than recurrent programs.
- Deliver a return for the State and the Community – A strong evidence base is needed to demonstrate the value that the initiatives will deliver for the community. Those which already have a demonstrated track record, or where there is a co-funding arrangement are likely to have a greater chance of success.

The final submission is being developed in the coming month and will be provided to State Council for endorsement in mid to late June.

Once the State Budget Submission has been provided to the State Government, WALGA will engage with Government officials and Members of Parliament to discuss the issues set out in the Submission.



6.9 Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA (05-031-01-0001 MM)

By Marissa MacDonald, Senior Policy Advisor, Community

Recommendation

That the submission to the Department of Health in response to the Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA consultation be noted.

Executive Summary

- On Thursday, 18 February the Department of Health released the "Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in Western Australia" discussion paper for public comment.
- There are 19 Local Governments which manage wastewater schemes that are currently exempt from licensing under the *Water Services Act 2012* ('19 Local Government wastewater managers').
- The discussion paper presents three options for the *future regulation of wastewater conveyance, treatment and disposal*. The majority of Local Government responses received by WALGA support Option 3 - the development of new regulations largely based on the existing regulations with minor amendments, including training requirements and accreditation of Site and Soil Evaluators.
- Feedback indicated that Local Governments do not support the full adoption of the Australian Standards AS/NZS1547 in the new regulations as there is limited evidence in the discussion paper to support its adoption.
- The discussion paper presents three options for the *future management of wastewater systems*. WALGA received limited feedback from the 19 Local Government wastewater managers, and as such does not have a definitive position on the three options presented in the discussion paper.
- WALGA recommends that the Department of Health engage further with Local Government when developing any new regulations.
- The submission was endorsed by State Council via Flying Minute on 2 June 2021.

Attachment

- [Flying Minute - Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA: WALGA Submission](#)

Background

The Department of Health released the "Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in Western Australia" discussion paper for public comment in February 2021. The purpose of the consultation is to determine the best way to manage the public health risks from wastewater conveyance, treatment and disposal. The consultation forms part of the implementation of the *Public Health Act 2016* which requires the review the *Health (Miscellaneous Provisions) Act 1911* and associated regulations. The regulations being reviewed are the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 (Wastewater Regulations)*.

Local Government is an enforcement agency under the *Public Health Act 2016*, with Local Government Environmental Health Officers (EHO's) playing a key role in administering the regulations relating to wastewater. There are also a number of Local Governments that own and manage wastewater systems, with 19 Local Governments having Class Exemptions from licensing under the *Water Services Act 2012* as they service less than 1,000 customers (19 Local Government



wastewater managers). These 19 regional Local Governments are the Shires of Brookton, Coolgardie, Dalwallinu, Denmark, Dowerin, East Pilbara, Goomalling, Jerramungup, Kent, Koorda, Moora, Morawa, Northam, Ravensthorpe, Victoria Plains, Wickepin, West Arthur, Yilgarn and the City of Karratha (Karratha Airport).

The discussion paper presents three options for the future regulation of wastewater conveyance, treatment and disposal:

- Option 1 - Retain the status quo by replicating the existing regulations as far as practicable.
- Option 2 - Deregulate the wastewater industry and repeal the current legislation associated with wastewater management. That is, to repeal without replacement the relevant provisions of the Health (MP) Act and its subsidiary legislation and adopted codes associated with wastewater management without replacement.
- Option 3 - Develop new public health regulations for wastewater management under the Public Health Act, which align with its principles and establish the necessary compliance requirements and processes. Option 3 is the Department of Health's preferred option.

The discussion paper also presents three options for the future management of wastewater systems of relevance to the 19 Local Government wastewater managers.

Comment

The discussion paper is complex with 150 primarily technical questions. Feedback from some Local Governments was that the discussion paper did not make a compelling case for the recommended proposals or include potential implications for Local Governments of the proposed options.

In developing its submission WALGA consulted with Local Governments through various methods including co-hosting a webinar with the Department of Health on Thursday, 15 April, emails and phone conversations with EHO's. In the submission, WALGA has not provided a response to all 150 questions, but rather commented on issues of most significance to Local Government.

With respect to the *regulating of wastewater conveyance, treatment and disposal*, the majority of Local Government feedback supports Option 3 - to develop new regulations, which are largely based on the existing regulations and with the inclusion of minor amendments including training requirements and accreditation of Site and Soil Evaluators.

Feedback received by WALGA indicated that Local Government does not generally support the full adoption of the Australian Standards AS/NZS1547 in the new regulations. Limited evidence has been provided in the discussion paper to support the adoption of this standard. Adoption of this standard will likely increase the size requirement for wastewater systems, resulting in increased expenses for home builders.

With respect to the *three options for managing wastewater systems*, WALGA received limited feedback from the 19 Local Government wastewater managers, and as such does not have a definitive position on the three options presented in the discussion paper. WALGA recommends that the Department of Health engage further with Local Government when developing any new regulations.

As recommended by the *Select Committee into Local Government Final Report*, the regulatory impact statement for the development of any new regulations should outline the estimated costs and the resources that the State Government will provide to Local Government to meet the costs of any regulatory change.



7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Commercial and Communications Unit (01-006-03-0017 ZD)

By Zac Donovan, Executive Manager Commercial and Communications

Recommendation

That the Key Activity Report from the Commercial and Communications unit to the July 2021 State Council meeting be noted.

Commercial and Communications comprises of the following WALGA work units:

- Commercial Development
- Commercial Management
- LGIS Contract Management
- Communications (Marketing and Events)

Commercial Development

Energy Project Update

WALGA has now commenced the first phase of the Energy Sustainability and Renewals Project that intends to contract an aggregate energy purchasing agreement for applicable Local Governments.

A Memorandum of Understanding has now been issued to the relevant Local Governments so as to enable WALGA to undertake the request for quote process with suppliers. In correspondence and communications to the sector, WALGA has repeatedly confirmed that the MOU does not compel or contract Local Governments to continue with the project if they are able to secure a more favourable arrangement to that which will be presented.

The aggregated energy component of the project aims to support Members in achieving renewable energy policy targets and reduce energy costs to the sector. The project is being implemented with the contribution of a Renewable Energy Project Steering Group comprising of Local Government CEOs and senior officers.

To facilitate Member insight to the project, the WALGA Commercial Management Team is also presenting to various Local Government workshops and forums. Currently sscheduled this period are:

- June 15: City of Mandurah (Elected Member forum)
- June 23: City of Canning (Executive team presentation)
- July 22: City of Cockburn (Elected Member forum)
- July (TBC): City of Perth (Elected Member forum)

Commercial Management

Member Engagement

The Commercial Management Team has continued to prioritise visits to Member Local Governments. During the past period, representatives from the team have visited 35 Local Governments, which brings the total to 68 visited since the start of the year. Local Governments visited in the past period were:

- 4-5 May: Shires of Chittering, Gingin, Dandaragan, Moora, Dallwallinu, Wogan-Ballidu, Victoria Plains and Goomalling.
- 18-20 May: Shires of Coorow, Carnamah, Three Springs, Perenjori, Morawa, Mingenew, Irwin, Northampton and Chapman Valley



- 15-17 June: Shires of Wandering, Williams, West Arthur, Kojonup, Katanning, Kent, Woodanilling and Waroona
- 22-24 June: Shires of Dowerin, Wyalkatchem, Koorda, Mount Marshall, Mukinbudin, Yilgarn, Westonia, Merredin, Nungarin and Trayning

LGIS Contract Management

Heads of Agreement

WALGA and JLT are currently finalising a Heads of Agreement document that will establish the future contract model and terms for the provision of the LGIS mutual services, to be encompassed in the new service agreement to be presented to State Council.

As an interim document, the Heads of Agreement will enable the adoption of the new remuneration schedule, as endorsed by State Council (meeting of 5 May) for the 2021/22 budget; inclusion of the motor vehicle cover into the Scheme; revised Scheme Management and Indemnity Broking fees; annulment of the previous broking agreement and payments to WALGA; and a timeline to facilitate the proposed new schedule of agreements to be refined with the assistance of HSF legal advisers.

It has been necessary to implement the Heads of Agreement to enable continuity for the operations of the Scheme while providing JLT adequate opportunity to consider the components of the proposed new agreement contracts.

Marketing and Communications

West Australian Rates Competition

WALGA and the West Australian newspaper have partnered on a competition to help better educate the community as to how Local Government rates are calculated. Run over the past two weeks, the competition has been promoted by the newspaper in print, online and in conjunction with 7 News, with WALGA sponsoring the prize pool of free rates for 10 winners up to the value of \$3500. Entrants are required to nominate the correct method of calculating rates from a choice of three and if incorrect are shown an instructional video to re-enter.

Increasing community understanding of how rates are calculated has been an ongoing challenge for the sector. Independent research demonstrates a strong correlation between community satisfaction with their Councils and the extent to which they understand how rates are calculated. The research, commissioned by WALGA, found only one in five (22%) people could accurately nominate the correct method when presented with three definitions.

WALGA Events

Procurement Forum and Preferred Supplier Forum – 9 June

The parallel program for procurement officers and WALGA preferred suppliers attracted a total of more than 350 participants. The full-day Procurement Forum, initiated at the request of Members during regional visits, had 77 attendees. While the half day Preferred Supplier Forum had 281 attendees. Both forums culminated in a launch event for the new PSP.

Meet the Minister Breakfast – 20 May

The first breakfast event by Local Government Minister, the Hon John Carey was attended by 135 Elected Members and officers from across the State. As a consequence there is interest from the Minister's office for WALGA to coordinate similar breakfast events in the regions if sufficient sector support.



7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)

By Tony Brown, Executive Manager Governance and Organisational Services

Recommendation

That the Key Activity Report from the Governance and Organisational Services Unit to the July 2021 State Council meeting be noted.

Governance and Organisational Services comprises of the following WALGA work units:

- Governance and Procurement
- Employee Relations
- Training
- Regional Capacity Building
- Strategy & Association Governance

The following provides an outline of the key activities of Governance and Organisational Services since the last State Council meeting.

Governance and Procurement

Governance Resources

Local Government Regulation Amendment 2021

The *Local Government Regulation Amendment 2021* became effective on 3 February 2021 introducing; Council Member Model Code of Conduct Regulations; CEO Standards for Recruitment, Performance Review and Termination; and Employee Code of Conduct requirements. As a consequence, WALGA's Governance and Procurement Team developed a range of new resources to assist Local Governments implement the requirements. The new resources prepared and made freely available to all Member Local Governments on the WALGA website include:

- Local Government Regulation Amendments Guidance Note, together with:
 - Template Code of Conduct for Council Members, Committee Members and Candidates
 - Template Standards for CEO Recruitment, Employment and Termination
- Policy Development Framework – Code of Conduct Behaviour Complaints Management Policy, together with:
 - Template Code of Conduct Behaviour Complaint Form
 - Template Behaviour Complaints Committee Terms of Reference
 - Template Behaviour Complaints Committee Delegation
 - Template Behaviour Complaint Statutory Declaration

In addition, a new Template Employee Code of Conduct was made freely available on 4 June 2021 and a WALGA Webinar on the Council Member Code of Conduct is scheduled for Thursday 8 July 2021 – webinar registration is available on the [WALGA Training page](#). To date, the Governance and Procurement team has managed a considerable volume of enquiries on the above topics, summarised below:

- Council Member Code of Conduct – 90 enquiries
- CEO Standards – 33 enquiries
- Employee Code of Conduct – 24 enquiries

The Governance team are continuing to receive a high volume of enquiries regarding the impact of the new Regulations and Members are encouraged to continue to contact us for assistance – governance@walga.asn.au or 9213 2514.



Local Government Legislation Amendment Act 2019

Other recently developed resources arising from the *Local Government Legislation Amendment Act 2019* include the following templates that relate to compulsory policy obligations:

- Template Policy – Temporary Employment or Appointment of CEO [s.5.39C]
- Template Policy – Council Member Continuing Professional Development [s.5.128]

Local Government Elections 2021

The Governance and Procurement Team also presented a WALGA Webinar on 15 April 2021 on the topic of 'Local Government Elections – Owner and Occupier Legibility Claims' to explain how best to use the associated resource available in the online Governance resources. A recording of this webinar together with responses to questions raised on the day can be found [here](#).

Training

WALGA Training has been busy in both Elected Member and Officer training. Newly developed specialised training programs have commenced and have received positive feedback from participants in particular for Town Planning, Emergency Management and Procurement Course offerings. There has been an increased uptake with full classes for Face-to-Face training at WALGA and also a number of courses held on-site at Local Government premises.

On 1 July the first Introduction to Waste Management Course will be delivered at WALGA and we are hoping that the accredited Certificate III in Waste Management will be fully developed by August this year.

WALGA Training has invited industry specialists, Elected Members and Officers from diverse backgrounds to form specialist Industry Advisory Groups helping to develop our new Training Programs for the new nationally accredited Diploma of Local Government (Elected Members) and all specialist programs.

Employee Relations

Potential Transition to the State Industrial Relations (IR) System

Survey on proposed transition costs

The WALGA ER unit surveyed the sector to seek the view of Local Governments on the cost of the implementation of the proposed transition from the Federal to State IR system. 60 Local Governments responded to the survey and this will provide important guidance for WALGA in formulating its State Budget Submission regarding funding for the proposed transition.

State Government engagement

Following the State Council Resolution carried on 5 May 2021 regarding the review of the State IR System, President Tracey Roberts wrote to the Hon. Stephen Dawson MLC, Minister for Mental Health, Aboriginal Affairs; Industrial Relations advising of the State Council Resolution regarding the potential *Industrial Relations Legislation Amendment Bill 2020*, that is likely to be re-introduced into WA Parliament this year. WALGA will be seeking a meeting with the Minister to discuss the potential re-introduction of the Bill, and the support required by the sector to enable a smooth transition, if the transition proceeds.

Sector Reference Group

At the end of the Metro HR Forum on 24 June, WALGA ER will host a Sector Reference Group meeting specifically regarding the proposed transition to the State IR system. This Group will become an important mechanism for Local Governments to provide feedback and information to WALGA about the proposed transition and for Local Governments to network and share information on this issue.



Webinars and Training

The WALGA ER unit developed and delivered a live and interactive webinar on the topic, Misconceptions about Employment Conditions, on 23 April. The Webinar had 54 attendees and was recorded so the webinar can be accessed by subscribers to the WALGA ER service at any time.

The WALGA ER unit revised its training course, Understanding and Applying the Local Government Industry Award 2020 to account for significant changes to the Award and the *Fair Work Act 2009*. This training course was delivered in house on 29 April 2021 to WA Local Government Officers.



7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)

By Ian Duncan, Executive Manager Infrastructure

Recommendation

That the Key Activity Report from the Infrastructure Unit to the July 2021 State Council meeting be noted.

Roads

Road Asset Preservation Model

Feedback from WALGA Zones regarding strategic options for review of the Road Asset Preservation Model was considered by State Council in May. In accordance with the State Council resolution, the WALGA President has written to the Chair of the Local Government Grants Commission, requesting that Commission officers be made available to brief Zones or Regional Road Groups, as requested. Discussions with Commission officers regarding model access and labelling are on-going.

Condition Assessment of Roads of Regional Significance

Following review of quotations, Talis Consultants were appointed to undertake the second phase of a project to provide a condition assessment of all Roads of Regional Significance. This phase will cover the Great Southern and Goldfields – Esperance regions. In addition to the condition assessment and video data capture of sealed roads, the survey will include video of significant unsealed roads and condition reporting on access roads to remote Aboriginal communities. Funding has been provided through the State Road Funds to Local Government Agreement to perform visual condition surveys of Significant sealed roads over a five year cycle. The first phase of this project, a survey of the roads in the Mid-West region, was recently completed.

ROADS 2040: Development Strategies for Regionally Significant Local Roads

Guidelines setting out the criteria for the selection of Significant Local Roads have been developed after consultation with Local Governments. Outside the metropolitan area, only these roads are eligible for Road Project Grant funding through the State Road Funds to Local Government Agreement. There was concern that the Guidelines did not adequately reflect the significant differences in scenarios across the State. The final document addresses these concerns and provides autonomy to the RRGs to make appropriate decisions. The proposed Guideline has been submitted to the State Road Funds to Local Government Advisory Committee (SAC) for approval.

Road Safety Management System

WALGA, Main Roads WA and the South West Regional Road Group have worked on and are close to finalising modifications to the project prioritisation guidelines and multi-criteria assessment model to provide a greater focus on road safety when setting the annual roads program for the region. This is an important pilot in delivering the commitment agreed in the State Road Funds to Local Government Agreement 2018/19 to 2022/23 to work towards establishing a road safety management system. If the approach is successful, work will commence with other Regional Road Groups regarding the road safety focus of their project prioritisation guidelines.

Road – Rail Interface Agreements

WALGA, Main Roads WA and the Public Transport Authority (PTA) are working to develop a new Road - Rail Interface Agreement. The draft Agreement, which identifies the responsibilities of the parties to manage risks associated with a road/rail crossing on the PTA network, will be provided to Local Governments for consideration and feedback.



Road Assets and Expenditure 2019/20

The 2019/20 Road Assets and Expenditure Report was published in May and distributed to all Local Governments, key decision-makers in Federal and State Government as well as industry stakeholders. The report is readily accessible on the WALGA website [here](#).

Sealed Road Condition Indices

Sealed road condition data from the 119 Local Governments that use the RAMM road asset management system is being analysed to provide information about the condition of the Local Government managed road network. This will be an update on a similar analysis completed in 2018. Indices describing the condition of the road surface, road pavement and drainage have been derived. Trends in the condition of the network in different parts of the State are important to understand. This information is a critical part of the evidence base to underpin advocacy for on-going State and Federal Government investment in Local Government roads.

Transport and Roads Forum 2021

The Transport and Roads Forum was postponed, due to restrictions on gatherings and mask-wearing requirements implemented following the COVID-19 community transmission cases recorded in early May. The Forum is scheduled for Thursday, 1 July 2021 at Crown Perth.

Funding

Regional Road Safety Program

A proposed \$35 million program of work to provide sealed shoulders and audible edge lines on about 1000km of Local Government roads in 2021/22 has been developed in conjunction with Local Governments and Main Roads WA. Main Roads has informed all Local Governments with proposed projects of those that have been submitted. The proposed program of work is being considered for funding by the Commonwealth Government.

Urban and Regional Transport

Regional Roadworks Signage Review

Engagement with Local Governments, the traffic management industry, road contractors, transport industry and the general public concerning their experience with roadworks signage in regional WA has continued, led by Department of Transport and ARRB. WALGA is contributing to this review, by encouraging local participation and reviewing the analytical reports that have been drafted from a Local Government perspective. Recommendations will be delivered to the Minister for Transport in August.

Road Safety

Road Safety Council Update

The Road Safety Council continues to focus on the implementation of the new road safety strategy 2020-2030. The findings of an enquiry into the increase in Victoria's road toll have been considered in terms of implications for WA and a draft Driving Change Action Plan, to cover the first two years, has been developed in consultation with State Government agencies. WALGA is seeking to input as a means of gaining recognition for the important role of Local Governments.



7.1.4 Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)

By Nicole Matthews, Acting Executive Manager Strategy, Policy and Planning

Recommendation

That the Key Activity Report from the Strategy, Policy and Planning Unit to the July 2021 State Council meeting be noted.

The following provides an outline of the key activities of Strategy, Policy and Planning since the last State Council meeting.

Economics and Strategic Projects

Local Government Economic Development

With the WA economy moving into the recovery phase following COVID-19, WALGA is reviewing and updating its agenda to support Local Governments in their economic development activities.

WALGA has met with a number of Local Governments to understand their economic development priorities and challenges, and will be using this information to inform its work in this area going forward. WALGA is also engaging with the Small Business Development Corporation to identify opportunities for collaboration, particular in relation to the Local Government Small Business Friendly Approvals Program.

Local Government Cost Index

WALGA recently engaged an external consultant to review and update the Local Government Cost Index (LGCI), to ensure it remains an accurate gauge of cost pressures facing the sector.

The review recommended some minor amendments to the index, and now uses a basket of 10 cost components instead of the previous six. The revised index makes better distinction between operating and capital costs and uses price indices that align more closely to the nature of goods and services used by Local Governments.

COVID-19 has created some challenges in relation to updating the LGCI, as it has delayed or caused anomalies in data used to construct the index. WALGA is currently working on a revised set of forecasts for the Index.

Environment

Urban Forest Grants

WALGA is administering Water Corporation's Urban Canopy Grant Program, which provides \$750,000 for Perth and Peel Local Governments to support additional planting or bring forward future tree planting in their urban forest plans.

14 WA Local Governments have been awarded \$615,000 funding to plant 2400 trees by 2022 under Round 1 of the Program: Armadale, Bassendean, Bayswater, Canning, Cockburn, Cottesloe, East Fremantle, Fremantle, Kalamunda, Kwinana, Perth, Serpentine Jarrahdale, South Perth and Vincent. It is estimated that these trees will provide 11 hectares of urban tree canopy cover over 10 years. Applications for Round 2, which has a total of \$135,000 available, close Monday 28 June 2021. Further details can be found on the WALGA website [here](#).

Herbicide Use and Integrated Weed Management

The first meeting of the Herbicide Use and Integrated Weed Management Working Group was held on 14 April 2021. WALGA convened the working group following requests from Local Governments from across WA for information and guidance to support decisions on the most suitable weed



management approaches for their local context. The Working Group comprises representatives from the Australian Local Government Association, LGIS, 16 Local Governments: Albany, Bassendean, Bridgetown, Cockburn, Denmark, Fremantle, Joondalup, Karratha, Mandurah, Melville, Mosman Park, Perth, Rockingham, South Perth, Swan, Wanneroo and the Eastern Metropolitan Regional Council (EMRC). The next meeting will be held in July.

Regional Climate Change Alliance Program

More than 40 Regional Local Governments have shown interest in the Regional Climate Change Alliances Program, which will fund the establishment of 'alliances' of regional local governments to work collaboratively to drive action on climate change and emissions reduction. Two alliances will have access to \$210,000 each financial year between 2021-23 to employ Regional Climate Alliance Coordinators and deliver climate change adaptation and mitigation projects. The Program is being administered by WALGA on behalf of the Department of Water and Environmental Regulation and is an initiative under the State Government's Western Australian Climate Policy. Expressions of interest for the Alliance Program close on 21 June 2021.

CoastWA

Earlier this year, the State Government announced that funding for its three coastal grants programs would nearly double this year to over \$4 million, with Local Governments eligible to apply for most of these funds. The assessment of these applications has recently been completed, with WALGA participating on all three grant assessment panels. The announcement of the successful grant recipients is expected in the third quarter of 2021.

As a result of strong advocacy by WALGA, the Department of Planning, Lands and Heritage (DPLH) has agreed to fund a coastal facilitator to assist Local Governments to apply for coastal grants, provide advice on project management and guidance in resolving technical issues and conflicts arising during a project. This will be of particular benefit for regional and smaller Local Governments with limited resources and expertise in coastal planning and management. It is expected that the process to appoint a facilitator will commence shortly.

Bushfire Preparedness Field Tour

WALGA and the City of Cockburn hosted a field tour on Bushfire Preparedness for Local Governments on 13 May 2021 with participation from the Department of Fire and Emergency Services (DFES), Native ARC, The Forever Project and the Jandakot Volunteer Bushfire Brigade. 44 attendees from 16 Local Governments attended, including staff from bushfire mitigation, emergency management, ranger services, statutory planning and natural areas management teams. The Field Tour was aimed at assisting Local Governments in the development and implementation of their Bushfire Risk Management Plans by providing information and demonstrations on treatment strategies to manage vegetation fuel loads and protect the community and environmental assets.

Planning and Building

R-Codes Session

The Planning team held an online information session on 3 May 2021 with the DPLH on the recent changes to the Residential Design Codes. The webinar had a great level of interest from officers across the state with participants tuning in from as far afield as Albany and Wyndham. A total of 135 participants from 55 Local Governments joined in the session. The changes that form part of this most recent review commence on 2 July 2021.

Planning Reform Phase 2

The Minister for Planning and Minister for Local Government recently announced a 3-month engagement process to inform Phase 2 of Planning Reform and are seeking suggestions and feedback from industry, community and stakeholders. The Association has begun an engagement process with members to guide the development of a submission to this process. WALGA's Planning Improvement Portal has produced a range of best practice guides, manuals and template policies, and it has a strong focus on accountability and transparency through performance monitoring of Local Government planning and building functions and data collection and reporting on DAP decisions. We look forward to presenting these initiatives and the innovative local approaches of our members to



the State through the Local Government red tape working group to guide and inform the next stage of planning reform. Details on the reforms can be found [here](#).

