



**Shire of Derby /
West Kimberley**

AGENDA

Audit, Risk and Improvement Committee Meeting

Thursday, 21 August 2025

I hereby give notice that an Audit, Risk and Improvement Committee Meeting will be held on:

Date: Thursday, 21 August 2025

Time: 4:00 PM

**Location: Council Chambers,
Clarendon Street, Derby**

Tamara Clarkson

Chief Executive Officer



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1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS**2 ACKNOWLEDGMENT OF COUNTRY**

In the spirit of reconciliation, the Shire of Derby/West Kimberley acknowledges the traditional custodians of country throughout the Shire and their connection to land, sea and community.

The Shire of Derby/West Kimberley would like to pay respect to the past, present and future traditional custodians and Elders of this nation and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

3 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

A COUNCIL MEMBER MAY ATTEND COUNCIL OR COMMITTEE MEETINGS BY ELECTRONIC MEANS IF THE MEMBER IS AUTHORISED TO DO SO BY THE PRESIDENT OR THE COUNCIL. ELECTRONIC MEANS ATTENDANCE CAN ONLY BE AUTHORISED FOR UP TO HALF OF THE SHIRE'S IN-PERSON MEETINGS THEY HAVE ATTENDED IN TOTAL, IN ANY ROLLING 12 MONTHS PRIOR PERIOD. AUTHORISATION CAN ONLY BE PROVIDED IF THE LOCATION AND THE EQUIPMENT TO BE USED BY THE COUNCIL MEMBER ARE SUITABLE TO ENABLE EFFECTIVELY, AND WHERE NECESSARY CONFIDENTIAL, ENGAGEMENT IN THE MEETING'S DELIBERATIONS AND COMMUNICATIONS.

4 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**5 DISCLOSURE OF INTERESTS**

Council Members must disclose the nature of their interest in matters to be discussed at the meeting (Part 5 Division 6 of the Local Government Act 1995). Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (Sections 5.70 and 5.71 of the Local Government Act 1995).

5.1 Declaration of Financial Interests**5.2 Declaration of Proximity Interests****5.3 Declaration of Impartiality Interests****6 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS****7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

The Minutes of the Audit, Risk and Improvement Committee Meeting held 4:00pm Thursday, 20 February 2025 were CONFIRMED at the Ordinary Council Meeting

8 REPORTS

8.1 GOVERNANCE AND COMPLIANCE - RISK MANAGEMENT

File Number: 5476

Author: Telia Reilly, Governance and Risk Coordinator

Responsible Officer: Jill Brazil, Director Corporate Services

Authority/Discretion: Executive

SUMMARY

This report presents an update on controls developed and implemented in ensuring effective risk management.

DISCLOSURE OF ANY INTEREST

Nil by Author or Responsible Officer.

BACKGROUND

The Audit, Risk and Improvement Committee provides guidance and assistance to Council. The Committee assumes a key role in assisting the Shire fulfil its governance and oversight obligations related to financial reporting, internal controls, risk management systems, legislative compliance, ethical accountability and internal and external functions.

There are a number of audits that local governments are required to complete to address these obligations, and the reports from these audits are presented for endorsement at the time. Managing risk requires all Council Members and officers to use an interactive process consisting of steps that, when undertaken in sequence, enable a sound basis for decision-making and facilitates continuous improvement in performance.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 7.1A

Local Government (Audit) Regulations 1996 – Regulation 17

Local Government (Financial Management) Regulations 1996 - Part 2 s.6.10

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Non-compliance with legislation	Possible	Moderate	Medium	Continue to build and monitor internal procedures and to train/manage staff on legislative compliance
Reputation: Adverse media and lack of community confidence	Possible	Moderate	Medium	Continue to build and monitor internal procedures and to train/manage staff on legislative compliance

CONSULTATION

Internal.

COMMENT

The Shire currently has a total of 72 audit actions. The below table highlights the current status of the Shire's Risk Register.

STATUS	NUMBER
Identified risk items at beginning of reporting	94
Risk Items added to register	40
Completed (Since 23 May 2024)	62
TOTAL OUTSTANDING	72
COMPRISES OF:	
Ongoing	1
Programmed for 2024	1
Programmed for 2025	3
Items added	40
Progressing	27
TOTAL	72

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Risk Register - August 2025 [↓](#) 

RECOMMENDATION

That Council (Commissioner) receive and note the information contained in the Shire of Derby/West Kimberley Risk Register – August 2025.

Shire of Derby / West Kimberley Risk Register
August 2025

	Category	System or Procedure	Description	Suggested Actions	Other Audit Reference	Risk Rating	Directorate Responsible	Officer	Date Due	Progress Update	Status
Regulation 17 Review - December 2022 Risk Management											
1		5.1 Risk management framework (Risk Management)	The Shire maintains a Risk Management Framework (March 2020). We understand from officers that this was developed in consultation with LGIS and is due to be reviewed in 2023. The framework includes the Risk and Opportunity Management Policy (June 2021). The Shire's Risk Dashboard Report (February 2020) covers various topics for each business unit of the Shire. It includes control areas, ratings, and actions proposed by the Shire to address risk weaknesses.	Ensure the Risk Management Framework makes adequate reference to the operation of the Risk Dashboard. Include a table of review details, including review deadlines in the Risk Management Framework. Review and update the Risk Dashboard Report. Present it to the audit committee as an update and request that the audit committee consider resourcing needs.	Reg 5.3.3 Audit Finding Procurement & Risk Management ISA 2023 3. IT Governance - Standards, Policies and Procedures ISA 2023 5. Risk Management	Extreme	Corporate Services	Director Corporate	Draft review to Executive June 2024	The Risk Management Framework is complete. Ongoing review of operational and strategic risks occurs, reported to Executive meetings.	Ongoing
2	Claims and Litigation	5.1 Dealing with claims and litigation (Risk Management)	The Shire does not have a formal internal process for dealing with claims and litigation. However, we understand from officers that it is well understood that engagement of legal advisors requires approval of the CEO.	Draft a CEO directive to provide guidelines for how to manage a claim in a manner that minimises risk. This should include consulting with the Shire's insurers and guidance on how to appropriately communicate to the claimant (if at all).		Medium	Corporate Services	Governance and Risk Coordinator		There is a draft CEO Directive (D-CP5) Criminal Investigations and Prosecutions that continues to be reviewed to include claims and litigation against the Shire. Liaison ongoing with LGIS.	Progressing
3	Environmental Management Plan	5.1 Environmental risk management (Risk Management)	The Shire does not maintain a Shire-wide environmental risk management plan. The Shire does maintain a Derby Port Environmental Policy which sets out high-level goals regarding the environmental management of the port and surrounding waters. Specific mitigation strategies are not identified. The Derby Waste Disposal Site is nearing the end of its capacity.	Develop environmental management plans for high-risk areas of the Shire. All plans must comply with relevant legislation vesting/management orders, and head leases. High-risk areas may include waste management sites, the Derby Port, and the Derby and Fitzroy Crossing depots and their respective airports. If not done so already, ensure all contaminated sites are being managed in accordance with their waste site licence requirements and other relevant statutory requirements. Plan for the future of the Shire's (and its community's) waste disposal requirements. Consider developing a Shire-wide Environmental Risk Management plan to address the Shire's environmental targets. This may include factors such as responsible disposal of chemicals, waste reduction targets, water consumption and electrical consumption. Ensure the Derby Port Environmental Policy is dated and includes review details.	FA 2022 3. Rehabilitation Provision Assessment FA 2023 3. Rehabilitation Provision Assessment	Medium	Executive Services	CEO		Consultant engaged and project plan developed. Included in budget review 2025/26. Included in budget review 25/26	Programmed for 2025
4	Procurement	5.1 Controls for unusual types of transactions or high-risk transactions (Risk Management)	We understand from officers that business cases have historically been presented to council in relation to proposed projects requiring significant investment. This practice has not been used in recent times. We understand from officers that large projects are generally discussed in corporate planning sessions and are addressed to the Corporate Business Plan. The Shire regularly uses the WALGA and the local Derby Vendor Panel system to seek suppliers to ensure a suitable level of probity and transparency.	Consider developing a CEO's directive regarding the practice of drafting business cases and risk assessments for unusual, expensive or high-risk activities or projects. This will assist the Shire to assess risk, ensure costs are accurate and consider whether a project manager is needed.			Corporate Services	Senior Procurement Advisor		Procurement review occurring. Senior Procurement Advisor to further develop templates and implement.	Progressing
5	IT Management	5.1 IT management plan and data recovery procedure (Risk Management)	The Shire has engaged an external contractor to manage its IT requirements. The officers identified that the contractual documents between the Shire and its external contractor address service details including backup, service agreements and products. We understand from the Shire's IT contractor that the Shire's data is stored at multiple backup points. Backups of the Shire's data are replicated both onsite and offsite (Perth). Officer emails are also backed-up. Shire officers are able to send a service request to the external contractor to restore a document or other lost information. If restoring the information may result in loss of new information, the contractor will contact the Manager Administration for approval. This process appears to be well understood but is not captured in a written procedure.	Ensure the IT contract and the associated tender requirements are managed and upheld. This could be achieved through the regular joint meetings between the Shire and Managed IT. Maintain a status sheet to monitor whether the managed services tender requirements are being met. Ensure the Shire is satisfied that the external contractor has in place the necessary practices and procedures to satisfy terms and conditions of the contract and tender requirements. Especially in relation to protecting the Shire's IT systems from cyber security risks. Capture the procedure for requesting and approving the restoration of a document in a written procedure.	ISA 2022 3. IT Governance - Standards, Policies and Procedures ISA 2023 3. IT Governance - Standards, Policies and Procedures ISA 2022 4. IT Governance and Strategy Reg 5 Back-Up Procedures		Corporate Services	Manager ICT and Customer Service		Manager ICT and Customer Services, and Deputy CEO meet with Managed IT bi monthly. A Steering Group has been established that meets quarterly. Membership consists of Management and relevant Officers responsible for IT projects	Progressing

