



THE  
**KIMBERLEY**  
REGIONAL GROUP

## Meeting Minutes

21 November 2022

Shire of Wyndham East Kimberley  
20 Coolibah Drive, Kununurra

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## Meeting Open: 13:30

1.

Chair acknowledged the Miriwung Gajerrong people, Traditional Custodians of the land on which we met today, and paid respects to their Elders past, present and emerging.

## 2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
<b>Members</b>		
Cr Chris Mitchell	Shire of Broome	In person
Cr Geoff Haerewa	President, Shire of Derby West Kimberley	In person
Cr Malcolm Edwards	President, Shire of Halls Creek	In person
Cr David Menzel	President, Shire of Wyndham East Kimberley	In person
<b>Observers</b>		
Sam Mastrolembo	CEO, Shire of Broome	In person
James Watt	Director Corporate Services, Shire of Broome	Zoom
Amanda Dexter	CEO, Shire of Derby West Kimberley	In person
Phillip Cassell	CEO, Shire of Halls Creek	In person
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	In person
Nick Kearns	Director of Planning / Community SWEK	In person
<b>Executive Support Team</b>		
Paul Rosair	Principal NAJA Business Consulting	In person
Michelle Mackenzie	Principal Mira Consulting	In person
Jane Lewis	Principal Redit Research	Zoom
<b>Apologies</b>		
Gordon Thomson	President, Shire of Christmas Island	
David Price	CEO, Shire of Christmas Island	
Aindil Minkom	President, Cocos (Keeling) Islands	
Frank Mills	CEO, Cocos (Keeling) Islands	
Cr Harold Tracey	President, Shire of Broome	
Cr Tony Chaffer	Deputy Shire President, SWEK	
Natasha Maher	CEO Australia's North West	

Name	Shire / Council / Organisation	Method
Guests		
Mike Rowe	Director General, Department of Communities	Zoom (9am)
Leon McIvor	Deputy Director General, Housing and Assets, Department of Communities	Zoom (9am)
Renee Gioffre	Regional Executive Director, Kimberley	Zoom (9am)
Nick Sloan	CEO WALGA	Zoom
Tim Lane	Manager, Association and Corporate Governance, WALGA	In Person
Kim Brown	Acting Director, RDA Kimberley	Zoom
Simon Penn	Communications Executive Australia's North West Tourism	Zoom
Tim Bray	Kimberley Development Commission	Zoom
Greg Hayes	Regional Road Safety Advisor	Zoom
Hon. Kristy McBain	Minister for Regional Development, Local Government and Territories	Zoom
Kelly McManus	Advisor, Minister for Regional Development Local Government and Territories	Zoom
Roz Lipscombe	Senior Partnerships Officer, Industry Partnerships and Development, Culture and the Arts	Zoom
Amber Craike	Senior Partnerships Officer, Industry Partnerships and Development, Culture and the Arts	Zoom
Krissie Dickman	Regional Manager, Kimberley, Dept of Sport and Recreation	Zoom
Christine Comer	Assistant Director, WA and SA Engagement Branch, National Emergency Management Agency	In Person

### 3. Disclosures, Conflicts and Declarations of Interest:

Financial Interest / Impartiality			
Member	Item Number	Item	Nature of Interest
Nil			

## 4. Kimberley Country Zone:

Attachments 1a WALGA State Council Agenda (Separately Attached)  
1b Complete Zone Status Report November 2022 (Separately Attached)

### 4.1 Reports from Representatives

RDA Kimberley - Kim Brown, A/Director

Australia's North West Tourism - Simon Penn, Communications Executive

WALGA Roadwise – Greg Hayes, Road Safety Advisor

Kimberley Development Commission – Tim Bray, Director Regional Development

Department of Local Government, Sport and Cultural Industries – Kristina Dickman, Regional Manager Kimberley

WALGA – Nick Sloan, CEO and Tim Lane, Manager Association and Corporate Governance

### 4.2 Reports from Kimberley Country Zone

The WALGA State Council Agenda has been attached as a separate document (Attachment 4). The following table provides a summary of Matters for Decision that will be considered at the WALGA State Meeting on 7<sup>th</sup> December 2022 and provides an update on Matters for Noting.