Environmentally Sustainable Buildings Workshop

WALGA's Planning and Building and Environment teams recently held a workshop on Environmentally Sustainable Buildings (ESD), with over 40 with Local Government officers in attendance. Following presentations, a workshop session asked attendees to provide guidance on how they would like WALGA to progress its advocacy in this area. A second workshop is scheduled for 10 August 2021. Documents and links from the session are on WALGA's PIP Portal [here](#).

Meeting with Government Architect and Chief Planning Advisor

Nick Sloan and WALGA's Policy Manager, Planning and Building recently met with the Government Architect, Rebecca Moore and the Chief Planning Advisor, Kathy Bonus to discuss Local Design Review Panels (DRPs) and their implementation at the local level. Discussion turned to how WALGA and DPLH can work together to support the Local Government sector in the establishment of DRPs and how future changes can be made to the system in collaboration with the sector to support good governance and positive design outcomes.

Resilient Communities

Supporting Cyclone Seroja Impacted Local Governments

WALGA is continuing to support Local Governments impacted by Cyclone Seroja including:

- Facilitating resource sharing between Local Governments. WALGA continues to seek expressions of interest from Local Government staff who are available to assist impacted Local Governments. Currently the Shire of Perenjori is seeking: Project Manager; Qualified Child care Educator; experienced administration/ customer service officer, and Caravan Park/ Village Manager.
- Providing governance advice in relation to procurement during emergencies and support with procurement of mulching and road clearing services.
- Attending regular District Recovery Coordination meetings to stay up to date with developing issues, provide support and collate lessons learned to share with the State Emergency Management Committee.
- Preparing summaries of financial support available for communities and Local Government.

Local Government Community Safety Network: Family and Domestic Violence Focus Event & Webinar

On 18 May 2021 WALGA hosted a Family and Domestic Violence Focus event on behalf of the Local Government Community Safety Network, attended by 25 in person attendees and 20 webinar attendees. WALGA sits on the Steering Committee of the Network, which also includes representatives from WA Police, Injury Matters, the Town of Victoria Park, and the Cities of Joondalup, Wanneroo, Mandurah and Stirling. Presenters from the Department of Communities, Centre for Women's Safety and Wellbeing, City of Mandurah and Stopping Family Violence shared updates and information on the ways that Local Government can be involved.

Public Library Strategy Consultation Showcase

WALGA is the Chair of the Public Libraries Working Group which includes representatives from the State Library of Western Australia, Public Libraries WA, and the Office of Digital Government (a regional Local Government position is currently vacant and WALGA will be running an expression of interest process shortly). On 17 May 2021 WALGA hosted the third Public Library Strategy Consultation Showcase which was focused on Library Led Learning and attended by 40 Local Government staff in person and online. Presenters from Yarra Libraries, Curtin University, City of Melville, City of Belmont, Wyndham City, City of Cockburn and Seattle Public Libraries shared innovative approaches to learning through library settings. Three Showcase events and a Workshop for public libraries staff, as well as discussions on the 'iThink' online platform, have been used to gather initial feedback on the development of a new State Library Strategy for WA.

STATUS REPORT ON STATE COUNCIL RESOLUTIONS To the July 2021 State Council Meeting

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
5 May 2021 Item 5.1 Local Government Financial Ratios	That WALGA: 1. Advocate to the Minister for Local Government to amend the <i>Local Government (Financial Management) Regulations 1996</i> to prescribe the following ratios: a. Operating Surplus Ratio, b. Net Financial Liabilities Ratio, c. Debt Service Coverage Ratio, and d. Current Ratio. 2. Recommend that Local Governments consider including Asset Management ratios in their Annual Report. 3. Request the Department of Local Government, Sport and Cultural Industries to review the Asset Management ratios in consultation with the Local Government sector. 4. Continue the Local Government Financial Ratios Working Group as a reference group for the development of a Model set of Financial Statements and Budget Statements, and to establish new financial indicators. RESOLUTION 204.2/2021	Correspondence has been sent to the Minister for Local Government advising of this resolution. The letter was also cc'd to the Director General of the Department of Local Government Sport & Cultural Industries.		Tony Brown Executive Manager Governance & Organisational Services
5 May 2021 Item 5.2 Roads Asset Preservation Model Review	That WALGA: 1. Seek support from the WA Local Government Grants Commission to provide presentations on the inputs, operation of and outputs of the Road Asset Preservation Model at Zone or Regional Road Group meetings where requested. 2. Advocate to the WA Local Government Grants Commission to improve the formatting and labelling of the model and make it available via the Commission's website. RESOLUTION 205.2/2021	The Association President has written to the Chair of the Local Government Grants Commission seeking that staff be made available to provide presentations and answer questions about the Road Asset Preservation Model at Zone and Regional Road Group meetings when requested. Discussion with officers of the Commission have occurred regarding more effective access to the model.	Complete	Ian Duncan Executive Manager Infrastructure



MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
5 May 2021 Item 5.3 Western Australian Development Index	That the development and implementation of the Western Australian Development Index, led by the Department of Local Government, Sport and Cultural Industries, be supported, subject to: <ol style="list-style-type: none"> 1. WALGA and the Local Government sector being represented on the governance group providing oversight to the project, and 2. The Department of Local Government, Sport and Cultural Industries committing to provide further consultation opportunities to the Local Government sector as the project progresses. RESOLUTION 206.2/2021	Correspondence has been sent to the Department of Local Government Sport and Cultural Industries advising of State Councils resolution.		Tony Brown Executive Manager Governance & Organisational Services
5 May 2021 Item 5.4 Review of the State Industrial Relations System	That WALGA: <ol style="list-style-type: none"> 1. Seek confirmation from the State Government on whether it intends to re-introduce legislation for Local Governments to operate solely in the State Industrial Relations System. 2. If the State Government reintroduces legislation to require all Local Governments to operate within the State Industrial Relations System, continue to advocate for the State Government to: <ol style="list-style-type: none"> a. Amend the <i>Industrial Relations Act 1979 (WA)</i> to include additional provisions to modernise the State IR system; and b. Provide adequate funding and resourcing to ensure Local Governments are equipped with the appropriate tools and training to enable a smooth transition. RESOLUTION 207.2/2021	Correspondence has been sent to the Minister for Industrial Relations advising of this resolution. In addition a request to Minister to discuss WALGA's position has been requested.		Tony Brown Executive Manager Governance and Organisational Services
3 March 2021 Item 5.3 Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding	That WALGA: <ol style="list-style-type: none"> 1. Supports the inclusion of capital costs of Trailer Fire Fighting Units and 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). 2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021). 	A letter was sent to DFES Commissioner Klemm on 16 March 2021 advising of State Council's decision on 3 March. The Local Government Grants Scheme Working Group met on 20 March 2021 however did not discuss eligible items in the Manual. An EOI process for the Officer position was successful but a second round process will be run for the Elected member position.	May 2021	Narelle Cant Executive Manager Strategy, Policy and Planning



MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>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 the LGGS.</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> <p>RESOLUTION 180.1/2021</p>			
<p>2 December 2020 Item 5.3 Family and Domestic Violence and the Role of LGs</p>	<p>That:</p> <ol style="list-style-type: none"> 1. WA Local Governments recognise the prevalence, seriousness and preventable nature of family and domestic violence and the roles that Local Governments can play in addressing gender equity and promoting respectful relationships in their local community. 2. WALGA advocates to the State Government: <ol style="list-style-type: none"> a. to work with Local Government in defining the role and responsibilities and expectations of Local Governments in family and domestic violence. b. for adequate funding for family and domestic violence programs and services, particularly in regional areas. c. for appropriate resources and funding be allocated to Local Governments to implement any particular roles and actions addressing family and domestic violence as defined in the State Strategy. d. to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government. e. to continue advocacy to the Commonwealth Government for additional funding and support. 3. WALGA organises presentations for Local Governments that address family and domestic violence, as part of relevant events or webinars. 	<p>In February 2021 WALGA wrote a letter to the Director General Communities, Michelle Andrews, to advise of WALGA State Council's newly adopted policy position on family and domestic violence.</p> <p>WALGA met with the Department of Communities on Thursday, 25 February 2021 to discuss WALGA State Council's endorsed policy position and key advocacy statements. The key message provided was that the Department of Communities needs to engage more thoroughly with Local Governments, and in particular more engagement and communication is required regarding the State Strategy which was adopted in July 2020.</p> <p>Since 18 January 2021 WALGA has been meeting with the Australian Local Government Association and other Local Government Associations, together with Our Watch (the National prevention agency established by the Commonwealth Government) to share information and combine advocacy efforts for Local Governments across Australia. Our Watch is working on a strategy to engage more thoroughly with Local Governments across Australia through this group.</p> <p>WALGA in collaboration with the Local Government Community Safety Network Steering Committee delivered an event on 18 May focusing on family and domestic violence.</p>	Ongoing	Narelle Cant Executive Manger Strategy, Policy and Planning



MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	RESOLUTION 144.6/2020			
1 July 2020 Item 4.3 Teacher Housing Availability	That WALGA contact the Director General of the Department of Housing to: <ol style="list-style-type: none"> 1. Seek action and acknowledge the extra challenges in attracting and retaining public sector staff in remote and rural areas of the state; 2. Immediately review and address the issue of insufficient GROH housing (and the high cost of subsidised rental) for public sector staff and actively seek and enter into Joint Venture arrangements with Councils to address the shortfall in accommodation; 3. Request that the agencies be requested to engage with WALGA to seek a solution to the current short supply of GROH housing within all regions. RESOLUTION 91.3/2020	In July 2020 a letter was sent to the Director General Department of Communities as the responsible agency for Government Regional Officer Housing (GROH) seeking a response to the Resolution. In August 2020, WALGA received a response from the Director General, Communities, which stated that the Department of Communities has diverted much of its resources towards the social and economic recovery of the State from the impact of COVID-19. It was acknowledged that GROH plays an important role in attracting and retaining staff in regional and remote communities. On 21 August 2020 WALGA met with relevant staff from the Department of Communities to further discuss the issue. WALGA staff met with the Department of Communities to receive an update on GROH on 18 February 2021. WALGA and the Department of Communities hosted a webinar on 30 March 2021 to update Local Governments on GROH. On 31 May 2021 the Department of Communities advised that an interim structure has been put in place for the GROH housing portfolio, including streams with an asset and operations focus. Minister Carey has endorsed a Senior Officers Working Group for GROH which is focused on demand forecasting over the coming years and the GROH program is developing a 4 year supply and demand plan. The tenant rent setting framework is also under review. WALGA and the GROH team will continue to meet on a quarterly basis.	Complete	Narelle Cant Executive Manger Strategy, Policy and Planning
1 July 2020 Item 5.4 WALGA JLT Scheme Management Agreement Extension	State Council require that: <ol style="list-style-type: none"> a) The terms of existing WALGA JLT/Marsh Scheme Management Agreement be maintained for a further 12 months or until the review actions are completed. b) A contingency planning project be undertaken to ensure the WALGA LGIS insurance service is competitive, 	<ol style="list-style-type: none"> a) Action implemented. Completed b) Contingency planning project in scoping stage. To be aligned with previous review actions with a June 2022 completion target. 	July 2021	Zac Donovan Executive Manager Commercial and Communications



MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>resilient and appropriate to serve the needs of Member Councils.</p> <p>c) All other details as to the State Council LGIS review to remain confidential.</p> <p>RESOLUTION 95.3/2020</p>			
<p>6 May 2020 Item 4.1 COVID-19 Pandemic – WALGA Response</p>	<p>That the information contained in this report relating to WALGA's response to the COVID-19 pandemic and WALGA's advocacy on requesting no additional State Government cost impositions on Local Governments be noted.</p> <p>RESOLUTION 57.2/2020</p>	<p>On 5 June, 2020 the Western Australian Planning Commission (WAPC) approved a new Position Statement – Expenditure of Cash-in-Lieu of Public Open Space. This Position Statement was issued following advocacy from the Association and member Councils to revise the requirements for expenditure of funds held in trust for public open space, to enable the bringing forward of projects for COVID-19 recovery. The new Position Statement provides:</p> <ol style="list-style-type: none"> Additional guidance on where and on what cash-in-lieu funds may be spent; New provision for Local Government to request approval of a grouped program of works across multiple areas rather than just a single location; Updated references to align with the Planning and Development Act 2005; and General updates to align with current cash-in-lieu process, formatting and terminology. <p>A more comprehensive review of the planning framework relating to public open space will be undertaken, which will include a review of <i>Development Control Policy 2.3 Public Open Space in Residential Areas</i> and will include consultation with Local Government.</p>	Complete	Narelle Cant Executive Manager Strategy, Policy and Planning
<p>5 December 2018 Item 5.1 Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed; Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network; Supports the development of standard administrative procedures including fees and letter formats; and 	<p>On advice from the State Solicitors Office, Main Roads WA is intending to remove the CA07 condition that requires a transport operator to obtain a letter of approval from the relevant Local Government. Main Roads is proposing to replace the condition with a notification process (CA88). After consultation with Regional Road Groups and a Stakeholder Working Group, the overwhelming majority of participants are of the view that the proposed arrangement is not an acceptable alternative. WALGA has written to Main Roads WA stating that WALGA does not support the alternative and</p>	Ongoing	Ian Duncan Executive Manager Infrastructure



MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage as determined by the Local Government.</p> <p>5. Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from the use of heavy vehicles and those loaded in excess of limits (concessional loading) can be recovered from those benefiting, and redirected into the cost of road maintenance.</p> <p>RESOLUTION 132.7/2018</p>	that the position adopted by Sate Council in December 2018 has not changed.		
<p>5 December 2018 Item 4.1 State / Local Government Partnership Agreement on Waste Management and Resource Recovery</p>	<p>1. That State Council endorse investigating a State / Local Government Partnership Agreement on Waste Management and Resource Recovery.</p> <p>2. That the item be referred to MWAC for is development and negotiation with the State Government.</p> <p>3. A report regarding a proposed "State / Local Government Partnership Agreement on Waste Management and Resource Recovery" be brought back to the next meeting of State Council.</p> <p>RESOLUTION 131.7/2018</p>	This matter will be progressed with the new Minister for Environment, Hon Amber-Jade Sanderson, MLA.	Ongoing	Narelle Cant Executive Manager Strategy, Policy and Planning

President's Report

July 2021



Tropical Cyclone Seroja

Local Governments impacted by Cyclone Seroja are entering what will be a long recovery phase. Insurance claims arising from the cyclone are estimated to be over \$180 million. State Government financial assistance for residents and small businesses impacted by the cyclone includes one-off payments of \$4,000 to residents who have had their homes damaged or destroyed and small business owners experiencing severe hardship. Additional financial assistance will be available through the Lord Mayors Distress Relief Appeal. Recently, the National Disaster Recovery Funding Arrangements were also extended to include Carnarvon, Koorda and Irwin, totalling 16 local Governments eligible to receive the State and Federal financial assistance package.

A major ongoing issue across the region is access to accommodation for members of the community without homes and in temporary housing, for recovery and utility services, and for farm workers in the immediate seeding period and into the future. The mental health and fatigue of community members as well as Local Government staff is also an emerging high priority for Local Governments and State Agencies as communities reach more than 40 days since the Cyclone made land. 160 properties remain without power. WALGA has been working to facilitate resource sharing between Local Governments to assist impacted Local Governments.

Electoral Reform

The State Government announced on Friday 30 April 2021 the establishment of a Ministerial Expert Committee to advise the Government on electoral reform with the terms of reference to review the electoral system for the Legislative Council and provide:

1. Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council, and
2. Recommendations for the distribution of preferences in the Legislative Council's proportional representation system.

The Panel was provided eight weeks to receive submissions and make recommendations to Government. Given the timeframe a State Council Policy Forum was convened to consider and develop a submission on the issues to be addressed by the Ministerial Panel's Terms of Reference: The Policy Forum consisted of nine (9) State Councillors representing all electoral regions.

The Policy Forum, supported by executive and senior WALGA staff, met on two occasions and deliberated extensively on the direction of this submission.

At the June Special Meeting State Council considered the draft submission, and following some amendments endorsed WALGA's final submission by Flying Minute which recommends that:

- Group Ticket Voting be removed from the Legislative Council electoral system, and reforms be adopted modelled on the Senate reforms of 2016.
- A regional system be retained, and the whole state electorate option be rejected.
- The Ministerial Expert Committee on Electoral Reform be required to consider the importance of political representation for rural and regional Western Australia.

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Further, the submission detailed the need for Regional, Rural and Remote Representation, emphasising that Legislative Council representatives play a critical role in the regions, particularly as there are fewer members of the Legislative Assembly outside of Perth.

WALGA Breakfast Forum with Local Government Minister Hon John Carey MLA

The WALGA Breakfast Forum with Minister Carey on Thursday, 20 May saw more than 130 attendees.

The Minister provided an address that advised of a legislative reform agenda, however ruled out any forced amalgamations.

In the speech, he added that he would like to encourage regional collaboration, particularly for smaller Local Governments. Some of the key points he addressed were:

- greater transparency and accountability, including more mandated baseline reporting, and mandating live streaming of Council meetings for Band 1 and 2 Local Governments.
- finance reporting
 - The Minister indicated he would like to look at a range of measures. He acknowledges the effectiveness of WALGA's financial ratios and indicated he would look at mandating credit card reporting and address different financial reporting for smaller Local Governments.
- clearer roles and responsibilities
 - The Minister spoke about a range of measures, which could include a prescriptive model around communication between CEO, Mayor/President and Council.
- earlier intervention
 - The Minister mentioned that the current system is not working – he would like to look at a better model for early external intervention instead of inquiries.

The Minister advised that he wishes to publically applaud good innovative work from Local Governments rather than focus on negative issues.

A recording of the address is available upon request - email the WALGA [Communications Team](#) for a link.

Planning Reform – Phase 2

The State Government has announced Phase 2 of its Action Plan for Planning Reform, with a three month consultation window to collect *the 'views of all Western Australians on measures to further reform the planning system, including reforms in the local government sector that can support changes in our planning system and identify changes to encourage more community participation through improved processes and greater access to information'*.

WALGA generally supports the underlying principles of planning reform and the continued focus on streamlining and simplifying the planning system to reduce regulatory burdens on business and to make the system more consistent and easier to understand for residents. However it is also the case that Local communities expect their local planning framework to reflect their desires and aspirations, and it is Local Government that is best placed to achieve this. As part of the consultation process WALGA will be drawing attention to the reforms and achievements our members have undertaken in their local communities to support businesses and residents through planning reform, particularly through the COVID-19 pandemic.

Telecommunications Resilience

Regional and remote Western Australian communities share similar frustrations experienced nationally through a lack of resilient telecommunications infrastructure to meet the needs of those who choose to live, work and recreate outside of metropolitan areas.

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WALGA brought this frustration to the attention of the State Emergency Management Committee late in 2019 outlining a raft of examples of issues experienced by rural and remote communities. Notwithstanding the efforts of an international pandemic, WALGA has been working collaboratively with the Department of Fire and Emergency Services to ensure that both State and Federal telecommunications improvement initiatives are planned and executed to optimise community outcomes.

A key outcome of this work has been the recent establishment of a Telecommunications Working Group comprising key planning/technical staff from Telstra, Optus, Vodafone, nbnCo, Western Power, Horizon Power, WALGA, and the Departments of Fire and Emergency Services and Primary Industries and Regional Development with a focus of collaboratively seeking opportunities for a more coordinated planning approach and to explore sustainable solutions including Stand Alone Power Systems utilising a combination of solar, batteries and generators to offset the dependence on current power supply to provide telecommunication capability particularly in emergencies.

Waste Management

WALGA has been working with ALGA and other State and Territory Associations on key national issues in the waste management area. This includes a national survey of Local Governments regarding the current costs of electronic waste (ewaste) recycling and ways to improve the TV and Computer Product Stewardship Scheme. Another issue impacting the sector are the Export Bans for recycled plastics, paper and cardboard and the need for effective product stewardship for these items.

Regional Climate Change Alliances Program

Regional Local Governments are showing strong interest in being involved in the Regional Climate Change Alliances Program, which will fund the establishment of 'alliances' of regional Local Governments to work collaboratively to drive action on climate change and emissions reduction. Two alliances will have access to \$210,000 each financial year between 2021-23 to employ Regional Climate Alliance Coordinators and deliver climate change adaptation and mitigation projects. The Program is being administered by WALGA on behalf of the Department of Water and Environmental Regulation and is an initiative under the State Government's Western Australian Climate Policy.

WALGA 2021 Local Government Convention

Registration for the 2021 WA Local Government Convention and AGM is now open. This year's event will be held at Crown Perth from Monday, 20 September to Tuesday, 21 September with the Opening Welcome Reception being held on the evening of Sunday, 19 September.

The theme for the 2021 WA Local Government Convention is Leading the WAY: Looking Forward, Looking Back, taking place against the backdrop of generational change for the sector with the reform of the Local Government Act on the horizon.

The [2021 Information and Registration Brochure](#) is available electronically and can be downloaded from the event page on the [WALGA website](#).

Media

Media appearances recorded from Thursday, 6 May to Tuesday, 8 June were:

Date	Media Outlet	Topic
Thursday, 6 May	The West Australian	Hazardous Waste Amendment Bill – implications of impending waste plastic export overhaul for LGs in WA
Monday, 10 May	GWN7	Regional Climate Alliance Program Funding

CONTACTS

T: (08) 9213 2000 www.walga.asn.au

Wednesday, 19 May	Perth Voice	WALGA Preferred Supplier Program Process (comments attributable to CEO)
Friday, 21 May	Community News	Federal Budget announcement of the extra \$1 billion for the Local Roads and Community Infrastructure Program
Friday, 21 May	Community News	Insurance and regulations for play structures on verges
Thursday, 27 May	ABC Perth – Mornings with Nadia Mitsopoulos	Council rates explained
Monday, 31 May	Joint media launch with the Local Government Minister	Local Government Election Campaign: to encourage diversity in a Council
Wednesday, 2 June	The West Australian: PLAY Magazine (Sponsored Content)	Happy Places Campaign – promotes the breadth of services and infrastructure Local Governments provide for the community

President's Contacts

President's contacts since 5 May and scheduled before 7 July are as follows:

State Government Relations

- Premier, Hon Mark McGowan BA LLB MLA
- Soft Launch Local Government Elections – Hon John Carey MLA, Minister for Housing; Local Government
- Reconciliation Week Street Banner Cocktail Reception – Hon Stephen Dawson MLC, Minister for Mental Health; Aboriginal Affairs; Industrial Relations
- Hon James Hayward MLC, Member for South West Region
- Hon Amber-Jade Sanderson MLA, Minister for Environment; Climate Action; Commerce
- Meeting with Department of Justice representative – Mr Frank Bobongie

Zone Meetings

- Gascoyne Country Zone Meeting - Video Conference
- Pilbara Country Zone meeting

Local Government Relations

- Meet the Minister Breakfast with the Hon John Carey MLA, Minister for Housing; Local Government
- State Council Meeting - Video Conference
- State Council Strategic Forum - Video Conference
- Special State Council Meeting - Budget Adoption
- Finance and Services Committee meeting
- Election Reform Policy Forum x 2
- WALGA CEO Performance Review Committee
- ALGA – Special Board Meeting - Video Conference
- ALGA – Executive Board meeting - Video Conference
- ALGA – Board Meeting
- ALGA – Annual General Meeting
- ALGA – National General Assembly
- ALGWA – Breakfast event
- Speaker at National Summit Climate - Video Conference

CONTACTS

T: (08) 9213 2000 www.walga.asn.au

- National Growth Areas Alliance (NGAA) – Federal Budget Briefing - Joint Strategic Advisory Committee and Committee of Management
- LGIS – Board meeting x 2
- LGIS – Underwriter Presentation
- LGIS – London Market Presentations (WALGA/LGIS) x 2
- Joint Venture Management Committee (WALGA/LGIS)
- Local Government Convention 21 Committee Meeting x 2
- Towards Zero Net Emissions (WALGA event)
- Transport and Roads Forum (WALGA event)
- Lord Mayor's Distress Relief Fund Board meeting x 5
- Council Visits
 - Shire of Irwin
 - Shire of Mingenew
 - Shire of Three Springs
 - Shire of Coorow
 - Shire of Carnamah
 - Shire of Perenjori
 - Shire of Morawa
 - City of Greater Geraldton
 - Shire of Chapman Valley
 - Shire of Northampton

Conferences, Workshops, Public Relations

- Interview with GWN
- Meeting with Ability WA
- Interview with the West Australian – Happy Place Campaign

Please take care and keep safe.