	Category	System or Procedure	Description	Suggested Actions	Other Audit Reference	Risk Rating	Directorate Responsible	Officer	Date Due	Progress Update	Status
Regulation 17 Review - December 2022											
6	Agendas	5.2 Drafting reports to council (Internal Control)	The Shire has a template document for drafting reports to council and a Report Writing Guide (April 2020). The Report Writing Guide is not specific to council reports but can be used as a guide for drafting reports to council. There are no formalised supporting guidance documents to assist those officers who are new or unfamiliar with drafting reports to council. Officers are required to confer with other officers and consider previous reports to council.	Review the Report Writing Guide and provide review details at the base of the document, including a review deadline.			Executive Services	CEO		This has stalled due to anticipated legislation changes. Currently 90% complete.	Programmed for 2025
7	Legal advice	5.2 Liaising with legal advisors	The Shire regularly engages with various legal advisors, all of whom are in the WALGA Preferred Supplier Directory. Some of those advisors have been supporting the Shire for a number of years. We understand from officers that the advisor is often selected based on the type of matter being dealt with. Executive staff or the CEO will determine when legal advice is required. We understand from officers that the CEO encourages advice to be sought if there is doubt.	Create a register of advice received, including a brief matter description and reference numbers to the relevant documents. This will enable employees to use (but not necessarily apply) as a reference material advice received in the past. A guideline must accompany the register to ensure that employees seek an updated version of advice, to cater for changes in law and application to circumstances different from those prevailing at the time of the original advice. Draft a CEO directive for seeking legal advice. This may include how to request legal advice, what needs to be considered before seeking legal advice, who can seek advice from lawyers, and contacts for lawyers who specialise in certain areas.			Governance	Coordinator Governance and Risk			Progressing
8	Procurement	5.2 Separation of roles and functions (Internal Control)	The procurement process requires multiple employees to review and/or sign off on the required documentation. For example, the invoice ought not to be signed off by the officer procuring the good or service.	Conduct periodic internal reviews to ensure that the various components of the purchasing process include a separation of roles and functions.			Corporate Services	Senior Procurement Advisor		Full review of Procurement occurring in 2025 An Attain task has been added to document this process	Progressing
9	Assets and Records	5.2 Restricting access to physical assets and records (Internal Control)	Physical archived documents are restricted by key access. Only three officers have keys to access the strong room and safe which stores leases, contracts and other important items. Property records in Coleman Centre can be accessed by anyone in the building. The records are not permitted to leave the building. A member of the public may access property records by submitting an application and fee. The Records Officer or administrative officers will access records on their behalf. The IT server room is only accessible by key. Executive officers and the Manager Administration have a key to access this room. There is a sign-in sheet for all external visitors to the IT server room. Mobile phones, laptops and other assets are also kept in the IT server room. The Manager Administration can distribute these items at the request of the People and Culture business unit or a director. This procedure is not captured in a written document. Officers are issued with keys to the administration building during their induction. People and Culture records indicate which officers have been issued with certain keys. Alarm codes for the administration building are issued to employees during their induction. Alarm codes are also provided to access the Council Chamber. These codes are limited to allow access within set access times. Keys to access Shire buildings can be issued to officers and contractors. This must be recorded on the Key Register. The Shire maintains procedural documents to support the hiring of facilities and the dispersion of keys accordingly. These documents include procedures to be followed should keys not be returned.	Implement a written procedure for accessing records in Coleman Centre to ensure documents are suitably protected. This may include using lockable compactors or relocating the records to a room that can be locked. Draft a written procedure for the issuing of phones, laptops and other assets stored in the server room. Ensure that the Server Room Access Log is located in the vicinity of the server room. Implement a written procedure for the management of the Key Register. Noting that both of the above could be included in the ProMapp initiative. Ensure procedural documents are dated and include review periods, including the Facility Hire Procedure. Review the Employee Exit Checklist to ensure it captures the need to return access keys and other shire equipment like phones, computers, and vehicles, etc. on departure from the Shire.			Corporate Services	Manager ICT and Customer Service		The server room in the Administration Office is locked by key and is only accessible by the CEO and Manager ICT and Customer Service.. Record keeping in Coleman is being investigated. Asset Management has completed a full review of key register in 2023. Process map being developed for key register. The Employee Exit Checklist is being reviewed by People and Culture and Governance. A CEO Directive is currently being developed.	Progressing
10	IT Management	5.2 Authorising changes to data files and systems (Internal Control)	The Shire currently lacks significant control in relation to authorising changes to data files as the Shire currently does not have an administrator for its IT software. The Shire significantly relies on its external IT contractor to assist with these matters.	Introduce an authorisation procedure for occasions when changes to data files are proposed.	ISA 2022 3. IT Governance - Standards, Policies and Procedures ISA 2023 3. IT Governance - Standards, Policies and Procedures ISA 2022 4. IT Governance and Strategy Reg 5 Back-up Procedures		Corporate Services	Manager ICT and Customer Service		Managed IT developing with the Manager ICT and Customer Service. This occurs but require a formal procedure to be documented.	Progressing

Shire of Derby / West Kimberley Risk Register
30 April 2024

	Category	System or Procedure	Description	Suggested Actions	Other Audit Reference	Risk Rating	Directorate Responsible	Officer	Date Due	Progress Update	Status
11	Regulation 17 Review - December 2022 Record Management	5.2 Records management procedures (Internal Control)	The Shire's Recordkeeping Procedure is given to new employees during their induction. This addresses information such as what needs to be recorded, what file numbers to allocate, the authorisation of officers, how long records must be kept and the disposal of records. The officers recognise that a significant number of records are currently not being filled correctly. For example, many files are not being saved into Synergy and are instead accessed via the X-Drive. This issue is also hindered when external email information is received by individual officers rather than the customer service inbox.	Conduct a comprehensive review of the Shire's record systems to identify and address issues such as consistency of filing. Implement a centralised and consistent filing system supported by staff training and written procedures. This will require a managed transition from the use of the x-Drive and personal drives to Synergy Records or a dedicated digital records management system. Consider if additional support/resourcing is needed to assist with records management. Ensure records of individual officers are effectively managed. For example, by addressing these requirements in job descriptions and discussing records management during performance reviews.			Corporate Services	Records Management Officer		Ongoing process development. Staff turnover results in delays. This will be added to new employees induction. The record keeping manual is near completion.	Progressing
12			Assets	5.2 Asset management plan (Internal Control)	The Shire has drafted Asset Management Plans for buildings, roads, the plant, land and other assets. The Shire also has an Asset Management Policy (June 2021). The Asset Management Plan is a part of the Integrated Planning Process and identifies when replacements, refurbishments and maintenance are required. Reference is made to the draft Asset Management Plans when formulating the annual budget. Expenditure outside of the draft Asset Management Plan requires justification. A gap may at times exist between what is required in the draft Asset Management Plan and the expenditure provided in the budget. We understand from officers that the Shire maintains a working document of assets and an Assets Register. The Assets Register does not include any items valued under \$5,000, in accordance with relevant accounting standards. Physical inspections of large assets are undertaken for insurance purposes. We understand from officers that smaller items such as phones and laptops may not be captured on the Assets Register or the Asset Management Plans. Similarly, crew gear are mostly unaccounted items. These items are managed using a Small Plant Register and are replaced at end of their useful life. We understand from the officers that the Shire's IT service provider keeps track of the Shire's IT equipment needs and will contact the Shire when items require updates or replacing.	Prioritise endorsing the draft Asset Management Plans. Ensure relevant budgeting reports to council identify the long-term consequences of not meeting the requirements of the Asset Management Plan. Asset management training may also be appropriate if this is a concern of the Shire.	FA 2022 1. Impairment Assessment of Roads FA 2023 4. Fixed Asset Depreciation Rates FA 2023 7. Fixed Asset Depreciation Rates FA 2022 5. Fixed Asset Additions FA 2023 8. GST Capitalised on Fixed Asset Additions FA 2022 7. Fixed Asset Management Policy FA 2023 4. Fixed Asset Management Policy FA 2022 8. Fixed Asset Capitalisation Policy FA 2023 5. Fixed Asset Capitalisation Policy FA 2022 10. Fixed Asset Capitalisation Dates FA 2023 1. Impairment Assessment of Roads		Infrastructure	Director Infrastructure	Ongoing. Corporate Services in consultation with Infrastructure Services
13	Local Laws	5.3 Local Laws	A task is set in the Compliance Calendar to remind the relevant officers to conduct a review of all local laws in accordance with statutory requirements. The Shire's procedure for reviewing local laws will follow the guidelines issued by the Department of Local Government, Sport and Cultural Industries. The local law review (for all local laws) is currently overdue.	Prioritise the review of the local laws (currently overdue). CEO to review the reasons for the Shire's failure to undertake the reviews of local laws in a timely manner and address those issues in a report to the Audit Committee.		Extreme	Corporate Services	Governance and Risk Coordinator		Consultant has been engaged	Programmed for 2025
Annual OAG Financial Audit - 22/23 Financial Year											
14	Accounting	2. Revenue Recognition (AASB 15 and AASB 1058)	Finding: From our sample testing of revenue transactions, we identified for one transaction that the Shire has incorrectly applied AASB 15 Revenue from Contracts with Customers and AASB 1058 Income of Not-for-Profit Entities. The grant of \$1.1 million received was recognised as a revenue when the specific grant conditions have not been fulfilled which resulted in an overstatement of revenue and an understatement of contract liabilities. The error was addressed during the audit with the necessary adjustments being subsequently recognised by the Shire. Implication: Incorrect application of accounting standards may cause the Shire's financial statements to be misstated.	Recommendation: The Shire should review its interpretation and application of AASB 15 and AASB 1058 for grant revenue and amend its accounting treatment accordingly. Management Comment: Policy and process will be finalised in May 2023. Rating: Significant	FA 2023 2. Revenue Recognition (AASB 15 and AASB 1058)	Extreme	Corporate Services	Director Corporate / Strategic Development Advisor		Review commenced. Grant Management including Register has been developed and implemented. This includes details of grants received and accounting treatment is conducted. Grant Management Framework is currently being developed. Currently in the process of developing a written process.	Progressing
Annual OAG Audit - 23/24 Financial Year											
15	Finance and Accounting	Revenue Recognition (AASB 1058)	Finding: Identified errors in the application of AASB 15 Revenue from Contracts with Customers and AASB 1058 Income for Not-for-Profit Entities to various transactions. The errors resulted in a decrease in revenue of \$0.2 million. The errors were corrected during the audit. Implications: Incorrect application of accounting standards may cause the Shire's financial statements to be misstated.	Recommendation: The Shire should develop a more robust technical process to ensure that the interpretation and application of AASB 15 and AASB 1058 for grant revenue is appropriate. Rating: Moderate (2022-23: Significant)		Medium	Corporate Services	Director Corporate Services	30-Jun-24	Management Comment: Noted. A process has been developed. Shire staff will continue to review and implement improvements.	Progressing