Note: the President's report was received.

Item / Matters for Decision	WALGA Recommendations
<b>5.1</b>  2022 Annual General Meeting Resolutions	<p>That:</p> <ol style="list-style-type: none"> <li>the following resolutions from the 2022 WALGA Annual General Meeting be endorsed for action:</li> </ol> <p><b>3.8 Review of the Rating Methodology used by the Valuer-General</b></p> <p>Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.</p> <p><u>Recommendation: It is recommended that this resolution be endorsed for action.</u></p> <p><b>3.10 Reform of the Cat Act 2011</b></p> <p>That the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.</p> <p><u>Recommendation: it is recommended that this resolution be endorsed for action.</u></p>

Item / Matters for Decision	WALGA Recommendations
	<p>2. the following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:</p> <p><b>3.1 Road Traffic Issues</b></p> <p>That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.</p> <p><u>It is recommended that this resolution be referred to the Infrastructure Policy Team for further work to be undertaken.</u></p> <p><b>3.2 Car Parking and Traffic Congestion Around Schools</b></p> <p>That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:</p> <ol style="list-style-type: none"> <li>1. Reviewing car parking standards for schools;</li> <li>2. Ensuring sufficient land is set aside for the provision of parking on school sites;</li> <li>3. Reviewing the co-location of schools to avoid issues being exacerbated;</li> <li>4. Restricting school access from major roads;</li> <li>5. Developing plans to enable schools to manage school traffic;</li> <li>6. Develop programs to educate drivers; and</li> <li>7. Develop options and implement initiatives to encourage alternative modes of transport to school.</li> </ol> <p><b>3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA</b></p> <p>That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.</p> <p><u>Recommendation: It is recommended that this resolution be referred to the Infrastructure Policy Team for further work to be undertaken.</u></p> <p><b>3.4 Northern Australia Beef Roads Program</b></p> <p>That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.</p>

Item / Matters for Decision	WALGA Recommendations
	<p><u>Recommendation: It is recommended that this resolution be referred to the Infrastructure Policy Team for further work to be undertaken</u></p> <p><b>3.5 3D House Printing Building Compliance</b></p> <p>That WALGA requests:</p> <ol style="list-style-type: none"> <li>1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.</li> <li>2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.</li> </ol> <p><u>Recommendation: It is recommended that this resolution be referred to the People and Place Policy Team for further work to be undertaken.</u></p> <p><b>3.6 South West Native Title Settlement</b></p> <p>That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.</p> <p><u>Recommendation: It is recommended that this resolution be referred to the People and Place Policy Team for further work to be undertaken.</u></p> <p><b>3.7 Land Offset Compensation to Local Governments</b></p> <p>That WALGA advocate to the State Government that the Developer requiring land offsets should be required to provide the offsets within the Local Government where the clearing occurs and where this is not possible, the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.</p> <p><u>Recommendation: It is recommended that this resolution be referred to the Environment and Waste Policy Team for further work to be undertaken.</u></p>