Mayor Tracey Roberts JP
President

CONTACTS

T: (08) 9213 2000 www.walga.asn.au



COMPLETE ZONE STATUS REPORT JUNE 2021

Zone	Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
Kimberley C	2021 20 April Zone Agenda Item 11.1 Disaster Relief and Recovery Funding Arrangements	That the Kimberley Zone: 1. Express dissatisfaction with current disaster relief and recovery funding arrangements and call for urgent action from the State Government to investigate and address these shortcomings. 2. Seek WALGA advocacy to support the motion.	The Association has endorsed advocacy positions seeking improvements to disaster relief and recovery funding including assessment periods, eligibility of certain costs and improving resilience of reconstructed infrastructure. Regular meetings with DFES and Main Roads officers are on-going. Detailed evidence of examples where the process is not effective have been collected and continue to be. Timelines for decision-making and an escalation process would seem to be an important addition to the process.	June 2021	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Kimberley C	2021 22 February Zone Agenda Item 8.2 Asset Preservation Model	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.	At the May 2021 meeting WALGA State Council resolved to: <ul style="list-style-type: none"> Seek support from the WA Local Government Grants Commission to provide presentations on the inputs, operation of and outputs of the Road Asset Preservation Model at Zone or Regional Road Group meetings where requested; and Advocate to the WA Local Government Grants Commission to improve the formatting and labelling of the model and make it available via the Commission's website. A formal letter has been sent to the WA Local Government Grants Commission accordingly.	June 2021	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031

9. REPORTS FROM KIMBERLEY REGIONAL GROUP

9.1 STRATEGIC COMMUNITY PLAN AND BUSINESS PLAN UPDATE

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Kimberley Regional Group Strategic Community Plan (SCP) and Business Plan are updated annually to ensure they remain relevant to the needs of the Kimberley. This item provides detail on the 2021 review of both documents.

BACKGROUND

The Kimberley Regional Group (KRG) seeks to regularly update the ten-year Strategic Community Plan and undertook reviews of the 2018 plan in 2019 and 2020.

Some member Shires have recently finalised major reviews of the Strategic Community Plan for their region and it was agreed that a more substantial review be undertaken of the KRG Strategic Community Plan and Business Plan to capture those key issues and priorities.

COMMENT

Following a desktop analysis of priorities, Shires provided an update on their SCP's at the April 2021 meeting. A presentation was provided on demographic, social and economic changes since the last update. This was followed by a workshop to discuss the SCP review.

It was agreed that the KRG SCP 2021-2031 be streamlined to increase the permeability for readers. Consistent with the approach taken by some member Shires, the number of Goals was condensed from the five to four.

Previous Goals

Heading	Goal
Governance	A collaborative group demonstrating strong regional governance.
Natural Environment	Responsible management of the environment.
Built Environment	Improved and secure transport, communications, community and essential services.
Community	A vibrant community based on equity, inclusion and opportunity for all.
Economy	A sustainable and diverse economy.

Proposed Goals

Heading	Goal
People	A vibrant community based on equity, inclusion and opportunity for all.
Place	Our region will become a leader in creating a sense of place and liveability whilst preserving history, culture and our unique environment.
Prosperity	The potential of the Kimberley as a strong and diversified economy is realised with benefits retained in the region and the opportunity to participate available to all.
Performance	As a collective, we will support the delivery of excellence in governance and service delivery that is relevant and of value.

To help deliver the vision and the identified priorities, six roles for the KRG were identified as outlined below.

Role	Description
Advocate	We are a key voice for the Kimberley and seek to influence funding and policy decisions for the betterment of our communities.
Facilitate	We help to make regional goals possible by combining the strength of our member Shires to deliver outcomes
Partner	We form strategic alliances where that alignment will help to deliver agreed regional outcomes.
Fund	We provide direct funding for key regional projects and research of common interest to Shires and seek third party grants.
Promote	We provide coordinated information across the region for matters of high importance.
Monitor	We monitor our region and our performance to inform decision making and highlight areas where greater focus is required.

The Business Plan has also been streamlined, with some of the detailed information transferred to project briefs to assist with readability. The reporting to the KRG meeting will be adjusted to ensure progress transparency is retained.

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:

Secure quality water supply

Integrated waste management

Reuse of waste water

Recognition of significant heritage areas.

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

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

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

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

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Sustainable tourism market and tourism experiences

Sustainable primary industries

Energy sustainability

Sustainable Local Government revenue

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/003

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Endorses the Strategic Community Plan 2021-2031 noting minor edits required.**
- 2. Endorses the Business Plan 2021-2025.**

CARRIED UNANIMOUSLY 4/0

Attachments

1. Draft Strategic Community Plan 2021-2031
2. Draft Business Plan 2021-2025



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i

Our Aspirations

Welcome to the Kimberley Regional Group (KRG) Strategic Community Plan. This plan has been developed based on the extensive research conducted by our member Shires.

Our members follow the Integrated Planning and Reporting Framework guidelines which satisfies the legislative requirements for all local governments to have a plan to shape the future.

The 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 support outcomes for the region through improved social, economic and cultural outcomes.

Together, we aspire to enhance the rich diversity and liveability of the Kimberley for its people and the world, whilst generating intergenerational hope and opportunity for residents. Our values are expressed through:

- Our respect for the diversity of our people, landscape and culture.
- Commitment to innovation and positive outcomes across our vast region.
- Recognition of intergenerational benefits achieved through a reduction in harm.
- Valuing economic diversity in both scope and scale.
- The delivery of sustainability in balance with prosperity.
- Collaboration with integrity to achieve our collective vision.

Together we can achieve better outcomes across our region that will see future generations thrive physically, mentally, culturally and economically whilst looking after the place in which we all live.

Together we can achieve better outcomes across our region that will see future generations thrive physically, mentally, culturally and economically whilst looking after the place in which we all live.



Message from the Chair

The Kimberley region is an incredibly diverse and exciting place, full of opportunity and challenges. Four Shires strive to deliver services that make the region a place that people want to live, develop business and become part of the generations that have gone before and are yet to come.

Few would argue that the Kimberley is special, a fusion of cultures, lifestyles and resources that are blended with a spirit that wants to ensure that we pass on the pristine environment we enjoy today.

With all of the promise comes the reality of poor infrastructure and people at risk of being lost to substance abuse, violence and poverty. As a group, the Shires believe such a future should not face anybody in our community – that everybody should have a real opportunity to succeed and thrive. As such we value the creation of role models and programs that enable intergenerational disadvantage to be overcome.

We want to support environmentally sustainable business growth across our diversifying economy and to embrace technology and innovation to become a leader on a global stage.

Ours is not a vision to be bound to the physical, social and economic limitations of the present, but to negotiate a shared pathway towards a future that sustains us and provides boundless opportunities for our children as they grow and mature in to tomorrow's leaders.

Chris Mitchell
Chair Kimberley Regional Group

Acknowledgement of Country

The Traditional Owners are key stakeholders in our region and we pay respect to the Elders, past, present and emerging and extend that respect to all Aboriginal Australians living within the Kimberley region. The Kimberley is home to Aboriginal people from 30 language groups with approximately 93.5 per cent of the region determined Native Title land.

Our Vision

Our Vision is to maintain and enhance the rich diversity and liveability of the Kimberley for its people and the world

The KRG is dedicated to improving the lives of residents and visitors across the Kimberley, This means working to improve and promote economic outcomes across agriculture, tourism, retail, the resource sectors and the multitude of small business that support those and other sectors. We recognise that there are impediments to growth, from under investment in key infrastructure, to ensuring the next generation, and those that follow, do not fall behind the rest of Australia. This is no small task considering the isolation of this region, the dispersed population and the entrenched disadvantage for those that are disengaged from education, health and employment opportunities.

We:

- Respect the diversity of people, landscape and culture.
- Are committed to Kimberley outcomes which balance the interests of member Shires.
- Recognise the need for intergenerational benefits and harm reduction.
- Value economic diversification and sustainable outcomes.
- Work proactively together in a spirit of integrity, openness and trust to achieve our collective vision.

This Strategic Community Plan provides a high level overview of our priorities and aspirations, which are linked together through our four pillars of people, place, prosperity and performance.

Our Structure

The Kimberley Regional Group (KRG) comprises the four Shires of the Kimberley and was formed to focus on key issues specific to this region. Operating under a Memorandum of Understanding. The Shires collaborate through a Board with one elected representative from each member with an alternate able to attend meetings along with the Shire CEOs. The Chair and Deputy Chair are elected after the Local Government elections are held, with the Shire that the Chair is from undertaking the Secretariate support role including compliance and financial management.

Our Board



Members of our Board and Executive

The Kimberley Regional Group Board comprises a delegate and alternate from each Shire with the Shire of Broome the current Secretariate for the group. From left to right: Back Row. Sam Mastrolembro (CEO SoB and KRG Secretariate), Cr Chris Loessi (SoHC), Cr David Menzel (President SWEK), Amanda O'Halloran (CEO SDWK), Cr Chris Mitchell (Chair KRG, SoB), Cr Paul White (SDWK), Vernon Lawrance (CEO SWEK), Nick Sloan (CEO WALGA), Cr Malcolm Edwards (President SoHC). Front. Noel Mason (CEO SoHC), Cr Geoff Haerewa (President SDWK). Absent: Cr Harold Tracey (President SoB).

Key Pillars

Our Pathway Forward

Our priorities focus on an inclusive community, free of disadvantage and placed to effectively engage in economic opportunity whilst respecting our history, culture and environment.

Our four key pillars of People, Place, Prosperity and Performance provide the framework for more detailed actions and timeframes to be developed within the context of member shire requirements. In addition to this ten-year Strategic Community Plan, a Business Plan is developed to cover the next four years with specific project outlines provided for matters in the work program for that financial year.

At all times we are mindful of the need for our performance to be managed within a strong governance framework which ensures compliance against all legislative and policy requirements.

Key Pillars



PEOPLE

A vibrant community based on equity, inclusion and opportunity for all.



PROSPERITY

The potential of the Kimberley as a strong and diversified economy is realised with benefits retained in the region and the opportunity to participate available to all.



PLACE

Our region will become a leader in creating a sense of place and liveability whilst preserving history, culture and our unique environment.



PERFORMANCE

As a collective, we will support the delivery of excellence in governance and service delivery that is relevant and of value.

To help us deliver on vision and priorities, six strategies are employed - we advocate, facilitates, partner, fund, promote and monitor. Through these six strategies, we work with our member Shires and other relevant organisations to deliver our aspirations.

ADVOCATE

We are a key voice for the Kimberley and seek to influence funding and policy decisions for the betterment of our communities.

FACILITATE

We help to make regional goals possible by combining the strength of our member Shires to deliver outcomes.

PARTNER

We form strategic alliances where that alignment will help to deliver agreed regional outcomes.

FUND

We provide direct funding for key regional projects and research of common interest to Shires and seek third party grants.

PROMOTE

We provide coordinated information across the region for matters of high importance.

MONITOR

We monitor our region and our performance to inform decision making and highlight areas where greater focus is required.

Making a difference

What we have achieved since 2019

The Kimberley Regional Group continues to be extremely active in advocating for the region, however it can take years to break through and achieve the outcomes required for the region. An overview four of our key projects is provided below.



Reducing Alcohol Related Harm

The Kimberley Regional Group, in conjunction with the regional liquor accords, have been working to find a pathway that reduces alcohol related harm for the vulnerable whilst enabling social consumption.

Voluntary restrictions were explored prior to the State Government coming on board and supporting the inclusion of the Kimberley in the Banned Drinkers Register Trial. To facilitate this, the KRG and member Shires, along with the state, funded state of the art takeaway alcohol management system (TAMS) to reduce alcohol related harm and the unlawful onsale of alcohol.

Whilst still in its infancy, the approach has significantly reduced the need for police intervention, hospitalisation as a result of violence and other associated criminal activities. The movement of problem drinkers across the region is a potential problem being monitored.



Tanami Road Funding

The KRG made two delegations to Canberra to make representation on the benefit of investing in the Tanami Road, which takes 1,100km off the route between the south east and north west of Australia. The resulting reduction in freight cost will support the growth of business and industry across the north.

The road also services a number of Aboriginal communities and improving the seasonal closures, which can be up to six weeks, will assist in improving access to work and reducing the cost of living, including access to fresh fruit and vegetables.

The KRG has nominated the Tanami Road as the highest priority project due to the transformational nature of infrastructure improvement and the State and Federal Governments have now committed funding to commence the works, which will largely be undertaken by local contractors and the works team at the Shire of Halls Creek.



COVID-19

COVID-19 changed our understanding of the world and the ready access to regions, states and other nations. The KRG, through our member Shires, took early leadership on Shire borders to ensure that our vulnerable communities were protected.

Since that time the KRG has worked collaboratively with the leadership across the region to provide constructive feedback to the State Government on when Shire and regional borders should be relaxed and are now supporting promotion of vaccination campaigns to mitigate, as far as possible, the crushing impact of the virus.

The KRG will continue to monitor the economic impact and has already developed an Investment Prospectus as a guide to State and Federal Government investment to deliver both local economic stimulation and infrastructure to improve the liveability for the region.



Spotlight on Youth

Our youth live in a wonderful region, rich in culture and experiences. Sadly too many are suffering and are lost to suicide and self harm.

As leaders, the KRG works with a range of organisations, supported by our Shires, to find ways to provide support for those in need and to create opportunities for those that excel.

The KRG initiated a Youth Strategy which was reviewed in 2020. Delegations have also met with relevant Ministers at state and Federal levels, recognising that this issue transcends individual agencies.

We will continue to advocate for better approaches to identifying and promoting opportunities for those demonstrating skills relevant to the regional, state, national and global stage whilst working hard to create a safe environment where education is valued for those at risk of being left behind.



About the Region

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.

Covering 419,558sq/kms and home to 36,000 people, with approximately half of those identifying as Aboriginal, the region is undergoing a transformation. The agricultural sector is diversifying from its pastoral roots with significant irrigated agricultural production through the Ord River Scheme now complimented by centre pivot irrigation that makes use of the underground water reserves. Aquaculture is emerging as a potentially significant contributor to the region.

The history and culture of the region, along with the incredible landscapes, is a drawcard for tourists across the globe. Lack of access and infrastructure, particularly in the wet season, inhibits growth however the emerging Aboriginal tourism experience is a drawcard. COVID-19 curtailed international tourism, particularly cruise ships, however increased state and national travel to the region.

Whilst the opportunities are significant, remoteness and intergenerational disadvantage are key issues needing to be addressed and play out through poor health and educational outcomes. In turn this leads to lifelong unemployment and dependency on the welfare system for some, with an increasing issue of substance abuse and family violence impacting on the next generation.

A key issue for the Kimberley is the impact of out-of- region workers. This is not limited to mining “FIFO” workers, rather it includes doctors, social workers and a myriad of other professional and semi-professional positions. Comparing labour force statistics and resident tax data, it is estimated that approximately a third of the workforce live outside of the region, with higher levels during periods of growth. Unemployment is extremely high in some locations, with a contrasting shortage of workers to fill key positions in tourism, hospitality and agriculture. This conundrum between work availability and availability of a job ready local workforce has been tackled through training however the lack of work experience can be a significant barrier to permanent work. A focus on future jobseekers, prior to leaving school, is seen as a critical component of filling local jobs with local workers.

Member Shires



Shire of Halls Creek

The Shire of Halls Creek has significant resource sector opportunities including, gold, copper and dysprosium. With a population of just under 3,300 with 74% identifying as Aboriginal, the Shire covers an area of 143,030sq/km including significant Aboriginal communities, World Heritage listed Purnululu National Park and Lake Gregory along with significant pastoral interests.



Shire of Wyndham East Kimberley

The Shire of Wyndham East Kimberley covers some 117,514 sq/km and includes Wyndham Port, the Argyle Diamond Mine, the town of Kununurra and the Ord River Scheme. The region is renowned for its unspoilt natural beauty and a number of attractions including the El Questro Wilderness Park, national parks, nature reserves as well as conservation and marine parks. The Shire also has a number of Aboriginal communities.



Shire of Derby / West Kimberley

Shire of Derby West Kimberley

The Shire of Derby-West Kimberley has a population of 8,253 and covers an area of 119,842 square kilometres. Spanning from Derby to Fitzroy Crossing and beyond, the Shire includes much of the Fitzroy River catchment along with popular tourist attractions such as the western end of the Gibb River Road, Tunnel Creek, Windjana Gorge and Horizontal Falls. The Shire provides services to 54 Aboriginal Communities throughout the Fitzroy Valley.



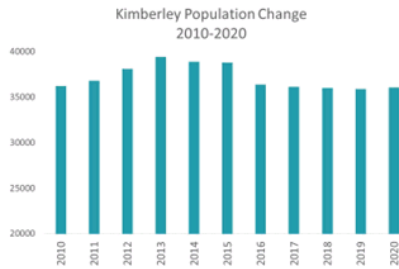
Shire of Broome

The Shire of Broome is located in the south-west Kimberley in the far north of Western Australia and covers approximately 56,000 square kilometres.

Boasting a coastline of 900 kilometres including the world-famous Cable Beach and much of the Dampier Peninsula, the Shire is home to 16,222 people and has the largest town in the Kimberley (Broome).

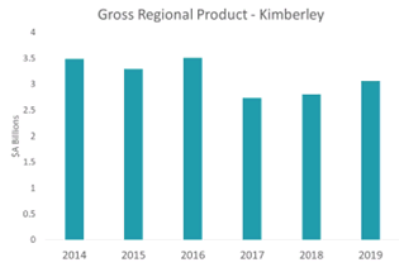


The Kimberley at a Glance



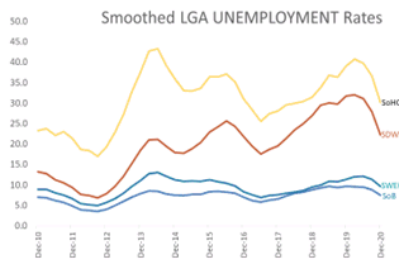
Population

The population of the Kimberley fits with the Australia wide trend of high net intrastate migration to more urbanised areas, often seeking services or improved education outcomes. In 2019-20 net internal migration saw 586 people leave the region, compared to 865 in 2016-17. Part of the contraction may be attributed to the move to non-resident government staffing for some services, however the overall economic downturn was also a factor. Net overseas migration is positive however, with 133 in 2016-17 rising to 250 in 2019-20. Natural increase is relatively steady in the mid 400's per annum. Overall the Kimberley population has contracted from the high in 2013 of 38,729 to 36,054 in 2020. The recent uplift in economic activity, including progress on key projects, has seen housing shortages emerging, which is an early indicator of population growth not yet evident in the available data.



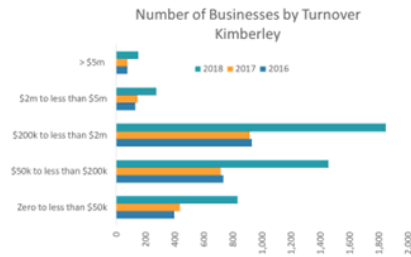
Regional Economy

The Kimberley regional economy is recovering after disruption to some key projects over the last three years and closure of operations such as the Argyle Diamond mine. This impacted on both public and private investment in the region. With recovery now underway, the real Gross Regional Product (GRP) has risen from \$2.794B in 2017 to \$3.013 in 2019, still well short of the \$3.653B in 2016 (all based on 2018 prices). Of the 2018 GRP, 49.7% was contributed in the Shire of Broome, with activity in the Shire of Wyndham East Kimberley delivering 25.4%. The output for the region was \$5.7B. Resource production in the Kimberley is dynamic and varies over time. Production in the sector is valued at \$765 million (2019-2020) and dominated by iron ore and petroleum (\$334m), followed by diamonds and nickel (\$298m) and gold, copper and silver (\$110million). The balance of \$23m includes cobalt, rare earth oxide, construction materials and dimension stone.



Labour Force

Employment in predominantly government supported sectors including health care, social assistance, education, training and public administration, make up three of the top four employment categories in the Kimberley with 38% of the workforce. The building and construction sector is a major contributor to the local economy with 1186 jobs, however food services and accommodation has more at 1428. Significant contributors to the regional economy, such as mining and agriculture are smaller employers at 640 and 872 jobs respectively. Those projects, however, provide significant flow-on work to local businesses across a broad range of services from maintenance to catering, making them a very significant contributor through their multiplier effect. With more projects in the pipeline, opportunities should continue to emerge for local businesses.



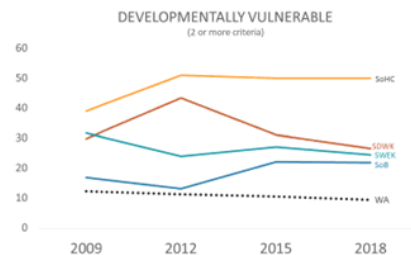
Business

The construction sector has the highest number of businesses registered in in the region (431) with 59 percent non employing. Rental, Hiring and Real Estate Services is second with 243 business registered, 80 percent of which are non-employing. Round out the top three with 243 businesses registered is Agriculture, Forestry and Fishing with 200 businesses of which 64 percent are non employing. Larger businesses, those with over 20 employees are found in Agriculture/Forestry/Fishing sector (19) Accommodation and Food Services (16) and Retail Trade (18). No locally registered business has over 200 employees. Overall, 57 percent of businesses are non-employing in the Kimberley with a further 39 percent having less than 20 employees.



Crime

Crime across the Kimberley has been a high priority for the community. Of growing concern is the steep increase in crimes against the person. Family assault has risen steadily from 796 in 2011 to 3070 in 2020, with serious family assaults rising from 359 to 912 over the same period. Stealing of motor vehicles reached a new high in 2019 with 546, with stolen cars increasingly being destroyed. Whilst numbers fell to 319 in 2020, 122 vehicles were stolen in the first three months of 2021. Police numbers have fluctuated, however appropriate resources has a material impact on the capacity to reduce crime. The second component is appropriate responses through the courts and fit for purpose custodial facilities in the Kimberley



Children and Youth

Our children have significant opportunities however many are suffering from severe disadvantage. In 2012, 43 percent of children in the SDWK were assessed as developmentally vulnerable against two or more criteria, contracting to 27% in 2018. In Halls Creek 50 percent of children were assessed as developmentally vulnerable and this had not improved by 2018. Whilst the 2016 rate of 13% in the SoB was close to the WA average of 11 percent in 2012, the rate nearly doubled to 24 percent by 2018. The SWEK has varied little from the 24 percent baseline in 2012. Importantly the State average has fallen to just 9 percent in 2018, demonstrating the acute vulnerability of children across the Kimberley. Attendance rates at many schools across the region, across most year levels, has fallen from 2016 to 2020.

Our People

1. A vibrant community based on equity, inclusion and opportunity for all.

Challenges & Opportunities

The people in the Kimberley experience a variety of lifestyles from relatively urban environments in larger towns to remote pastoral stations which need to be self sufficient over long periods as well as significant numbers of Aboriginal Communities under the direction of the State Government which may experience extreme season isolation. All people in the Kimberley want to live in safety, where there are facilities and opportunities. We recognise that boredom, peer pressure, family disruption and substance abuse tarnish the potential of many. We are seeking a future where people can participate, grow and flourish to their full potential and where children can learn and grow to become productive, involved citizens that are proud to live in this dynamic multicultural region.



Role of Shires

- Shires directly provide, fund and partner in many programs to support the community.
- Community facilities are provided and maintained, including sports grounds, pools, parks, playgrounds and libraries.
- Safety infrastructure, including street lighting and CCTV are provided, as well as beach safety patrols and other ranger programs such as animal management.
- Services, including for youth, seniors and families are delivered along with inclusion for those with disabilities.

Role of the KRG

- The KRG, through the combined efforts of all Shires, advocates for the region to highlight the needs of our people. This includes seeking solutions to substance abuse and family violence, improved liveability and capacity to engage in the workforce of a growing and diversified economy.
- We investigate and promote opportunities to “do things differently” to enable breakthrough change that can improve the lives of our people.

<i>WHAT THE FUTURE LOOKS LIKE (Outcomes)</i>		<i>WHAT WE WILL DO (Strategy)</i>	
1.1	Substance abuse and associated harm is reduced.	1.1.1 1.1.2	Monitor alcohol management indicators across the Kimberley to ensure that it is fit for purpose. Advocate for fit for purpose and consistent alcohol management systems in the Kimberley.
1.2	Kimberley regional health outcomes improve	1.2.1 1.2.2 1.2.3	Advocate for key health equipment, such as dialysis machines, to be available throughout the Kimberley. Advocate for funding to address preventable health issues, such as dental and hearing. Advocate for fit for purpose aged care.
1.3	Crime is reduced both across the region and by location	1.3.1 1.3.2 1.3.3	Advocate for improved youth services. Advocate for improved management of youth anti-social behaviour including funding for diversion programs. Advocate for appropriate youth and adult custodial facilities in the Kimberley.
1.4	Towns are vibrant and inclusive with strong participation and volunteering culture	1.4.1 1.4.2	Promote participation in community activities. Advocate for regional funding of supporting programs.
1.5	School attendance improves with a higher number of students graduating year 12	1.5.1 1.5.2	Advocate for fit for purpose education facilities and pedagogy. Advocate for enhanced post school employment pathways.
1.6	Fit for purpose housing is available to meet individual and community needs.	1.6.1	Advocate for appropriate housing typology, location and volume to meet the changing needs of the community.

