



Shire of Derby /
West Kimberley



**JOINT KIMBERLEY ZONE &
KIMBERLEY REGIONAL GROUP
Meeting**

**UNCONFIRMED
MINUTES**

2:00PM, 19 MARCH 2019

**Council Chambers, 2 Clarendon
Street, Derby**

SHIRE OF BROOME
KIMBERLEY REGIONAL GROUP
TUESDAY 19 MARCH 2019

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**MINUTES OF THE KIMBERLEY REGIONAL GROUP OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, 2 CLARENDON STREET, DERBY, ON TUESDAY 19
MARCH 2019, COMMENCING AT 2:00PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman welcomed Members and Officers and declared the meeting open at 2:02pm.

2. RECORD OF ATTENDANCE / APOLOGIES

ATTENDANCE:

Sam Mastrolembro	Shire of Broome
Cr Chris Mitchell	Shire of Broome
Cr Harold Tracey	Shire of Broome
Stephen Gash	Shire of Derby West Kimberley
Cr Geoff Haerewa	Shire of Derby West Kimberley
Cr Chris Kloss	Shire of Derby West Kimberley
Cr Paul White	Shire of Derby/West Kimberley
Carl Askew	Shire of Wyndham East Kimberley
Cr David Menzel	Shire of Wyndham East Kimberley
Cr Tony Chafer	Shire of Wyndham East Kimberley
Steven Deckert	Shire of Halls Creek
Cr Malcolm Edwards	Shire of Halls Creek
Cr Chris Loessl	Shire of Halls Creek
James Watt	Shire of Broome
Debra Goostrey	ATEA Consulting
Neil Thomson	ATEA Consulting
Greg Hayes	WALGA Roadwise
Tim Bray	Kimberley Development Commission
Lawford Benning	MG Corporation
Anne Banks-McAllister	WALGA
Zac Donovan	WALGA
Gordon MacMile	DLGSC
Steve Grimmer	City of Albany
Gerry Zoetelief	Main Roads WA

APOLOGIES:

David Price	Shire of Christmas Island
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Cr Gordon Thomson	Shire of Christmas Island
Cr Kee Heng Foo	Shire of Christmas Island
David Price	Shire of Christmas Island
Cr Gordon Thomson	Shire of Christmas Island
Cr Kee Heng Foo	Shire of Christmas Island
Andrea Selvey	Shire of Cocos (Keeling) Islands
Cr Tony Lacy	Shire of Cocos (Keeling) Islands
Cr Seriwati Iku	Shire of Cocos (Keeling) Islands
Natasha Mahar	Australia's North West

3. DECLARATION OF INTERESTS

FINANCIAL INTEREST			
Member	Item No	Item	Nature of Interest
Nil			

IMPARTIALITY			
Member	Item No	Item	Nature of Interest
Nil			

4. CONFIRMATION OF MINUTES

KIMBERLEY ZONE / KIMBERLEY REGIONAL GROUP RESOLUTION:
(RECOMMENDATION)
Moved: Cr Geoff Haerewa Seconded: Cr David Menzel
That the Minutes of the Kimberley Regional Group held on 4 December 2018, as published and circulated, be confirmed as a true and accurate record of that meeting.
Carried 4/0

5. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

6. PRESENTATIONS FROM REPRESENTATIVES

6.1 Royal Commission into Child Abuse and Redress

Gordon MacMile, DLGSC (Video Conference)

****Note lost audio comms – follow up questions*

6.2 Integrated Planning & Reporting Peer Support Program

Anne Banks-McAlister, WALGA
Steve Grimmer, City of Albany

6.3 MG Corporation

Lawford Benning, CEO

7. REPORTS FROM REPRESENTATIVES

- 1. Regional Development Australia - Update**
Chris Mitchell, Executive Officer RDA Kimberley
- 2. Kimberley Development Commission – Update**
Tim Bray, KDC
- 3. WALGA Roadwise – Update**
Greg Hayes
- 4. Main Roads – Update**
Gerry Zoetelief, Main Roads WA

8. REPORTS FROM KIMBERLEY COUNTRY ZONE

8.1 LOCAL GOVERNMENT ACT REVIEW SUBMISSION

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 February 2019

SUMMARY: For the Kimberley Zone of the Western Australian Local Government Association (WALGA) to endorse a submission to WALGA in response to their Advocacy Positions on the Department of Local Government, Sport and Cultural Industries (DLGSC) Local Government Act Review.

BACKGROUND

Previous Considerations

Nil.

On 20 June 2017, the State Government announced that a review of the *Local Government Act 1995* (the Act) would be undertaken. The McGowan Government decided to progress this review and DLGSC commenced public consultation in November 2017.

The review is being undertaken in two phases and is supported by a reference group with representation from the Western Australian Local Government Association (WALGA), Local Government Professionals Australia (WA), Western Australian Electoral Commission, Western Australian Council of Social Service, Regional Chamber of Commerce and Industry and the WA Rangers Association.

This is the first major review since the Act was introduced more than 20 years ago. The objective of the review is to introduce changes that will modernise the Act with the intent of reducing red tape and empowering local governments to better deliver for their communities.

Following phase 1 of the Local Government Act Review, the State Government announced policy positions on priority reforms sourced from the DLGSCI website; <https://www.dlgsc.wa.gov.au/localgovernment/strengthening/Pages/Local-Government-Act-Review-policy-positions.aspx>. The State Governments intent is to introduce legislation prior to the end of the year, an Amendment Bill based on theses priority reforms is currently underway.

Phase 2 of the Local Government Act Review is now open for local government and community comment. This phase focuses on nine key topic areas:

1. Beneficial enterprises
2. Financial management
3. Rates, fees and chargers
4. Administrative efficiencies – local laws
5. Council meetings
6. Interventions
7. Community engagement – IPR
8. Complaints management
9. Elections

These topic areas are outlined in discussion papers sourced from the DLGSC website; <https://www.dlgsc.wa.gov.au/localgovernment/strengthening/Pages/LG-Act-Review.aspx>

On the 16 November 2018, WALGA wrote to local governments requesting feedback on their State Council Advocacy Positions (attachment 1).

DLGSC held community workshops in Kununurra on 29 October 2018 and Broome on 5 November 2018. Representatives from all Zone member councils were invited to attend these workshops. Feedback from the West Kimberley and East Kimberley consultation sessions is attached (attachment 2 and 3 respectively).

COMMENT

The following process was followed to prepare a draft submission on the WALGA advocacy positions;

1. Reviewed background information.
2. Compiled feedback received through DLGSC consultation period (attachment 2 and 3).
3. Present draft Submission on WALGA Advocacy Positions (attachment 1) to the Zone with request for endorsement.

Below is a summary of what is included in the Draft Submission to WALGA;

WALGA LOCAL GOVERNMENT ACT REVIEW PRINCIPLES

That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:

- (a) Uphold the General Competence Principle currently embodied in the Local Government Act;**

(b) Provide for a flexible, principles-based legislative framework; and

(c) Promote a size and scale compliance regime.

Kimberley Zone Response

Supportive - WALGA's general principles viewed as fundamental in considering changes to the Local Government Act.

1. Beneficial Enterprises

WALGA Position Statements

'The Local Government Act 1995 should be amended to enable Local Governments to establish Beneficial Enterprises (formerly known as Council Controlled Organisations).'

Kimberley Zone Response

Supportive - positive opportunities for the local community where managed effectively through legislation. The establishment of Beneficial Enterprises should be decided on by Council vote after prolific community consultation. Criteria should be established to ensure that enterprises are not in competition with existing local businesses.

2. Financial Management

Tender Threshold

'WALGA supports an increase in the tender threshold to align with the State Government tender threshold of \$250 000, with a timeframe of one financial year for individual vendors.'

Kimberley Zone Response

Supportive – set tender thresholds in Regulations rather than the Act.

Procurement

'That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity'.

Kimberley Zone Response

Supportive.

Power to Borrow: Section 6.20

'That Section 6.20(2) of the Local Government Act, requiring one month's public notice of the intent to borrow, be deleted'.

Kimberley Zone Response

Supportive – Respondents over the consultation period stressed the burden this places on resources.

Basis of Rates: Section 6.28

'That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives including simplifying and providing consistency in the rating of mining activities'.

Kimberley Zone Response

Supportive.

Basis of Rates: Section 6.28

‘That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives including simplifying and providing consistency in the rating of mining activities’.

Kimberley Zone Response

Supportive.

Differential General Rates: Section 6.33

That Section 6.33 of the Local Government Act be reviewed in contemplation of time-based differential rating, to encourage development of vacant land.

Kimberley Zone Response

Supportive.

Member Interests – Exemption from AASB 124

‘Elected Member obligations to declare interest are sufficiently inclusive that WALGA seeks an amendment to create an exemption under Regulation 4 of the Local Government (Financial Management) Regulations relating to AASB 124 ‘Related Party Transactions’ of the Australian Accounting Standards (AAS)’.

Kimberley Zone Response

Supportive.

3. Rates, Fees and Charges

Imposition of Fees and Charges: Section 6.16.

‘That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services’.

Kimberley Zone Response

Supportive - investigate opportunities to improve methodology around the calculation of fees and charges.