Item / Matters for Decision	WALGA Recommendations
	<p><b>3.12.1 Abandoned Shopping Trolleys</b></p> <p>That this meeting supports the recent petition to be tabled in the Legislative Council, Parliament of Western Australia, "Removal and Abandonment of Shopping Trolleys 22-0017" calling on the State Government to implement stringent and uniform shopping trolley containment laws for the whole state of Western Australia.</p> <p>This item has been considered previously by the Governance &amp; Organisational Services Policy Team, where the recommended action was for this issue to be addressed by each Local Government working with their retailers.</p> <p>Based on the above it is recommended <u>that this item be referred back to the Governance &amp; Organisational Services Policy Team for further consideration.</u></p> <p>3. the following resolutions from the 2022 WALGA Annual General Meeting be noted:</p> <p><b>3.11 WALGA Best Practice Governance Review – Principles</b></p> <p>That:</p> <ol style="list-style-type: none"> <li>1. The update on the Best Practice Governance Review project be noted, and</li> <li>2. The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed: <ol style="list-style-type: none"> <li>a. Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.</li> <li>b. Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.</li> <li>c. Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.</li> </ol> </li> </ol> <p>The Governance Principles were endorsed by State Council at a special meeting on 22 August, before being endorsed by members at the 2022 AGM. Since then, the Best Practice Governance Review Steering Committee have finalised a Consultation Paper, which has been circulated to all Local Governments seeking a Council endorsed position on the five model options presented in the paper by 23 December.</p> <p><u>It is recommended that this resolution be noted.</u></p> <p><b>3.12.2 Mandatory Superannuation for Elected Members in Band 1 and 2 Councils</b></p> <p>That this meeting supports requesting WALGA to advocate for the Local Government reforms to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and supports the optional payment of superannuation for Band 3 and 4 Councils.</p> <p><u>It is recommended that this resolution be noted.</u></p>



Item / Matters for Decision	WALGA Recommendations
<b>5.2</b>  Electors Member Superannuation	<p>RECOMMENDATION</p> <p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. advocates for superannuation to be required to be paid to Elected Members of Local Governments in Salaries and Allowances Tribunal (SAT) Band 1 and Band 2; and</li> <li>2. supports the position that superannuation payments to Elected Members of Local Governments in SAT Band 3 and Band 4 should be optional and determined by Council.</li> </ol>
<b>5.3</b>  Biosecurity Advocacy Position	<p>RECOMMENDATION</p> <p>That State Council endorse replacing Advocacy Position 4.5 Post Border Biosecurity with a new Biosecurity Advocacy Position as follows:</p> <p>4.5 Biosecurity</p> <p>Western Australia's economy, environment and the community are facing increasing challenges posed by already established and new pests, weeds and diseases.</p> <p>Local Government has a significant role in biosecurity management, as land managers and regulators, and therefore has an interest in ensuring that Western Australia's biosecurity system, including control of declared pests, is effective and appropriately resourced.</p> <p>WALGA considers significant changes to the operation of the State's biosecurity system, including the Biosecurity and Agriculture Management Act 2007, are required to ensure these risks can be managed now and into the future.</p> <p>To be effective the Western Australian biosecurity system must:</p> <ol style="list-style-type: none"> <li>1. Take a transparent approach to the notion of 'shared responsibility' by ensuring that:               <ol style="list-style-type: none"> <li>a) The respective roles and responsibilities of Commonwealth, State and Local Government, industry, landholders, community groups and individuals are agreed and clearly articulated; and</li> <li>b) There is improved pest management on State Government managed land and a formalised structure for State Government agencies with responsibilities for biosecurity management to work together and coordinate their activities.</li> </ol> </li> <li>2. Be underpinned by a strategic framework, developed in collaboration with stakeholders, that:               <ol style="list-style-type: none"> <li>a) Establishes priorities for biosecurity threats in geographically defined regions, sets measurable targets and guides investment in biosecurity activities; and</li> <li>b) Is regularly evaluated and reported on.</li> </ol> </li> <li>3. Have a greater focus on environmental biosecurity, through the increased recognition and management of pest species that have significant ecological impacts.</li> </ol>