Our Place

2. Our region will become a leader in creating a sense of place and liveability whilst preserving history, culture and our unique environment.

Challenges & Opportunities

Liveability remains key to our economic future and there is no “one place” in the Kimberley. We have tourist hubs, residential areas, remote towns and communities and those that fall outside of those areas but visit and utilise those places. Our services are hierarchical, meaning people have to travel vast distances in some cases to access services. Urban amenity varies significantly between regions with significant variation in relation to access to quality sporting and recreational facilities. Whilst larger towns are likely to have district and regional facilities, we see some places with limited to no facilities. This inequity has devastating effects locally but also places undue demand on facilities in larger towns. We strive to have a balance that enables access at a local, district and regional level to facilities.

Our towns, regardless of location, should be safe and well connected. This means street lighting, CCTV and high speed broadband amongst other enablers for a safe community. Importantly, we need fit for purpose housing, planned and delivered in a timely way to avoid the housing droughts that accompany spikes in economic opportunity. We need public places that offer shade and amenity and support the growth of our community physically, intellectually, culturally and emotionally. Shires are key influencers of place however are reliant on grants from State and Federal Governments to rejuvenate areas and undertake projects.



Role of Shires

- Planning and building services.
- Streetscapes, urban renewal and project management.
- Asset Management, streetscapes, cycleways, trails, footpaths, verges and trees.
- Marine facilities.
- Roads, drainage and parking.
- Emergency management.
- Pest and mosquito control.
- Ranger services, waste and environmental management.

Role of the KRG

- To advocate on behalf of members for funding for key projects and initiatives.
- Undertake research to support the identification

	<i>WHAT THE FUTURE LOOKS LIKE (Outcomes)</i>		<i>WHAT WE WILL DO (Strategy)</i>
2.1	Our towns provide a variety of public spaces that welcome local residents and visitors with shaded spaces and safe access.	2.1.1	Advocate for funding to support master planning and urban renewal.
2.2	Our streets are safe day and night and leverage smart technology.	2.2.1	Advocate for fit-for-purpose street lighting and safety equipment such as CCTV.
		2.2.2	Advocate for mitigation and reduction of key road safety factors across our region.
2.3	We have liveability attractors including sufficient and fit for purpose recreation areas, aquatic facilities, libraries, sporting facilities and a variety of leisure experiences.	2.3.1	Advocate for funding for liveability attractors.
2.4	Our regional character endures across generations with culture and a sense of place preserved in our architecture and locations.	2.4.1	Promote the need for the preservation of the unique Kimberley character in future development.
2.5	A reduced ecological footprint for the region.	2.5.1	Advocate for recycling services throughout the Kimberley.
		2.5.2	Promote opportunities for waste to landfill to be minimise.
		2.5.3	Advocate for and facilitate and integrated waste management plan to limit unlicensed tips and improve waste diversion.
		2.5.4	Advocate for affordable and reliable energy with a lower carbon footprint.
		2.5.5	Advocate for improved water use and reuse.
		2.5.6	

Our Prosperity

3. The potential of the Kimberley as a strong and diversified economy is realised with benefits retained in the region and the opportunity to participate available to all.

Challenges & Opportunities

The Kimberley region has vast agricultural opportunities through significant projects like the Ord River Scheme and some of the world's largest pastoral stations and our seas create opportunities for new aquaculture ventures. We are rich in the rare earth metals which will be vital over the coming decades, as well as the key economic building material of iron ore. Our natural landscape is a global tourism drawcard along with our unique and ancient culture. We are remote in Australia, but close to Asian markets.

We need sustainable affordable energy to power our future economic development and we need high quality access through roads, airports, ports and telecommunications, yet some of our key infrastructure lags behind economic opportunity. In some cases the poor infrastructure cripples development and the future prosperity for the region and the people that live here. Investment is require to ensure our towns are liveable and barriers to employment such as childcare availability are addressed. Community prosperity often trails investment creating considerable challenges for Shires in their role of facilitating economic development whilst delivering services and outcomes to current residents.



The Role of Shires

- Many matters are outside the control of Shires with State, Federal and the private sector having key roles.
- Supporting and monitoring business through health inspections, food safety, licensing, signage etc.
- Place activation, redevelopment and urban amenity in public places
- Provision of visitor centre facilities.
- Destination marketing and event management for promotion and attraction of visitors.
- Focused economic development units and advocacy for key projects.
- Provider of last resort essential infrastructure, such as airports and ports.

Role of the KRG

- To support Shires as they work to enable key projects that will lead to economic growth and local jobs.
- Advocate for projects of regional significance.
- Promote key regional projects.
- Research and analyse economic progress.

	<i>WHAT THE FUTURE LOOKS LIKE (Outcomes)</i>		<i>WHAT WE WILL DO (Strategy)</i>
3.1	The Kimberley region is prosperous with a diversified and sustainable economy.	3.1.1	Advocate for the infrastructure required to attract and retain business and projects in the region.
3.2	Local businesses and jobs are enhanced through opportunity created through private and government investment.	3.2.1 3.2.2	Advocate for effective "buy local" requirements that meet the needs of the Kimberley. Advocate for local jobs creation in all new projects to reduce reliance on FIFO workforcers.
3.3	Unemployment is reduced with less people dependent of welfare.	3.3.1 3.3.2	Advocate for enhanced school to work transition programs. Advocate for educational options which ensure employment appropriate literacy and numeracy skills are attained by all students.
3.4	Infrastructure is fit for purpose and mitigates the isolation of the region from Australian markets whilst maximising proximity to Asian and international markets.	3.4.1 3.4.2	Monitor infrastructure requirements and identify gaps. Advocate for funding of priority infrastructure projects including but not limited to roads, ports and airports.
3.5	Our infrastructure is protected from known and potential threats.	3.5.1 3.5.2	Advocate for improved protection and recovery from natural and other disasters. Advocate for improved protection from global threats.

Our Performance

4. As a collective, we will support the delivery of excellence in governance and service delivery that is relevant and of value.

Challenges & Opportunities

Civic Leadership and delivery performance are challenged in the Kimberley due to the small rate payer base in some Shires and small, dispersed and diverse populations with an expectation of service scope that can exceed large metropolitan councils. Through the KRG, Shires try to maximise efficiencies and knowledge through shared professional development opportunities, and participate in purchasing arrangements that provide common benefits and deliver value for money.

Our performance is measured and reported against our Budget, Strategic Community Plan and Business Plan as part of the KRG Memorandum of Understanding and requirements of the Kimberley Regional Group.



The Role of Shires

- Leadership, governance and law making (local laws) to set the operating framework for the region.
- Facilitation of collaboration between leadership groups within the Shire.
- Strategic and business planning, risk management and community consultation.
- Elections and polls, Council and Elector’s meetings.
- Workforce recruitment, management and job creation.
- Local communication and promotion.

Role of the KRG

- Regional collaboration on projects and policy development.
- Knowledge sharing and professional development between Shires.
- Ongoing monitoring of regional trends.

	<i>WHAT THE FUTURE LOOKS LIKE (Outcomes)</i>		<i>WHAT WE WILL DO (Strategy)</i>
4.1	Shire resources are maximised.	4.1.1	Facilitate shared tendering and contracting where regional benefit can be achieved.
		4.1.2	Ongoing monitoring enables region wide understanding of trends.
4.2	Shire processes are streamlined and efficient.	4.2.1	Facilitate the sharing of knowledge and understanding between Shires for regional benefit.
4.3	The region is well placed to be responsive and adapt to change.	4.3.1	Ongoing monitoring enables region wide understanding of trends.





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This Strategic Business Plan provides more detailed insights into the planned work of the Kimberley Regional Group.

The Kimberley region is an incredibly diverse and exciting place, full of opportunity and challenges. Four Shires strive to deliver services that make the region a place that people want to live, develop business and become part of the generations that have gone before and are yet to come.

Few would argue that the Kimberley is special, a fusion of cultures, lifestyles and resources that are blended with a spirit that wants to ensure that we pass on the pristine environment we enjoy today.

With all of the promise comes the reality of poor infrastructure and people at risk of being lost to substance abuse, violence and poverty. As a group, the Shires believe such a future should not face anybody in our community, that everybody should have a real opportunity to succeed and thrive. As such we value the creation of role models and programs that enable intergenerational disadvantage to be overcome.

We want to support environmentally sustainable business growth across our diversifying economy and to embrace technology and innovation to become a leader on a global stage.

Ours is not a vision to be bound to the physical, social and economic limitations of the present, but to negotiate a shared pathway towards a future that sustains us and provides boundless opportunities for our children as they grow and mature into tomorrow's leaders.

Our People

Goal 1.

A vibrant community based on equity, inclusion and opportunity for all.

OUTCOME	STRATEGY	ACTIONS
1.1 Substance abuse and associated harm is reduced.	1.1.1 Monitor alcohol and drug abuse indicators across the Kimberley to ensure that it is fit for purpose.	1.1.1.1 Present a report to each meeting of the KRG mapping changes to agreed indicators.
	1.1.2 Advocate for fit for purpose and consistent alcohol management systems in the Kimberley.	1.1.2.1 Meet with relevant Ministers to discuss next steps to reduce alcohol related harm. 1.1.2.2 Meet with State Government officers to discuss next steps to reduce alcohol related harm.
1.2 Kimberley regional health outcomes improve	1.2.1 Advocate for key health equipment, such as dialysis machines, to be available throughout the Kimberley.	1.2.1.1 Correspond and meet with relevant Ministers to discuss timeframes in relation to budget items and election promises. 1.2.1.2 Promote the need for improved services and equipment through the media, consistent with an approved communications plan.
	1.2.2 Advocate for funding to address preventable health issues, such as dental and hearing.	1.2.2.1 Correspond and meet with relevant Ministers to discuss health issues being experienced in the region.
	1.2.3 Advocate for fit for purpose aged care.	1.2.3.1 Promote the need for improved services and equipment through the media, consistent with an approved communications plan.

Our People - continued		
OUTCOME	STRATEGY	ACTIONS
1.3 Crime is reduced both across the region and by location	1.3.1 Advocate for improved youth services.	1.3.1.1 Consistent with the Youth Strategy, identify priority Youth Services across the region and prepare a Youth Services Priorities document to support Advocacy.
		1.3.1.2 Review the need for an update to the Youth Strategy
		1.3.1.3 Promote the need for improved services and equipment through the media, consistent with an approved communications plan.
	1.3.2 Advocate for improved management of youth anti-social behaviour including funding for diversion programs.	1.3.2.1 Monitor and report on key data associated with anti-social behaviour of youth.
		1.3.2.2 Advocate for funding to be allocated to diversion programs across the Kimberley
		1.3.2.3 Monitor funding allocated or committed to the provision of diversion programs across the Kimberley.
1.3.2.4 Promote the need for funding to be allocated to diversion programs, consistent with an approved communications plan.		
1.3.3 Advocate for appropriate youth and adult custodial facilities in the Kimberley.	1.3.3.1 Report on progress in relation to the provision of adult and youth custodial facilities.	
	1.3.3.2 Develop an advocacy paper in relation to the benefit of youth custodial facilities in the Kimberley, including earlier intervention such as diversion programs.	

<i>Our People - continued</i>		
OUTCOME	STRATEGY	ACTIONS
1.4 Towns are vibrant and inclusive with strong participation and volunteering culture	1.4.1 Promote participation in community activities.	1.4.1.1 Provide a link on the KRG website to shire events pages and other relevant sites.
	1.4.2 Advocate for regional funding of supporting programs.	1.4.1.1 Identify grants for promotion of the benefits of participation in community activities.
1.5 School attendance improves with a higher number of students graduating year 12	1.5.1 Advocate for fit for purpose education facilities and pedagogy to improve school attendance and outcomes.	1.5.1.1. Develop and advocacy document to support the provision of fit-for-purpose education facilities and pedagogy.
	1.5.2 Advocate for enhanced post school employment pathways.	1.5.2.1 Develop and advocacy document (in conjunction with 1.5.1.1) to support the provision of fit-for-purpose education facilities and pedagogy.
1.6 Fit for purpose housing is available to meet individual and community needs.	1.6.1 Advocate for appropriate housing typology, location and volume to meet the changing needs of the community.	1.6.1.1 Monitor housing availability and affordability.
		1.6.1.2 Advocate for improved housing affordability and availability when stock levels fall below market expectations.

Our Place

Goal 2.

Our region will become a leader in creating a sense of place and liveability whilst preserving history, culture and our unique environment.

OUTCOME	STRATEGY	ACTIONS
2.1 Our towns provide a variety of public spaces that welcome local residents and visitors with shaded spaces and safe access.	2.1.1 Advocate for funding to support master planning and urban renewal.	2.1.1.1 Ensure the Infrastructure Prospectus remains up to date. 2.1.1.2 Advocate to relevant Ministers in relation to the Infrastructure Prospectus.
2.2 Our streets are safe day and night and leverage smart technology.	2.2.1 Advocate for fit-for-purpose street lighting and safety equipment such as CCTV.	2.2.1.1 Advocate for CCTV and other safety equipment. 2.2.1.2 Advocate for underground power to avoid potential road crash trauma and reduce the risk after a cyclone event where broken wires may cause harm. 2.2.1.3 Advocate for fit-for-purpose lighting in key areas to avoid anti-social behaviour and harm.
	2.2.2 Advocate for mitigation and reduction of key road safety factors across our region.	2.2.2.1 Advocate for a reduction of cattle in roads reserves that present a danger to drivers on the road, including the use of smart technology. 2.2.2.2 Advocate for road funding to reduce road trauma. 2.2.2.3 Promote road safety initiatives.

<i>Our Place - continued</i>		
OUTCOME	STRATEGY	ACTIONS
2.3 We have liveability attractors including sufficient and fit for purpose recreation areas, aquatic facilities, libraries, sporting facilities and a variety of leisure experiences.	2.3.1 Advocate for funding for liveability attractors.	2.3.1.1 Ensure the Infrastructure Prospectus remains up to date. 2.3.1.2 Advocate for agreed liveability factors across the Kimberley.
2.4 Our regional character endures across generations with culture and a sense of place preserved in our architecture and locations.	2.4.1 Promote the need for the preservation of the unique Kimberley character in future development.	2.4.1.1 Monitor and respond to projects and proposals that could impact negatively on the unique Kimberley character.
2.5 A reduced ecological footprint for the region.	2.5.1 Advocate for recycling services throughout the Kimberley.	2.5.1.1 Work with Shires to identify local requirements and develop an Advocacy document to support the provision of recycling services.
	2.5.2 Promote opportunities for waste to landfill to be minimised.	2.5.2.1 See grant funding for recycling and diversion education.
	2.5.3 Advocate for and facilitate an integrated waste management plan to limit unlicensed tips.	2.5.3.1 Work with the Department of Communities to support the reduction in unlicensed tips and improve waste diversion.

<i>Our Place - continued</i>		
OUTCOME	STRATEGY	ACTIONS
2.5 A reduced ecological footprint for the region (cont).	2.5.4 Advocate for affordable and reliable energy with a lower carbon footprint.	2.5.4.1 Develop an advocacy paper on energy with that will deliver affordable and reliable energy with a lower carbon footprint.
		2.5.4.2 Advocate for funding of energy with that will deliver affordable and reliable energy with a lower carbon footprint.
	2.5.5 Advocate for improved water quality, use and reuse.	2.5.5.1 Advocate to ensure that the quality of the water is fit-for-purpose
		2.5.5.2 Advocate for innovative and affordable water use minimization and reuse strategies.

Our Prosperity

Goal 3.

The potential of the Kimberley as a strong and diversified economy is realised with benefits retained in the region and the opportunity to participate available to all.

OUTCOME	STRATEGY	ACTIONS
3.1 The Kimberley region is prosperous with a diversified and sustainable economy.	3.1.1 Advocate for the infrastructure required to attract and retain business and projects in the region.	3.1.1.1 Monitor the Kimberley Infrastructure Prospectus and update annually.
		3.1.1.2 Advocate for agreed infrastructure to attract and retain business and projects in the Kimberley.
3.2 Local businesses and jobs are enhanced through opportunity created through private and government investment.	3.2.1 Advocate for effective "buy local" requirements that meet the needs of the Kimberley and reduces the use of imported temporary and FIFO workforces.	3.2.1.1 Develop an Advocacy Paper on the need for fit-for-purpose by local policies and procedures that meet the needs of the Kimberley.
		3.2.1.2 Advocate to achieve fit-for-purpose by local policies and procedures that meet the needs of the Kimberley.
	3.2.2 Advocate for local jobs creation in all new projects to reduce reliance on a FIFO workforce.	3.2.2.1 Promote opportunities and benefits in the Kimberley for the use of a local workforce.
		3.2.2.2 Monitor and identify current and potential barriers to a local workforce and advocate mitigation of those issues.

Our Prosperity - continued		
OUTCOME	STRATEGY	ACTIONS
3.3 Unemployment is reduced with less people dependent of welfare.	3.3.1 Advocate for enhanced school to work transition programs.	3.3.1.1 Develop an Advocacy Paper on the need for fit-for-purpose school to work transition programs of the Kimberley. 3.3.1.2 Advocate for funding for fit-for-purpose school to work transition programs.
	3.3.2 Advocate for educational options which ensure employment appropriate literacy and numeracy skills are attained by all students.	3.3.2.1 Develop an Advocacy Paper for educational options which ensure employment appropriate literacy and numeracy skills are attained by all students. Advocate for funding for educational options which ensure employment appropriate literacy and numeracy skills are attained by all students.
3.4 Infrastructure is fit for purpose and mitigates the isolation of the region for Australian markets whilst maximising proximity to Asian and international markets.	3.4.1 Monitor infrastructure requirements and identify gaps.	3.4.1.1 Review research the into short, medium and longer term Australian and international markets for the Kimberley and infrastructure gaps that may constrain development.
	3.4.2 Advocate for funding of priority infrastructure projects to support access to national and global markets	3.4.2.1 Develop an Advocacy paper on infrastructure barriers for Kimberley access to national and global markets including but not limited ports and airports along with the feeder roads.
3.5 Our infrastructure is protected from known and potential threats.	3.5.1 Advocate for improved protection and recovery from natural and other disasters.	3.5.1.1 Advocate for appropriate processes and timeframes for state responses to disasters including funding for recovery projects.
	3.5.2 Advocate for improved Protection from global threats.	3.5.2.1 Monitor global threats and provide and intermittent report on any increased threat. 3.5.2.2 Advocate on the vulnerability of the north of the State to hostile actions towards key infrastructure.

Our Performance

Goal 4

As a collective, we will support the delivery of excellence in governance and service delivery that is relevant and of value.

Outcomes		Strategy		Action	
4.1	Shire resources are maximised.	4.1.1	Facilitate shared tendering and contracting where regional benefit can be achieved.	4.1.1.1	Identify projects where shared tendering and contracting processes will be mutually beneficial.
		4.1.2	Advocate to ensure that Shire resources are not eroded.	4.1.2.1	Where potential changes are mooted, advocate to ensure the financial interests and revenue of member shires is protected.
4.2	Shire processes are streamlined and efficient.	4.2.1	Facilitate the sharing of knowledge and understanding between Shires for regional benefit.	4.2.1.1	Create opportunities for officers across Shires to meet on key topics of common concern contained in this Business Plan.
4.3	The region is well placed to be responsive and adapt to change.	4.3.1	Ongoing monitoring enables region wide understanding of trends.	4.3.1.1	Monitor trends and report against an agreed format and interval.

9.2 ADVOCACY AGENDA 2021

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY: To provide an overview of the updated Advocacy Agenda 2021

BACKGROUNDPrevious Considerations

Nil.

COMMENT

The Kimberley Advocacy Agenda was developed to support the Canberra Delegation in 2019 and updated in 2020. The original Advocacy Agenda included ten key issues being:

1. Supply Chain Resilience
2. Global Market Access
3. Addressing anti-social behaviour
4. Growing Tourism
5. Youth Employment
6. Improved Waste Management
7. Affordable Energy
8. Fit for Purpose Taxation
9. Telecommunications
10. Building Our Tomorrows

Since that document was released, further work has been undertaken to refine specific infrastructure projects and packaged as the COVID-19 Infrastructure Prospectus. To avoid any potential confusion in relation to priorities, the Advocacy Agenda has been updated to include truncated information from the COVID-19 Infrastructure Prospectus. Changes to the document are limited to wordsmithing to blend the documents together and a reordering and retitling to improve the structure of the new document. The document now has five areas with key priorities listed within each of the following:

1. Supply Chain Resilience.
2. Improved community facilities and liveability.
3. Tourism Growth and Facility Improvements.
4. Improved Social Outcomes.
5. Economic Development and Growth.

It is intended that this document will be printed, along with the COVID-19 Infrastructure Prospectus and the Strategic Community Plan for the purposes of discussion with Federal members of parliament during the delegation in August in 2021.

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

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

Natural Environment Goal – Responsible management of the environment:

Secure quality water supply

Integrated waste management

Reuse of waste water

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

High standard of infrastructure planning

Reliable and adequate power and communications.

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

Improved Kimberley regional outcomes in health

Greater participation in the community and workforce

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Sustainable tourism market and tourism experiences

Sustainable primary industries

Energy sustainability

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/004

Moved: M Edwards

Seconded: Cr C Mitchell

That the Kimberley Regional Group endorses the 2021 Advocacy Agenda as attached.

CARRIED UNANIMOUSLY 4/0

Attachments

1. Draft Advocacy Agenda 2021-2022



KIMBERLEY REGIONAL GROUP
ADVOCACY AGENDA
2021-2022



Disclaimer: The information contained in this document is for general information only. While every effort has been made to ensure the accuracy and completeness, information referred to in this publication may include or be based on data provided from other sources or organisations. Any person who uses or seeks to rely on this information, including for comparative purposes, should obtain appropriate professional advice relevant to their circumstances. The authors do not make any representation or warranty as to the accuracy or completeness of the information or take responsibility for any errors or omissions in the information and do not accept any liability for any loss or damage incurred or suffered by any person as a result of the information contained in the document or it being used or relied upon by any person, or it being used or relied on for comparative purposes.

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THE KIMBERLEY REGIONAL GROUP

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. Covering 419,558sq/kms and home to 36,000 people, with approximately half of those identifying as Aboriginal, the region is undergoing a transformation. The agricultural sector is diversifying from its pastoral roots with significant irrigated agricultural production through the Ord River Scheme now complimented by centre pivot irrigation that makes use of the underground water reserves.

Shire of Broome

The Shire of Broome is located in the south-west Kimberley in the far north of Western Australia and covers approximately 56,000 square kilometres. Boasting a coastline of 900 kilometres including the world-famous Cable Beach and much of the Dampier Peninsula, the Shire is home to 16,222 people and has the largest town in the Kimberley (Broome).

Shire of Derby West Kimberley

The Shire of Derby-West Kimberley has a population of 8,253 and covers an area of 119,842 square kilometres. Spanning from Derby to Fitzroy Crossing and beyond, the Shire includes much of the Fitzroy River catchment along with popular tourist attractions such as the western end of the Gibb River Road, Tunnel Creek, Windjana Gorge and Horizontal Falls. The Shire provides services to 54 Aboriginal Communities throughout the Fitzroy Valley.



The resources sector offers prospects with the growing market for tech-metals and other products such as onshore oil and gas, stimulating exploration and extraction in the region. Infrastructure investments, both committed and planned, will increase the viability of those projects on the global stage. The Shires have an excellent record of project planning and delivery and boasts award winning projects. Tourism has been flourishing with a 21% increase in the 2019 season with 474,000 overnight visitors. The region has strong foundations but, like many other places in the world, has felt the impact of COVID-19 as markets softened across our foundation industries of tourism, mining and agriculture with roll on impacts to other sectors.

Shire of Halls Creek

The Shire of Halls Creek has significant resource sector opportunities including, gold, copper and dysprosium. With a population of just under 3,300 with 74% identifying as Aboriginal, the Shire covers an area of 143,030sq/km including significant Aboriginal communities, World Heritage listed Purnululu National Park and Lake Gregory along with significant pastoral interests.

Shire of Wyndham East Kimberley

The Shire of Wyndham East Kimberley covers some 117,514 sq/km and includes Wyndham Port, the Argyle Diamond Mine, the town of Kununurra and the Ord River Scheme. The region is renowned for its unspoilt natural beauty and a number of attractions including the El Questro Wilderness Park, national parks, nature reserves as well as conservation and marine parks. The Shire also has a number of Aboriginal communities.



ADVOCACY AGENDA 2021

The Kimberley is a diverse and dynamic investment environment with significant social challenges which need to be addressed as we move forward to ensure that all of our residents gain benefit and opportunities are available for all.