Rates Exemptions – Charitable Purposes: Section 6.26(2)(G)

- ‘1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997;**
- 2. Either:**
 - (a) amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or**

(b) establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates; and
3. Request that a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act’.

Kimberley Zone Response

Supportive – clarity around who the exemption applies to was strongly supported by respondents during the consultation period.

The Kimberley Zone supports the proposal to amend the Act to clarify exemptions in relation to Independent Living Units.

Rating Exemptions – Rate Equivalency Payments

‘Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government’.

Kimberley Zone Response

Supportive – Respondents during the consultation period showed unanimous support of compensation being paid to local government for services provided to Government Trading Entities.

Local Government Grants Commission and Local Government Advisory Board.

WALGA seeks inclusion of a proposal to allow electors of a Local Government affected by any boundary change or amalgamation proposal entitlement to petition the Minister for a binding poll under Schedule 2.1 of the Local Government Act.

Kimberley Zone Response

Neutral – Changes of this nature would probably have little impact on the Kimberley Zone's within the Kimberley Zone considering the topographical circumstances in our region.

Schedule 2.1 Proposal to the Advisory Board, Number of Electors

That Schedule 2.1 Clause 2(1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change increase from ‘250 (or 10% of electors) to 500 (or 10% of electors) whichever is fewer.

Kimberley Zone Response

Supportive – percentage thresholds provide a more representative indication of community support and translates across local governments of differing sizes.

Schedule 2.2 Proposal to Amend Names, Wards and Representation, Number of Electors

‘That Schedule 2.2 Clause 3(1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 10% of electors) to 500 (or 10% of electors) whichever is fewer’.

Kimberley Zone Response

Supportive – percentage thresholds provide a more representative indication of community support and translates across local governments of differing sizes.

Transferability of Employees Between State & Local Government (Questions 82-84)

A General Agreement between State and Local Government should be established to facilitate the transfer of accrued leave entitlements (annual leave, sick leave, superannuation and long service leave) for staff between the two sectors of Government. This will benefit public sector employees and employers by increasing the skills and diversity of the public sector, and lead to improved collaboration between State and Local Government.

Kimberley Zone Response

Supportive – provided consideration is given to potential skill shortages being created through the interchange. Potential to extend this initiative throughout local governments in Australia.

Proof in Vehicle Offences May be Shifted: Section 9.13(6)

That Section 9.13 of the Local Government Act be amended by introducing the definition of 'responsible person' to enable Local Governments to administer and apply effective provisions associated with vehicle related offences.

Kimberley Zone Response

Supportive.

4. Council Meetings**Electors' General Meeting: Section 5.27**

Section 5.27 of the Local Government Act 1995 should be amended so that Electors' General Meetings are not compulsory.

Kimberley Zone Response

Supportive – there is a lack of attendance at Annual Electors Meeting, annual reports can be adopted at Ordinary Meetings of Council, Public Question Time allows electors to ask questions at any Ordinary Meeting.

Special Electors' Meeting: Section 5.28

That Section 5.28(1)(a) be amended:

- (a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is fewer; and**
- (b) to preclude the calling of Electors' Special Meeting on the same issue within a 12 month period, unless Council determines otherwise.**

Kimberley Zone Response

Supportive – comments made during the consultation period were around the necessity of specifying a number when the percentage should suffice.

Minutes, Contents of: Regulation 11

Regulation 11 should be amended to require that information presented in a Council or Committee Agenda must also be included in the Minutes to that meeting.

Kimberley Zone Response

Supportive – Respondents during the consultation period supported this amendment. Having all the information recorded in the minutes creates transparency. Now that minutes can be recorded and viewed electronically there is reduced printing requirements involved in making these documents accessible.

Revoking or Changing Decisions: Regulation 10

That Regulation 10 be amended to clarify that a revocation or change to a previous decision does not apply to Council decisions that have already been implemented.

Kimberley Zone Response

Supportive – respondents were unanimously supportive of more clarity around Regulation 10 would be helpful in determining what is considered an implemented decision, especially when legal contracts are also involved or implications when revoking decisions on delegations.

Elected Member Attendance at Council Meeting by Technology

The current Local Government (Administration) Regulations 1996 allows for attendance by telephone, however only if approved by Council and in a suitable place. A suitable place is then defined as in a townsite as defined in the Land Administration Act 1997. This restricts an Elected Members ability to attend the meeting to a townsite in Western Australia.

This requirement does not cater for remote locations or the ability to attend via teleconference whilst in another state or overseas. The regulations require amendment to consider allowing attendance at a meeting via technology from any location suitable to a Council.

Kimberley Zone Response

Supportive – consultation also showed unanimous support from respondents. Other advantages stated were greater participation opportunities for remote communities.

5. Interventions

Remedial Intervention Powers of Appointed Person; Remedial Action Process

In respect to remedial intervention, the appointed person should be a Departmental employee with the required qualifications and experience. This provides a connection back to the Department and its requirements.

The appointed person should only have an advice and support role. Funding of the remedial action should be by the Department where the intervention is mandatory. The Local Government to pay where the assistance is requested.

This area relates to the bigger picture of differentiating between Local Governments based on their size and scale. Suitable arrangements to determine a size and scale compliance regime should be prioritised.

Supportive of the overall objectives. Comments were also made suggesting the Department should shift their focus from policing local government compliance to prevention of breaches through local government capacity building.

Kimberley Zone Response

Zone members did not have any specific comments in relation to proposals but were supportive of the overarching objective that a scale of remedial actions is need.

6. Community engagement – IPR

No WALGA Advocacy Positions.

7. Complaints Management

Querulous, Vexatious and Frivolous Complaints

The Complaints Management commentary contemplates the issue up to the point of unresolved complaints and then references the Ombudsman resources with regard to unreasonable complainants. WALGA seeks inclusion of commentary and questions relating to Local Governments adopting within their proposed complaints management framework, the capacity to permit a Local Government to declare a member of the public a vexatious or frivolous complainant, subject to the declaration relating to the nature of complaint and not to the person.

Amend the Local Government Act 1995, to:

- **Enable Local Government discretion to refuse to further respond to a complainant where the CEO is of the opinion that the complaint is trivial, frivolous or vexatious or is not made in good faith, or has been determined to have been previously properly investigated and concluded, similar to the terms of section 18 of the Parliamentary Commissioner Act 1971.**
- **Provide for a complainant, who receives a Local Government discretion to refuse to deal with that complainant, to refer the Local Government's decision for third party review.**
- **Enable Local Government discretion to declare a member of the public a vexatious or frivolous complainant for reasons, including:**
 - **Abuse of process;**
 - **Harassing or intimidating an individual or an employee of the Local Government in relation to the complaint;**
 - **Unreasonably interfering with the operations of the Local Government in relation to complaint.**

Kimberley Zone Response

Supportive –consultation across the Kimberley Zone's also saw unanimous support for establishing standard complaint management charters. Comments were made supporting the need for clear definitions around complaints that potentially could result in a breach of the Act and general complaints. Respondents thought that, where a complaint could result in a breach a Standards Panel should assess the complaint. There was a strong emphasis placed on zero tolerance to abuse of Councillors or local

government employees. Comments were also made that duty of care provisions need to be established around mental health.

8. Elections

Conduct of Postal Elections: Sections 4.20 and 4.61

The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and or any other third-party provider to conduct postal elections.

Kimberley Zone Response

Supportive.

Voluntary Voting: Section 4.65

Voting in Local Government elections should remain voluntary.

Kimberley Zone Response

Supportive - Respondents in the consultation period supported elections remaining voluntary. Comments made were concerned about the financial costs to local governments.

Method of Election of Mayor/President: Section 2.11

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

Kimberley Zone Response

Supportive of being able to determine the method of election.

Online Voting

That WALGA continue to investigate online voting and other opportunities to increase voter turnout.

Kimberley Zone Response

Supportive.

Elections should be conducted utilising the first-past the post (FPTP) method of voting.

Kimberley Zone Response

Supportive - Respondents in the consultation period recommended Council having the final say on voting methods. This aligns with WALGA's principle (b), provide for a flexible, principles-based legislative framework.

Leave of Absence When Contesting State or Federal Election

Amend the Act to require an Elected Member to take leave of absence when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:

(i) that an Elected Member remove themselves from any decision-making role and not attend Council and Committee meetings; or

(ii) that an Elected Member take leave of absence from all aspects of their role as a Councillor and not be able to perform the role as specified in Section 2.10 of the Local Government Act.

Kimberley Zone Response

Supportive.

CONSULTATION

Department Local Government, Sport and Cultural Industries
Western Australian Local Government Association

STATUTORY ENVIRONMENT

Local Government Act 1995

RISK

The Local Government Act 1995 governs all functions and responsibilities of local governments, elected members and employees.

This is the first major review of the legislation in more than 20 years. Not making a submission will be a missed opportunity to influence the review, and risk that issues of importance to the Kimberley Zone will not be considered. Further, there are some issues where the Kimberley Zone's position differs to the policy position endorsed by WALGA.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Simple Majority

<u>KIMBERLEY ZONE RESOLUTION:</u>	
(RECOMMENDATION)	
Moved: Cr David Menzel	Seconded: Cr Geoff Haerewa
That the Kimberley Zone:	
1. Endorse the submission to the Western Australian Local Government Association on their State Council endorsed Local Government Act Review Advocacy Positions.	
2. Request the Secretariat forward the submission at attachment 4 to the Western	

Australian Local Government Association.