	Category	System or Procedure	Description	Suggested Actions	Other Audit Reference	Risk Rating	Directorate Responsible	Officer	Date Due	Progress Update	Status
Information Systems Audit - 22/23 Financial Year											
16	IT Management	4. IT Governance and Strategy	Finding: Appropriate and defined IT governance structures and processes enable alignment with business strategies and help to efficiently manage/monitor outsourced IT systems. We identified that the Shire does not have an up-to-date IT strategic plan which aligns to the overall business strategy in place. This finding was first identified in 2021-22. Implication: Without appropriate and defined IT strategic plan, the Shire may not be able to effectively align IT with business strategies, increasing the risk of sub-optimal achievement in relation to business plans and initiatives.	Recommendation: The Shire should develop an IT strategic plan to ensure alignment of IT strategy to overall business strategy. Management Comment: Progress on the development of a strategy has occurred and will continue in 2024. Rating: Moderate (2021-22) Moderate	Reg 17.5.2 Updating computer applications and information systems ISA 2022.4, IT Governance and Strategy	High	Corporate Services	Manager ICT and Customer Service	30-Jun-24	Managed IT - IT Strategy is in progress, and will be completed for May 2025.	Progressing
17	Long Term Financial Plan	5.2 Audit Finding Long Term Financial Plan	Finding: There is no current Long Term Financial Plan (LTFP) in place for the Shire. This document provides a framework to help assess the short, medium and long term impact of funding decisions on the Shire's financial sustainability and is a required element of the Integrated Planning & Reporting Framework. Management are aware of this and we understand that development has commenced but it is in its preliminary stages. Implication: The absence of an LTFP may expose the Shire to financial sustainability risks due to lack of financial forecasting information to assess the impact of decisions	Recommendation: The LTFP should be developed and annually reviewed as part of the budgeting process to ensure it remains relevant to inform financial decision making. Management Comment and Action: The LTFP will be developed and implemented in 2024. Risk Rating: High Risk		High	Executive Services	CEO	30-Jun-24	To be developed in collaboration with Annual Budget, and Council Plan.	Programmed for 2024
Information Systems Audit - Year End 2024											
18	Financial Application – User Access Management	IT General Controls Audit	Finding The following previous year finding remains unresolved in this audit period: - There is no formal periodic review process verifying whether generic or system accounts are still appropriate. - There were no user access reviews conducted during the audit period. - There is no process to periodically review the segregation of duties matrix. In addition, we identified several deficiencies in the access management of the SynergySoft financial application: 1 out of 131 user accounts belonged to terminated employees. The identified user did not log in after termination date. We acknowledge that the account was disabled on 28 June 2024. 1 out of 131 user accounts were not found in the HR active employee list. We acknowledge that the identified accounts were disabled on 28 June 2024. 2 out of 23 system or generic accounts' purposes and their use could not be substantiated by the Shire. 6 out of 12 active administrator level accounts were not required. We acknowledge that these accounts were disabled on 28 June 2024. This finding was first raised in 2021-22. Rating: Significant (2022-23: Significant) - Without effective user access management processes, there is an increased risk of unauthorised access to the finance application. This could impact the confidentiality, integrity, and availability of the Shire's information. - Without an effective review of user access and segregation of duties controls, there is an increased risk of making unauthorised changes and approvals to application transactions. This could impact the integrity of the data in the SynergySoft application and lead to inappropriate segregation controls, unauthorised and fraudulent transactions.	Recommendation - Ensure terminated users are disabled in a timely manner. - Regularly review and monitor all SynergySoft accounts to ensure they are still appropriate and required. Appropriate records of these reviews should be retained, and accounts not needed should be disabled in a timely manner. User access reviews should include a review over: - Generic and system accounts and verify their purposes. - Administrator level accounts to verify if they are still required. - Document and implement a segregation of duties review procedure, including frequency of review.		Extreme		CEO	30-Jun-25	Management comment: Management agrees with the recommendation. Councils existing procedure ensures terminated employee system access is removed promptly, normally immediately after the date/time of termination which effectively removes user access. This is followed up monthly to follow up removal of access to systems, eg Citrix.	Progressing
19	Risk Management	IT General Controls Audit	Finding: the Shire had not established an IT risk register according to the agreed Information Security Risk Assessment Policy. This finding was first raised in 2021-22. Rating: Moderate (2022-23: Moderate)	Recommendation: The Shire should develop and maintain a risk register, ensuring the mitigation actions have been properly defined and actioned. This finding was first raised in 2021-22. Rating: Moderate (2022-23: Moderate)		Medium		CEO	30-Jun-25	Management Comment: Council has developed and intends implementing a business risk register and ensuring relevant risk registers. IT risks are being reviewed for incorporation into this process.	Progressing

	Category	System or Procedure	Description	Suggested Actions	Other Audit Reference	Risk Rating	Directorate Responsible	Officer	Date Due	Progress Update	Status
	Regulation 5 Review - November 2023 Procurement & Purchasing Process Compliance		Finding: Paxon performed testing of a sample of procurement transaction and noted the following points: - The Shire does not require evaluation panel members to sign the evaluation to evidence participation or to complete conflict of interest forms. - PO73158's procurement threshold is between \$50,001 to \$250,000 (exclusive of GST), therefore at least three written quotations were required. Only two quotations were received and there is no evidence as to how many were sought, as this is not documented. - There is no documented justification for the exemption of procurement processes relating to PO79201. Paxon also noted findings in relation to the three way matching of purchase order, goods and service receipting and invoices, which is a key financial control. There is no invoice payment approval noted for PO75908. The invoice was not signed by the original purchase order amount for PO77065 and no approval of the was provided for the approximate \$600,000 order value. - For PO79201, the purchase order and invoice, but they contain different descriptions for the service provided. The PO description relates to the supply of security to look after machinery and materials and the invoice description relates to supply of fuel trailer. - Purchase order date does not precede invoice date on 3/10 of the procurement samples for PO75129, PO77126, and PO74550.	Implication: Non-compliance with procurement and three way matching processes may result in a lack of appropriately authorised transactions and potentially misappropriation. Recommendation: 5.3.1 Evaluation forms should be signed as evidence of outcome and participation and conflicts of interest should be included to record evidence of their consideration. 5.3.2 All steps of review and authorisation through procurement and three way matching processes should be evidenced and any deviations from process documented, authorised and recorded, should be run monthly to assess the volume and value of invoices being processed before purchase orders are raised. These should be reviewed and investigated with officers not following process receiving training to increase process compliance. Management Comment and Action: Management agrees with the recommendations and will develop appropriate evaluation forms and declarations. Risk Rating: High Risk	Reg 17 5.1 Procurement Framework (Risk Management) Reg 17 5.3 Monitoring compliance legislation and regulations in regard to tendering and procurement (Legislative Compliance)	High	Corporate Services	Director Corporate Services	Ongoing	A full review of procurement is currently occurring. While the procurement policy can not always be met due to regional and remote situations, an accompanying memo must be signed by the relevant Director or CEO.	Progressing
20		5.3 Audit Finding Procurement & Purchasing Process Compliance									
21	Financial Risk		Finding: The financial risks identified and assessed by the Shire were requested, but only the risk management framework was received, not specific documented risks. A financial task calendar to identify required activity during the financial year is kept, however there are no responsible employees for the tasks and there is also an absence of deadlines recorded. Implication: - Financial risk may not be appropriately identified, assessed and managed. - Financial processes may not be performed completely and timely.	Recommendation: 5.6.1 A plan should be developed to make the risk management framework operational. 5.7.2 Within the task calendar it should clearly define responsibility and the timeframe. Management Comment and Action: Management agrees with this recommendation and a full review of the Risk Framework is scheduled for 2024 Risk Rating: Medium Risk		High	Corporate Services	Governance & Risk Coordinator	1-Dec-24	Risk Management review is occurring in 2024.	Progressing
22	ARGN	AGRN Claims	AGRN Claims may not be fully paid to the Shire. Current claim response success is approx 65%.	The Shire will continue to work with DIES to progress claims		High	Corporate Services	Director Corporate Services	30th June 2025	Claims are progressing	Progressing
HS 2025 Audit	Management Commitment	Element 1.1	WHS Policy in place demonstrating organisational commitment to high standards of H&S. WHS Policy is reviewed annually by WHS Committee and DMT; minutes are maintained. Policy includes version control, previous versions, and review dates.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
	Management Commitment		CEO and Council endorsed WHS Policy in Council meeting minutes, but CEO's signature is not present in the document. Policy is reviewed annually; previous versions maintained. Included in health and safety induction training and referenced in Employee H&S Handbook. Included in health and safety induction training and referenced in Employee H&S Handbook. Displayed on workplace noticeboards.	Insufficient: - CEO to formally endorse/sign the WHS Policy. - Review contractor H&S documentation to ensure policy is communicated effectively.		Medium	Executive Services	Manager People and Culture			Item Added
24		Element 1.2									
	Management Commitment	Element 1.3	Senior WHS Officer monitors relevant H&S legislation and standards via WorkSafe WA, LGIS, etc. Legislation referenced in policy/procedure templates. Legislation referenced in policy/procedure templates.	Insufficient: - Develop process to ensure SWMS, SMPs, and related documents identify relevant legislative requirements. - Ensure this information is clearly understood by management and workers.		Medium	Executive Services	Manager People and Culture			Item Added
25											
	Management Commitment	Element 1.4	WHS responsibilities are clearly defined in position descriptions and the WHS Policy, tailored by role and organisational level.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
26											
	Management Commitment	Element 1.5	Accountability is maintained through performance reviews, the WHS Committee Action Register, and hazard/incident reporting processes.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
27											
	Management Commitment	Element 1.6	Budget exists for WHS items (PPE, training, etc.). Budget is reviewed at least annually and more frequently if required.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
28											
	Management Commitment	Element 1.7	Time is allocated for toolbox/pre-start meetings and training. Time is allocated for toolbox/pre-start meetings and training. Workplace inspections are mainly completed by Senior WHS Officer and HSR every 6 months.	Insufficient: - Review workplace inspection process to include managers and supervisors. - Increase inspection frequency to promote involvement and a strong safety culture.		Medium	Executive Services	Manager People and Culture			Item Added
29											