Emerging from the COVID-19 pandemic, the Kimberley Shires has considered a range of targeted actions that will support the generation of jobs and investment growth as well as delivering social benefits critical to maintaining our liveability. The Advocacy Agenda items are consistent with the planning framework and, when combined, provide a program of diversified works and programs that stretches across the region.

The Kimberley is emerging as an investment hub with agriculture (including pastoral, aquaculture, irrigated and dryland horticulture) tourism opportunities, mining and extraction industries. With a rich cultural history and proactive local governments, we are building the social and physical infrastructure which will see investments made today grow into solid portfolios for the future and ensure an inclusive and vibrant community that attracts the workforce we need and services our existing residents.

- 1 SUPPLY CHAIN RESILIANCE
 - 2 IMPROVED COMMUNITY FACILITIES AND LIVEABILITY
 - 3 TOURISM GROWTH AND FACILITY IMPROVEMENTS
 - 4 IMPROVED SOCIAL OUTCOMES
 - 5 ECONOMIC DEVELOPMENT AND GROWTH
- 

SUPPLY CHAIN RESILIENCE

COVID-19 has highlighted the importance of resilient supply chains across the globe, and, when combined with the vulnerability of the Kimberley to interruptions due to extreme weather, makes the ongoing improvement of infrastructure of critical importance.

New mining and extraction ventures can face transport costs of up to 50 percent of operating expenditure, however many exploratory companies are not routinely well capitalized early, raising funds through share market offerings as approvals progress. Fit for purpose infrastructure can be a deal maker, including the activation of new job opportunities.

In the pastoral sector, the rangeland model of grazing the land, including native low protein grasses, has been utilised for over a century. This has not represented an issue historically as the cattle were exported lightweight to be fattened overseas. The potential for a policy-based interruption, reduction or end to this market arrangement presents as a risk which some pastoralists are seeking to mitigate through the production of heavier cattle for both the Australian market and the international fresh meat market. This will require considerable investment and resilient infrastructure for access during the wet season to allow for new production models.

Improvement of supply chains including all season road access, cold chain infrastructure, port upgrades for rapid bulk handing along with scalable air freight logistics will be required to realise opportunities in the Kimberley, as will in-situ AQIS facilities to improve the efficiency and effectiveness of biosecurity.





KEY ISSUES

- Innovation, resilience and economic development are being constrained in the agricultural sector due to seasonal flooding and isolation of six weeks or more.
- Business investment, including in the resource sector is thwarted by overwhelming upfront costs to upgrade haulage routes.
- The transition from low bulk/high value mining (gold and diamonds) to bulk products such as mineral sands and potash, is creating an infrastructure resilience imperative.
- Seasonal isolation means that Aboriginal people living in communities cannot access permanent work leading to companies relying on a Fly-In-Fly-Out workforce utilising seasonally resilient airfields.

ACTIONS AND BENEFITS

- Improved port facilities will provide competitive access to Asian markets.
- Support for servicing international markets through scalable aviation logistics will help transform the pastoral sector.
- Cool and cold chain initiatives will support the transition of a portion of live cattle export into the local and global fresh quality-cut beef industry, in addition to the emerging boxed beef industry.
- Delivery of key road infrastructure to unlock mining and pastoral sector innovation and investment as well as improve road safety and efficiency.

KEY PRIORITIES

- ✓ Delivery of upgrades to the Tanami Road and Duncan Roads.
- ✓ Extension of the East Kimberley Regional Airport Runway.
- ✓ Ongoing replacement of single lane bridges on the Great Northern Highway.
- ✓ Safety improvements the Great Northern Highway, including continuing the program of road widening, sealing the shoulders and the extending the audio road edge strips.
- ✓ Facilitating the development of a fit-for-purpose port network to enhance economic development in the region including tourism (cruise industry), pastoral, agriculture, and the emerging extraction sector.
- ✓ Improve processes for the Disaster Relief Funding payments to both clarify processes and truncate timelines for approval and payment.





IMPROVED COMMUNITY FACILITIES

The need to attract and retain a strong workforce is of critical importance and fundamental to that outcome is the liveability of regional and remote towns. This means having the education, health, and social infrastructure to support both individuals and families and their diverse interests. Community infrastructure also extends to ensuring that the expectations of the residents are met in terms of our long term sustainability and our capacity to recycle materials rather than exhaust them after a single use. Combined, these facilities provide the framework for a resilient community that is both mentally and physically healthy and sustainable into the longer term.

KEY ISSUES

- Inadequate and ageing infrastructure which no longer meets the needs of the community.
- Youth that are are disengaged and susceptible to anti-social behaviour.
- Families unable to move to, or remain in the Kimberley due to lack of child care resulting in a reduced the skills pool in the region.
- Inappropriate or insufficient aged and palliative care.
- Access to community challenged by road safety issues.

ACTIONS AND BENEFITS

- Upgrade key community infrastructure to reduce youth disengagement and deliver diversionary activities.
- Ensure that physical and mental health is enhanced by providing a range of recreational activities in regional areas.
- Upgrade of facilities to enable young athletes to progress in their chosen activities.
- Provide families and individuals options and facilities to retain them in the region across all age groups.
- Support Shires in remote areas to keep pace with community expectations in relation to waste management including 100% grant funding for key infrastructure.



KEY PRIORITIES

- ✓ Recreation and Aquatic Centres in Broome, Kununurra and Fitzroy Crossing.
- ✓ Child care expansion the Erwin Early Learning Centre in Kununurra.
- ✓ Broome Boating Facility
- ✓ Derby Wharf Redevelopment and Derby Wharf Precinct Masterplan.
- ✓ Improve community road access such as the Great Northern Highway to Looma Road reconstruction and seal.
- ✓ Ensure appropriate waste management facilities in the Kimberley, with a focus on Broome as a key delivery location for recycling.
- ✓ Support the Halls Creek Town Development Master Plan.
- ✓ Ensure remote airstrips are fit for purpose to enable the operations of the Royal Flying Doctor Service.

TOURISM GROWTH AND FACILITY IMPROVEMENTS

Kimberley is blessed with some of the most beautiful beaches and spectacular natural attractions in the world. The isolation and the highly seasonal nature of the region, along with poor infrastructure, has acted as a brake on growth. COVID-19 had a deep impact on some, contingent upon the location and nature of the tourism offering. Shires have been proactive, including underwriting airfares to national and international destinations to test the market acceptance of direct flights. There is a need to upgrade infrastructure, in particular to ensure that the Kununurra airport runway remains fit for purpose as current commercial fleets are retired and replaced by larger planes. Cruise facilities in Broome need to be upgraded to meet consumer expectations along with iconic tourism destinations, such as Cable Beach,

KEY ISSUES

- The need to support the industry to recover and diversify the tourism product offering.
- Aviation infrastructure that will not be fit-for-purpose in the short to medium term.
- A cruise industry where port facilities fall well below consumer expectations.

ACTIONS AND BENEFITS

- Upgrade key tourism destinations such as Cable Beach to ensure visitation continues and grows.
- Support the expansion and diversification of aviation routes to support growth.
- Development of the floating platform in Broome Port to facilitate cruise ship tourism growth.
- Support for the extension of the Kununurra airport runway to ensure that existing tourism routes remain fit-for-purpose for commercial planes.
- Continue to upgrade road routes to improve access in both the dry and wet seasons.
- Remove visa cost barriers for tourists from Indonesia when borders re-open.





KEY PRIORITIES

- ✓ Upgrade of Cable Beach foreshore including the construction of a sub-surface seawall to increase resilience to severe weather events.
- ✓ Extension of the Kununurra airport runway to cater for the emerging fleet of aircraft.
- ✓ Upgrade Great Northern Highway to improve road safety for tourists, residents and commercial transport.
- ✓ Upgrade Tanami Road to provide alternative access to the region.

IMPROVED SOCIAL OUTCOMES

Kimberley has seen increasing domestic violence, street drinking and associated anti-social behaviour which is impacting not only on those that are consuming the alcohol but also on the broader community including tourists. Outcomes for youth in the Kimberley have also deteriorated in the five years to 2016 and it is likely that they have deteriorated further during the COVID-19 pandemic. Shires are implementing strategies to try to address issues including diversionary activities for youth and a commitment to Kimberley wide alcohol management strategies. Sadly, youth anti-social behaviour has reach epidemic levels in some areas with significant community backlash. Action is urgently required by both the State and Commonwealth governments to support Shires to address the deepening disruption and harm being experienced in the region.

KEY ISSUES

- Poor school attendance and lack of parental capacity to manage behaviours.
- Rising community angst in relation to youth crime and anti-social behaviour.
- A perceived lack of consequences for offenders.
- Significant housing overcrowding exasperating youth behaviour issues.
- Lack of a public, intergrated, cross agency strategy to address issues.

ACTIONS AND BENEFITS

- Ensuring the Banned Drinkers Register is effective with streamlined processes for additions.
- Stable and long-term funding for youth programs to develop trust with disenfranchised youth.
- Viable funding provided for youth “on-country” and other innovative programs for at risk teenagers.
- Provision of a youth detention centre(s) in the Kimberley to retain connection to community and country for incarcerated youth.
- Ongoing funding for youth engagement officer evening/night patrols as early intervention/de-escalation.
- Incentivization of school attendance including job guarantee programs such as those offered by the Shire of Halls Creek.
- Stemming intergenerational disfunction through positive, coordinated and planned action.



KEY PRIORITIES

- ✓ Introduction of the Banned Drinkers Register including the Takeaway Alcohol Management System.
- ✓ Crime mitigation and enforcement including increased police presence.
- ✓ Address Domestic Violence through an interagency strategy in the Kimberley.
- ✓ Youth Development including long term PCYC funding, implementation and extension of structured Youth Diversion programs including long and short term on country interventions.
- ✓ Fit-for-Purpose Juvenile Justice arrangements including Kimberley Juvenile Detention facilities that enable social and family support networks to be maintained for youth in incarceration.
- ✓ Funding to support transition to work programs for school leavers.
- ✓ Deliver alternative education to address unacceptably low school attendance.
- ✓ Focused program to reduce overcrowding and provide diversity in social housing in the Kimberley.

ECONOMIC DEVELOPMENT AND GROWTH

The Kimberley regional economy is recovering after disruption to some key projects over the last three years. This impacted on both public and private investment in the region. With recovery now underway, the real Gross Regional Product (GRP) has risen from \$2.794B in 2017 to \$3.013 in 2019, still well short of the \$3.653B in 2016 (based on 2018 prices). Resource production is valued at \$765 million (2019-2020) and dominated by iron ore and petroleum (\$334m), followed by diamonds and nickel (\$298m) and gold, copper and silver (\$110million). Roughly one third of the workforce comes from outside of the region, depleting the benefits of projects on the local economy. This is not limited to mining “FIFO” workers, rather it includes a wide range of professional and semi-professional positions. Our infrastructure is not fit for purpose and is not resilient to weather events and changing global freight requirements.

KEY ISSUES

- Business investment, including in the resource sector is thwarted by overwhelming upfront costs through years of infrastructure underfunding.
- The cost of power can stifle projects including in the extraction and agricultural sectors.
- Innovation, resilience and economic development are being constrained in the agricultural sector due to seasonal flooding and isolation of six weeks or more,
- The transition from low bulk/high value mining (gold and diamonds) to bulk products such as mineral sands and potash, is creating an infrastructure resilience imperative.
- Seasonal isolation inhibits Aboriginal workforce participation from remote communities.

ACTIONS AND BENEFITS

- Upgrade of key road routes to support both production and market destination transport.
- Planning and funding for aviation and marine port infrastructure to meet forecast volumes.
- Local Australian Quarantine Inspection Service (AQIS) to streamline freight arrival procedures.
- Telecommunications network expanded to include key projects and infrastructure such as airports.
- Investment in fit-for-purpose sustainable energy options to support the diversification of agriculture and other emerging off grid businesses.
- A fit-for-purpose taxation system which supports the regional workforce rather than preferencing FIFO options, with “buy local” policies delivering jobs for local workers.



KEY PRIORITIES

- ✓ Upgrade the Tanami Rod to an all-weather quad-road train route.
- ✓ Improved the resilience of the Great Northern Highway including the replacement of single lane bridges.
- ✓ Improve contracting and “buy local” arrangements to support local delivery of services and products with a reduced reliance on a FIFO workforce.
- ✓ Upgrade the Kununurra airport to ensure capacity to service fleet upgrades to larger planes.
- ✓ Introduce local AQIS services to streamline freight recieval.
- ✓ Review the capacity of marine port infrastructure to meet forecast volumes and plan for future needs.
- ✓ Facilitate the development of affordable, sustainable energy options including distributed solutions for remote business and communities.
- ✓ Improve telecommunications, including the reticulation of broadband to key projects and infrastructure, as well as communities in proximity to the fibre optic cable such as Halls Creek.
- ✓ Upgrade the Kununurra airport to ensure capacity to service fleet upgrades to larger planes.
- ✓ Introduce local AQIS services to streamline freight recieval.
- ✓ Review the capacity of marine port infrastructure to meet forecast freight volumes and plan for future needs.

9.3 KIMBERLEY REGIONAL GROUP FINANCIAL ACTIVITY STATEMENT 31 MAY 2021

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Acting Director Development and Community
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report presents the Kimberley Regional Group Financial Activity Statement for the period ended 31 May 2021. The report recommends that the Kimberley Regional Group (KRG) receives the Financial Activity Statement.

BACKGROUNDPrevious Considerations

Joint Meeting 21 April 2020	Item 9.2
Joint Meeting 24 August 2020	Item 9.1
Joint Meeting 23 November 2020	Item 9.5

The 2020/21 KRG Annual Budget was adopted at the 21 April 2020 Joint Meeting. The Annual Budget was adopted as a balanced budget.

Following the adoption of the KRG Budget for 2020/21 the group recognised the need to contribute funds to website and branding improvements which were funded in the 2019/20 budget but remained unspent and were returned to surplus. At the 23 November 2020 Joint Meeting the group resolved to transfer \$10,000 from the surplus to fund these activities.

COMMENT

The Financial Activity Statement presents a surplus position of \$231,681.

Executive and Administrative consultancy invoices have been received to April 2021 and indicate that services will be delivered within budget at year end.

Savings have been recognised in operational meeting accounts primarily due to the reduced number of face to face meetings, the cancellation of the scheduled Perth meeting (post COVID) and the removal of the annual Darwin meeting. It is acknowledged that there will be expenditure related to the upcoming Canberra delegation however it is envisaged that savings will be in the order of \$13,000.

IT Support costs have increased slightly (\$1,274 over budget) however this is mainly in relation to the lump sum reimbursement of IT costs which were inadvertently being invoiced to, and paid by, Kimberley RDA. This stems back to the office sharing

arrangements in place for the previous Executive Officer. No further costs are expected this financial year.

The budget amendment approved at the 23 November 2020 Joint Meeting to increase the total allocation for the Banned Drinker Register has been processed, with the total budget for account 405235 Alcohol Management Initiatives now \$135,000. This has resulted in an additional transfer from surplus of \$85,000. An invoice for the full contribution has been received from the Department of Communities (Racing, Gaming and Liquor) and has been paid.

Consultancy budgets remain underspent with \$20,000 allocated to the North West Infrastructure Audit, \$20,000 to the Youth Strategy Review and \$15,000 to the Community Waste Discussion Paper currently unspent. The Executive Officer has undertaken a high-level review of the Youth Strategy and as such it is recommended that funds allocated to that review are returned to the surplus. Funds are not required at this time for the Infrastructure Audit and Community Waste Discussion Paper and as such it is recommended that these funds are also transferred back into the surplus.

Funds allocated for the Savannah Way membership remain unspent and are subject to a separate agenda item being considered at the June meeting.

In relation to income all member contributions have been received, however the group has not been successful in securing and grant income for the Youth Strategy and Waste Management Plan. Grant income received for reporting outcomes for the proposed KRG TAMS implementation is no longer required given the State BDR trial and as such has been returned.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

As at the 30 June 2020 the Kimberley Regional Group surplus was \$327,907.

The Kimberley Regional Group budget was adopted as a balanced budget with an opening surplus balance of \$303,854.

The year to date budget surplus is \$67,108.

The total Kimberley Regional Group surplus at 31 May 2021 is \$275,962.

Acct Code	Account	Original Budget	Current Budget	Actual
OPENING SURPLUS CARRY FORWARD				
100235970	Kimberley Zone - Transfer to Kimberley Zone Reserve - Cap Exp - MUN	-\$327,907.00	-\$327,907.00	-\$327,907.00
CAPITAL INCOME				
100235980	Transfer From Kimberley Zone Reserve - Cap Inc - Kimberley Zone MUN	-\$24,053.00	-\$119,053.00	-\$119,053.00
TOTAL CAPITAL INCOME		-\$24,053.00	-\$119,053.00	-\$119,053.00

		REMAINING SURPLUS	-\$303,854.00	-\$208,854.00	-\$208,854.00
OPERATING EXPENDITURE					
100221290	Kimberley Zone - Zone & RCG Meeting Expenses - Op Exp MUN		\$15,000.00	\$15,000.00	\$2,390.00
100221310	Kimberley Zone - Meetings - Op Exp MUN		\$3,000.00	\$3,000.00	\$0.00
100221340	Kimberley Zone - Annual Financial Audit - Op Exp MUN		\$5,000.00	\$5,000.00	\$4,050.00
100221360	Kimberley Zone - IT Support - Op Exp MUN		\$1,500.00	\$1,500.00	\$2,774.00
100221370	Kimberley Zone - Sundry Expenses - Op Exp MUN		\$1,000.00	\$1,000.00	\$1,007.00
100221430	Kimberley Zone - Savannah Way Membership - Op Exp MUN		\$5,000.00	\$5,000.00	\$0.00
100221810	Kimberley Zone - Executive Consultancy - Op Exp MUN		\$114,005.00	\$114,005.00	\$89,441.00
100221820	Kimberley Zone - Administrative Consultancy - Op Exp MUN		\$33,048.00	\$33,048.00	\$21,150.00
100221830	Kimberley Zone - Consultancy - Op Exp MUN		\$20,000.00	\$20,000.00	\$0.00
104052340	Kimberley Zone - Volunteering Strategy - Op Exp MUN		\$20,000.00	\$20,000.00	\$0.00
104052350	Kimberley Zone - Alcohol Management Initiatives - Op Exp MUN		\$50,000.00	\$135,000.00	\$135,000.00
104052370	Kimberley Zone - ICT & Office 365 Improvements - Op Exp MUN		\$0.00	\$10,000.00	\$0.00
104052380	Kimberley Zone - Kimberley Waste Management Plan - Op Exp MUN		\$15,000.00	\$15,000.00	\$0.00
104052970	Kimberley Zone - Admin Cost Allocated - Op Exp MUN		\$0.00	\$0.00	\$0.00
TOTAL OPERATING EXPENDITURE			\$282,553.00	\$377,553.00	\$255,812.00
OPERATING INCOME					
100230130	Kimberley Zone - Reimbursement Zone & RCG Meetings Expenses - Op Inc MUN		-\$12,000.00	-\$12,000.00	-\$1,075.00
100230180	Kimberley Zone - Reimbursement Meetings - Op Inc MUN		-\$1,500.00	-\$1,500.00	\$0.00
100230210	Kimberley Zone - Members Contribution Secretariat Costs - Op Inc MUN		-\$200,000.00	-\$200,000.00	-\$200,000.00
10023028	Kimberley Zone - Waste Authority Grant Waste Management Plan		-\$7,500.00	-\$7,500.00	\$0.00
100235360	Kimberley Zone - Interest on Reserve - Op Inc. MUN		-\$2,500.00	-\$2,500.00	-\$2,792.00
10405383	Kimberley Zone - Youth Strategy DLGC Grant		-\$10,000.00	-\$10,000.00	\$0.00
10405385	Kimberley Zone - Alcohol Management Initiatives Grant		-\$25,000.00	-\$25,000.00	\$0.00
TOTAL OPERATING INCOME			-\$258,500.00	-\$258,500.00	-\$203,867.00
TOTAL CAPITAL INCOME			-\$24,053.00	-\$119,053.00	-\$119,053.00
TOTAL OPERATING EXPENDITURE			\$282,553.00	\$377,553.00	\$255,812.00
TOTAL OPERATING INCOME			-\$258,500.00	-\$258,500.00	-\$203,867.00
TOTAL			\$0.00	\$0.00	-\$67,108.00
SURPLUS/DEFICIT					
<i>**Current Surplus = Actual Income less Actual Expenditure + Opening Surplus</i>					
			-\$303,854.00	-\$208,854.00	-\$275,962.00

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

VOTING REQUIREMENTS

Absolute Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/005

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Notes the \$67,108 year to date budget surplus and the overall \$275,962 surplus position;**
- 2. Approves the transfer of the following consultancy funds back into the Kimberley Regional Group surplus (Account 20310 Accum Surplus Kimberley Zone Reserve):**
 - (a) \$20,000 from Account 405234 Youth Strategy;**
 - (b) \$20,000 from Account 22183 Consultancy (North West Infrastructure Audit); and**
 - (c) \$15,000 from Account 405238 Kimberley Waste Management Plan (Community Waste Discussion Paper);**
- 3. Approves a reduction of budgeted income for the following accounts, noting that grant funding has not been secured:**
 - (a) \$7,500 reduction to Account 23028 Waste Authority Grant Waste Authority Management Plan;**
 - (b) \$10,000 reduction to Account 405383 Youth Strategy DLGC Grant; and**
 - (c) \$25,000 reduction to Account 405385 Alcohol Management Initiatives Grant.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 4/0

Attachments

Nil

9.4 KIMBERLEY REGIONAL GROUP ANNUAL BUDGET 2021-22

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Acting Director Development and Community
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report presents the proposed 2021/22 Kimberley Zone of WALGA and Kimberley Regional Group Annual Budget for approval.

BACKGROUNDPrevious Considerations

Nil.

The Secretariat has prepared a Draft Kimberley Regional Group (KRG) 2021/22 Annual Budget which outlines proposed income and expenditure and indicates a balanced budget for the year ending June 30, 2022.

In considering the Draft KRG 2021/22 Annual Budget members should note the estimated \$245,352 overall surplus from the 2020/21 financial year. It is for members consideration to allocate the surplus funds to projects and / or reduce the required member contribution in 2021/22.

COMMENT

The Draft 2020/21 Annual Budget (Attachment 1) has been developed with regard to historical expenditure while also taking into account changes in service delivery methods and marginal increases in local government CPI.

No rate increase is proposed for Executive Consultancy services however officers are recommending an increase in hours.

It is also proposed to discontinue the 'Executive and Administrative' hours model currently in use. Instead it is proposed to utilise a blended hourly rate. In 2020/21, 864 Executive hours (at \$131.95 per hour) and 296 Administrative hours (at \$111.65 per hour) were budgeted for a combined total budget of \$147,053. It is suggested that these rates are blended to calculate the 2021/22 "combined" rate. This equates to \$127 per hour (\$147,053 divided by 1160 hours). No additional hours are proposed with the Executive Officer comfortable that the allocation of 1160 hours per annum is appropriate.

Meeting expenses and corresponding income have been reduced given the decreased number of face to face meetings and the discontinuance of the Darwin meeting and

forum. Funds have been allocated to cover costs for the annual Canberra Delegation and the following face to face meetings:

- Shire of Broome in September 2021;
- Shire of Derby West Kimberley in February 2022;
- Shire of Wyndham East Kimberley in May 2022; and
- Perth in July 2022, to coincide with LG Week (noting arrangements will need to be made in the 2021-22 financial year).

A 2021/22 forum has been discussed (pending COVID) with a separate agenda item to be developed and tabled at a future meeting for consideration of funding.

A review of the updated KRG Strategic Community Plan and Business Plan has been undertaken however most items are advocacy based and do not require funding beyond the resourcing of the Executive Officer position. Given the groups developing advocacy role no funding has been allocated to project delivery in the 2021/22 budget.

Operating expenditure for the 2021/22 Draft Annual Budget totals \$167,820.

Member contributions have been reduced to \$41,080 to cover operating costs, however members may consider further reducing this commitment given the expected \$245,352 end of year overall surplus for 2021/22. No "seed fund" contribution is required.

It is noted that a \$10,000 budget amendment for website development was moved at the 23 November 2020 Joint Meeting, however there have been issues with the consultant engaged and as a result the contract has been terminated. A procurement process is required to engage an alternate consultant and the \$10,000 of funding will need to be carried over.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

The budget is the primary financial plan for the 2021/22 financial year. The intention is that the budget will be balanced such that all expenditures are matched by revenues. The budget is presented as a balanced budget.

A WALGA preferred auditor will be engaged to prepare the independent Annual Audit for the Kimberley Zone Secretariat and Kimberley Regional Group for the year ending 30 June 2022.