Carried 4/0

Attachments

1. WALGA State Council Advocacy Positions
2. DLGSC Local Government Act Review Consultation - West Kimberley
3. DLGSC Local Government Act Review Consultation - East Kimberley
4. Kimberley Zone Submission - Phase 2 Local Government Act Review

8.2 WALGA STATE COUNCIL AGENDA AND PRESIDENT'S REPORT

LOCATION/ADDRESS: Kimberley Region
APPLICANT: Nil
FILE: KRG1
AUTHOR: Zone Executive
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Corporate Services
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 6 March 2019

SUMMARY: To consider the recommendations on Matters for Decisions that will be considered at the WALGA State Council meeting on 27 March 2019, and to note the WALGA State President Report for March 2019.

BACKGROUND

Previous Considerations

Nil.

COMMENT

See table below.

	Matters for Decision	WALGA Recommendation	Zone Recommendation
5.1	Local Government Act Review – Sector Positions Following Feedback from Submissions (05-034-01-0001 TB)	That WALGA endorse and submit to the Minister for Local Government and the Department of Local Government, Sport and Cultural Industries:1. The Local Government Act Review Report contained in this agenda; and, 2. The attached WALGA Advocacy Positions.	Support Note – the proposed Zone position/submission has been provided to WALGA with updates to follow post the 19 March meeting.
5.2	Economic Development Project (05-088-03-0001 DM)	That State Council endorses the: 1. Local Government Economic Development: Research Findings and Future Directions Discussion Paper; and, 2. Local Government Economic Development Framework.	Support Non-prescriptive guidance largely consistent with the activities of Shire's in the Kimberley.

5.3	Interim Submission to Salaries and Allowances Tribunal – Elected Member Fees and Allowances (05-034-01-0019 TL)	That the interim submission to the Salaries and Allowances Tribunal relating to Elected Member Fees and Allowances be endorsed.	Support The submission recommends an unspecified increase in remuneration.
5.4	Review of the Administrative Road Classification Methodology - Regional Roads within Rural/Non Built Up Areas (05-001-03-0033 MM)	That State Council supports the proposed Administrative Road Classification Methodology - Regional Roads within Rural/Non Built Up Areas.	Support The documentation clarifies the criteria for assessment of any road to come under the care and jurisdiction of Main Roads
	Interim Submission – Draft Position Statement: Container Deposit Scheme Infrastructure (05-036-03-0064 VJ)	That the interim submission to the WA Planning Commission on Draft Position Statement: Container Deposit Scheme Infrastructure, be endorsed.	Support The position paper seeks to increase the flexibility for LG's to choose their involvement with changes such as “will adopt” to “will consider” and seeks threshold for engagement rather than all container deposit scheme activities.
	Interim Submission – Parliamentary Inquiry into Short-Stay Accommodation (05-036-03-0016 CH)	That the interim submission to the Economics and Industry Standing Committee's Inquiry into Short-Stay Accommodation be endorsed.	Support Supports LG control of short stay accommodation and increase in rates for those properties from residential to one reflective of commercial activities
	Interim Submission – State Planning Policy 2.4 Basic Raw Materials (05-036-03-0017 CH)	That the interim submission to the Western Australian Planning Commission on draft State Planning Policy 2.4 Basic Raw Materials and the Draft Basic Raw Materials Guidelines be endorsed.	Support Identifies key issues such as the lack of clarity around LG extraction of basic raw materials for road maintenance etc with the potential need to apply to itself for a DA.
	Community Policy Reform Project (05-018-02-0010 KD)	That State Council receives the Community Policy Reform Report and endorses the establishment of a Community Technical Reference Group.	Support The Project identified challenges and opportunities for improvement within LG systems and processes, strategies, policies and tools, and determined some high level recommendations to proceed in addressing them.
	Submissions – Draft WA Cultural Infrastructure Strategy (05-012-03-0015 SM)	That the Submission on the Draft WA Cultural Infrastructure Strategy be endorsed.	Support Advocates for the strategy to promote social, cultural, environmental and economic sustainability and for funding for preparation of LG Cultural

			Plans.
	Interim Submission - Public Health Act 2016 Aquatic Facilities and Public Buildings Regulation Review (05-031-01-0001 EDR)	That the Interim Submissions provided to the Department of Health Public Health Act 2016 Discussion Papers on Regulations for Aquatic Facilities and Public Buildings be endorsed.	Supported Opted for regulation and Code of Conduct for management of public health risks for aquatic facilities and regulation for managing public health risks in public buildings.
	WA Foodborne Illness Reduction Strategy (05-031-01-0001 EDR)	That the WA Foodborne Illness Reduction Strategy 2018-2021+ be endorsed.	Support A risk management approach is taken, with more support for LG's (workshops/training). The strategy will not increase costs to LG's.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995
Public Health Act 2016

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

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

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY ZONE RESOLUTION:
(RECOMMENDATION)
Moved: Cr Malcolm Edwards Seconded: Cr Chris Mitchell
That the Kimberley Zone:

- 1. Notes the WALGA President's March 2019 Report;**
- 2. Notes the State Council Agenda Items;**

- 3. Notes the additional comments by the Kimberley Zone; and**
- 4. Supports the recommendations in the Matters for Decision.**

Carried 4/0

Attachments

- 1. STATE COUNCIL AGENDA - 27 MARCH 2019
- 2. WALGA PRESIDENT'S REPORT MARCH 2019

9. REPORTS FROM KIMBERLEY REGIONAL GROUP

9.1 UPDATE ON KIMBERLEY REGIONAL GROUP JUNE FORUM	
LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 February 2019

SUMMARY: This item provides an update on planning for the Kimberley Regional Group Forum in June.

BACKGROUND

Previous Considerations

An out of session Agenda item was circulated which confirmed both the theme and date of the Forum (Attachment 1).

COMMENT

The current details of the Forum are as follows:

Item	Update
Date	10 June
Venue	Mangrove Hotel; dinner venue to be confirmed
MC	Gerry Gannon (http://www.gerrygannon.com.au)
Duration	1 day plus dinner; Zone meeting the following morning
Theme	New opportunities are emerging in the North. Increasing diversification in mining, changes to State Government policies and alternative energy development are actively being explored and may transform the face of the north. How can local government help to power this new economy? The forum will be a thought-provoking day considering these new opportunities and what they could mean to the regional economy. Join us as we look at how the regions can effectively position themselves to capture benefits throughout the value chain to drive positive economic and social outcomes.

Speakers	To be confirmed
Sponsorship	Sponsors will be advised as soon as possible.

CONSULTATION/STAKEHOLDERS

Northern Territory Local Governments

Pilbara Local Governments

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Forums are underwritten by \$20,000 with an expectation of a break-even outcome.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Simple Majority

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

Moved: Cr Geoff Haerewa Seconded: Cr Malcolm Edwards

That the Kimberley Regional Group notes the update on the Kimberley Regional Group Forum.

Carried 4/0

Attachments

1. KRG Circular Resolution 24 February 2019 - Forum Theme, Date and Location

9.2 FUNDING FOR ABORIGINAL HOUSING IN REMOTE COMMUNITIES

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	26 February 2019

SUMMARY: To clarify the funding rationale used by State and Federal Governments for the North West Aboriginal Housing Fund.

BACKGROUND

Previous Considerations

This matter was discussed at the December 2018 meeting with the following resolution passed:

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

COMMENT

There are two key funding arrangements for Aboriginal Housing and the current status is provided below.

1. The North West Aboriginal Housing Fund.

The North West Aboriginal Housing Fund (NWAHF) is a \$175 million initiative of the State Government with the Federal Government contributing \$25 million. The rationale for the program is to support Aboriginal people in social housing to transition into home ownership or private rentals. The fund uses a "strength-based approach" with requirements including children attending schools and adults working, along with a history of excellent home management. The program has a value of \$200 million and a life of four years to 2020.

The program is managed by the Regional Services Reform Unit (RSRU) which seeks to leverage investment by Aboriginal Corporations that fit within the objectives of the program through a co-design program approach.

A meeting was held in Perth with the Manager of the NWAHF, Stephanie Shorter, on 7 February 2019, who agreed to attend a Zone meeting to provide an update. The RSRU are currently reviewing their approach to include innovative models and will be seeking expressions of interest from stakeholders, including Local Government. The RSRU is

undertaking a “road show” in the Kimberley in March 2019 to discuss opportunities in the region.

As remote communities do not have the opportunity for private home ownership this program primarily operates in the urban centres and town-based reserves.

In addition to housing construction, the NWAHF also provides funding for large refurbishment projects. The fund uses a builder panel that commits to Aboriginal employment targets.

2. National Partnership Agreement on Remote Housing

The National Partnership Agreement on Remote Housing is the funding agreement between the State and Commonwealth Government that supports remote Aboriginal Communities. This agreement expired in June 2018 and, at the time of the last Zone meeting, was still the subject of intense debate between the State and Federal governments. The original offer was for \$60 million over three years with no further funding commitment.