Shire of Derby / West Kimberley Risk Register
30 April 2024

	Category	System or Procedure	Description	Suggested Actions	Other Audit Reference	Risk Rating	Directorate Responsible	Officer	Date Due	Progress Update	Status
HS 2025 Audit	Management Commitment		Recommendations are addressed and recorded in Action Register by Senior WHS Officer. Risk assessments are completed and tracked. Action Register discussed in WHS Committee, DMT, and OMT meetings. Action Register discussed in WHS Committee, DMT, and OMT meetings. LGS assessments conducted every 3 years. The plan is regularly monitored by DMT.								Item Added
30		Element 1.8		Satisfactory: Consider implementing internal assessments to monitor system effectiveness more frequently.		Low	Executive Services	Manager People and Culture			
31	Planning	Element 2.1	A WHS Action Plan, developed from the LGS 2022 assessment, has been implemented. Responsibilities and timeframes for action items are clearly defined.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
32	Planning	Element 2.2	No health and safety objectives or measurable targets have been developed.	Unsatisfactory: - Develop health, safety, and psychosocial objectives and measurable targets. - Include both lead and lag indicators. - Review and document performance indicators at least annually.		High	Executive Services	Manager People and Culture			Item Added
33	Planning	Element 2.3	Use plans or records to ensure relevant parties are informed and supportive. Training tailored for literacy concerns. Ergonomic assessments and fitness-for-work policy applied. Management of special needs workers not formally documented unless via workers compensation. Draft WHS Contractor Management Procedure exists.	Insufficient: - Develop a documented process for managing workers with special needs. - Use plans or records to ensure relevant parties are informed and supportive.		Medium	Executive Services	Manager People and Culture			Item Added
34	Planning	Element 2.4	Tender/RFQ processes for large projects in place. Contractor inductions are inconsistent. Accountability for contractor WHS performance is not defined.	Unsatisfactory: - Finalise WHS Contractor Management Procedure. - Develop contractor induction (organisational + on-site). - Define WHS performance accountability for contractors. - Use LGS Contractor Management Toolkit.		Extreme	Executive Services	Manager People and Culture			Item Added
35	Planning	Element 2.5	Contractor info (insurance, training) is collected. Other records (consultations, inspections) not clearly maintained.	Insufficient: - Develop process for maintaining contractor management records (consultation, assessment, inspections, reviews). - Use LGS Contractor Management Toolkit.		Extreme	Executive Services	Manager People and Culture			Item Added
36	Planning	Element 2.6	Emergency procedures in place at all workplaces. First aiders and wardens trained and identified. Equipment regularly maintained. Evacuation drills occur at least annually.	Satisfactory: - Include photos of first aiders/wardens on noticeboards. - Expand emergency drill schedule to include varied emergency types.		Low	Executive Services	Manager People and Culture			Item Added
37	Planning	Element 2.7	Templates include legislative reference section. Work instructions and SWMS/SWPs do not reference current legislation or standards.	Insufficient: - Review tasks to determine if SWMS is legally required. - Update SWMS/SWPs to include legislative requirements.		Medium	Executive Services	Manager People and Culture			Item Added
38	Planning	Element 2.8	Workers know to approach WHS team or supervisors for information. Legislative references stored in SharePoint. SDS and other documents available in hard/soft copy.	Satisfactory: Promote RSH Health and Safety Representative roles so workers know they are a resource for WHS support.		Low	Executive Services	Manager People and Culture			Item Added
39	Planning	Element 2.9	Licences and training info stored in personnel files and ELMO. Equipment is inspected/maintained regularly. Asbestos registers and training in place. No noise surveys have been conducted.	Insufficient: - Identify equipment requiring noise surveys. - Conduct risk assessments, evaluate PPE effectiveness, and document controls.		High	Executive Services	Manager People and Culture			Item Added
40	Planning	Element 3.1	WHS Handbook (2023) outlines communication methods for health and safety. WHS is an agenda item in DMT, OMT, and WHS Committee meetings. Toolbox and pre-start meetings occur, but minutes are not consistently maintained. WHS Committee has a Terms of Reference.	Insufficient: - Finalise updated WHS Handbook. - Ensure health and safety is included in all staff meeting agendas and minutes are kept. - Train team leaders on conducting and recording toolbox/pre-start meetings.		Medium	Executive Services	Manager People and Culture			Item Added
41	Consultation and Reporting	Element 3.2	Consultation arrangements covered in induction. HSR trained and informed on legislative requirements. WHS information is shared via noticeboards and emails.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
42	Consultation and Reporting	Element 3.3	WHS, DMT, and OMT meetings involve worker input. Training opportunities discussed annually and as needed. Contractors' involvement in hazard management is unclear.	Insufficient: Train and involve contractors in consultation and hazard management processes.		Medium	Executive Services	Manager People and Culture			Item Added
43	Consultation and Reporting	Element 3.4	Workers are verbally consulted on changes and purchases, but it is not documented. WHS Committee includes mechanisms for consulting on certain issues.	Insufficient: Develop and document a formal process for consulting workers/representatives on workplace changes and purchasing decisions.		Medium	Executive Services	Manager People and Culture			Item Added
44	Consultation and Reporting	Element 3.5	Workers confirmed consultation occurs on hazard management. Workers have received hazard management training.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Item Added

Shire of Derby / West Kimberley Risk Register
30 April 2024

	Category	System or Procedure	Description	Suggested Actions	Other Audit Reference	Risk Rating	Directorate Responsible	Officer	Date Due	Progress Update	Status
HS 2025 Audit											
	Consultation and Reporting		Managers assess staff understanding of consultation requirements via team meetings. Gaps lead to targeted awareness actions.	Satisfactory: Document any amendments or actions taken (e.g., in meeting minutes or procedure reviews).		Low	Executive Services	Manager People and Culture			Item Added
45		Element 3.6									
			Senior management regularly attend and participate in WHS Committee meetings.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
46	Consultation and Reporting	Element 3.7									
	Consultation and Reporting		Manager/supervisors are aware of the Issue Resolution Process, but it is not actively used.	Insufficient: Review and reinforce use of the documented Issue Resolution Process. Ensure WHS reps are involved in the resolution process.		Medium	Executive Services	Manager People and Culture			Item Added
47		Element 3.8									
			WHS Handbook (2023) includes a hazard reporting procedure. Workers use SWMS, SWP, Table 5s, but not in compliance with WHS legislative requirements.	Insufficient: Review SWMS and SWP templates to ensure legislative compliance.		High	Executive Services	Manager People and Culture			Item Added
48	Hazard Management	Element 4.1									
	Hazard Management		Control measures are in place and monitored through a hazard action register. Reports are increasing. Workers are not fully completing controls section in documents.	Insufficient: Train workers on using SWMS/ISA/SWP and the importance of recording appropriate controls.		Medium	Executive Services	Manager People and Culture			Item Added
49		Element 4.2									
			SWMS/SWP developed but not fully compliant with WHS legislation Legislative references are missing.	Insufficient: Identify high-risk tasks and ensure SWMS comply with WHS legislation. Create ISAs/SWPs for other regular tasks. Add legislative references section to SWMS templates.		High	Executive Services	Manager People and Culture			Item Added
50	Hazard Management	Element 4.3									
	Hazard Management		SWMS are rewritten before each task in consultation with workers.	Satisfactory: Consider reviewing existing SWMS for recurring tasks instead of rewriting each time.		Low	Executive Services	Manager People and Culture			Item Added
51		Element 4.4									
			Control effectiveness is discussed but not documented.	Unsatisfactory: Implement a documented process for reviewing effectiveness of control measures.		Medium	Executive Services	Manager People and Culture			Item Added
52	Hazard Management	Element 4.5									
	Hazard Management		Reporting procedure is outlined in WHS Handbook and reinforced during induction and staff meetings. Investigations are documented in forms, registers, and stored in ELMO.	Satisfactory: Ensure HSRs are engaged in all investigation processes.		Low	Executive Services	Manager People and Culture			Item Added
53		Element 4.6									
			All incident/injury/disease reports are logged and monitored by WHS & People and Culture. Discussed in leadership and WHS meetings.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Item Added
54	Hazard Management	Element 4.7									
	Hazard Management		Organisation is aware of notification requirements, but WHS Handbook lacks explicit references.	Insufficient: Update WHS Handbook with current WorkSafe notification requirements and train all staff.		Medium	Executive Services	Manager People and Culture			Item Added
55		Element 4.8									
			Position descriptions outline training needs. A Training Matrix is maintained in ELMO, accessible to managers. Workers contribute to identifying their training needs via performance reviews or direct discussion. Workers confirmed they receive training relevant to their roles and activities.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
56	Training and Supervision	Element 5.1									
	Training and Supervision		Workers confirmed they receive training relevant to their roles and activities.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
57		Element 5.2									
			Supervisory levels are appropriate for the roles. Working alone processes are applied when direct supervision is not possible.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Completed
58	Training and Supervision	Element 5.3									
	Training and Supervision		Position descriptions include required WHS knowledge, skills, and experience. Managers and supervisors have completed WHS role/responsibilities training, but a refresher may be useful.	Satisfactory: Provide refresher WHS training for leadership roles on a regular basis.		Low	Executive Services	Manager People and Culture			Item Added
59		Element 5.4									
			Documented Training Procedure exists. Workers understand eligibility and process.	None - Satisfactory		Low	Executive Services	Manager People and Culture			Item Added
60	Training and Supervision	Element 5.5									
	Training and Supervision		Training is evaluated individually through performance reviews, but not against program objectives.	Insufficient: Develop a formal review process involving senior management/WHs Committee to evaluate the training program against objectives. Maintain records.		Medium	Executive Services	Manager People and Culture			Item Added
61		Element 5.6									
			Most training is provided by RTOs. Non-RTO trainer materials are collected. Job observations are conducted but not recorded.	Insufficient: Develop a process to document job observations to confirm learning transfer.		Medium	Executive Services	Manager People and Culture			Item Added
62	Training and Supervision	Element 5.7									
	Training and Supervision		Training records, certificates, and competencies are maintained. Job observation records are not kept.	Insufficient: Implement job observation recording in personnel files or ELMO.		Medium	Executive Services	Manager People and Culture			Item Added
63		Element 5.8									
			Develop a process to document job observations to confirm learning transfer. Bushfire volunteers managed solely by DFES. Inductions only conducted for non-bushfire volunteers.	Unsatisfactory: Develop a Volunteer Management Policy and Procedure. Engage with and induct bushfire volunteers directly.		Extreme	Executive Services	Manager People and Culture			Item Added
64	Volunteer Management	Element 6.1									
	Volunteer Management		Bushfire volunteer records held by DFES, not accessible to the organisation. Records for other volunteers are maintained in ELMO.	Unsatisfactory: Establish data sharing with DFES for bushfire volunteer records (e.g. personal data, assessments, consultations).		Extreme	Executive Services	Manager People and Culture			Item Added
65		Element 6.2									
HS 2025 Audit											

[illegible]

8.2 GOVERNANCE AND COMPLIANCE - INTERNAL CONTROLS

File Number: 5476

Author: Telia Reilly, Governance and Risk Coordinator

Responsible Officer: Jill Brazil, Director Corporate Services

Authority/Discretion: Executive

SUMMARY

Pursuant to regulation 16 of the *Local Government (Audit) Regulations 1996*, the Audit, Risk and Improvement Committee assists Council in fulfilling its responsibilities regarding the oversight of internal and external audits at the Shire, ensuring due care, diligence, and skill are applied.

The purpose of this report is to provide Council with the status of internal control management matters within the Shire.

DISCLOSURE OF ANY INTEREST

Nil by Author or Responsible Officer.