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

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils

VOTING REQUIREMENTS

Absolute Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/006

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group endorse the 2021/22 Kimberley Regional Group Annual Budget as attached.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 4/0

Attachments

1. Kimberley Regional Group Annual Budget 2021/22

COA	20/21 Proposed Budget	Rationale
Grand Total	0	
CAPITAL EXPENDITURE	0	
0023590 - Kimberley Zone - Transfer to Restricted Cash Reserve - Cap Exp	0	
0023597 - Kimberley Zone - Transfer to Kimberley Zone Reserve - Cap Exp -	0	
CAPITAL INCOME	0	
0023048 - Kimberley Zone - Transfer From Restricted Cash Project Accounts - Op Inc	0	
0023598 - Transfer From Kimberley Zone Reserve - Cap Inc - Kimberley Zone	0	No surplus transfer required
OPERATING EXPENDITURE	169,820	
0022129 - Kimberley Zone - Zone & RCG Meeting Expenses - Op Exp	10,000	Canberra \$3K; Sept 21 SoB \$1K; Feb 22 - SDWK \$2k; May 22 SWEK \$2K; July 22 Perth \$2K
0022132 - Kimberley Zone - Kimberley Regional Group Forum - Op Exp	0	Item to be tabled for future consideration
0022133 - Kimberley Zone - Legal Advice - Op Exp	0	Budget conservatively and request amendment if legal fees required
0022134 - Kimberley Zone - Annual Financial Audit - Op Exp	5,000	
0022136 - Kimberley Zone - IT Support - Op Exp	1,500	O365 operating expenses and support
0022137 - Kimberley Zone - Sundry Expenses - Op Exp	1,000	Nominal amount - printing etc
0022143 - Kimberley Zone - Savannah Way Membership - Op Exp	5,000	
0022181 - Kimberley Zone - Executive Consultancy - Op Ex	147,320	1160 hours @ \$127 per hour blended rate
OPERATING INCOME	(169,820)	
0023013 - Kimberley Zone - Reimbursement Zone & RCG Meetings Expenses - Op Inc	(3,000)	
0023021 - Kimberley Zone - Members Contribution Secretariat Costs - Op Inc	(164,320)	\$41,080 x 4 councils
0023536 - Kimberley Zone - Interest on Reserve - Op Inc.	(2,500)	

9.5 SAVANNAH WAY MEMBERSHIP

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Kimberley Regional Group has been a Platinum member of the not-for profit Savannah Way Ltd and this report provides an update on service levels provided to enable consideration of the membership status.

BACKGROUNDPrevious Considerations

3 December 2019

COMMENT

The Kimberley Regional Group (KRG) was a Platinum Member of Savannah Way Ltd, which was established to promote the "Savannah Way" which encompasses roads from Cairns in Queensland, through Katherine in the Northern Territory, and through the Kimberley along the Great Northern Highway. The reason for the membership was to promote tourism opportunities across the Kimberley into new markets.

This was consistent with the Economic Goal in the Strategic Community Plan to support a sustainable tourism market and tourism experiences.

Savannah Way Ltd was contacted for feedback in 2019 and stated that they were working through a new direction with a strong focus on digital activities and engagement with industry, operators and other groups to bring together resources to build the Savannah Way as Australia's most adventurous drive.

The KRG agreed to continue to monitor service levels to determine if the \$5000 per annum investment was warranted. Since that time there has been no contact with the KRG however the website was upgraded in 2020 to include itineraries in the Kimberley and the social media has improved significantly.

Our investigations have not yet identified ongoing engagement by Savannah Way Ltd with operators in the Kimberley. Whilst the website has improved and the Kimberley is referenced in the social media activities, the cost of \$5000 per annum is not seen to represent value for money.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

An allocation exists for the membership in the 2020-21 budget.

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.

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 tourism market and tourism experiences

VOTING REQUIREMENTS

Simple Majority

REFER ITEM:

Minute No. KRG/0621/007

Moved: M Edwards

Seconded: G Haerewa

That item be referred back to the Kimberley Regional Group at the next most suitable meeting.

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

9.6 LABOUR FORCE SHORTAGES

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Broome Chamber of Commerce and Industry wrote to the Kimberley Regional Group on 11 June 2021 to highlight labour force shortages being experienced in the Kimberley.

BACKGROUNDPrevious Considerations

Nil

COMMENT

The Broome Chamber of Commerce and Industry (BCCI) wrote to the Kimberley Regional Group (KRG) proposing the establishment of a Designated Area Migration Agreement (DAMA) led by the KRG, as a matter of importance.

A DAMA is an agreement between the Commonwealth and a State/Territory or regional body. It aims to address skills gaps and shortages that cannot be met by the Australian market through the use of various negotiable concessions to the standard skilled visa requirements. The DAMA also provides a pathway for permanent residency for the employee.

The process is two tiered with an agreement between the Commonwealth and the Designated Area Representative (DAR) which then enables the establishment of individual employer agreements negotiated under the terms and conditions of the overarching agreement.

A key advantage of the DAMA is that the employee can change employers but must stay within the designated area. This means that the pool of appropriately skilled people can grow over time with retention to the point of formal residency status is likely to be higher than other visa mechanisms.

Currently there are seven DAMA in place in Australia, with two coordinated by local governments (Warrnambool City Council and City of Kalgoorlie Boulder) one through the Cairns Chamber of Commerce, one by Regional Development Australia – Orana with the balance state or territory governments.

The Shire of Port Hedland at their meeting on 3 June 2020 resolved to endorse the investigation of and potential application to the Federal Government for a Designated Area Migration Agreement (DAMA).

The City of Karratha update for their meeting on 31 May indicated that their planning for a DAMA was on track including the employer survey and RFQ to engage a consultant service to provide migration expertise on visa pathways and concessions to finalise and lodge the application. The City has a project timeline for the end of July for the DAMA application to be finalised.

The DAMA approach is one of a number of schemes including:

- Company specific labour agreements.
- Industry labour agreements with specific fixed terms and conditions.
- Project agreements targeting companies with genuine skills shortages during the construction phase of resource or infrastructure projects.
- Global Talent Employer Sponsored (GTES) agreements (targeting highly skilled workers).

Industry labour agreements are a possible pathway for the Horticulture sector, however it should be noted that at this time it not intended for entry level workers with only three of the approved occupations requiring only a Certificate 1/compulsory secondary education. Those positions include a "Horticulture Section Manager." All other occupations require higher qualification. The Hospitality sector also has an industry labour agreement, however it is limited to fine dining.

Feedback through the Australian Hotels Association is that regionally there are thousands of full time jobs in the sector such as chefs.

A DAMA is not the solution for all labour force shortages and will not address seasonal shortages as it is designed for full time work and requires a with minimum annual income of close to \$60,000 per annum with no pro rata for a seasonal work. Two other programs that may be of interest are the Seasonal Worker Program (short term/seasonal labour) and the Pacific Labour Mobility program (1-3 year duration). Both address workforce shortages in rural and regional Australia with the Seasonal Worker Program already in use in the Kimberley, all be it interrupted by the COVID pandemic.

Australia and the United Kingdom are currently negotiating a trade deal which could impact on the overseas workforce as there will no longer be a requirement for on farm work prior to visa renewal. It may however, increase the availability in other industry sectors.

It is recognised that the current labour shortage is damaging the Kimberley economy with full-time permanent positions across professional, skilled and semi-skills workers unable to be filled.

Prior to specific discussions on a DAMA, further investigation needs to be undertaken to understand the specific nature of the labour force shortages in the Kimberley. This is likely to include the scale, nature of the unfilled positions (seasonal/permanent), the sectors in which they occur and the specific skills required (including the ANZSCO skill coding) need to be established, along with employer appetite for compliance with the sponsorship agreement requirements.

For the Kalgoorlie DAMA, a company with migration expertise was used to determine the nature of the skills gap and the potential structure of a DAMA. Moving forward, should investigations demonstrate that a DAMA is both warranted and an appropriate vehicle to

facilitate recruitment of labour force in the region, a responsible body will need to be identified.

There may also be an opportunity, Shire by Shire, to become involved in the DAMA negotiations in the Pilbara.

The City of Karratha plan to progress a DAMA includes six steps being:

- Preliminary stakeholder engagement
- Council resolution
- Prepare application
- Finalise application
- Negotiation and approval
- Implementation.

The role of the KRG in the investigation of a DAMA will be to provide sufficient background to inform Shires if they choose to consider involvement in a DAMA. For clarity, the KRG cannot become the DAR as it is not a legal entity.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995
Migration Act 1958

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.

Economy Goal – A sustainable and diverse economy:

Sustainable tourism market and tourism experiences

Sustainable primary industries

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/008

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Notes the correspondence from the Broome Chamber of Commerce and Industry.**

- 2. Works with the Broome Chamber of Commerce and Industry, the Kimberley Development Commission and other stakeholders to determine if the scale and nature of the labour shortage.**
- 3. Works with Shires and stakeholders in the Pilbara to determine if a “northern DAMA” is appropriate.**
- 4. Provide a report for out of session consideration to enable a position to be agreed prior to the Kimberley Regional Group delegation to Canberra on 3 August 2021. The report should include but not be limited to:**
 - (a) Recommendation as to the suitability of the DAMA to meet short, medium and longer term labour shortages in the Kimberley.**
 - (b) The opportunity for a northern DAMA including strengths and weaknesses.**
 - (c) High level identification of the skill shortages based on information provided by the Broome Chamber of Commerce and Industry (high level).**
 - (d) Suitable delivery structures.**

CARRIED UNANIMOUSLY 4/0

Attachments

1. Letter from BCCI re DAMA



the voice of business in broome

bcci

11 June 2021

Kimberley Regional Group
Attention: Chris Mitchell, Secretary

Via Email: debra.goostrey@kimberleyzone.com.au

Dear Sir,

DESIGNATED AREA MIGRATION AGREEMENT (DAMA)

I write to you on behalf of the Broome Chamber of Commerce & Industry (BCCI) Executive Committee and members about our challenges in resourcing staff and skilled personnel during this period of increased economic activity in Broome and the greater Kimberley region.

For a number of years, businesses in the region have experienced difficulties in resourcing staff, and post COVID, we are seeing a significant impact on businesses and industry in the Kimberley with limited international travellers and seasonal workers in the region. An expressed concern from our members is that the Kimberley does not have the workforce for entry and skilled level positions and with the projected economic growth, will not have the human capital to resource local businesses and positions. BCCI has received feedback from our members with many of them unable to fill entry level and skilled positions within their businesses due to the lack of either specific skills, work readiness or population. Training of available local people here in the region may remediate this problem to some extent, however the issue of shortfall will be far greater than the opportunities arising. This will have the potential to constrain growth and economic activity locally.

This was a particular issue in Kalgoorlie-Boulder, where a collaborative partnership between the City Council, local Shires, Chamber of Commerce, Chamber of Minerals and Energy and Regional Development Commission established a Designated Area Migration Agreement (DAMA) for the region, where they could Goldfields employers had the ability to sponsor skilled and semi-skilled overseas workers for positions they are unable to fill with local workers. The Goldfields DAMA has been tailored to address current and emerging labour market shortages in our region with local terms and conditions of employment.

The Goldfields DAMA utilises the labour agreement stream of the Temporary Skill Shortage visa (subclass 482) and the Employer Nomination Scheme (subclass 186). Businesses enter into a labour agreement with the Australian Government, and workers are then granted a Subclass 482 or Subclass 186 visa.

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the voice of business in broome

bcci

The Goldfields DAMA is an employer-sponsored visa program and individual workers cannot apply for a visa independently.

The key elements of Goldfields DAMA are:

- Provision of pathways to permanent residency for Goldfields DAMA visa holders (including transitional arrangements for existing visa holders).
- Catering for a broad range of occupations that reflect skilled and semi-skilled shortages in the Goldfields.
- It offers English language concessions for some occupations.
- It offers salary concessions that reflect Goldfields market rates, ensuring that worker terms and conditions of employment are not eroded, and Goldfields businesses and consumers are not subjected to inflationary costs.
- It incorporates a range of risk and integrity actions to ensure that the rights of both employees and employers are protected.
- It is a five year agreement.

BCCI currently sees the same issues experienced by Kalgoorlie-Boulder, and now Karratha districts, as an arising problem in the next three to five years, affecting Broome and the greater Kimberley's position to effectively manage economic growth and opportunities for local businesses. We believe these could be remedied with the establishment of a DAMA for the Kimberley region. **We are proposing that the establishment of a Designated Area Migration Agreement be led by Kimberley Regional Group as a matter of importance.** Establishment of this DAMA will aid local businesses in addressing the pressing labour shortages currently faced in the region.

On behalf of the BCCI, I would be happy to discuss this further and provide data requirements to establish the need for this solution. Should you wish to discuss this further, please do not hesitate to contact either Peter Taylor, President or myself.

Yours sincerely,

ELAINE JOLLIFFE
Chief Executive Officer

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Australian Government
Department of Home Affairs

Designated Area Migration Agreements (DAMAs)

Initial Overview
August 2019

What is a DAMA?

A DAMA is an agreement between the Commonwealth and a state/territory or regional body that provides:

- A flexible, tailored response to a designated region's local unique economic and labour market needs and conditions
- solutions for Australian business where there are skills gaps and shortages that can't be met by the Australian market
- streamlined access to a broader range of overseas workers than available through the standard skilled visa programs
- various negotiable concessions to the standard skilled visa requirements; and
- pathways to permanent residence as a major incentives to attract and retain overseas workers

A DAMA is a two-tier framework:

- The **first tier** consists of an overarching five-year deed of agreement between the Commonwealth and the DAR;
- The **second tier** comprises of individual labour agreements with employers using the terms and conditions of the overarching agreement.
- Labour agreements under a DAMA utilise the Temporary Skills Shortage (TSS/482), Skilled Employer Sponsored Regional (Provisional) visa (SESR/494) and, where permanent residence is available, the Employer Nominated Scheme (ENS/186) visa programs.

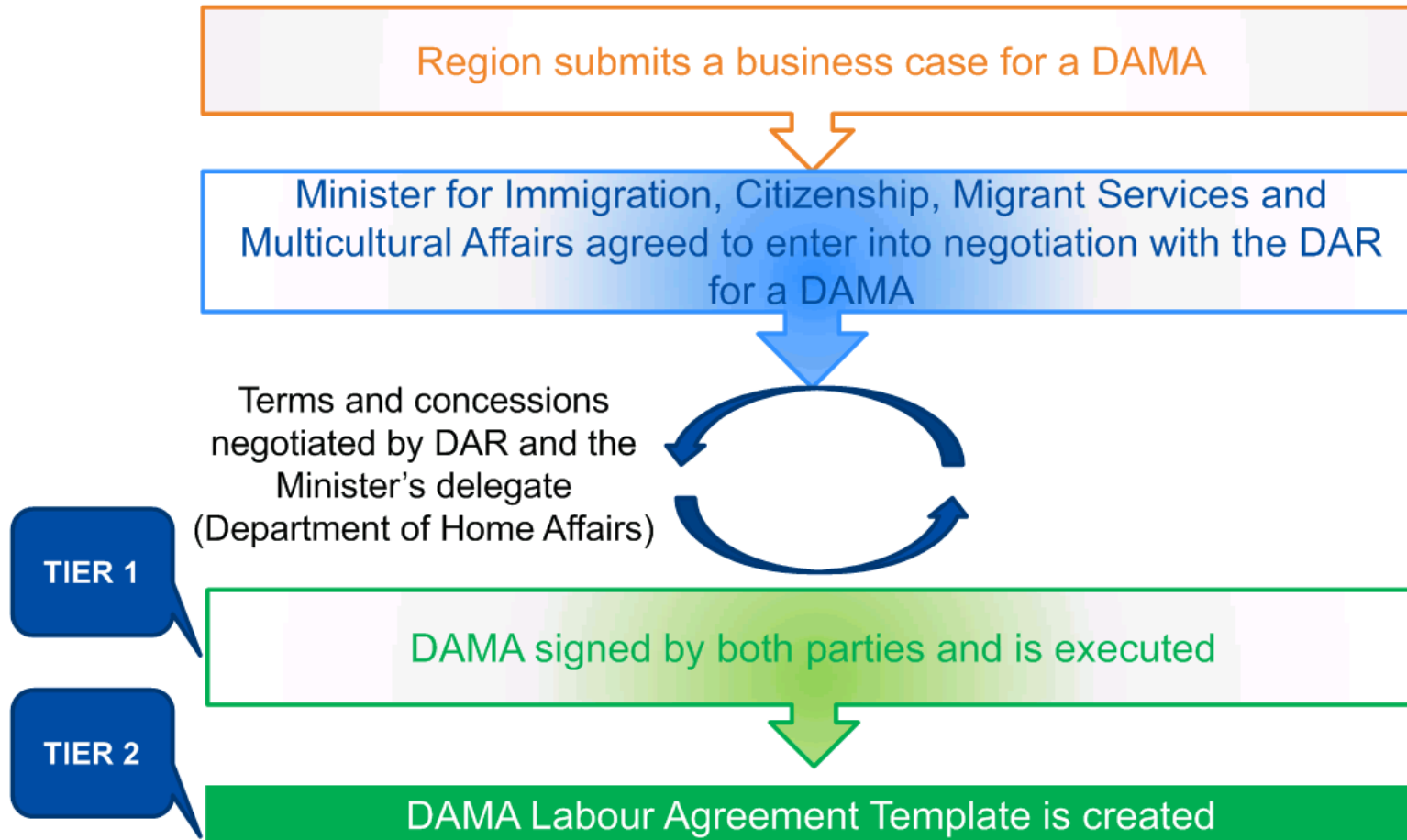
Key principles for DAMAs

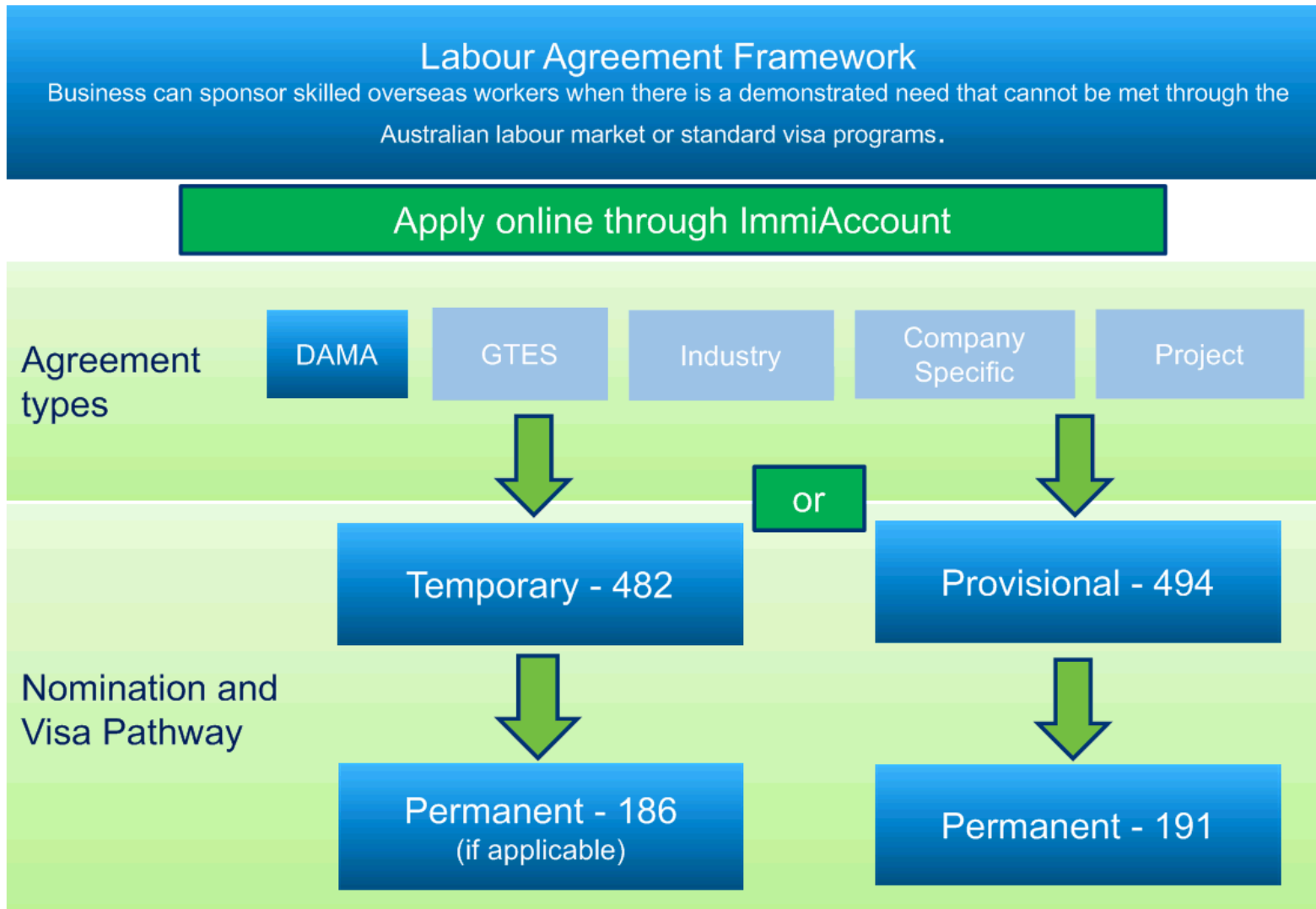
Australians first	<ul style="list-style-type: none">• Build capacity of Australian workers• Provide training and employment opportunities• Transfer skills and knowledge from skilled migrant workers
Shared responsibilities and governance	<ul style="list-style-type: none">• Cooperative arrangement at all levels
Safeguard against exploitation	<ul style="list-style-type: none">• Terms and conditions no less favourable than an Australian worker• Consistent with local remuneration for occupations• Meet Australian workplace laws
Support overseas workers	<ul style="list-style-type: none">• Contribute to successful settlement in the community
Consultation	<ul style="list-style-type: none">• Understanding the impacts and views of stakeholders in the region• Maintain the focus on Australians first• Ensure recruitment of overseas workers in the local and national interest

Key benefits of DAMAs

Regionally specific occupations	<ul style="list-style-type: none">• Tailored to your region
More occupations	<ul style="list-style-type: none">• Across the range of ANZSCO skill levels, including semi-skilled occupations• Greater choice of occupations than the standard skilled migration pathways
Visa Duration	<ul style="list-style-type: none">• Temporary (TSS) visa up to 4 years for all occupations, or• Provisional (494) visa for 5 years for all occupations
Concessions to standard visa requirements	<ul style="list-style-type: none">• Recognise regional diversity• Greater flexibility to attract a broader range of applicants
Pathway to permanent residency	<ul style="list-style-type: none">• Available for more occupations• Enable regions to attract and retain workers• Less staff turnover for regional employers

How is a DAMA established?