On 7 December 2018 the State Government announced agreement had been reached on a \$121 million deal. The Commonwealth holds the view that this will be a final funding contribution before the State Government takes over complete responsibility for WA's remote housing.

While acknowledging this position, the State Government has reserved its right to negotiate with any future Federal Government and strike long-term funding arrangements that provide for the advancement and interests of people living in remote communities. The previous agreement was for \$1.1 billion over ten years.

Western Australia currently spends about \$90 million annually supporting housing and essential services such as power, water and waste management in about 165 remote communities across the State.

Considerations

Given both programs are due to expire in 2020, there may be disruption in the provision of housing to Aboriginal people with potential roll on impacts over crowding and poor living conditions.

CONSULTATION/STAKEHOLDERS

Regional Services Reform Unit

North West Aboriginal Housing Fund

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Yes.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective engagement with Aboriginal governance structures.

Recognition of Kimberley Local Government issues and opportunities.

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

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

Liveable towns supporting regional communities.

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

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

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region.

VOTING REQUIREMENTS

Simple Majority

<p><u>KIMBERLEY REGIONAL GROUP RESOLUTION:</u></p> <p>(RECOMMENDATION)</p> <p>Moved: Cr Geoff Haerewa Seconded: Cr Malcolm Edwards</p> <p><i>That the Kimberley Regional Group notes the briefing, monitors the funding of Aboriginal Housing and invites the Manager of the North West Aboriginal Housing Fund to speak at a future meeting of the Joint Kimberley Zone and Kimberley Regional Group.</i></p> <p style="text-align: right;"><i>Carried 4/0</i></p>

Attachments

Nil

9.3 DRAFT REGIONAL WASTE MANAGEMENT PLAN

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	26 February 2019

SUMMARY: The Kimberley Regional Group (KRG) commissioned a review of the Regional Waste Management Plan and a draft was noted at the December 2018 Joint Zone KRG meeting and referred to member Shire's for consideration.

Previous Considerations

- A workshop was held in conjunction with the October Joint Zone KRG meeting in Broome.
- The draft Regional Waste Management Plan was developed in collaboration with member Shire's.
- The draft Regional Waste Management Plan was noted at the December Joint Zone KRG meeting in Darwin and referred to member Shire's for consideration.

COMMENT

ASK Waste Management were contracted to work with member Shire's to update the Regional Waste Management Plan which was completed in December 2018 with copies circulated to member Shire's shortly prior to the December 2018 Zone meeting.

Given the short timeframe for consideration of the draft report, the report was noted, and member Shire's given the period between meetings to consider the contents. The findings and recommendations were discussed and negotiated with member Shire's prior to the completion of the Report and were discussed at the Waste TAG meeting held 7 March 2019. Some member Shire's have not yet under taken the full review process and there will be some changes to the document including changing the Education Officer role to a low priority due to funding constraints, clarification of the role of the Regional Waste Coordinator (scope and budget allocation) along with some additional activities to encourage recycling/diversion in some member Shire's.

The implementation of the Waste Management Plan will be informed by the business case analysis in the Integrated Waste Management Plan funded by the Shire of Broome. This is consistent with the Zone Regional Business Plan items 2.2.2.1 & 2.2.2.2, being:

- Item 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.

- Item 2.2.2.2 Develop a KRG Business Case to consider the capital funding requirements of a regional Integrated Waste Management Plan.

Projects associated with the implementation of the Regional Waste Management Plan will be considered at the March 2019 budget workshop.

CONSULTATION/STAKEHOLDERS

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

Environment Protection Act 1993

Environment Protection Regulations 2009

Environment Protection (Waste to Resources) Policy 2010.

FINANCIAL IMPLICATIONS

There are commitments within the plan that will have financial implications for Shire’s including staffing and equipment.

STRATEGIC IMPLICATIONS

Natural Environment Goal – Responsible management of the environment

Integrated waste management

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That the Kimberley Regional Group gives in-principle support for the plan and instructs the Secretariat to write to each Shire seeking their formal support of the Regional Waste Management Plan.

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Malcolm Edwards

That the Kimberley Regional Group:

- 1. Gives in-principle support for the Regional Waste Management Plan and instructs the Secretariat to write to each Shire seeking their formal support of the plan subject to the following amendments:**
 - a. removal of reference to a Regional Waste Coordinator;**

b. amendment to the Regional Waste Education Officer to a 'lower priority';
c. inclusion of individual member Council priority projects.

2. Requests the Secretariat to review priority projects for inclusion in the 2019/20 Kimberley Regional Group budget utilising Executive Officer resourcing to progress.

Carried 4/0

REASON: TO PROVIDE CLARITY MEMBER COUNCIL POSITIONS IN RELATION TO THE REGIONAL WASTE MANAGEMENT PLAN AND CONFIRM PROJECTS FOR POSSIBLE INCLUSION IN THE KIMBERLEY REGIONAL GROUP BUDGET IN 2019/2020.

Attachments

1. DRAFT Kimberley Regional Waste Management Plan

9.4 ATEA CONSULTING - EXECUTIVE REPORT

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	3 March 2019

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

BACKGROUND

Previous Considerations

Nil.

COMMENT

The Kimberley Zone of WALGA (Zone) and the Kimberley Regional Group (KRG) appointed ATEA Consulting on the 22 July 2018 to perform the role of part-time Executive Officer. This report provides an overview of the activities undertaken by ATEA Consulting in the period to 21 February 2019 and is attached for consideration.

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

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Geoff Haerewa

That the Kimberley Zone notes the report provided by ATEA Consulting.

Carried 4/0

Attachments

1. ATEA CONSULTING - EXECUTIVE REPORT

9.5 EXECUTIVE & ADMINISTRATIVE CONSULTANCY SUPPORT - HOURS AND CONTRACT VARIATION

LOCATION/ADDRESS: Nil
APPLICANT: Nil
FILE: KRG01
AUTHOR: Director Corporate Services
CONTRIBUTOR/S: Nil
RESPONSIBLE OFFICER: Director Corporate Services
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 4 March 2019

SUMMARY: This report considers an increase in the allocated annual executive and administrative support hours and resources required by the group, and presents options and a recommendation to the group.

BACKGROUND

Previous Considerations

5 March 2018 Item 9.3
 30 April 2018 Item 9.3
 2 July 2018 Item 9.3

In late 2017 the Shire of Broome agreed to undertake the Secretariat for the Kimberley Zone and Kimberley Regional Group (Zone / KRG). During the initial phases of the Secretariat transition the resourcing model for the group were discussed and a Request for Quote (RFQ) was developed to ascertain costs of engaging a consultant against the costs of employing a full-time resource.

In developing the RFQ the following budget allocations were used to compare costs:

Project Manager Budget Allocations	
Salary	\$142,000
Vehicle Expenses	\$18,244
Office Expenses	\$10,569
Training and Development	\$2,500
Total annual costs	\$173,313

The RFQ requested that respondents provide rates for executive and administrative consultancy services for a total of 65 days (520 hours) and 22 days (176 hours) respectively.

Responses to the RFQ were considered at the 2 July 2018 Joint Meeting and the following resolution was passed:

KIMBERLEY REGIONAL GROUP RESOLUTION (RECOMMENDATION):

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

That the Kimberley Regional Group:

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

Moved: Shire of Broome Seconded: Shire of Halls Creek

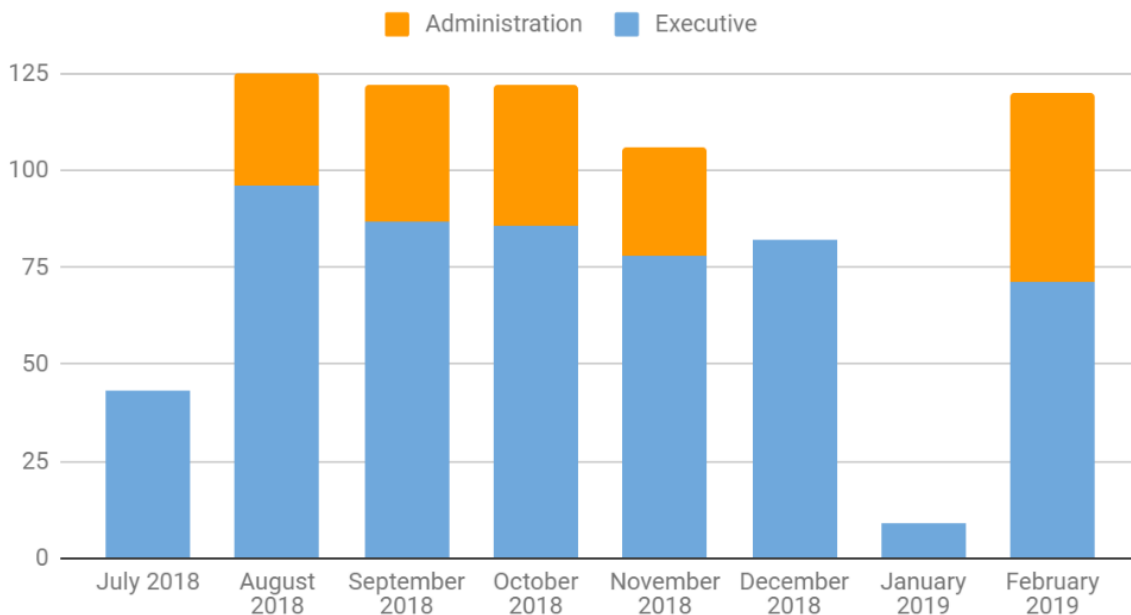
**FOR: 4
AGAINST: 0**

It should be noted that the \$174,570 contract allocation relates to the annual figure provided by ATEA in their response to the RFQ, being \$87,285 annually.