BACKGROUND

Local Government (Audit) Regulations 1996 outline the functions of a local government audit committee. Council at its meeting dated 26 October 2023 confirmed the purpose of the current Audit Committee, which included amongst others the following:

- Review the CEO's Systems and Procedures and progress its implementation.

Due to an increased focus on the accountability of local governments, a review of the effectiveness of all business processes is becoming best practice. Internal auditing is one way to reduce risk and identify improvements in internal controls. There are many benefits to conducting internal audits, such as:

- Improving the performance of the organisation;
- Making the organisation process-dependent instead of person-dependent;
- Identifying redundancies in operational and control procedures and the provision of recommendations to improve the efficiency and effectiveness of procedures;
- Serving as an early warning system, enabling deficiencies to be identified and remediated on a timely basis (i.e., prior to external, regulatory or compliance audits); and
- Increasing accountability within the organisation and supports strategic objectives.

Compliance Calendar

The Shire has a Compliance Calendar (Attain) which is used to track activities and action due dates to ensure compliance is met with critical legislative compliance requirements, operational requirements and also to reduce risk of non-compliance. Data entered in to this system throughout the year supports completion of the annual Compliance Audit Return. This is a requirement from State Government and is reported to the Audit and Risk Committee (Commissioner) Meeting prior to being submitted for Council (Commissioner) resolution.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section .2.7

Local Government Act 1995 Section 5.41

Local Government Act 1995 Section 7.1A

POLICY IMPLICATIONS

Nil applicable.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Non-compliance with legislation.	Possible	Moderate	Medium	Continue to build and monitor internal procedures and to train/manage staff on legislative compliance
Reputation: Adverse media and lack of community confidence.	Possible	Moderate	Medium	Continue to build and monitor internal procedures and to train/manage staff on legislative compliance

CONSULTATION

Nil

COMMENT

This report highlights to Council (Commissioner), the actions taken by the Chief Executive Officer to ensure compliance and minimise risk.

It also promotes an improved understanding by officers, of the strategic risk/compliance expectations of Council (Commissioner).

The Shire is continuing to build best practice in this area using staff training, information sessions and provision of support.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **Governance Internal Controls - Compliance Calendar August 2025** [!\[\]\(fdf28e44f21900f7aee4a621979da7e0_img.jpg\)](#) 

RECOMMENDATION

That Council (Commissioner) note the information contained in the Shire of Derby/West Kimberley Internal Controls – August 2025 report.

Shire of Derby / West Kimberley Compliance Calander
August 2025

	Task Number	Calendar task	Category	Legislation	Comment	Status
1	C364	Completion report - Recreational Boating Facilities Scheme (Round 28). The Shire has received funding from the Department of Transport	Compliance Requirement	N/A	Review of grant process being undertaken	Grant - Progressing
2	C359	6 monthly progress report - Aboriginal Environmental Health Services to Remote and Rural Communities. The Shire is contracted by the Department of Health to provide health services to remote Aboriginal Communities in the West Kimberley	Compliance Requirement	N/A	Staff are in the process of finalising this grant as reporting requirements have changed	Grant - Ongoing Action Item
3	C360	Six monthly progress report - Recreational Boating Facilities Scheme (Round 29). The Shire has received funding from the Department of Transport	Compliance Requirement	N/A	Staff are in the process of finalising this grant as reporting requirements have changed	Grant - Progressing
4	C108	Annual staff performance reviews	Legislative Requirement	Local Government Act 1995	The review of staff performance reviews is progressing	Progressing
5	C245	Satellite Phone Serviceability	Operational Task	N/A	A review of satellite phones within the Shire is being undertaken - check if it is with rowan	Progressing
6	C42	Corporate Business Plan Review	Legislative Requirement	Local Government Act 1995 Local Government Administration Regulations 1996	Review has been put on hold awaiting state government legislation and review of the strategic community plan	Stalled
7	C260	Derby Port Monthly Report to the Kimberley Ports Authority as required by the head lease	Compliance Requirement	N/A	This is an ongoing action item that is completed monthly	Ongoing Action Item
8	C176	Public Interest Disclosure Procedure - Internal Audit	Legislative Requirement	Public Interest Disclosure Act 2003	Staff are reviewing the guidelines for public authorities that have been developed by the Public Sector Commission	Progressing
9	C301	Derby Port Masterplan	Legislative Requirement	N/A	As per the Council Resolution dated 27 April 2023, an annual report on the progress / status of the implementatin of the Derby Port's Masterplan's recommendations will be provided to Council	Progressing
10	C113-5	Local Laws Review	Legislative Requirement	Local Government Act 1995, s.3.16 Periodic Review of Local Laws	Consultant has been appointed. Review of local laws to be completed by the 7 December 2026	Progressing
11	C149	Water Licences - Review and Renew Artesian and Non-artesian Water Licences	Legislative Requirement	Rights in Water and Irrigation Act 1914	Yearly review is currently occurring	Progressing
12	C102	Information Statement and Internal Manuals - Yearly review and publishing of the Shire's Information Statement and FOI Processes	Legislative Requirement	Freedom of Information Act 1992	Yearly review is currently occurring	Progressing
13	C121	Review work, health and safety processes	Legislative Requirement	Work Health and Safety Act 2020	Review is progressing	Progressing
14	C170	RCD/Smoke Alarm/Grounding - Electrical Safety Certificates for Residential Accommodation	Legislative Requirement	Electricity (Licensing) Regulations 1991 Work Health and Safety Act 2020	Certificates for residential properties was completed in March 2025	Completed
15		Common Seal Register - Review	Legislative Requirement	Local Government Act 1995	Review is progressing	Progressing
16	C269	Public Thoroughfares - Ensure Plans and alignments are kept	Legislative Requirement	Local Government Act 1995	Plans have been sent to Perth and are being kept at Grace, who are currently scanning and uploading into the Shire's systems	Progressing
17	C133	Local Government Heritage Consultancy Grants - Acquittal of funding to engage a consultant to undertake a Local Heritage Survey	Legislative Requirement	Heritage Act 2018	The final report has been endorsed by Council and the recommendations are currently being enacted	Progressing
	C388					

	Task Number	Calendar task	Category	Legislation	Comment	Status
18	C204	Leases - Renewals / ExtensionsTo ensure that commercial and community lease expiry dates are monitored	Compliance Requirement	N/A	All leases are currently being reviewed, and extensions finalised	Progressing
19	C226	Community Strategic Plan – Collection of Key Performance Indicators	Legislative Requirement	Local Government Act 1995	Council Plan is progressing	Progressing
20	C332	Stan Perron Foundation Impact report - Funding towards a 7 a youth program in Derby and Fitzroy Crossing	Compliance Requirement	N/A	Staff are finalising the Stan Perron Foundation Impact Report	Grant - Progressing
21	C117	Main Roads Direct Grants - Submit Annual Certificate of Completion (48) for each Road Project completed in previous financial year	Compliance Requirement	N/A	Review is progressing	Grant - Progressing
22	C345	Quarterly Progress Report - Kimberley Development Commission - The Shire is required to provide a quarterly update to KDC of the progress of the funded project.	Compliance Requirement	N/A	This is a quarterly ongoing action item	Grant - Ongoing Action Item

8.3 COMPLIANCE REPORTS - COUNCIL MEMBER MEETING ATTENDANCE

File Number: GV/CM/2

Author: Ryan Boldison, Executive Assistant

Responsible Officer: Tamara Clarkson, Chief Executive Officer

Authority/Discretion: Information

SUMMARY

This report provides an overview of council members' attendance at meetings for monitoring by the Audit, Risk and Improvement Committee. The purpose is to ensure compliance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

In accordance with regulation 14D of the *Local Government (Administration) Regulations 1996*, both Ordinary and Special Council meetings can be held by electronic means if the Council approves it. However, no more than half of the total meetings in a rolling twelve-month period can be conducted electronically for example via telephone, video conference or other means of instantaneous communication.

A council member can also be individually authorized by the President or the Council to attend meetings electronically. This is allowed for up to half of the in-person meetings they have attended in the preceding twelve-month period. To ensure the integrity of the meeting, a member's request for electronic attendance is only approved if their location and equipment are suitable for effective and, when necessary, confidential participation.

The Committee is responsible for monitoring these attendance rules to ensure all members are compliant with the all relevant regulations.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

Council Member Meeting Attendance reports provide the Audit, Risk and Improvement Committee with an accurate meeting attendance register and allows the Administration to monitor attendance by Council Members to ensure compliance with the *Local Government Act 1995* and *Local Government (Administration) – Amendment Regulations 2022*.

STATUTORY ENVIRONMENT

Local Government Act 1995

2.25. Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
 - (a) a meeting that has concluded; or

- (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.
- (5A) If a council holds 3 or more ordinary meetings within a 2-month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —
 - (a) if no meeting of the council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs —
 - (i) while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iii) while the member is suspended under section 5.117(1)(a)(iv) or Part 8; or
 - (iiii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
- (6) A member who before the commencement of the *Local Government Amendment Act 2009* section 5 was granted leave during an ordinary meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.

[Section 2.25 amended: No. 49 of 2004 s. 19(1); No. 17 of 2009 s. 5; No. 31 of 2018 s. 5.]

Local Government Act 1995 – Local Government (Administration) – Amendment Regulations 2022

Regulation 7 inserts additional provisions for meetings that are conducted entirely by electronic means under regulation 14D. Regulation 14D provides for a meeting of council or committee to be conducted by electronic means outside of a declared state of emergency. Regulation 14D(1) defines a relevant period in relation to the backward-looking test used to calculate how many electronic meetings a local government has conducted over the previous 12 months relative to the proposed meeting, and the 50% cap provided by regulation 14D(2A). Subsection 14D(2)(a)(ii) is amended to require the mayor, president or council to consider the requirements under subregulation 14D(2B) in deciding whether to conduct an electronic meeting. Regulation 14D(2B) requires the local government to consider the suitability of a person's location and their equipment with respect to effective communication and confidential matters during a meeting.

Regulation 14D(2A) applies the 50% cap to the number of electronic meetings that a local government (council) may authorise outside of an emergency situation under subregulation (2)(c) over a 12-month period. The backward-looking test used to determine how many meetings have already been held by electronic means in the preceding 12 months applies in the same way it does for electronic attendance at in-person meetings.

Regulation 14D(2B) inserts the criteria that the authorising authority (the mayor, president or council) are required to consider before deciding to hold an electronic meeting. The authorising authority is required to consider each council or committee member's ability to maintain confidentiality during closed parts of the meeting and the suitability of each person's intended location and equipment to enable effective engagement in council deliberations. The authorising authority must have regard to these matters when deciding to hold and authorise electronic meetings. Electronic meetings held outside of emergency circumstances under subregulation 2(c) may only be approved by council.