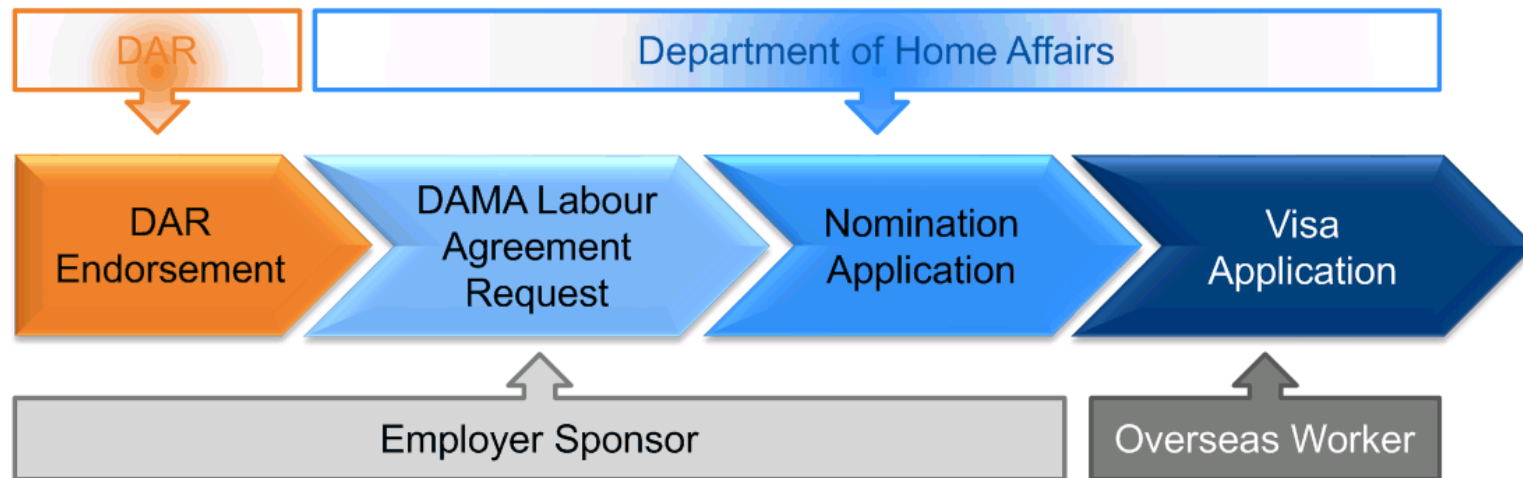
Department of Home Affairs

DAMA Regional Migration Outreach – Regional outreach

6

DAMA Application Process for employers

Process flow and participants



Roles and Responsibilities

Designated Area Representative (DAR)

- Engagement and consultation with the Department of Home Affairs, employers and stakeholders as required
- Create and submit a business case to request a DAMA for their region
- Assessing and endorsing employers who want to sponsor overseas workers under the established DAMA
- Monitor activity and report on issues to the Department of Home Affairs
- Manage ongoing governance of DAMA including variations, reports and evaluations

Department of Home Affairs

- Works with the DAR to assess their business case and negotiate a DAMA for the region
- Works with endorsed employers to establish the individual DAMA Labour Agreements
- Process nominations and visa applications made under the DAMA Labour Agreements
- Work with DAR to evaluate and review the DAMA annually
- Process Deeds of Variation and annual ceiling requests for both the DAMA and DAMA labour agreements

Employers (or appointed migration agent)

- Seek endorsement from the DAR to sponsor overseas workers under the DAMA
- Enter into individual DAMA labour agreements with the Department of Home Affairs
- Lodge nominations to fill vacancies
- Pay all applicable fees and levies upfront at time of nomination
- Lodge annual request for subsequent ceiling approvals under the DAMA Labour Agreement

Note: Employer Sponsors are subject to temporary residence sponsorship obligations and a sanctions framework under existing Migration law

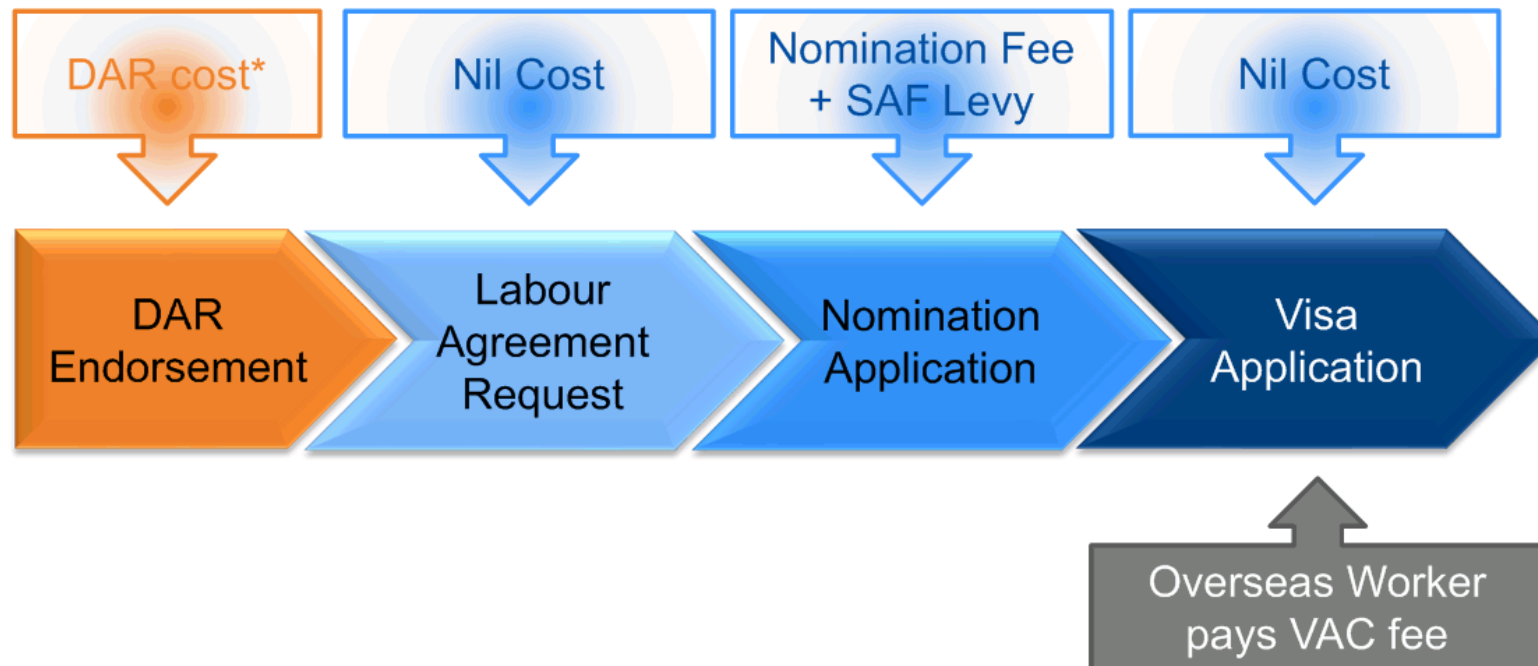
DAR Endorsement Requests

Streamlined endorsement application requirements

Employer declaration	<ul style="list-style-type: none"> • Declare the business is lawfully operating and financially viable • Have genuine skills gap that cannot be filled by Australians • No redundancies or retrenchments in last six months • Provide terms and conditions of employment to overseas workers that are in accordance with those offered to Australian workers employed in the region undertaking equivalent work
Salary table (when TSMIT concession requested)	<ul style="list-style-type: none"> • Details of the positions and salary offered within the business
Statement of why concessions are requested	<ul style="list-style-type: none"> • Details of why you are seeking concessions available under the DAMA.
Organisational chart	<ul style="list-style-type: none"> • Details of the business structure

DAMA Labour Agreement cost summary

Costs for **employers** to sponsor an overseas worker through the Temporary Skill Shortage visa (subclass 482), Skilled Employer Sponsored Regional (Provisional) visa (subclass 494) or the Employer Nomination Scheme visa (subclass 186)



*Refer to DAR information about endorsement fees

Regional visa pathways

There are a number of visa options to help fill regional job vacancies where Australian workers are not available.

Visas/ Pathway	Description	Subclass
Temporary Work (short stay specialist) visa	temporary visa, specialist work	400
Temporary Activity visa	temporary visa, specialist work	408
Seasonal Worker Program	temporary visa for seasonal work	403
Pacific Labour Scheme	temporary visa for low and semi-skilled work	403
Work and Holiday visas	temporary visa	417, 462
Temporary Skill Shortage visa	temporary employer sponsored skilled visa	482
Temporary Graduate visa	temporary visa	485
Employer Nomination Scheme	permanent employer sponsored skilled visa	186
Skilled Independent visa	permanent visa, point tested	189
Skilled Nominated visa	permanent visa, point tested	190
Industry Labour Agreement	temporary and permanent employer sponsored	482, 186
Designated Area Migration Agreement (DAMA)	temporary and permanent employer sponsored	482, 186
Skilled Work Regional (Provisional)	provisional visa, points tested	491
Skilled Employer Sponsored Regional (Provisional)	provisional employer sponsored skilled visa	494

Further information is available at www.homeaffairs.gov.au/visas/working-in-australia

Links and Resources

Purpose	Contact
Labour Agreement enquiries, factsheets, FAQs, etc.	Labour.agreement.section@homeaffairs.gov.au
Labour Agreement requests Nomination Applications Notification of sponsor changes	ImmiAccount
Search ANZSCO occupations & skills requirements	www.abs.gov.au
Home Affairs Regional Migration Hub	https://immi.homeaffairs.gov.au/what-we-do/regional-migration-initiative
Nomination and Visa information	www.homeaffairs.gov.au/visas
Allegations, Dob-ins, suspicious activities "If it doesn't feel right, flag it"	www.homeaffairs.gov.au/about-us/what-we-do/borderwatch

9.7 CANBERRA DELEGATION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	GRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY: It was agreed at the Kimberley Regional Group (KRG) meeting on 20 April 2021 that a KRG delegation to Canberra be organised from 3 August 2021 to 5 August 2021 to promote the opportunities and needs of the Kimberley region. This item provides an update on arrangements.

COMMENT

The KRG agreed in June to send a delegation to Canberra in August, the first since the outbreak of the COVID-19 pandemic.

Advocacy materials including the updated Advocacy Agenda and Infrastructure Prospectus have been completed and Ministers and Shadow Ministers have been targeted consistent with the outcomes being sought.

Letters have been forwarded and meetings followed up with Minister and Shadow Ministerial offices.

All Shires are kept informed with an online diary and meetings have been confirmed with:

- The Hon Nola Marino, Assistant Minister for Regional Development and Territories
- The Hon Catherine King, Shadow Minister for Infrastructure, Transport and Regional Development
- The Hon Scott Buckholz, Assistant Minister for Road Safety and Transport.

Other meetings are in progress across portfolios including Youth, Education, Communications, Regional Development, Transport, Infrastructure, Trade, Resources, Northern Australia and Indigenous Affairs.

Commitments have been made by WA Senators and the Member for Durack however the details have not yet been finalised, noting not all diaries are currently open for appointments by delegations in taking place in August.

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:

Secure quality water supply

Integrated waste management

Reuse of waste water

Recognition of significant heritage areas.

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

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

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

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

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Sustainable tourism market and tourism experiences

Sustainable primary industries

Energy sustainability

Sustainable Local Government revenue

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/009

Moved: G Haerewa

Seconded: D Menzel

That the Kimberley Regional Group notes the Canberra Delegation Update.

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

9.8 RATING OF ABORIGINAL LANDS

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY: This item provides information in relation to concerns expressed by member Shires in relation to emerging challenges in relation to assessing and applying rates for Aboriginal Lands.

BACKGROUNDPrevious Considerations

Nil.

COMMENT

Shires across the Kimberley are facing new challenges in relation to assessing and applying rates for Aboriginal Lands including those relating to the Aboriginal Lands Trust, Unallocated Crown Land under Native title, pastoral stations held by Aboriginal Corporations and those held under management orders to name a few.

This is a complex issue as activities may be not-for-profit without the opportunity afforded under charitable entities, cultural (including indigenous access to land) or for profit or a combination of these uses. They may include accommodation that may be used to support the most vulnerable or for businesses with the purpose changing depending upon the requirements at the time. All of these activities may be concurrent and may vary across seasons and years.

There are also emerging issues in relation to religious exemptions and the relationship between cultural activities and those exemptions.

The lack of clarity can create inconsistencies across Local Government regions. This issue is growing as more Aboriginal people gain economic as well as cultural control of more lands, much of which may have been unrateable in the past, but now under lease could be considered for rates if an economic benefit is derived.

As this matter is unlikely to be an issue unique to the Kimberley, the appropriate entity to explore this matter with the State Government on behalf of affected members is likely to be the WA Local Government Association.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective engagement with Aboriginal governance structures

Economy Goal – A sustainable and diverse economy:

Sustainable Local Government revenue

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/010

Moved: G Haerewa

Seconded: M Edwards

That the Kimberley Regional Group writes to WALGA to:

- 1. Highlight the emerging issue of the rating process on Aboriginal lands, and***
- 2. Request that WALGA write to the State Government to seek clarification about how land uses on Aboriginal Lands should be treated across a range of contexts and tenures.***

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

9.9 ALCOHOL MANAGEMENT REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Banned Drinkers Register has been rolled out in the Kimberley, supported by the Takeaway Alcohol Management System.

BACKGROUND

The Banned Drinkers Register was launched in the West Kimberley (Broome and Derby) on 1 May 2021 in conjunction with the soft launch of the Takeaway Alcohol Management System (TAMS). The soft launch period is designed to get both outlets and customers familiar with the requirement to produce valid identification when purchasing takeaway alcohol. The decision was to not hold a soft launch in Kununurra as there is an existing requirement for identification to be produced when purchasing takeaway alcohol.

COMMENT

TAMS machines are being deployed in Halls Creek and Fitzroy Crossing, with the existing machines in Kununurra upgraded.

The formal requirement for identification to be produced has been delayed until the "app" version of the TAMS machines is available to assist with driveway service and high volume periods.

There are now thirty people on the Banned Drinkers Register compared to 13 at the commencement of the trial with the addition of 16 voluntary referrals. There has been not additional people placed on the register through the police, courts or the Director of Liquor Licencing. Anecdotal feedback is that there has been a reduction in alcohol related violence in Derby and Broome after the introduction of the system, however there was a concurrent significant alcohol related incident in Halls Creek. There is currently no evidence available of any causality in relation to alcohol availability and reductions/increases in alcohol fuelled violence and this may take six months or more to show a trend.

The Minister for Racing and Gaming, the Hon Reece Whitby MLA has agreed to meet with KRG representatives to discuss next steps when he visits Broome in July, however arrangements have not yet been finalised. Representatives from the Department of Local Government Sport and Cultural Industries (Liquor and Gambling) will provide an update at the meeting.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Liquor Control Act 1988

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance.

Secure funding for regional initiatives.

Recognition of Kimberley Local Government issues and opportunities.

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

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

Improved Kimberley regional outcomes in health

Better alcohol management across the Kimberley.

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/011

Moved: G Haerewa

Seconded: M Edwards

That the Kimberley Regional Group notes the Alcohol Management Report.

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

9.10 YOUTH STRATEGY UPDATE

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY: To provide an update in relation to the Youth Strategy Update process which was undertaken in 2019.

BACKGROUND

The Youth Strategy and Action Plan was developed as a Kimberley Regional Group (KRG) project and endorsed in 2016. In 2019 the Strategy was reviewed by Officers from each Shire at a meeting in Halls Creek. A Youth Strategy Update (YSU) was developed which simplified the document to focus on actions and activities that could be undertaken by Shires and the KRG.

COMMENT

The following information is provided as an update on the KRG actions that have been and still need to be undertaken in relation to the four strategies. Separately, shires have undertaken works relevant to the YSU.

The outbreak of the COVID-19 pandemic impacted on the effective roll out of some of the matters identified in the plan, with some relevant activities undertaken however not directly aligned to the YSU.

1. Better Coordination of Services.

Role of the KRG	Role of the Shires
1. Highlight through the KRG leadership team, the need to maximise service delivery through improved coordination of services. 2. Advocate for support to undertake a mapping of services and providers if requested by Shires.	1. Liaison with local service providers 2. Provide leadership, as required, by bringing key people and organisations together.
<u>KRG Comment</u>	
There has been some advocacy in this space, however there is a need for a more formal approach to progress the better coordination of services.	
<u>Further Action</u>	
Progress advocacy on better coordination of services by developing a position and communicating that to relevant Ministers.	

2. Support Community Safety Programs.

Role of the KRG	Role of the Shires
<p>Highlight good practice to government leaders.</p> <p>Advocate for ongoing financial support for successful programs that are supported by the local Shire.</p> <p>Champion innovative programs, including those that are successful elsewhere.</p> <p>Advocate for funding for ongoing community facility operating costs.</p> <p>Provide a platform for officers to share good practice.</p>	<p>Liaise with local service providers and provide leadership, as required.</p> <p>Identify additional activities for young people that promote community safety. Where appropriate, investigate models for specific infrastructure, such as safehouses, and support delivery at a local level.</p> <p>Ensure that local opportunities are well promoted to raise awareness.</p>
<p><u>KRG Comment</u></p> <p>Whilst the KRG has advocated to highlight good practice and financial support for successful programs, the lack of data and program detail means that the comments tend to be high level principles such as the need for longer term and consistent funding outcomes. At this stage there is a lack of methodology for determining what matters to champion. It is noted that one of the roles identified for the KRG is to provide a platform for officers to share good practice. This may be a starting point, with an annual review which informs the advocacy processes of the KRG.</p>	
<p><u>Further Action</u></p> <p>That the KRG provide a platform for officers to share good practice – potentially starting with a bi-annual video conference meeting.</p>	

3. Support Employment and Upskilling of Young People.

Role of the KRG	Role of the Shires
<ul style="list-style-type: none"> • Advocate for the support of organisations to bridge the school-work gap for young people in the region. • Promote positive stories of youth to political and business leaders. • Advocate for the provision of alternate education models for young people that are unable to engage with the existing schools model. 	<ul style="list-style-type: none"> • Where possible, establish school to work pathways including work experience and traineeships. • Consider procurement as an opportunity to encourage the uptake by contractors of local youth into employment, traineeships and apprenticeships. • Promote strongly positive stories to encourage the "ripple effect" locally and across the region.
<p><u>KRG Comment</u></p> <p>Advocating for the support of organisations to bridge the school to work gap for young people is included in the KRG advocacy agenda and is represented strongly when ever possible. In particular the arrangements with the Shire of Halls Creek are highlighted as a successful program.</p>	

The investigation of the provision of alternative education models is part of the Strategic Community Plan's Business Plan but has not yet been undertaken. As with some of the other items in the Youth Plan, the current lack of detail and agreed priorities is limiting the advocacy efforts and should be a focus moving forward.

Further Action

That the KRG

- Completes the Alternative Education discussion paper
- Writes to the State Government to request information in relation to the success of alternative education models in the Kimberley.

4. Reduce Housing Overcrowding.

Role of the KRG	Role of the Shires
<ul style="list-style-type: none"> • Advocate for investment to improve housing availability throughout the Kimberley. • Monitor State and Federal budget commitments. • Monitor available data. • Advocate for transparent data on housing availability, condition and overcrowding across the Kimberley. 	<ul style="list-style-type: none"> • Engage with organisations and agencies that are working to reduce overcrowding and provide leadership.

KRG Comment

The KRG continues to advocate for investment to improve housing availability in the Kimberley, particularly as the current housing shortage has significantly exacerbated the issue. Whilst the KRG monitors the available data, the nature and frequency of the reporting process has not been determined. In some instances, the data, such as housing overcrowding, can only be assessed in small areas through the census process. The Productivity Commission Report on Government Services 2021 – Part G, Section 18 Housing presents current data on the performance of state government's in providing social housing. Whilst limited to state data, it does provide analysis of some different demographic cohorts.

State government data from 2018 shows that there was a social housing waitlist of 1145 (678 west Kimberley & 326 east Kimberley) with 112 (76,34) on the priority list. The West Kimberley had an average wait time of 140 weeks with the East Kimberley having an average wait time of 84 weeks. These figures were the worst for any region in Western Australia, excluding metropolitan regions in Perth which have a significantly higher population. Analysis has not yet been undertaken to factor in population ratios.

The KRG has implemented a process of monitoring state and federal government budget commitments for the Kimberley, although progress on minor or maintenance projects is sometimes difficult to assess. Noting that constraint, there has been some progress on the refurbishment of 75 homes in the Kimberley and the construction of 10-20 new houses identified in the 2020-21 state budget. Noting the current housing shortfall, this is likely to provide only marginal relief to the issues being faced.

Further Action

That the KRG writes to the State Government to seek the data identified in this section.

That the KRG implements a Youth Health Check Report in conjunction with Shires and interested agencies and organisations.

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

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

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 education

Greater participation in the community and workforce

Economy Goal – A sustainable and diverse economy:

Improved outcomes in employment

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/012

Moved: G Haerewa

Seconded: M Edwards

That the Kimberley Regional Group notes the status of the Youth Strategy.

CARRIED UNANIMOUSLY 4/0

Attachments

1. Youth Strategy Update



KIMBERLEY REGIONAL GROUP YOUTH STRATEGY UPDATE



Disclaimer: The information contained in this document is for general information only. While every effort has been made to ensure the accuracy and completeness, information referred to in this publication may include or be based on data provided from other sources or organisations. Any person who uses or seeks to rely on this information, including for comparative purposes, should obtain appropriate professional advice relevant to their circumstances. The authors do not make any representation or warranty as to the accuracy or completeness of the information or take responsibility for any errors or omissions in the information and do not accept any liability for any loss or damage incurred or suffered by any person as a result of the information contained in the document or it being used or relied upon by any person, or it being used or relied on for comparative purposes.



About the Kimberley Youth Strategy

BETTER SERVICE COORDINATION

Whilst expenditure for the provision of services is significant, there is a concern has been expressed that the investment is ad hoc, fragmented and opaque. Whilst local government should not take on the role of State or Federal Governments, they are connected more closely to their communities so are in a stronger position to reflect on the targeting and effectiveness of funding and services.

Shires are liaising with service providers and some are working through informal “mapping exercises” to consider areas of under/over servicing to focus both effort and funding. This is important to maximise the outcomes for the funding invested.





IDENTIFY AND SUPPORT COMMUNITY SAFETY PROGRAMS

Community safety, including crime reduction, is seen as a high priority in all shires across the Kimberley. Shires, police and community workers are striving to facilitate change. Some Shires have interventions that have been effective which are providing learnings across the region. All shires are still finding alternative pathways to improve community safety.

At a program level, the sharing and promotion of successes – at all levels – is a high priority. The sharing of success with the community is important to counter the strong reach of negative stories (many of which are shared on social media) so individuals in the community can see that their concerns are being responded to and there is a pathway to improvement over the longer term.

ROLE OF THE KRG

- Highlight good practice to government leaders.
- Advocate for ongoing financial support for successful programs that are supported by the local Shire.
- Champion innovative programs, including those that are successful elsewhere.
- Advocate for funding for ongoing community facility operating costs.
- Provide a platform for officers to share good practice.

SUPPORT EMPLOYMENT & UPSKILLING OF YOUNG PEOPLE

Having hope is essential. It is essential for young people who feel trapped in dysfunctional family situations to have a pathway to the potential of living healthy and meaningful life. It is also essential for the broader community who are both empathetic with young people but frustrated with the ongoing behaviours that transition into criminal and antisocial activity.

Without hope and a pathway to the future so many of our youth will fail to thrive and our communities will suffer as a consequence.

Across the Kimberley, shires have different structures and capacity, however through the KRG there is agreement that as one of the largest employers and contractors of local services, there is a role to be played by Shires in providing opportunities through employment in particular. Most Shires are in the position to offer at least some pathways that bridge the gap between school and the work environment, and commonly do so, however this story is not being told.

ROLE OF THE KRG

- Advocate for the support of organisations to bridge the school-work gap for young people in the region.
- Promote positive stories of youth to political and business leaders.
- Advocate for the provision of alter-nate education models for young people that are unable to engage with the existing schools model.



REDUCE HOUSING OVERCROWDING

COVID-19 highlighted the issues with social housing overcrowding as people sought to “return home.” Whilst not a “core” service for Shires, housing availability and overcrowding is a key factor for the achievement of many of the outcomes being sought.

The issue of overcrowding has become more pressing in the Kimberley as the residential housing market has tightened and there has been a slowing of investment into remote Aboriginal housing in recent years.

ROLE OF THE KRG

- Advocate for investment to improve housing availability throughout the Kimberley.
- Monitor State and Federal budget commitments.
- Monitor available data.
- Advocate for transparent data on housing availability, condition and overcrowding across the Kimberley.



MONITORING & REPORTING

The concept of a “Youth Health Check” was discussed by Shire Officers as a useful tool, however only a small proportion of the critical data is publicly available and very little of the data is regularly and consistently reported.

The next Census will be undertaken in 2021, with data streams likely to be available across the following 12 months, creating an opportunity to critically assess areas of loss and gain over the last five and ten years.

This data will be invaluable to support Shires make informed decisions going forward.

It is intended that a situational analysis, utilising the data that is in the public arena is undertaken after the release of the Census data to establish a common benchmarking process that could be of use to Shires and this will be included in the Kimberley Zone/KRG Strategic Community Planning workshops for further discussion.





Kimberley Regional Group & Kimberley Zone
PO Box 44, Broome 6725
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0439380266

9.11 CONSULTANT REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report provides an overview of the activity undertaken by the consultant to support the activities of the Kimberley Zone of WALGA (Zone) and the Kimberley Regional Group (KRG).

BACKGROUND

The Zone and 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 30 March and is attached for consideration.

COMMENT

The period from the last meeting in April 2021 was utilised to ensure that the outcomes of the Strategic Community Plan (SCP) review session was utilised to update the 2021-2031 SCP and Business Plan.

Meetings with key Ministers and Shadow Ministers for the August Delegation to Canberra were established and documentation including the SCP, Advocacy Agenda and the Infrastructure Prospectus were updated.

Liaison in relation to Alcohol Management, the Banned Drinkers Register (BDR) and the rollout of Takeaway Alcohol Management System (TAMS) equipment was undertaken along with the finalisation of the transfer of grant funding received and no longer required for the evaluation report on the success of the BDR and TAMS.

Project management of the Kerbside Waste Collection tender documentation continued. The MOU was reviewed and circulated to CEOs for initial feedback.