Subsequent to the resolution ATEA were engaged and have been providing executive and administrative support services for the group for nearly 7 months. As alluded to in the December Consultants Report the annual allocated hours have been utilised and a decision is required on whether further hours are required by the group.

A summary of support hours provided to date is documented in the table below.

Contract Hours YTD



At the time of writing this report, ATEA had utilised all Executive and Administrative time:

March 2019: Executive Contract: 65 days/ 520 hours
 Executive Hours used: 559
 Administrative Contract: 22 days / 176 hours
 Administrative Hours used: 183

COMMENT

When developing the request for quote documentation it was recognised that the amount of executive and administrative support hours required was largely unquantifiable.

The RFQ was deliberately conservative and was intended to provide a set minimum hours against which the group could assess the successful respondents capability and suitability, with a view to extending hours in the future. Proponents were also asked to provide a fixed hourly rate proposal should circumstances require an extension of the role beyond the estimated 520 / 176 hours.

ATEA Consulting’s fixed hour price provided savings on the amount originally budgeted for the Project Manger. It was stated in the original item that these savings could be used to increase the amount of executive officer or administrative consultancy hours up to the budgeted amount of \$142,000. This would equate to an additional 456 executive hours, 541 administrative hours, or a combination of the two.

Analysing ATEA's timesheet and invoices suggests that a monthly allocation of 80 executive and 30 administrative hours would provide sufficient time to provide a similar level of service as that received currently. Based on these figures it is recommended that the following extension to hours is provided within the savings from the \$142,000 salary savings for the full-time position, pursuant to agreement from ATEA.

Executive Hours (\$130)	320	\$41,600
Administrative Hours (\$110)	120	\$13,200
Total	440	\$54,800

Alternatively, the group could decide to draw on the contract hours allocated to the second year of the contract, however this would leave few hours remaining to undertake activities in the 2019/20 year.

It should be noted that ATEA Consulting undertook a review of the Strategic Community Plan and Regional Business Plan in 2018. There was an amount of \$14,000 originally budgeted for this review to be undertaken by an external consultant which is now no longer required. It is recommended that these funds are utilised to increase ATEA consultant hours.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

\$54,800 is required to fund the 440 additional hours.

It is recommended that \$14,000 allocated to account 22146 Strategic Community Plan, which is no longer required, is transferred to account 22181 Executive Consultancy.

The remaining \$40,800 will need to be drawn from the surplus.

Should the group approve the extension to hours as recommended, a \$26,706 end of year surplus position is predicted.

The March agenda also includes an item recommending a contract variation to facilitate the development of supporting documents for the Tanami Road Business Case, which if approved would impact the available surplus. Should both of these items be endorsed the overall impact is a predicted end of year surplus of \$19,391.

It should be noted that a number of amendments have been proposed in the mid year financial activity report to be considered by the group at this meeting. A number of projects have been identified for carryover, however it is not recommended that funds from these projects are used to fund consultancy hours. The group could choose to utilise those funds should the projects no longer be required or considered relevant.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Absolute Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Malcolm Edwards

That the Kimberley Regional Group:

- 1. Notes the high level of activity and support provided by ATEA in their Executive Consultant role to date;**
- 2. Approves an increase to ATEA Consulting's 2018/19 contract of:**
 - a. 320 Executive hours, up to a maximum value of \$41,600, inclusive of GST; and**
 - b. 120 Administrative hours, up to a maximum value of \$13,200, inclusive of GST;**
- 3. Requests the Secretariat to action budget amendments:**
 - a. Authorising a transfer of \$14,000 from account 22146 Kimberley Zone – Strategic Community Plan to account 22181 Kimberley Zone – Executive Consultancy;**
 - b. Allocating \$27,600 from account 23597 Kimberley Zone Reserve to account 22181 Kimberley Zone – Executive Consultancy;**
 - c. Allocating \$13,200 from account 23597 Kimberley Zone Reserve to account 22182 Kimberley Zone – Administrative Consultancy;**
- 4. Notes that Executive and Administrative consultancy hours required for 2019/20 will be reviewed as part of the 2019/20 budget process; and**
- 5. Notes the impact on the end of year surplus position as a result of these budget**

amendments.

CARRIED BY ABSOLUTE MAJORITY 4/0

Attachments

Nil

9.6 TANAMI ROAD SUPPORT DOCUMENTATION - CONTRACT VARIATION

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	28 February 2019

SUMMARY: This report provides an update to the group on the recent engagement of ATEA Consulting through a contract variation to develop supporting documentation for the Tanami Road Business Case.

BACKGROUNDPrevious Considerations

3 September 2018	Item 9.1
4 December 2018	Item 11.6

A delegation of the Kimberley Regional Group (KRG) travelled to Canberra on 18 and 19 February to meet with senior members of the Government and Opposition to promote the project to seal the Tanami Road.

In attendance were:

- Malcolm Edwards, Shire President, Shire of Halls Creek
- Harold Tracey, Shire President, Shire of Broome
- Geoff Haerewa, Shire President, Shire of Derby West Kimberly
- Sam Mastrolembro, Chief Executive Officer Shire of Broome
- Neil Thomson, Kimberley Zone.

Over the two days, meetings were held with the following people,

- Christina Garbin – General Manager, North West Roads, Department of Infrastructure Regional Development and Cities
- Hon Anthony Albanese MP, Shadow Minister Infrastructure Transport, Cities and Regional Development

- Stephen Jones MP: Shadow Minister, Regional Services Local Government Regional Communication
- Hon Melissa Price MP Minister for Environment and Member for Durack
- Senator Dean Smith, Government Whip in the Senate
- Josh Wilson MP, Member for Fremantle
- Scott Buchholz, Assistant Minister for Roads and Transport
- Senator Slade Brockman, Chair Education Employment Legislation Committee
- Warren Snowden Shadow Assistant Minister for Indigenous Health, Northern Australia, External Territories Centenary of ANZAC
- Hon Andrew Gee MP Assistant Minister to the Deputy Prime Minister
- Mrs Anne Stunzner, Senior Adviser, Senator Canavan, Minister for Resources and Northern Australia.

It is noted that support was given by Senator Glenn Sterle (WA) who supported the KRG in obtaining access to Anthony Albanese and Stephen Jones. Senator Dean Smith also provided support to the KRG in Canberra by hosting an event in the Parliamentary Members Lounge.

These meetings resulted in key messages being conveyed to the KRG.

1. The project has broad in-principle support by both the Government and Opposition.
2. The Roads of Strategic Importance Program has earmarked the Tanami Road as a key road and it appears \$225 million has been earmarked for it, but no formal announcement has yet been made yet, noting budget announcements have not yet been made.
3. The KRG should ensure State support as the Federal Government would like to move quickly on this with the Minister for Transport seeking to make an announcement before the Federal Election.
4. The KRG was advised that a Scene Setting Document was not the ideal tool for decision making and it was important to have an update to existing Business Cases in the next 6 weeks.
5. The KRG was asked to send through any Business Cases it is aware of so the Minister for Transport could have these reviewed within days.
6. The Minister for Transport would provide detailed feedback on what else is required.
7. A document which outlines the changes since the last Business Case (2014) should be prepared with urgency (before end of March).

8. Once a Federal Government commitment was announced, the next step will be to determine the priority parts of the project eg, which end do we start from and what parts of the road are upgraded.
9. There is strong interest by Government in additional funds being derived through a cost recovery program involving the Northern Australia Infrastructure Fund.

The KRG representatives:

- Outlined the support by the Western Roads Federation and the Northern Territory Road Transport Association.
- Stressed the key collaboration across the Kimberley and the Northern Territory.
- Agreed that a meeting with the three State Ministers (MacTiernan, Wyatt and Saffioti) were essential and have requested meetings on 5 March.

Following the delegation, the following actions were identified for urgent action:

1. Update the Business Case as a matter of urgency (2 weeks) to enable decision making to progress in Canberra.
2. Ensure state support with the proposal to send a delegation to Perth to meet with key Ministers.

COMMENT

A number of reports have been commissioned to identify benefits associated with, and costs of, sealing of the Tanami Road. While there exists a glut of information there is no one high level strategic document clearly articulating the project that is suitable for lobbying purposes.

The Chair, through the Board, requested that a supporting document was urgently developed to assist with maintaining momentum from the Canberra visit, and to be used for an impending March meeting with Ministers Saffioti and MacTiernan in Perth.

Due to the urgency of the request it was recommended that ATEA Consulting be engaged through a variation to contract. This was endorsed via circular email with an information item to be presented at the 19 March 2019 meeting.

Officers believe that a contract variation is an appropriate procurement methodology in the circumstances and given ATEA Consulting's intimate knowledge of the project provided a logical and legitimate avenue to get the outcomes desired.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

A TEA quoted 56 hours work at their current Executive Consultancy rate of \$130 per hour. This equates to a maximum of \$7,315.00 inclusive of GST.