Subregulations 14D(5)(a) and (b) insert subsections (6) to (8) that apply to closed parts of electronic meetings. Subsection (6) requires each member in attendance to make a declaration that they can maintain confidentiality during the closed part of the meeting. Subsection (7) requires that if a member makes a confidentiality declaration but is unable to maintain confidentiality subsequent to the declaration, they are required to leave prior to the closed part of the meeting. Subsection (8) requires a member's declaration to be recorded in the meeting minutes.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.1 Provide strong civic leadership 1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: Financial, Legal and Compliance, Organisational Operations and Reputation	Unlikely	Severe	High	Monthly reporting to the Audit Committee for awareness and direction where required.

CONSULTATION

Internal.

COMMENT

Mr Jeff Gooding PSM JP was appointed Commissioner of the Shire of Derby/West Kimberley effective 18 April 2025 by the following the resignation of five Elected Members of Council. Since the appointment, Mr Gooding's attendance rate has been 100 per cent of all meetings of Council noting that the Administration also made some amendments to meetings to facilitate attendance in accordance with Regulation 12(1) of the *Local Government (Administration) Regulations 1996*.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS**1. Members of Council meeting attendance - February to July 2025****RECOMMENDATION**

That the Audit, Risk and Improvement Committee receives the information contained in the report detailing Council Member meeting attendance (including via electronic means).

MONTH	27 Feb 2025	27 Mar 2025	24 Apr 2025	22 May 2025	18 Jun 2025	31 Jul 2025	30 May 2025	13 Jun 2025	27 Jun 2025	25 Jul 2025
Meeting type	OCM	OCM	OCM	OCM	OCM	OCM	OCM	Special	OCM	OCM
Meeting location	DBY	CXLD	DBY	FX	DBY	DBY	FX	DBY	DBY	DBY
Members of Council	-	C	P	P	P	P	P	P	P	P
Commissioner Gooding	-	C	P	P	P	P	P	P	P	P

Attendance Key
P : IN-PERSON
O : ONLINE
A : APOLOGY
LOA : LEAVE OF ABSENCE
C : CANCELLED

* Inclusion depends on date not conflicting with 12 months rolling period.

	Physical Attendance	Online Attendance	Apology*	Leave of absence*	Total Attendance	Physically In Attendance %*
Members of Council	8	0	0	0	8	100
Commissioner Gooding				*Not counted in final attendance %		*Measured using "rolling 12 months

8.4 COMPLIANCE REPORT - COUNCIL MINUTE MANAGEMENT**File Number:** 4262**Author:** Ryan Boldison, Executive Assistant**Responsible Officer:** Tamara Clarkson, Chief Executive Officer**Authority/Discretion:** Information**SUMMARY**

The Council Minute Management Report provides Council with an update on all actions required to be undertaken by the Administration once a resolution has been adopted by Council at the Ordinary Council and Audit and Risk Committee Meetings.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

Officers are required to provide an accurate update on items to inform the Council on the progress, or any delays or the completion of each recommendation adopted by Council at the Ordinary Council and Audit Committee Meetings.

The report assists the Shire fulfil its corporate governance responsibilities in managing the affairs of the organisation. This includes financial reporting, risk management, compliance requirements and auditing.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.41(a) of the Act requires CEOs to advise councils in relation to the functions of a local government under both the Local Government Act 1995, and other legislation.

The CEO's function under section 5.41(b) is to ensure the availability of unbiased, professional and relevant advice and information to elected members for their decision-making purposes.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.1 Provide strong civic leadership 1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: Financial, Legal and Compliance, Organisational Operations and Reputation	Unlikely	Severe	Extreme	Monthly reporting to the Audit Committee for awareness and direction where required.

CONSULTATION

Internal.

COMMENT

Council resolutions requiring action by the Administration are routinely prioritised. A total of eight resolutions are on the Outstanding Actions report. By and large, the reasoning for the outstanding items are related to the complexity of the actions required to be undertaken, and the varying necessary timeframes to complete the resolution. Tenders who have been awarded and suppliers notified are now in varying levels of project delivery and expressions of interest processes are drafted, will be live for the required length of time before responses are reviewed and processed.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Meeting minutes management - outstanding actions - August 2025 [↓](#) 

RECOMMENDATION

That the Audit, Risk and Improvement Committee receive the information contained in the report detailing Council Minute Management.

Action Sheets Report	
Division: Committee: Officer:	Council (Commissioner)
Date From: Date To: Printed:	14 August 2025 3:20 PM

Meeting	Officer/Director	Section	Subject
Council (Commissioner) 31/07/2025	Brazil, Jill Brazil, Jill	Corporate Services	Fitzroy Crossing Visitors Centre - Expressions of Interest for Office Space
RESOLUTION CCO69/25			
Moved: Mr Jeff Gooding			
That Council (Commissioner) authorises the proposed lease of a portion of the Fitzroy Crossing Visitors Centre, subject to approval by the Minister of Lands, to a suitable Aboriginal Community Controlled Organisation <i>or similar</i> identified by the Chief Executive Officer through an Expression of Interest process.			
<u>In Favour:</u>		Mr Jeff Gooding	
<u>Against:</u>		Nil	
14 Aug 2025 11:42am Boldison, Ryan			
Draft Expression of Interest aligned with resolution is in progress.			
CARRIED 1/0			

Meeting	Officer/Director	Section	Subject
Council (Commissioner) 22/05/2025	Brazil, Jill Brazil, Jill	New Business Of An Urgent Nature	Department of Transport Services Fitzroy Crossing
RESOLUTION CCO33/25			
That Council (Commissioner):			
1. Endorses the transfer of the provision of licensing services for the Shire of Derby/West Kimberley to an alternative provider in Fitzroy Crossing;			
2. Notes the Department of Transport’s commitment to licensing services not being compromised or diminished in the community; and			
3. Advises that any potential conflicts of interest between the Shire and/or Council (Commissioner) and the proposed alternative provider are to be declared and noted.			
Moved: Mr Jeff Gooding			
<u>In Favour:</u> Mr Jeff Gooding			
<u>Against:</u> Nil			
CARRIED 1/0			
14 Aug 2025 2:51pm Boldison, Ryan			
Depart of Transport are now solely providing DoT services in Fitzroy Crossing and finalisation of a permanent agreement is progressing.			

Division: Committee: Council (Commissioner) Officer:			Date From: Date To: Printed: 14 August 2025 3:20 PM
Action Sheets Report			
Meeting	Officer/Director	Section	Subject
Council (Commissioner) 31/07/2025	Clarkson, Tamara Dexter, Amanda	Executive Services	Derby Port - Transfer of management back to State Government (Kimberley Ports Authority)
COMMITTEE RESOLUTION CCO73/25			
Moved: Mr Jeff Gooding			
That Council (Commissioner):			
1. Acknowledges the importance to community of continued access for recreational use of the jetty and boat ramps;			
2. Acknowledges the importance to community of ensuring the Shire continues to be included in potential trade negotiations;			
3. Determines that management of Derby Port's day to day operations is not a core or funded priority of the Shire;			
4. Adopts the 'in-principle' position that direct management and control of Derby Port should be conditionally returned to State Government (Kimberley Port Authority) in lieu of the Shire;			
5. Authorises the Chief Executive Officer to propose to the Kimberley Ports Authority, and to negotiate, terms that:			
(a) Conditionally surrenders the current lease of Derby Port from the Kimberley Ports Authority to the Shire;			
(b) Without limiting (5) above, as part of negotiations, the Chief Executive Officer is to ensure terms that secure reasonable continued Community and recreation use of the jetty and boat ramps;			
(c) Shire involvement in future trade development options for the Derby Port; and			
(d) Confirmation from KPA, that all existing sub lease or formal use arrangements on the Derby Port land will be novated across to existing users.			
6. Authorises the Chief Executive Officer to propose to the Kimberley Ports Authority, and to negotiate, an agreed draft termination of the current Management Agreement between the Kimberley Ports Authority and the Shire, to be signed by Council (Commissioner); and			
Authorises the application of the common seal on documents if negotiated to the Chief Executive Officer's satisfaction pursuant to (2), (3) and (4) above.			
7. Directs the Chief Executive Officer to present draft agreement to Council for final endorsement.			
In Favour: Mr Jeff Gooding		CARRIED 1/0	
Against: Nil			
14 Aug 2025 11:00am Boldison, Ryan			
Initial notification to and negotiations with Kimberley Ports Authority (KPA) have commenced noting the importance to community of continued access for recreational use of the jetty and boat ramps and ensuring the Shire continues to be included in potential trade negotiations. Contact with KPA is ongoing as the Shire works through next steps including further community engagement as posted on the Shire website on 1 August 2025.			

Action Sheets Report	
Division: Committee: Officer:	Council (Commissioner)
Date From: Date To: Printed:	14 August 2025 3:20 PM

Meeting	Officer/Director	Section	Subject
Council (Commissioner) 22/05/2025	Fraser, Tracy Lawrence, Luke	Community and Recreation Services	Review of the Child Safe Organisation Action Plan 2023
RESOLUTION			
That Council (Commissioner);			
1. Notes the findings of the review of the Child Safe Organisation Action Plan 2023 as provided in attachment 2.			
2. Directs the Chief Executive Officer to develop a new Child Safe Organisation Action Plan to guide future implementation of the National Principles of Child Safe Organisations at the Shire of Derby/West Kimberley.			
RESOLUTION CCO31/25			
Moved: Mr Jeff Gooding			
In Favour: Mr Jeff Gooding			
Against: Nil			
29 May 2025 10:13am Boldison, Ryan - Reallocation			
Action reassigned to Fraser, Tracy by Boldison, Ryan - Hi Tracy, reassigning this action to you as per your email to Sarah dated 29/5/25.			
14 Aug 2025 11:56am Boldison, Ryan			
Review works have progressed - in progress.			
CARRIED 1/0			

Action Sheets Report	
Division: Committee: Officer:	Council (Commissioner)
Date From: Date To: Printed:	14 August 2025 3:20 PM

Meeting	Officer/Director	Section	Subject
Council (Commissioner)	31/07/2025 Lawrence, Luke Lawrence, Luke	Community and Recreation Services	Youth Program - Expression of Interest
COMMITTEE RESOLUTION CC075/25			
Moved: Mr Jeff Gooding			
That Council (Commissioner):			
1. Determines that the Shire does not have resources to provide adequate youth services; Determines that the provision of youth services is not a current priority of the Shire			
2. Authorises the Chief Executive Officer to undertake two separate Expressions of Interest processes that consider viability, capability and implications for the provision of youth services - one for Derby and one for Fitzroy Crossing; and			
3. Note that if no suitable service provider is identified through the Expression of Interest process, the Shire will continue to deliver youth services within the limits of guaranteed-external agreed funding.			
<u>In Favour:</u>		Mr Jeff Gooding	
<u>Against:</u>		Nil	
CARRIED 1/0			
14 Aug 2025 11:44am Boldison, Ryan			
Draft Expression of Interest aligned with resolution is in progress.			