A submission was prepared for the Expert Committee on Electoral Reform and a presentation was prepared for the Regional Cities Alliance which was delivered by the KRG Chair.

An application was prepared for the Climate Change Alliance.

Progress against the Youth Strategy Update was reviewed and included in the agenda.

In addition, media across a range of matters including Alcohol Management and Electoral Reform were coordinated. With the approval of the KRG/Kimberley Zone logo, relevant documents were updated to the new format.

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:

Secure quality water supply

Integrated waste management

Reuse of waste water

Recognition of significant heritage areas.

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

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

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

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

Improved Kimberley regional outcomes in health

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

Economy Goal – A sustainable and diverse economy:

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

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0621/013

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. Consultant Report to 21 June 2021



21 JUNE 2021

ATEA CONSULTING | PO BOX 2823 BROOME WA 6725 | ATEACONSULTING.COM.AU



Summary of Activities since Previous Report (April 2021)

Strategic Plan	Item	Activity
Goal 1		
A collaborative group demonstrating strong regional governance.		
Outcome 1.1 Effective governance protocols and systems for business efficiency and improved services through collaboration.	Governance compliance	Development of the Strategic Community Plan and Business Plan.
Outcome 1.4 Recognition of Kimberley Local Government issues and opportunities at the regional, state, national and international levels.	All	Contact to establish meetings in Canberra for the August meeting. Preparation of submission to expert panel.
Goal 2		
Natural Environment		
Outcome 2.2 Integrated waste management.	2.2.1 Regional Waste Management Plan	Project management of the Kerbside Tender development project and subject matter consultant.
Goal 3		
Built Environment		
Outcome 3.1 Improved regional arterial road network, ports and airports.	3.1.1 Develop and provide input to regional transport priorities, policies and plans.	Completion of the Freight Logistics Discussion Paper
	3.1.2 Review the resilience of infrastructure as part of a defence framework for the north west	NW Defence Infrastructure – liaison re NW Defence Alliance.
Outcome 3.3 Reliable and adequate power and communications	3.3.3 Support energy diversification in the Kimberley	Development of a discussion paper on Alternative Energy currently in formatting to align to new branding.
Goal 4		
Community		
Outcome 4.4 Better alcohol management across the Kimberley.	Voluntary Kimberley Wide Alcohol Restrictions Banned Drinkers Register	Implementation of the BDR, TAMS and follow up on rollout and data.
Outcome 4.5 Improved services to youth	4.5.1 Review and update the Kimberley Youth Strategy and Action Plan.	Review of Youth Plan Update to determine current status.
Goal 5		
Economy		
Outcome 5.1 Improved outcomes in employment	5.1.1 Sell the advantages of a stable in situ workforce to existing and future Kimberley employers	Investigation of a DAMA
Outcome 5.4 Sustainable Primary Industries Administration	Zone June Meeting	Preparation of Zone/KRG agenda items, meeting coordination.



Physical, Virtual Meetings and Phone Contacts

Note –This period was primarily in the period leading up to the election where the writs were in place and caretaker requirements were evoked.

Stakeholder Representative	Action/Outcomes
Federal Members and Ministers:	<ul style="list-style-type: none"> ▪ Ongoing liaison with Ministerial Offices to establish meetings for the August delegation to Canberra.
State Members and Ministers: <ul style="list-style-type: none"> ▪ Office of Minister Whitby 	<ul style="list-style-type: none"> • Follow up on Banned Drinkers Register. • Establish meeting in July.
Agencies <ul style="list-style-type: none"> • Department of Justice • DLGSC • Infrastructure Australia 	<ul style="list-style-type: none"> • Follow up Kimberley Juvenile Justice Strategy. • Alcohol management/Banned Drinkers Register – data • Strengths and Infrastructure Gaps.

Summary of Hours

The core activity has been to progress matters that were delayed in the Strategic Community Plan such as the Discussion Papers. The other two major activities were the establishment of meetings for the August Canberra Delegation and the write up of the Strategic Community Plan and Business Plan.

Other advocacy items included preparation of the submission to the Expert Panel on Electoral Reform, preparation of speeches and media briefings for the Chair, Project management of the Kerbside tender documentation (using a subject matter expert), and preparing the Climate Change Alliance application.

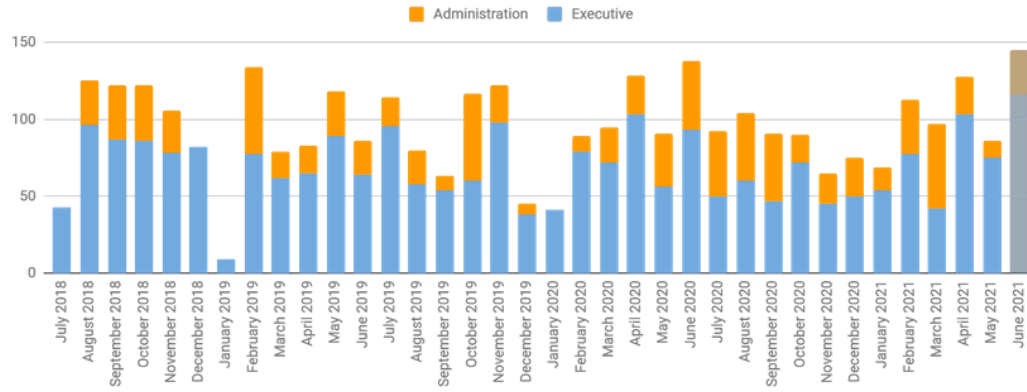
Also undertaken this period was the MOU review with a view to progressing this to adoption in September and Shire processes re the North West Defence Alliance.

Liaison with Main Roads regarding cattle on the roads, including their slashing program, was undertaken along with discussions with WAPOL re the repurposing of the previous grant funding to improving household safety as a pilot in the Shire of Broome which may be adopted by other Shires.

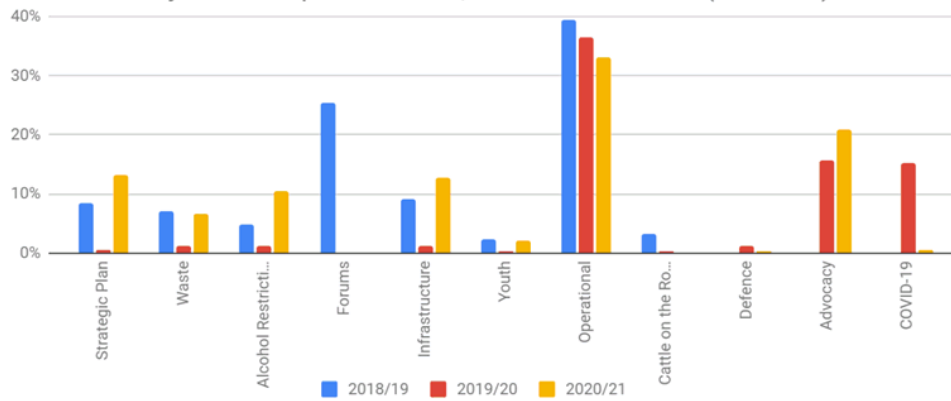
KRG documentation was updated to the new format including the Youth Plan Update, the COVID-19 Infrastructure Prospectus and the Discussion Paper on Freight Logistics. The Advocacy Agenda was updated to include a summarised list of projects identified in the COVID-19 Infrastructure Prospectus and updated to the new format.



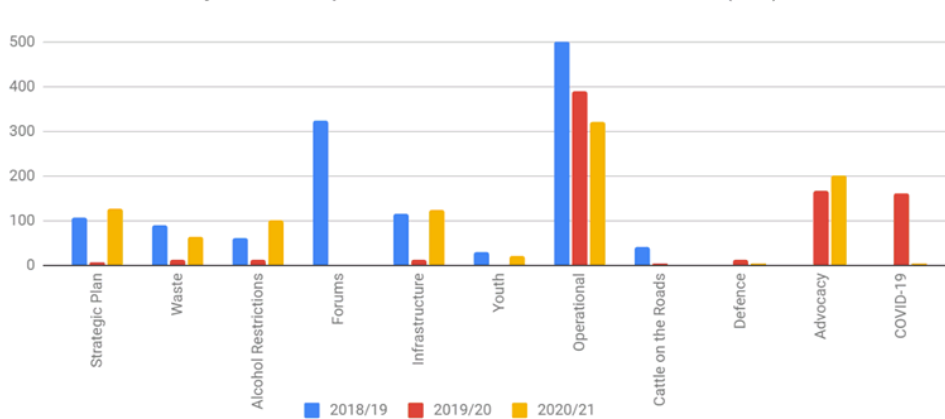
Contract Rolling Hours



Project time Inputs 2018/19, 2019/20 & 2020/21 (% of YTD)



Project time Inputs 2018/19, 2019/20 & 2020/21 (Hrs)



9.12 BUSINESS PLAN STATUS UPDATE REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Acting Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report provides an update of the Strategic Community Plan and Business Plan for the period 2020-2030.

COMMENT

The Strategic Community Plan and Business Plan for the period 2020-2024 was reviewed in April 2021 and is under consideration for adoption at this meeting. The attached report provides an update on progress towards the achievement of the existing Business Plan for items identified for completion by end of FY 2022.

Item	Description	Comment
2.2.1.1	Review the effectiveness and value for money of existing regional waste procurement contracts.	Project management of the development of tender documentation for the Kerbside waste collection tender process to be completed in July.
3.4.3.2	Develop a Discussion Paper on opportunities for alternative power provision in the Kimberley.	The Alternative Power discussion paper has been updated with further information that has been made available and will be distributed out of session.
4.3.1.3	Alcohol Management Initiatives	Monitoring of the Banned Drinkers Register implementation and liaison with the Department in relation to data availability.
3.1.1.1	Develop a Freight Logistics Infrastructure Discussion Paper.	This paper has been completed and the findings highlight a forecast increase in freight volumes, with all anticipated pinch-points identified in previous reports.
3.1.1.2	Identify Member Transport Priorities	Transport priorities were encapsulated into the COVID-19 Infrastructure Prospectus which were updated to the latest information available in preparation for the Canberra delegation.
3.1.1.3	Identify member priorities of tourism infrastructure of regional significance.	Developed as part of the COVID-19 Infrastructure Package and updated with the latest information.

3.3.1.1	Develop a Discussion Paper on the availability of grants for underground power in the Kimberley.	Horizon Power has confirmed that there are currently no grants available.
3.3.1.1	Develop a Discussion Paper on opportunities for alternative power provision in the Kimberley.	The Paper is completed and currently under review.
4.5	Youth /Juvenile Justice	There has been no further information available on the KJJS.

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/0621/014

Moved: D Menzel

Seconded: G Haerewa

That the Kimberley Regional Group notes the Business Plan 2020-2024 State Report for the period ending 16 June 2021.

CARRIED UNANIMOUSLY 4/0

Attachments

1. Business Plan Update June 2021

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

Update as of 16 June 2021



Some items have been deferred whilst the impacts of COVID 19 are assessed.

BUSINESS PLAN

ITEM	DESCRIPTION	STATUS	END DATE
2.2.1.1	Review the effectiveness and value for money of existing regional waste procurement contracts. <i>This item is completed with the decision to release a tender for the Kerbside and other waste services however the practical aspects of project management of the tender process continues.</i>	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. ¹	Commenced	
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. <i>This item was included in the COVID-19 recovery research.</i>	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. ² (Note this project would have a contribution from the Pilbara Shires). <i>The Kimberley assets have been identified and presented. Further action has been deferred while Shires consider involvement in the NW Defence Alliance.</i>	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.

3.2.1.1.	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	
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. Deferred until the impacts of COVID are better understood.	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). Deferred until the impacts of COVID are better understood.	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. ³ No grants are currently available.	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"> 12month Youth Plan developed Full project to be carried forward 	12 month plan Completed		
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 as not released.		
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. Deferred until the implications of COVID-19 are better understood.	Not yet commenced	TBC	

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

MOU

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

10. CORRESPONDENCE

10.1 CORRESPONDENCE

CORRESPONDENCE IN

DATE	FROM	SUBJECT
4 May 2021	Hon Stephen Dawson MLC	Correspondence Acknowledgement
13 May 2021	Hon Roger Cook	Correspondence Acknowledgement

CORRESPONDENCE OUT

DATE	TO	SUBJECT
8 June 2021	Hon Malcolm McCusker	Expert Panel Electoral Reform – Legislative Council
11 May 2021	Hon Scott Buckholz MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Michael McCormack MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Melissa Price MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Ken Wyatt MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Keith Pitt MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Dan Tehan MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Peter Dutton MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Nola Marino MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Josh Frydenberg MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Scott Morrison MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Mark Coulton MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Alan Tudge MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Andrew Gee MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Catherine King MP	Request for Meeting – Canberra delegation
11 May 2021	Senator Murray Watt	Request for Meeting – Canberra delegation
11 May 2021	Hon Linda Burney MP	Request for Meeting – Canberra delegation
11 May 2021	Hon Jason Clare	Request for Meeting – Canberra delegation
11 May 2021	Madeleine King MP	Request for Meeting – Canberra delegation

Attachments

1. Submission on Electoral Reform



8 June 2020

Hon Mr Malcolm McCusker AC CVO QC
Chair
Ministerial Expert Committee on Electoral Reform

By email: submissions@waelectoralreform.wa.gov.au

Dear Chair

Submission to the Expert Panel on Electoral Reform

Thank you for the opportunity to present the views of the Kimberley Regional Group (KRG) on this important consideration of Electoral Reform in the Legislative Council.

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 support outcomes for the region through improved social, economic and cultural outcomes.

Any reduction in access to representation in parliament will further disadvantage those in the bush, particularly those in remote communities and it is with this in mind, we provide the attached submission.

Should you require any further information or clarification please contact Debra Goostrey in our Secretariate at debra.goostrey@kimberleyzone.com.au or by telephone on 0439 380 266.

Yours sincerely

Cr Chris Mitchell
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



Submission to the Expert Panel on Electoral Reform 8 June 2021.

This submission has been supported by the four Shires in the Kimberley being the:

- Shire of Broome
- Shire of Halls Creek
- Shire of Derby West Kimberley
- Shire of Wyndham East Kimberley

Terms of Reference

1. Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council;

AND

2. Recommendations for the distribution of preferences in the Legislative Council's proportional representation system.

1. Comment on the Terms of Reference 1

1.1. The use of the word equality vs equity.

There is nuance in the use of the word equality versus the word equity.

The meaning of equality is to give each individual or group the same resources or opportunities.

Equity recognises different circumstances, capacity, access and other factors and allocates resources in accordance with need.

To fulfill the Terms of Reference, an equal number of voters would likely be required for each elected member/seat.

This approach would decimate regional representation and further disadvantage those that are most vulnerable in the regions.

By all known measures the Kimberley suffers from disadvantage at both an individual and regional level.

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- Our per person gross regional product is a mere \$89,089 compared to the whole of Western Australia's \$115,685.
- Two of our Shires are in the top ten most disadvantaged in Western Australia according the Socio-Economic Indexes for Australia 2016 with the Shire of Halls Creek second behind the remote central desert shire of Ngaanyatjarraku, which is also in the Mining and Pastoral Region.
- Our premature death rate, as a percentage of all deaths, is extremely high with two shires in the Kimberley ranking in the top 20 in Australia in 2018 (latest data). Halls Creek recorded the sixth highest in the nation at 87.5% with Wyndham East Kimberley coming in at number eighteen with 75%. In all Shires in the Kimberley, the rate of premature deaths was more than 70%. Others in the top 20 in Australia located in the Mining and Pastoral region include Karratha 87.5%, Port Hedland 82.1% and Kalgoorlie Boulder 74.8%. Sadly, suicide was the third most common cause of death between 2014-2018, behind coronary heart disease and diabetes.
- Our education system show a high prevalence of children entering school with two or more levels of developmental vulnerability and attrition for High School attendance leading to many of our youth being disenfranchised and without basic literacy and numeracy skills.

The data above is simply indicative of our issues which also include a litany of infrastructure failures that sees 4% of all deaths in the Kimberley occurring on our roads.

Changes to the existing arrangements require an absolute majority of 19 out of the 36 votes, however any reduction in the total number of seats requires a referendum. For the purposes of this submission it is considered by the KRG that there will be no reduction in the overall number of seats, rather the likelihood of a redistribution away from regional areas consistent with the powers of a constitutional majority.

We are not equal to metropolitan Perth, our level of disadvantage is far greater, and the removal of representation based on population alone is likely to exacerbate the high level of disadvantage already experienced. There is deep concern that this will become a Perth centric mathematical exercise rather than a more nuanced deliberation about recognising disadvantage and empowering local communities through ongoing and expanded participation in the democratic process to improve their communities, their lives and those of future generations.



1.2. Practical matters of representation

The Mining and Pastoral region represents one percent of the world's land mass and has one of the lowest population densities in Australia. The vast distances between communities, lack of regular inter-regional flights and, in many cases, the lack of commercial flights, means that access for elected members to meet and understand local concerns is curtailed. Any move to reduce representation will further exacerbate this issue, pushing representatives to, at best, have infrequent visits to more remote areas of our state.

The comparatively low voter turn-out is a reflection of this geographical tyranny. The machinations of a parliament, which can seem to conduct a Perth centric agenda, needs genuine engagement by the elected members to ensure the legislative framework is relevant to their lives, needs and aspirations. Decreasing representation will only exacerbate this issue.

1.3. Background to the Legislative Council

An understanding of the history of the Legislative Council is important in the deliberations of the future of this house. We recognise that change occurs over time, reflecting the needs of the state. Change should not, however simply favour the many, it should ensure that the voices of those distant, different or even disengaged are still part of the decision making process.

The legislative Council has a strong history from its foundation in 1832. It predates both the British Parliament Act enabling colonies to form Legislative Councils (1850) and the formation of the Western Australian Legislative Assembly (1890).

The first recognition of the north of the state (being above the 27th parallel) came in 1874 when the seat, appropriately called the "North", was created. By 1883 the North was increased to two representatives and the seat of Gascoyne was created. The seat of the Kimberley was created in 1887.

With the adoption of the bicameral system in 1890 (upper and lower houses) the Legislative Council returned to an appointed body and became a "House of Review". The Constitution Amendment Act of 1893 saw the Legislative Council return to being an elective house, now with seven provinces with three representatives each. With additions and boundary adjustments, this arrangement remained in place until the Constitutional Amendment Act (2) in 1963 which saw the abolition of the existing 10 three member provinces and the establishment of 15 two member provinces. The North Province represented the Kimberley and other regional northern areas. With the addition of the East Metropolitan Province in 1977, this structure remained in place until the Constitutional Amendment (Electoral Reform Act 1987) when the current six regions were established. The South West and North Metropolitan regions initially had seven members with the other seats returning five, however the 2005 reforms created the current six member representation for each region in the 2008 election.

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1.4. Considerations for the Review of the Legislative Council

Noting the composition of the Expert Panel, it is likely that the paper prepared by Professor John Phillimore and Graham Hawkes will inform the deliberations of the Expert Panel. The mathematical assessment and drive towards one-vote-one value is of deep concern when not undertaken with full knowledge of, and a weighting process for, the factors that jeopardize a regional voice in the Legislative Council.

Of the five proposals put forward in the paper by Professor Phillimore, three see Mining and Pastoral reduced to just three seats. The remaining two options see the abolition of Mining and Pastoral to form two regions (metro/non-metro) or the further collapse the regional voice to form a whole of state region which provides no guaranteed regional representation at all.

Whilst the term "equality" has been used in the Terms of Reference, the term equitable is a far more pragmatic, practical and sustainable approach to electoral reform.

This enables a consideration of relevant factors such as the economic importance of the region and levels of disadvantage. Western Australia's Gross Regional product (2019-20) sits at \$292b with the Mining and Pastoral Region contributing \$54.5b being some 18.7% of the total. If economic contribution was a factor then the current six seat distribution to Mining and Pastoral from a house of thirty-six would be mathematically appropriate.

Whilst regional economic contribution has a place in this discussion, it is recognised that the ballot box represents registered voters. That said, when the engine room of the state's economy is sparsely populated and many in the population suffer from extreme disadvantage, a weighting system must continue to be applied. To this effect, one-vote-one-value is rejected outright by the KRG unless it is coupled with a clear and transparent weighting system which recognises the matters contained in this submission.

Enlarging the geographical area is also a poor option as the current logistics of being a regional member of the Legislative Council are already challenging. If given a seat covering all non-metro or all of state, how much attention will be paid to those in the more remote parts of the bush? The spiral triggered by reduced representation may also see our disadvantaged even more marginalised, particularly in remote areas.

As a society it is unacceptable to establish a system of government that by its very structure precludes access by voters to their elected members. We run the risk of our regional voices becoming so muted that the government's understanding of the issues being faced is diminished to the point that liveability is eroded. We already see a drain as some of our best seek alternative places to live, work and raise families as they can access services including quality medical and educational facilities not available in the bush. This workforce drain reduces the capacity of regional businesses to service our major industry sectors. Whilst FIFO is a source of workers, it is not the only

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source and local business viability must be maintained. Local Governments would also face increasing challenges of finding and retaining qualified, experienced staff.

Finally, we would like to stress that the Legislative Council is a house of review and it is essential that all voices are heard through the debate that occurs to avoid unintended consequences as legislation is progressed into law.

That should be a fundamental principle guiding the work of the Expert panel, with a focus be on what the weightings are, and the values assigned to each to protect regional people, regional jobs and regional communities.

Whilst the KRG is not seeking to pre-empt a preferred outcome prior the findings of the Expert Panel being handed down, we seek your consideration of a far broader equity based discussion of the distribution of seats in the Legislative Council than maybe the case through strict adherence to the Terms of Reference.

1.5. National Context

It is acknowledged that not all States have Legislative Councils however abolition cannot occur in Western Australia without a referendum so an assumption has been made that is not a likely outcome of the deliberations of the Expert Committee. Further, of the states that have a Legislative Council, NSW and South Australia both have a "whole of state" electoral system, whilst Tasmania, Victoria and Western Australia have seats allocated by region. When comparing WA to other states however, the size of the state and distribution of the population delivers a very different outcome from what would occur in Western Australia. In Victoria, their largest seat covers 100,000km², whereas Mining and Pastoral, without any further boundary changes, covers an area of 2.2millionkm².

Western Australia, by land mass, is the largest in Australia and this must be considered in the formulation of new approaches. Our Australian Senate is an example of where, if one-vote-one value was applied, we would have a significant reduction in representation, down from 12 members to around eight, with NSW rising to 24, Victoria to 19 and Queensland to 15. We can only assume the State Government would not welcome a change to our representation on the national stage, just as residents in the regional and remote Western Australia object deeply to our voices being muted by insufficient representatives to service our vast area.



2. Comment on the Terms of Reference 2

2.1. *Options in relation to the Legislative Council's proportional representation system*

It would seem the current system where "vote harvesting" based on a commercial arrangement with a third party negotiator, rewarded financially on success, is not in keeping with the concept of democratic representation of regions. To this end, the KRG supports strategies to improve recognition of voter will. This may mean minimum thresholds prior to redistribution to a candidate and/or an enhanced system of voting above the line as used in the Senate.

11. GENERAL BUSINESS

11.1 COVID PATHWAY (Cr David Menzel)

Cr Menzel requested that the Kimberley Regional Group draft a letter seeking support from the National Cabinet and State Government to develop a COVID exit strategy specifically dealing with the finalisation of the rollout of vaccinations and certainty on border closure management, to ensure the future stability of business and the resilience of the economy.

The Executive Officer will circulate a draft letter to members for approval.

11.2 NORTH WEST DEFENCE ALLIANCE (Cr Geoff Haerewa)

Cr Haerewa sought clarification on the status of, and support for, the NWDA. The Executive Officer to seek clarification from the NWDA in relation to the objectives and role of the alliance and distribute to member councils.

11.3 HERITAGE SURVEY PROCESS (Cr Geoff Haerewa)

Cr Haerewa raised concerns regarding the lack of clarity on the underlying process surrounding aboriginal heritage survey clearances required under the Aboriginal Heritage Act 1972.

KIMBERLEY REGIONAL GROUP RESOLUTION:

(RECOMMENDATION)

Minute No. KRG/0621/015

Moved: G Haerewa

Seconded: M Edwards

That the Kimberley Regional Group contact the Kimberley Land Council to schedule a face to face meeting to increase understanding of requirements in relation to Aboriginal heritage survey clearances under the Aboriginal Heritage Act 1972 for road and other works in the Kimberley region.

CARRIED UNANIMOUSLY 5/0

11.4 STATE GOVERNMENT ELECTION COMMITMENTS (Cr Geoff Haerewa)

Cr Haerewa requested an update on outstanding State Government election commitments be circulated.

12. MATTERS BEHIND CLOSED DOORS

Nil.

13. MEETING CLOSURE

There being no further business the Chair declared the meeting closed at 3:34pm.