The end of year surplus position is currently \$67,506. Should the group approve the extension to hours as recommended, a \$60,191 end of year surplus position is predicted.

The March agenda also includes an item recommending an increase to overall Executive and Administrative consultancy hours, which if approved would impact the available surplus. Should both of these items be endorsed the overall impact is a predicted end of year surplus of \$19,391.

It should be noted that a number of amendments have been proposed in the mid year financial activity report to be considered by the group at this meeting. A number of projects have been identified for carryover, however it is not recommended that funds from these projects are used to fund consultancy hours. The group could choose to utilise those funds should the projects no longer be required or considered relevant.

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.

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

Improved regional arterial road network, ports and airports

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

Greater participation in the community and workforce

Economy Goal – A sustainable and diverse economy:

Improved outcomes in employment

Sustainable tourism market and tourism experiences

Improved regional infrastructure

VOTING REQUIREMENTS

Absolute Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr Malcolm Edwards Seconded: Cr David Menzel

That the Kimberley Regional Group:

- 1. Notes the approval of the engagement of ATEA Consulting for the development of supporting documentation for the Tanami Road Business Case, through a variation to contract of 56 hours of consultancy services up to a maximum value of \$7,315.00 inclusive of GST;**
- 2. Requests the Secretariat to action a budget amendment to transfer \$7,315.00 from account 23597 Kimberley Zone Reserve to account 22181 Kimberley Zone – Executive Consultancy;**
- 3. Notes the impact on the end of year surplus position as a result of the budget amendment.**

CARRIED BY ABSOLUTE MAJORITY 4/0

Attachments

1. ATEA Consulting - quote for Tanami Road Supporting Documentation

9.7 KIMBERLEY REGIONAL GROUP FINANCIAL ACTIVITY STATEMENT JANUARY 2019

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil.
FILE:	KRG01
AUTHOR:	Director Corporate Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil.
DATE OF REPORT:	22 February 2019

SUMMARY: This report presents the Kimberley Regional Group Financial Activity Report for the period ended 31 January 2019 and provides a mid-year budget review. The report recommends that the Kimberley Regional Group (KRG) adopt the Financial Activity Report and associated budget amendments.

BACKGROUND

Previous Considerations

- | | |
|--------------------------------|----------|
| 31 July 2018 Joint Meeting | Item 9.3 |
| 3 September 2018 Joint Meeting | Item 9.1 |

COMMENT

At it's October 9 Joint Meeting the KRG received the Annual Financial Statement for the period ending 30 June 2018. The statement included a carry-forward surplus of \$292,216.

The carry-forward surplus included \$65,000 of grant income received for the Kimberley Regional Volunteering Strategy and a carryover amount of \$14,710 for the Kimberley Regional Waste Management Plan. This reduced the opening surplus to \$212,506.

The 2018/19 budget had previously been endorsed at the 31 July 2018 Joint Meeting. The budget contained the following surplus funded projects:

- Kimberley Regional Education / Training Business Case (\$25,000);
- Savannah Way Business Case (\$25,000); and
- Liquid Waste Business Case (\$25,000).

A \$70,000 budget amendment to undertake a Tanami Road Business Case was endorsed at the 3 September 2018 Joint Meeting.

These budget amendments, totalling \$145,000, further reduced the opening surplus to \$67,506.

Following the review of accounts for the period ended 31 January 2019, the Kimberley Regional Group have a surplus of \$405,743.28.

ACCOUNT CODE	ACCOUNT	Current Budget	Actual
OPENING SURPLUS CARRY FORWARD			
100235970	Kimberley Zone - Transfer to Kimberley Zone Reserve - Cap Exp - MUN	-\$212,506.00	-\$212,506.00
CAPITAL INCOME			
100235980	Transfer from Kimberley Zone Reserve - Cap Inc - Kimberley Zone MUN	-\$145,000.00	-\$145,000.00
TOTAL CAPITAL INCOME		-\$145,000.00	-\$145,000.00
REMAINING SURPLUS		-\$67,506.00	-\$67,506.00
OPERATING EXPENDITURE			
100221220	Kimberley Zone - Salary -Regional Project Officer - Op Exp MUN	\$0.00	\$0.00
100221260	Kimberley Zone - Kimberley Waste Management Plan - Op Exp MUN	\$19,734.00	\$28,958.21
100221280	Kimberley Zone - Forums & Conferences - Op Exp MUN	\$2,500.00	\$0.00
100221290	Kimberley Zone - Zone & RCG Meeting Expenses - Op Exp MUN	\$41,000.00	\$3,636.32
100221310	Kimberley Zone - Meetings - Op Exp MUN	\$7,000.00	\$0.00
100221320	Kimberley Zone - Darwin Forum - Op Exp MUN	\$20,000.00	\$17,049.87
100221330	Kimberley Zone - Legal Advice - Op Exp MUN	\$5,000.00	\$0.00
100221340	Kimberley Zone - Annual Financial Audit - Op Exp MUN	\$5,000.00	\$0.00
100221360	Kimberley Zone - IT Support - Op Exp MUN	\$1,500.00	\$0.00
100221370	Kimberley Zone - Sundry Expenses - Op Exp MUN	\$1,000.00	\$0.00
100221430	Kimberley Zone - Savannah Way Membership - Op Exp MUN	\$5,000.00	\$0.00
100221460	Kimberley Zone - Strategic Community Plan - Op Exp MUN	\$14,000.00	\$0.00
100221810	Kimberley Zone - Executive Consultancy - Op Exp MUN	\$67,925.00	\$38,473.41
100221820	Kimberley Zone - Administrative Consultancy - Op Exp MUN	\$19,360.00	\$19,460.00
104052340	Kimberley Zone - Volunteering Strategy - Op Exp MUN	\$65,000.00	\$0.00
104052350	Kimberley Zone - Alcohol Management Initiatives - Op Exp MUN	\$30,000.00	\$0.00
104052360	Kimberley Zone - Procurement Improvement Program - Op Exp MUN	\$100,000.00	\$0.00
104052370	Kimberley Zone - ICT & Office 365 Improvements - Op Exp MUN	\$10,000.00	\$0.00
104052390	Kimberley Zone - Kimberley Land Tenure Implementation Plan - Op Exp MUN	\$5,000.00	\$0.00
104052400	Kimberley Zone - Kimberley Regional Education / Training Business Case - Op Exp MUN	\$25,000.00	\$0.00
104052410	Kimberley Zone - Savannah Way Business Case Implementation Plan - Op Exp MUN	\$25,000.00	\$0.00
104052420	Kimberley Zone - Liquid Waste Business Case - Op Exp MUN	\$25,000.00	\$0.00
104052430	Kimberley Zone - Tanami Business Case - Op Exp MUN	\$70,000.00	\$0.00
104052970	Kimberley Zone - Admin Cost Allocated - Op Exp MUN	\$5,000.00	\$0.00
104052980	Kimberley Zone - IT/Records Cost Allocated - Op Exp MUN	\$5,000.00	\$0.00
TOTAL OPERATING EXPENDITURE		\$574,019.00	\$107,578.17
OPERATING INCOME			
100230130	Kimberley Zone - Reimbursement Zone & RCG Meetings Expenses - Op Inc MUN	-\$35,000.00	-\$2,570.90
100230180	Kimberley Zone - Reimbursement Meetings - Op Inc MUN	-\$3,000.00	\$0.00
100230190	Kimberley Zone - Reimbursement Darwin Forum - Op Inc MUN	-\$20,000.00	-\$12,092.73
100230210	Kimberley Zone - Members Contribution Secretariat Costs - Op Inc MUN	-\$206,000.00	-\$206,000.00
100230480	Kimberley Zone - Transfer from Restricted Cash Project Accounts - Op Inc MUN	\$0.00	\$0.00
100230610	Kimberley Zone - Members Contribution - Kimberley Waste Management Plan Op Inc MUN	-\$14,710.00	-\$14,710.00
100235360	Kimberley Zone - Interest on Reserve - Op Inc. MUN	-\$5,000.00	-\$441.82
10405370	Kimberley Zone - Kimberley Volunteer Strategy DLGC Grant	-\$65,000.00	-\$65,000.00
10405385	Kimberley Zone - Alcohol Management Initiatives Grant	-\$30,000.00	\$0.00
10405384	Kimberley Zone - Procurement Improvement Program Grants	-\$50,000.00	\$0.00
TOTAL OPERATING INCOME		-\$428,710.00	-\$300,815.45
TOTAL CAPITAL INCOME		-\$145,000.00	-\$145,000.00

TOTAL OPERATING EXPENDITURE	\$574,019.00	\$107,578.17
TOTAL OPERATING INCOME	-\$428,710.00	-\$300,815.45
TOTAL	\$309.00	-\$338,237.28
SURPLUS/DEFICIT		
<i>**Current Surplus = Actual Income less Actual Expenditure + Opening Surplus</i>		-\$405,743.28

2018/19 Mid-Year Budget Review

A review of the KRG accounts to the 31 January 2019 has been undertaken. The following recommendations are presented for consideration of the group.

Operating Expenses:

The following operating accounts have exceeded budget. Recommendations have been made to ensure that budget allocations reflect requirements. Where possible savings have been identified from other accounts to offset over-expenditure.