Action Sheets Report	
Division: Committee: Officer:	Council (Commissioner)
Date From: Date To: Printed:	14 August 2025 3:20 PM

Meeting	Officer/Director	Section	Subject
Council (Commissioner) 22/05/2025	Neate, Wayne Neate, Wayne	Development Services	Draft Local Heritage Survey 2025 and Draft Heritage List 2025
RESOLUTION			
That Council (Commissioner):			
1.	Endorses the draft Local Heritage Survey 2025 and draft Heritage List 2025 , attached, for the purpose of advertising for 28 days;		
2.	Directs the Chief Executive Officer to prepare a report at the conclusion of the advertisement period for Council to consider the adoption of the draft Local Heritage Survey 2025 and draft Heritage List 2025, including feedback and any recommended amendments.		
RESOLUTION CCO28/25			
Moved:	Mr Jeff Gooding		
<u>In Favour:</u>	Mr Jeff Gooding		
<u>Against:</u>	Nil		
14 Aug 2025 3:17pm Boldison, Ryan Works on progressing the Heritage Survey continue.			
CARRIED 1/0			

Meeting	Officer/Director	Section	Subject
Council (Commissioner) 18/06/2025	Ross, Steve Neate, Wayne	Technical Services	Award of Tender T13-2024/25 - Fitzroy Oval Perimeter Fencing
RESOLUTION CCO60/25			
That Council (Commissioner):			
1.	Award Tender T13-2024/25 Fitzroy Oval Perimeter Fencing to ADD Business Group; and		
2.	Authorise the Chief Executive Officer to sign a contract with ADD Business Group for the delivery of the project.		
Moved:	Mr Jeff Gooding		
<u>In Favour:</u>	Mr Jeff Gooding		
<u>Against:</u>	Nil		
14 Aug 2025 11:51am Boldison, Ryan			
Supplier has been notified of the awarded Tender and project works are progressing.			
CARRIED 1/0			

Meeting	Officer/Director	Section	Subject
Council (Commissioner) 18/06/2025	Ross, Steve	Technical Services	Award of Tender T11/2024/25 - Derby Playground Shade Shelters Project

Action Sheets Report		Division: Committee: Officer: Council (Commissioner)	Date From: Date To: Printed: 14 August 2025 3:20 PM
Neate, Wayne RESOLUTION CC059/25 That Council (Commissioner): 1. Authorises the Chief Executive Officer to seek additional project funding by way of a grant variation request to Lotterywest and subject to Lotterywest grant variation approval; 2. Award Tender T11-2024/25 Derby playground shade structures to The Patio Factory; and 3. Authorise the Chief Executive Officer to sign a contract with Patio Factory for the delivery of the project. Moved: Mr Jeff Gooding <u>In Favour:</u> Mr Jeff Gooding <u>Against:</u> Nil 14 Aug 2025 11:53am Boldison, Ryan Supplier has been notified of the awarded Tender and project works are progressing. CARRIED 1/0			

8.5 FUNDING AND DONATIONS DISTRIBUTION THROUGH THE COMMUNITY GRANTS SCHEME - MAY 2025 TO JULY 2025

File Number: GS/010/1

Author: Gertrude O'Meara, Team Leader Community Development - Derby

Responsible Officer: Luke Lawrence, Acting Director Community Planning

Authority/Discretion: Information

SUMMARY

This report provides a quarterly update to the funding and donations distributed to community organisations through the Shire's Community Funding Scheme. This covers grant activities from the period of 1st May 2025 to 30 July 2025.

DISCLOSURE OF ANY INTEREST

Nil by Author or Responsible Officer.

BACKGROUND

The Shire's Community Funding Scheme supports the provision of financial and non-monetary in-kind assistance to individuals, community groups and not-for-profit organisations.

The support is provided as a contribution towards the delivery of services, and initiatives that enhance community participation and wellbeing. The funding is delivered through four main programs;

- Community Grants Program – Funding of up to \$5,000 (ex GST) to assist community organisations deliver events, projects and initiatives which align with the community priorities identified in the Shire's Strategic Community Plan. Applications through this funding stream are assessed on a monthly basis by the Community Grants Review Group.
- Community Representative Grants – Funding is provided to individuals or community groups with members who have been selected to participate in representative events. The amount of funding varies depending on the nature and location of the event, however is capped at \$1,500 for each individual and \$5,000 for organisations each financial year. Applications through this funding stream are assessed on a monthly basis by the Community Grants Review Group.
- In-kind donations – From time to time community organisations may request in-kind support from the Shire to assist with event and project delivery. Typically, the support requested is in the form of facility and equipment hire, the assistance of the works crew (for example the slashing of grounds) and staff involvement with the project or event. These requests are addressed on an ad-hoc basis and approved by the CEO.
- Council decisions - Any funding request which does not meet the guidelines of the programs above are presented to Council for consideration. Including facility waiver requests that exceed \$1,000, outside of the CEO delegated authority.

STATUTORY ENVIRONMENT

Part 6 – Financial Management of *Local Government Act 1995* provides for the financial management of local governments, including provisions around the development of an annual budget. The amount of funding available for grants and donations to community groups is determined as part of the Shire of Derby/West Kimberley's annual operational budget.

POLICY IMPLICATIONS

Policy *F19 – Community Funding Scheme*.

FINANCIAL IMPLICATIONS

The amount of funding allocated as 'Donations to Community Groups' from which the grant programs are funded is allocated as part of the Shire's operational budget. The 2025/26 budget allocated \$45,000. As at the time of writing this report (23 July 2025) \$0 of cash donations had been allocated, with \$45,000 remaining for the rest of the financial year (100% of the annual budget).

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
2. Community	2.4 Sustainable Communities	2.4.1 Support and assist volunteer, community and sporting groups

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: Poor management of the grant program may result in the misuse of Shire funding.	Likely	Minor	Medium	Ensure a process is established and implemented to allow good governance and compliance of grant funding allocation and use.
Community: A negative reaction from the community may result if the Shire does not support community organisations.	Possible	Moderate	Medium	Continue to support community organisations through the Community Funding Scheme in alignment with budgetary allowances. Ensure a process is established and

				implemented to allow good governance and compliance of grant funding allocation and use.
Organisation's Operations: Lack of processes relating to grant management may result in failures to meet compliance and audit requirements and result in misuse of Shire funds.	Likely	Minor	Medium	Ensure a process is established and implemented to allow good governance and compliance of grant funding.

CONSULTATION

No consultation was required in the development of this report.

COMMENT

Below is the overview of the support the Shire has provided within the period of 1 May 2025 to the 30 July 2025.

Community Development Grants;

Organisation Name	Project Description	Amount (ex GST)
The Kyle Andrews Foundation Inc.	Sponsorship of the Gibb Challenge 2025 (16 to 24 May 2025)	\$5,000
Walalakoo Aboriginal Cooperation	2025 NAIDOC Ball hosted by Walalakoo (28 June 2025)	\$5,000
Broome Aboriginal Media Cooperation	Kimberley Arts Forum Request for Facility Waiver and financial support (16 to 19 June 2025)	\$3,000
	TOTAL	\$13,000

Community Representative Grants;

Name	Project Description	Amount (ex GST)
Kerrissa O'Meara – Danny Marr	Binar's U18 Basketball Asia Pacific Cup Squad	\$1,000
	TOTAL	\$1,000

Council Decision;

Organisation Name	Project Description	Amount (ex GST)
Country Women's Association – Derby Branch	Facility waiver request to use Airport Facility for two events; - Flower and Produce Show 2nd August 2025 - Annual Craft Show 16th August 2025	\$7,000
	TOTAL	\$7,000

The Shire has also provided a number of in-kind donations which have not been captured in the above decisions of the Community Grants Review Group. These include;

- Derby Aboriginal Health Services – Facility Waiver Request for the use of the Civic Centre for the Health Promotion Day in Derby WA on the 22nd July 2025.
- Kimberley Mental Health and Drug Services – Facility waiver request for the use of the Derby Recreation Centre Community Room. The event called 'Beautiful Bumps' is scheduled for 9th September 2025.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RECOMMENDATION

That Audit, Risk and Improvement Committee recommends that Council (Commissioner) notes the in-kind and financial supports provided to local community organisations by the Shire through Community Funding Scheme.

8.6 UPDATE ON EXTERNAL GRANTS AND FUNDING RECEIVED - MAY TO JULY 2025**File Number:** GS/010/1**Author:** Christie Mildenhall, Community Planning Advisor**Responsible Officer:** Tamara Clarkson, Chief Executive Officer**Authority/Discretion:** Information**SUMMARY**

This report provides a regular update of the funding opportunities investigated and sought by Officers and seeks Council support for the proposed projects. It covers grant activity from the period 1 May to 31 July 2025.

The purpose of this report is to inform Council about the funding support the Shire receives for many of our community services and infrastructure projects and how the funding risk is being managed by Shire Officers.

DISCLOSURE OF ANY INTEREST

Nil by Author or Responsible Officer.

BACKGROUND

The Shire of Derby / West Kimberley relies heavily on grant and other funding opportunities to support the delivery of projects, programs, services, and events. This report provides an overview of the funding which is confirmed, applied for (and pending outcome) or acquitted during the period 1 December 2024 to 30 April 2025.

STATUTORY ENVIRONMENT

Part 6 – Financial Management of the *Local Government Act 1995* provides for the financial management of local governments, including provisions around the development of an annual budget which grant funding must be incorporated into.

POLICY IMPLICATIONS

The following policies should be considered in relation to this report;

- *PC1 – Risk and Opportunity Management Policy*
- *F3 – Significant Accounting Policies*

FINANCIAL IMPLICATIONS

This report outlines funding which has been obtained, is being sought or has been acquitted, to support the delivery of projects, programs, services and events of the Shire. At the time of developing the 2024/25 and 2025/26 financial year budgets grants were only included if the funding had been confirmed and an agreement had been executed. Where grants have been obtained post the endorsement of the annual budget these will be incorporated as part of the budget review process.