Item / Matters for Decision	WALGA Recommendations
	<p>4. Be adequately, sustainably and equitably funded:</p> <p>a) The appropriateness and effectiveness of the Declared Pest Rate (DPR) and Recognised Biosecurity Group (RBG) model as key mechanisms for the management of widespread and established declared pests should be reviewed and alternate mechanisms considered;</p> <p>b) Increased and more equitable distribution of funding for every step in the biosecurity continuum and adequate resourcing for all stakeholders, including Local Government; and</p> <p>c) The provision of funding for declared pest management in metropolitan areas.</p> <p>5. Ensure that the criteria and process for listing of declared pests is evidence-based, timely and transparent.</p> <p>6. Have an increased emphasis on compliance through education and enforcement activity, to ensure land managers are aware of their legislative responsibilities and are supported to implement biosecurity actions.</p> <p>7. Facilitate the use of new technologies, strategic monitoring, and the establishment of data management systems to inform biosecurity investment decisions and support adaptive management.</p> <p>8. Improve the community's understanding, awareness and action in relation to biosecurity to assist with threat surveillance and timely response to incursions.</p>
<p><b>5.4</b></p> <p>Submission on Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation</p>	<p>RECOMMENDATION</p> <p>That the submission on Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation be endorsed.</p>
<p><b>5.5</b></p> <p>Updated Aboriginal Cultural Heritage Advocacy Position</p>	<p>RECOMMENDATION</p> <p>That State Council endorse the following updated Advocacy Position on Aboriginal Cultural Heritage:</p> <p>3.1.3 Aboriginal Cultural Heritage Act 2021 and South West Native Title Settlement</p> <p>WALGA acknowledges Noongar people as the traditional owners of the South West Region. Local Government is supportive of conserving and protecting the State's Aboriginal cultural heritage.</p> <p>WALGA supports the introduction of the Aboriginal Cultural Heritage Act 2021 which will provide a modern framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognises the fundamental importance of Aboriginal cultural heritage to Aboriginal people. The State Government must ensure that:</p>

Item / Matters for Decision	WALGA Recommendations
	<ol style="list-style-type: none"> <li>1. The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;</li> <li>2. The implementation and ongoing operation of the legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;</li> <li>3. Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and</li> <li>4. Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.</li> </ol>
<b>5.6</b>  Review of Coastal Planning Policy Position	<p>RECOMMENDATION</p> <p>That State Council endorse replacing Advocacy Position 6.8 Coastal Planning with a new Coastal Planning Advocacy Position as follows:</p> <p>6.8 Coastal Planning WALGA calls for:</p> <ol style="list-style-type: none"> <li>1. Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations.</li> <li>2. The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.</li> </ol>

### Matters for Noting:

- 6.1 WALGA Best Practice Governance Review Update
- 6.2 2022-23 October Federal Budget
- 6.3 Supporting the Trajectory for Low Energy Buildings – Release of 7 Star Homes Cost Investigation
- 6.4 WALGA October 2022 Quarterly Economic Briefing
- 6.5 WALGA Submission on Phase Two of the Aboriginal Cultural Heritage Act 2021 Co-design Process
- 6.6 Report Municipal Waste Advisory Council (MWAC)

### Organisational Reports:

- 7.1 Policy Team Reports
  - 7.1.1 Environment and Waste Policy Team Report
  - 7.1.2 Governance and Organisational Services Policy Team Report
  - 7.1.3 Infrastructure Policy Team Report
  - 7.1.4 People and Place Policy Team Report
- 7.2 Key Activity Reports
  - 7.2.1 Report on Key Activities, Advocacy Portfolio
  - 7.2.2 Report on Key Activities, Infrastructure Portfolio
  - 7.2.3 Report on Key Activities, Member Services Portfolio
  - 7.2.4 Report on Key Activities, Policy Portfolio

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	As per 2022/23 approved KRG budget.
Resolution(s)		Action(s)	
<b>That the Kimberley Regional Group:</b> <b>1. Notes the State Council Agenda Items as circulated.</b> <b>2. Notes the report from the WALGA President (when received) as circulated.</b> <b>3. Supports the recommendations in the Matters for Decision contained within the State Council Agenda.</b>		Circulate WALGA President Report when received.  Note: Aboriginal Cultural Heritage Act Third round submissions likely in February 2023.	
<b>Moved:</b>	Cr Geoff Haerewa	<b>Responsible:</b>	EO team
<b>Seconded:</b>	Cr Chris Mitchell	<b>Due date:</b>	As required
<b>Carried:</b>	4 / 0		

## Conclusion of Zone Matters