

DOCUMENT TYPE	Terms of Reference
TITLE	KUNUNURRA TOWN CENTRE REVITALISATION STEERING GROUP
NUMBER:	MOR-10XX

BACKGROUND AND PURPOSE

The Shire of Wyndham East Kimberley (Shire), Kimberley Development Commission (KDC), MG Corporation (MG), and the East Kimberley Chamber of Commerce and Industry (EKCCI) have formalised their Collaboration through a Memorandum of Understanding (MOU) to deliver strategic projects.

The first priority under this collaboration is the development and implementation of the Kununurra Town Centre Revitalisation Strategy, which aims to reinvigorate the town centre, improve liveability and stimulate further investment in the region. This project has received funding under a grant agreement between the Shire and KDC, with the Shire have overall responsibility to deliver the project and meet the conditions of the grant agreement.

To ensure effective oversight of the funding, project delivery, and strategic outcomes of the Kununurra Town Centre Revitalisation Strategy, a Steering Group has been established between the Parties. These Terms of Reference outline the Group's objectives, powers, composition and membership, terms of membership, meetings, quorum, duties and responsibilities of both the Group and its members, noting that the Shire has obligations under the Local Government Act along with internal Directives, Governance Policies and Procedures which it must comply with.

DEFINITIONS

Shire refers the Shire of Wyndham East Kimberley

KDC refers the Kimberley Development Commission

EKCCI refers the East Kimberley Chamber of Commerce and Industry

MG refers the Miriwing Gajerrong Corporation

Act refers to the *Local Government Act 1995*.

STATEMENTS

OBJECTIVES

The Collaboration formed the Steering Group to provide guidance, oversight, strategic direction to the Collaboration and the Shire, who is responsible for all Project Management activities. The Steering Group will be consulted on critical project areas during execution of the project. The Group will act as an advisory body for day-to-day operations but holds decision-making capacity for areas such as the Project Management Plan to ensure the project aligns with broader goals and objectives.

POWERS OF THE GROUP

The Steering Group is to provide appropriate timely advice and decisions on matters relevant to its term of reference. This is in order to facilitate informed decision-making by the Shire in relation to its legislative functions and duties and allow the Shire to manage the appointed Consultant responsible for delivering the project.

The Steering Group holds decision-making authority over key project milestones, risk management, and resource allocation but does not have executive power to manage day-to-day operations. Its role is to provide high-level strategic guidance, ensuring alignment with project goals and outcomes.

The Group does not have executive powers or authority to implement actions in areas over which the Shire's Council or CEO have legislative responsibility and does not have any delegated financial responsibility. The Group does not have any Shire management functions and cannot involve itself in management processes or procedures, including the day to day management of the Consultant as this is the responsibility of the Shire's Project Manager.

COMPOSITION AND MEMBERSHIP

The Steering Group will consist of:

1. Shire President or nominee – Shire (Chair)
2. Director Planning and Community Development or nominee– Shire (Deputy Chair)
3. Senior Representative – MG Corporation
4. Senior Representative – Kimberley Development Commission
5. Senior Representative – East Kimberley Chamber of Commerce and Industry

Each member may delegate a proxy to attend in their place providing the Chair is advised in writing or by email at least 3 days prior to a meeting.

All members shall have equal voting rights. Decisions are made by consensus of the members present.

In the event that consensus cannot be reached, the Shire reserves the right to explore alternative decision-making methods, with input from the Collaboration and careful consideration of project delivery risks and any additional costs associated with potential delays.

MEETINGS

The Group shall meet on a monthly basis. Additional meetings shall be convened at the discretion of the presiding person, or upon the written request of the Shire's Project Manager.

Meetings will normally be held at the Shire offices. Meetings may be held at other locations by mutual agreement. Members may participate by tele or video conference.

If the presiding member of the Group is absent, unable or unwilling to perform the functions of presiding member, or the office of presiding member is vacant, then the deputy presiding member may perform the functions of presiding member.

If the deputy presiding member of the Group is absent, unable or unwilling to perform the functions of presiding member, or the office of deputy presiding member is vacant, then the members present at the meeting are to choose one of themselves to preside at the meeting.

QUORUM

The quorum necessary for the transaction of business shall be at least three members, as per section 5.19 of the Local Government Act 1995. A duly convened meeting of the Group at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in it or exercisable by the Group.

ADMINISTRATIVE SUPPORT AND REPORTING

The Shire shall provide secretarial and administrative support to the Group. Reports and recommendations for each meeting shall be submitted by the Shire's Project Manager.

DUTIES AND RESPONSIBILITIES OF THE COMMITTEE

The duties and responsibilities of the Group will be to provide:

Oversight and Decision-Making:

- Approve the Project Management Plan for the Kununurra Town Centre Revitalisation Strategy and any amendments.
- Provide governance oversight on milestone reporting as specified in relevant funding agreements.
- Review and provide feedback on key project documents, including major reports and technical assessments.

Strategic Guidance:

- Provide input and approve key project documents such as procurement reports.
- Provide strategic direction to ensure that all deliverables are aligned with the town centre's revitalisation goals and Shire's strategic planning documents.

Stakeholder Representation and Engagement:

- To represent interests of relevant stakeholders to ensure broad representation in decision making.
- To actively foster the involvement of other leveraged funds and private investment into the project.
- To ensure that key stakeholders are informed of the progress of the overall project and engage them in the economic and social activation of the town centre.

Risk Management:

- Review and provide advice of potential risks and mitigation strategies.
- Make key decisions on actions to address risks, including adjustments to project timelines or resource allocations as necessary.

Resource Allocation:

- To review the use of funds by the Shire in accordance with agreed budget, process, timelines and milestones within any sub project and within standard government accountability guidelines.
- Reallocate funds between projects, if required, in case of fatal flaws or changes to project viability, subject to Steering Group decision.
- To incorporate additional funds into the project as they are activated and prioritise the use of such funds.

Conflict Resolution:

- Helping to resolve any conflicts or issues that may arise during the project.

RESPONSIBILITIES OF THE GROUP MEMBERS

Members of the Group are expected to understand and observe the legal requirements of the *Local Government Act 1995* and associated regulations.

Members are also expected to:

- Disclose financial interests in accordance with Part 5, Division 6 of the *Local Government Act 1995*;
- Act in the best interests of the Shire, apply sound judgement, and maintain confidentiality of all discussions, unless authorised to disclose information.
- Express opinions constructively and openly, raise issues that relate to the Group's responsibilities and pursue independent lines of enquiry; and
- Contribute the time required to review the papers provided.

RISKS

Risk: Failure to manage the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control, project management and legislative compliance may result in project delays, financial inefficiencies and non-compliance.

Control: Conduct periodic reviews of the project governance framework to ensure ongoing legislative compliance, robust risk management, and the timely and effective delivery of the project.

DOCUMENT AND VERSION CONTROL

Responsible Directorate	Office of the CEO	
Responsible Officer	Vernon Lawrence	
Statutory References	<i>Local Government Act 1995</i>	
Related Documents	Nil	
Amendment History (Adoption and last 3 amendments)		
Version	Date Issued - Approval Number	Description of Change
1.0		
Date of Next Review	Mmmmm YYYY	