Account	Description	Budget	Actual	Variance
22126	Kimberley Waste Management Plan	\$19,734.00	\$28,958.21	-\$9,224.21
	<i>Budget had been exceeded however WMP is nearing finalisation.</i>			
22128	Forums & Conferences	\$2,500	\$0	\$2,500
	<i>Funds not required – recommend allocating to account 22126 to offset over expenditure.</i>			
22133	Legal Advice	\$5,000	\$0	\$5,000
	<i>Funds not required – recommend allocating to account 22126 to offset over expenditure.</i>			
22131	Meetings	\$7,000	\$0	\$7,000
	<i>Recommend reducing budget by \$2,500.</i>			
Budget Amendment recommended: Recommend a \$10,000 budget amendment to account 22126 through savings identified in accounts 22128 (\$2,500), 22131 (\$2,500) and 22133 (\$2,500).				

2018/19 Executive and Administrative Support

As outlined in the preceding item ATEA has utilised all approved consultancy hours. An additional 320 Executive and 120 Administrative Consultancy hours are required to allow ATEA to continue to undertake works required through to the conclusion of the financial year (see previous item for detailed analysis of hours required and reconciliation of project officer costs vs. consultancy costs).

A budget amendment has been recommended in that item to ensure funds are available to progress strategic and operational outcomes of the group.

22146	Strategic Community Plan	\$14,000	\$0	\$14,000
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	<i>Project undertaken by ATEA – recommend funds utilised to extend ATEA contract hours as per preceding agenda item.</i>			
22181	Executive Consultancy	\$67,925	\$38,473.41	\$29,451.59
	<i>While there were funds available at the close of the January period, following payment of the December and January invoices in February all funds have been expended.</i>			
	<i>As per previous item a budget amendment of \$54,800 was recommended to be offset by \$14,000 of savings in account 22146, with the remaining proposed to be funded by surplus.</i>			
22182	Administrative Consultancy	\$19,360	\$19,460	-\$100
	<i>Account over expended. As per previous item recommend extending ATEA hours.</i>			

2018/19 Projects – Status Update

The following table outlines 2018/19 project progress with recommendations provided for consideration of the group.

Account	Description	Budget	Funding Source
405234	Volunteering Strategy Stage 2	\$65,000	100% grant funded
	<i>Tuna Blue has been awarded the consultancy for this project which will be complete by 31 July 2019.</i>		
405235	Alcohol Management Initiatives	\$30,000	100% grant funded
	<i>Funds were included to investigate options for grant funded Alcohol Initiatives. At this stage no grant opportunities have been identified, however recommended that funds are retained to pursue outcomes that facilitate the proposed Kimberley Alcohol Restriction implementation.</i>		
405236	Procurement Improvement Program	\$100,000	50% grant funded
	<i>No grant opportunities have been identified.</i> <i>It is recommended that the budget be amended to remove the \$50,000 grant income and a reduced project scope funded up to a maximum of \$50,000.</i>		
405237	ICT & Office 365 Improvements	\$ 10,000	
	<i>These funds are to be utilised to implement Office 365 improvements and develop a website for the Joint Kimberley Zone and KRG.</i>		
405238	Kimberley Waste Management Plan	\$19,734	\$14,710 17/18 carryover
	<i>See above. The Kimberley Waste Plan is in final draft format and is with member Shire's for consideration. The project is currently over budget and a budget amendment is proposed utilising savings in other areas.</i>		

405239	Kimberley Land Tenure Implementation Plan	\$5,000	
	<i>No funds expended – currently being lobbied through ATEA.</i>		
405240	Kimberley Regional Education / Training Business Case	\$25,000	KRG surplus
	<i>No progress – recommend carryover</i>		
405241	Savannah Way Business Case Implementation Plan	\$25,000	KRG surplus
	<i>No progress – recommend carryover.</i>		
405242	Liquid Waste Business Case	\$25,000	KRG surplus
	<i>No progress – recommend carryover.</i>		
405243	Tanami Road Business Case	\$70,000	KRG Surplus
	<i>No progress on business case however lobbying and data consolidation undertaken (ATEA variation)</i>		

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulation 1996

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

- (1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
- (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

FINANCIAL IMPLICATIONS

Financial implications are detailed above.

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

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Malcolm Edwards

That the Kimberley Regional Group:

- 1. Adopts the Financial Activity Report for the period ended 31 January 2019;**
- 2. Approves a \$10,000 budget amendment to account 22126 – Kimberley Waste Management Plan through savings identified in accounts 22128 – Forum’s and Conferences (\$2,500), 22131 – Meetings (\$2,500) and 22133 – Legal Advice (\$2,500);**
- 3. Approves a budget amendment to remove \$50,000 of grant income from account 405384 Procurement Improvement Program Grants, noting that the total available funding for the Procurement Improvement Program will be reduced to \$50,000.**

Carried 4/0

Attachments

Nil

9.8 MINUTES OF THE WASTE TECHNICAL ADVISORY GROUP - MARCH 2019

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	6 March 2019

SUMMARY: The minutes of the Kimberley Regional Group (KRG) Waste Technical Advisory Group (TAG) meeting held 7 March 2019 are provided for consideration.

BACKGROUNDPrevious Considerations

Nil

COMMENT

The KRG Waste TAG met on 7 March 2019. Items discussed included the:

- Draft Regional Waste Management Plan
- Regional Waste Contract
- WALGA Waste Summit
- Kimberley Integrated Waste Management Project
- State Government Priorities Vision.

Each Council also provided a roundtable update of their activities over the period.

The minutes of the meeting are attached for member consideration.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Governance Goal – A collaborative group demonstrating strong regional governance:

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

Natural Environment Goal – Responsible management of the environment

Integrated waste management

VOTING REQUIREMENTS

Simple Majority

<p><u>KIMBERLEY REGIONAL GROUP RESOLUTION:</u></p> <p><i>Moved: Cr Chris Mitchell Seconded: Cr David Menzel</i></p> <p><i>That the Kimberley Regional Group notes the minutes of the Waste Technical Advisory Group meeting held 7 March 2019 as presented.</i></p> <p style="text-align: right;"><i>Carried 4/0</i></p>

Attachments

1. KRG Waste TAG Minutes March 2019

9.9 POSITION STATEMENT: ESTABLISHMENT OF A REGIONAL HEADWORKS FUND	
LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 February 2019

SUMMARY: This report presents a proposed position statement on the establishment of a regional headworks fund consistent with the Kimberley Regional Group (KRG) Strategic Community Plan position.

BACKGROUND

Previous Considerations

This matter is considered in the KRG Strategic Community Plan. The KRG has agreed to establish a position register which will capture matters of agreed common concern for the purposes of advocacy. These positions may or may not have further work undertaken by the KRG, however they provide a common understanding and / or approach for all stakeholders.

COMMENT

Item 3.3.2.3 of the KRG Regional Business Plan states that the KRG should adopt a position by March 2019 on community service obligation payments by State Government to support infrastructure development in advance of land development through a regional head works fund.

Accordingly, the following Position Statement has been developed.

Position Statement: Establishment of a Regional Headworks Fund

Context

Property cycles are significantly impacted by dynamic economic conditions in private markets around the globe. Western Australia has historically had significant periods of growth and contraction, often associated with activity in the mining sector. The impact of these periods of expansion in regional areas can be significant, with one project delivering short term population growth that could reasonably have been anticipated over a decade. This means that the capacity remaining for utilities infrastructure can be absorbed rapidly without a commensurate revenue stream in the short term, through rates or charges, to underpin expansion. This creates a choke point for development which can see prices escalate rapidly, creating affordability pressures for home buyers and renters along with business cost pressures as labour costs rise in response to housing prices.

It is essential that development barriers, including funding of infrastructure, are minimised during periods of peak growth.

Position

The Kimberley Regional Group supports the establishment of a Regional Headworks Fund that can be utilised to bring forward works during periods of rapid expansion to ensure that economic and social benefits can be achieved for the local community and that growth risks minimised.

Date

March 2019

CONSULTATION/STAKEHOLDERS

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

A Regional Headworks Fund may be applied under Treasury or under the Western Australian Planning Commission powers.

POLICY IMPLICATIONS

Yes. This should be considered within the planning and development sections of each Shire to ensure that forecast growth is appropriately monitored and communicated.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

High standard of infrastructure planning

Reliable and adequate power and communications.

Economy Goal – A sustainable and diverse economy

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Geoff Haerewa

That the Kimberley Regional Group adopts the position statement in relation to the

Establishment of a Regional Headworks Fund for inclusion in the position register.
Carried 4/0

Attachments

Nil

9.10 POSITION STATEMENT: COMPULSORY TRAINING FOR NEW AND EXISTING COUNCILLORS	
LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 February 2019

SUMMARY: This report presents a proposed position statement on compulsory training for new and existing Councillors consistent with the Kimberley Regional Group (KRG) Strategic Community Plan position.

BACKGROUND

Previous Considerations

Nil.

This matter is considered in the KRG Strategic Community Plan. The KRG has agreed to establish a position register which will capture matters of agreed common concern for the purposes of advocacy. These positions may or may not have further work undertaken by the KRG however they provide a common understanding for all stakeholders.

COMMENT

Item 1.1.1.1 of the Regional Business Plan states that the KRG should, by March 2019, adopt a position in relation to a scheme of compulsory training to improve skills and performance of new and existing Councillors.

Accordingly, the following Position Statement has been developed.

Position Statement: Training for New and Existing Councillors

Context

Councillors in Local Government are elected members and as such may or may not have a background relevant to the governance and administrative responsibilities associated with the role. It is recognised that training and professional development plays a vital role in ensuring good governance and efficient processes.

Position

The KRG supports a scheme of compulsory training for new and existing Councillors to improve skills and performance and ensure current understanding of obligations and good governance.

Compulsory training should be included in relevant Shire policies and have funding allocated accordingly.

Further, the need for ongoing training, and recognition of the costs involved, should be included in legislation.

Training should be ongoing for all Councillors for the term of office.

Date

March 2019

CONSULTATION/STAKEHOLDERS

Nil

STATUTORY ENVIRONMENT

Local Government Act and Regulations

POLICY IMPLICATIONS

Yes. Shire's should acknowledge the need for ongoing training and professional development for elected members in their policies and processes.

FINANCIAL IMPLICATIONS

Yes. Shires should acknowledge the need for ongoing training and development in their planning and budgetary process.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

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

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Malcolm Edwards

That the Kimberley Regional Group adopts the position statement in relation to compulsory training for Councillors for inclusion in the position register.

Carried 4/0

Attachments

Nil

9.11 POSITION STATEMENT: INNOVATIVE WASTE WATER REUSE

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 February 2019

SUMMARY: This report presents a proposed position statement on innovative waste water reuse consistent with the Kimberley Regional Group (KRG) Strategic Community Plan position.

BACKGROUND

Previous Considerations

This matter is considered in the KRG Strategic Community Plan. The KRG has agreed to establish a position register which will capture matters of agreed common concern for the purposes of advocacy. These positions may or may not have further work undertaken by the KRG however they provide a common understanding for all stakeholders.

COMMENT

Item 2.3.1.1 of the Regional Business Plan states that the KRG should adopt a position supporting the innovative reuse of water.

Accordingly, the following Position Statement has been developed.

Position Statement: Innovative Waste Water Reuse

Context

Water is a precious commodity and, where practical and economical, waste water reuse should be actively considered. Ongoing innovation in this sector means that new approaches will continue to emerge, and this position statement seeks to establish a culture of positive consideration of these opportunities.

Position

The Kimberley Regional Group supports active consideration of innovative water reuse opportunities where they are practical and economical, including for the purposes of services required by member Shire's, and the provision of *in principle* letters of support where other utility providers, either private or public sector, are seeking to develop projects.

Date

March 2019

CONSULTATION/STAKEHOLDERS

Nil

STATUTORY ENVIRONMENT

State and Federal Water and Environmental legislation

POLICY IMPLICATIONS

Yes, Shire's should have a process for actively considering innovative and alternative power provision.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Natural Environment Goal – Responsible management of the environment

Reuse of waste water

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Geoff Haerewa

That the Kimberley Regional Group adopts the position statement in relation to innovative waste water re-use for inclusion in the position register.

Carried 4/0

Attachments

Nil

9.12 POSITION STATEMENT: IN SITU BIO-SECURITY SERVICES

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 February 2019

SUMMARY: This report presents a proposed position statement on in situ Bio-Security Services consistent with the Kimberley Regional Group (KRG) Strategic Community Plan position.

BACKGROUND

Previous Considerations

This matter is considered in the KRG Strategic Community Plan. The KRG has agreed to establish a position register which will capture matters of agreed common concern for the purposes of advocacy. These positions may or may not have further work undertaken by the KRG however they provide a common understanding for all stakeholders.

COMMENT

Item 5.4.1.1 of the Regional Business Plan states that the KRG should by March 2019, adopt a position supporting in situ bio-security services in the Kimberley.

Accordingly, the following Position Statement has been developed.

Position Statement: In situ Bio-Security Services.

Context

The Kimberley Region is expanding as a diverse agricultural hub which spans pastoral interests, aquaculture, irrigated agriculture, dry farm agriculture, bush foods and other bespoke products. It is essential that there is a systematic process for early detection of biological threats to avoid catastrophic impacts on the agricultural sector. In situ service provision is seen to be the most appropriate option for managing this highly diverse and geographically significant region.

Position

The Kimberley Regional Group supports the provision of in-situ Bio-Security Services.

Date

March 2019

CONSULTATION/STAKEHOLDERS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Biosecurity Act 2015 as amended in 2018.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Natural Environment Goal – Responsible management of the environment

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr David Menzel Seconded: Cr Malcolm Edwards

That the Kimberley Regional Group adopts the position statement in relation to in-principal support for the provision of in-situ Bio-Security Services for inclusion in the position register.

Carried 4/0

Attachments

Nil

9.13 POSITION STATEMENT: GAS PIPELINE LINK BETWEEN EAST AND WEST KIMBERLEY

LOCATION/ADDRESS:	Kimberley Region
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 February 2019

SUMMARY: This position statement is proposed consistent with the KRG Strategic Community Plan. This report presents a proposed position statement on a gas pipeline link between the East and West Kimberley consistent with the Kimberley Regional Group (KRG) Strategic Community Plan position.

BACKGROUND

Previous Considerations

Nil.

This matter is considered in the KRG Strategic Community Plan. The KRG has agreed to establish a position register which will capture matters of agreed common concern for the purposes of advocacy. These positions may or may not have further work undertaken by the KRG however they provide a common understanding for all stakeholders.

COMMENT

Item 3.4.2.1 of the Regional Business Plan states that the KRG should adopt a position of give in principle support private natural gas pipeline construction companies to develop pipeline links between East and West Kimberley.

Accordingly, the following Position Statement has been developed.

Position Statement: Gas pipeline link between East and West Kimberley.

Context

There are considerable gas reserves across the Kimberley region and there is merit in considering how the region will benefit from access to reticulated gas, overcoming the need for bottled gas for both domestic and industrial purposes.

Position

The Kimberley Regional Group gives in-principal support for a natural gas pipeline link between East and West Kimberley for the purposes of reticulated gas for both domestic and industrial purposes. This in-principle support is at high level and further consideration would be required if a detailed proposal is put forward.

Date

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

March 2019

CONSULTATION/STAKEHOLDERS

Nil

STATUTORY ENVIRONMENT

The approval of a gas pipeline would undergo a significant approvals process in both state and federal jurisdictions including but not limited to planning, environment, safety and compliance legislation.

POLICY IMPLICATIONS

Yes. This position may impact on Shire planning when reservations for a proposed pipeline are identified.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

Reliable and adequate power and communications

Economy Goal – A sustainable and diverse economy

Energy sustainability

VOTING REQUIREMENTS

Simple Majority

KIMBERLEY REGIONAL GROUP RESOLUTION:

Moved: Cr Chris Mitchell Seconded: Cr Geoff Haerewa

That the Kimberley Regional Group adopts the position statement in relation to in-principal support for a natural gas pipeline link between the East and West Kimberley for the purposes of reticulated gas for both domestic and industrial purposes for inclusion in the position register.

Carried 4/0

Attachments

Nil

10. CORRESPONDENCE

Nil.

11. GENERAL BUSINESS

11.1 Letter from Patrick Green, Chairman, Leedal Pty Ltd – Liquor Restrictions

Cr Geoff Haerewa, Shire of Derby West Kimberley

The following letter was tabled by Cr Geoff Haerewa. It was received from Patrick Green, Chairman of Leedal Pty Ltd in relation to the proposed Zone Alcohol Restrictions:

“Subject: Zone Liquor Restrictions

We are writing to reiterate the valid sentiments raised by Mr. Martin Pierson-Jones (Director) of Kimberley Accommodation via his email dated 16th February 2019.

Black market activities in Fitzroy Crossing (FC) and Halls Creek (HC) has amplified unrestrainedly due to the stronger restrictions imposed on the licensees. This is clearly evident on the intensification of violence in both domestic and public arenas which is causing inconvenience at the highest form for both residents and tourists who deserve a peaceful life/travel experience. Almost every report including the recently released WA state coroner's (Fogliani) report states clearly about the increase in ferocious activities in FC and HC.

FC and HC which is part and parcel of the Kimberley constituency should be recognized together with others within the zone so that there is uniformity in alcohol availability across the North of WA.

We would therefore persist in urging the Kimberley zone local government agencies to stand firm and strong by advocating for the relaxation of these restrictions and to involve in this imperative matter concerning the residents of our zone .

We would be more than ready to meet with any or all of the above addressed agencies to have a meeting to further explain these concerns if deemed necessary. Thanks for your time taken to read this letter and we look forward to working together with you.”

The group was updated on the status of Alcohol Restrictions discussions each of the member Council's are having with their liquor accords.

11.2 Stephen Gash, Chief Executive Officer of the Shire of Derby West Kimberley – Final Meeting

The Chair advised that this would be the final meeting attended by the current Shire of Derby West Kimberley CEO Stephen Gash. The Chair thanked him for his contribution to the group and wished him well in his future endeavours.

12. MATTERS BEHIND CLOSED DOORS

Nil.

13. MEETING CLOSURE

The Chair closed the meeting at 4:50pm.