The funding received from grants must be used for the express purpose outlined in the grant application and subsequent agreement. Some grants will cover the full cost of the related project, while others require a co-contribution from the Shire. The co-contributions are either in the form

of in-kind or cash. Projects which require cash contributions from the Shire that cannot be met within the operational budget and have not previously been identified in the budget will be brought to Council for budget allocations to be endorsed.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Business Interruption: Lack of funding may result in the non-performance of functions.	Likely	Moderate	High	Ensure Shire activities are conducted efficiently to allow spread of funding. Apply for grants wherever possible to support Shire's activities. Delay commencement of activities until funding is confirmed.
Financial: Poor management of grant funding may impact the Shire's ability to get funding in the future.	Likely	Moderate	High	Ensure a process is established and implemented to allow good governance and compliance of grant funding.
Organisation's Operations: Lack of processes relating to grant management may result in failure to meet grant requirements and deliver funded programs.	Likely	Moderate	High	Ensure a process is established and implemented to allow good governance and compliance of grant funding.

CONSULTATION

Generally internal consultation only has been undertaken in relation to the grants applied for. However, on some specific projects engagement may have been undertaken with relevant stakeholders and community groups to gauge projects and seek external support for the project. This occurs on a case-by-case basis.

COMMENT

To support the projects, programs and services of the Shire a number of funding arrangements are entered into with a variety of Government (State and Federal) agencies, not for profit organisations and philanthropic foundations. Funding received enables the Shire to deliver necessary community services and community engagement support programs as part of ongoing operations. Other funding is used for 'add on' activities for which the community expects the Shire to provide. In many cases, if the Shire does not receive this funding the projects will not go ahead and the Shire will not be able to meet community expectations.

Below is a summary of the grants which have been applied for during this reporting period, the outcome of submitted funding applications and grants which have been acquitted.

Grants of larger sums often result in issuing bodies seeking confirmation that projects have been approved by Council prior to executing the funding agreements. Council is requested to provide their support for these projects.

Funding received during the period 1 May to 31 July 2025

Grant Program and Funder	Project Description	Funding Received (Ex GST)	Funding Period
COMMUNITY PLANNING			
Community Cohesion Programs – Australian Libraries and Information Association Ltd	The delivery of six programs which foster community cohesion	\$9,000	17 July 2025 to 15 June 2026
TOTAL AMOUNT – COMMUNITY PLANNING		\$9,000	
EXECUTIVE SERVICES PROJECTS			
Community Giving Program – Rio Tinto	National Reconciliation Week Event	\$5,000	Event 23 May 2025
		\$5,000	
INFRASTRUCTURE PROJECTS			
Regional Airstrip Pavement Upgrade 2024-25 – Department of Transport	Project design and construction preliminaries for the upgrade of Fitzroy Crossing Airstrip	\$800,000	3 July 2025 to 16 May 2026
TOTAL AMOUNT – Infrastructure Projects		\$800,000	
TOTAL FUNDING RECEIVED		\$814,000	

Applications pending outcome

A number of funding applications have been submitted and are still progressing through the relevant organisation's assessment process. The expected notification of outcome date is calculated based on information provided in program guidelines and is a rough estimate. The list below highlights all applications, not just those submitted during the reporting period.

Grant Program and Funder	Project Description	Funding Requested (Ex GST)	Funding Period	Expected Notification of Outcome
Regional Precincts and Partnerships Program –	Derby Recreation Precinct and other	\$669,448	1 August 2024 to 30	June 2024 * Portal still showing

Stream 1 (Precinct development and planning) - Department of Infrastructure	sporting facilities master planning		September 2025	'Pending Assessment'. No date provided.
Community Place Based Grants - Department of Local Government, Sport and Cultural Industries	Funding for the delivery of school holiday programs in Derby and Fitzroy Crossing.	\$300,000 (\$100,000 per annum)	1 July 2025 to 30 June 2028	May 2025 * This has been delayed due to recent changes in the Government department responsible for administering the grant.
Remote Airports Pavement Upgrades – Department of Infrastructure, Science and Regional Development	Reseal of runway and line marking at Derby Airport	\$750,000	TBA	Mid 2025
Department of Communities – International Volunteers Day	Funding for International Volunteer Day event in Derby	\$1,000	5 December 2025	Late October 2025
TOTAL AMOUNTS		\$1,720,448		

Unsuccessful applications

During the reporting period the Shire was advised of one unsuccessful application. In February 2025 (the previous reporting period for this report) an application was submitted to Horizon Power for a project to extend the current offerings of the Kimberley Art and Photographic Prize (KAPP) and to address barriers which prevent individuals for submitting entries. We were advised we were unsuccessful in May. Failure to receive this funding does not fundamentally affect the delivery of the KAPP event.

Grant Program and Funder	Project Description	Funding Requested (Ex GST)	Comment / Implication
Community Partnership - Horizon Power	Sponsorship of the Kimberley Art and Photographic Prize (KAPP)	\$10,000	Whilst this had the potential to reduce the total amount of sponsorship income to support the delivery of KAPP it has been offset by positive changes to other sponsors arrangements and the impact has been negligible.
TOTAL AMOUNTS		\$10,000	

Funding Acquitted

During the reporting period the following grant funded project were completed and successfully acquitted with all reporting requirements met. The Shire no longer has any liabilities in relation to these grants.

Grant Program and Funder	Project Description	Amount Acquitted (ex GST)
Department of Health – Contiguous Local Authorities Group Mosquito Management	Funding towards the Derby / West Kimberley mosquito management program.	\$10,555.19
Town Teams – Streets Alive	Road Safety consultation process to be used to inform future road safety funding applications.	\$5,000
Keep Australia Beautiful Council – Community Litter Grant	Development of a community littering resource.	\$2,800
Department of Primary Industries and Regional Development – Grant agreement	Contribution to assessment and design of Derby Boat Ramps	\$62,500
LG Professionals – Aged Friendly Connectivity Grants	Oral history and music program	\$15,000
Department of Fire and Emergency Services - National Disaster Risk Reduction Competitive Grant Program	Support of the Fitzroy Fire Forum	\$167,500
Lottery West – Community Investment Framework	Project 1 – Youth Services vehicles, trailers and project staff for subsequent projects	\$819,833.67
Rio Tinto – Community Giving Grants	National Reconciliation Week Event	\$5,000
TOTAL AMOUNTS		\$1,088,188.86

This report will be provided to the Audit and Risk Committee at each meeting to provide an updated list of funding programs and applications. The report will include an update on above listed funded programs, and the newly identified funding opportunities.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RECOMMENDATION

That Council (Commissioner):

- Notes the summary of grant and funding applications which have been submitted by Officers; and**
- Provides in principle support for the outlined projects for which funding is being sought.**

8.7 OUTSTANDING DEBT - JULY 2025**File Number:** 5174 & 5112**Author:** Aaron Gloor, Senior Finance Officer**Responsible Officer:** Jill Brazil, Director Corporate Services**Authority/Discretion:** Information**SUMMARY**

The Audit and Risk Committee receive the outstanding rates and outstanding sundry debtors reports to provide strategic direction as required.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

The Audit and Risk Committee will ensure compliance with the Shire's financial reporting and will liaise with the CEO to ensure the effective and efficient management to meet statutory requirements.

STATUTORY ENVIRONMENT

Local Government Act 1995

Subdivision 4 — Payment of rates and service charges

6.43. *Rates and service charges are a charge on land*

6.44. *Liability for rates or service charges*

6.50. *Rates or service charges due and payable*

6.53. *Land becoming or ceasing to be rateable land*

Subdivision 5 — Recovery of unpaid rates and service charges

6.55. *Recovery of rates and service charges*

6.56. *Rates or service charges recoverable in court*

6.16 *Imposition of fees and charges*

POLICY IMPLICATIONS

F4 – SUNDRY DEBTORS COLLECTION POLICY

F5 – OUTSTANDING RATES COLLECTION POLICY

F6 – FINANCIAL HARDSHIP POLICY

FINANCIAL IMPLICATIONS

Outstanding Rates and Service Charges totalling \$13,134,952.30 in cash flow impacts.

Outstanding Sundry debtors totalling \$1,798,338.19 in cash flow impacts.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	4.3 Sustainability	1.2.2 Provide strong governance

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: Non-recovery of debts will impact the type and level of services provided to the town.	Almost Certain	Severe	Extreme	Be proactive with collection process and recovering outstanding debt

CONSULTATION

Internal

CS Legal

COMMENT

Attached to this report is an aged breakdown of outstanding rates and service charges by rating category as well as a depiction of rates debt by month. The report also contains a breakdown of outstanding sundry debtor charges by age as well as the movement of this debt over a rolling five-month period.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Rates & Sundry Debt Report July 2025  
2. 90+ Days Outstanding Debt Over \$1000 - Confidential

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommends that Council (Commissioner) receive the information contained in the report detailing outstanding rates and sundry debtors as at 31 July 2025.



Rates Debt Summary Report

Total Rates & Service Charges in arrears at rates levy date 25/26

Total Rates & Service Charges Levied for FY 2025/26

Total Collected YTD From Outstanding Rates & Service charges

Total Rates & Service Charges Outstanding as at 31 July 2025

\$1,230,911.44

\$12,994,407.29

\$1,090,366.43

\$13,134,952.30

Total Overdue from Instalment Payers
\$0.00

Total Balance of Debt Currently Referred to CS Legal (81 Debtors)
\$1,360,094.40

	Total Debt					Debt Movement April-July
	Mar-25	Apr-25	May-25	Jun-25	Jul-25	
GRV (Residential, Commercial & Industrial)	\$ 1,655,060.53	\$ 1,434,117.10	\$ 1,233,246.79	\$ 1,075,657.10	\$ 8,997,350.14	\$ 7,563,233.04
Mining UV (Mining Tenements)	\$ 19,770.21	\$ 18,266.26	\$ 14,916.80	\$ 14,967.16	\$ 667,791.06	\$ 649,524.80
Rural UV (Pastoral properties)	\$ 425,853.35	\$ 414,165.00	\$ 391,707.19	\$ 274,062.81	\$ 3,045,183.59	\$ 2,631,018.59
Non-Rateable	\$ 3,077.58	\$ 3,094.21	\$ 3,111.41	\$ 3,128.04	\$ (1,786.12)	\$ (4,880.33)
Non-Rateable UV Exempt	\$ (7,396.60)	\$ (6,292.05)	\$ (8,539.76)	\$ (8,532.52)	\$ 36,380.50	\$ 42,672.55
Non-Rateable GRV Exempt (Waste & ESL Charges)	\$ 49,438.08	\$ 49,216.20	\$ 49,622.83	\$ 50,016.27	\$ 390,033.13	\$ 340,816.93
Total	\$ 2,145,803.15	\$ 1,912,566.72	\$ 1,684,065.26	\$ 1,409,298.86	\$ 13,134,952.30	\$ 11,222,385.58

Comments
25/26 Rates issued on 15/07/2025 - Full payment due date and first instalment due date is 19/08/2025

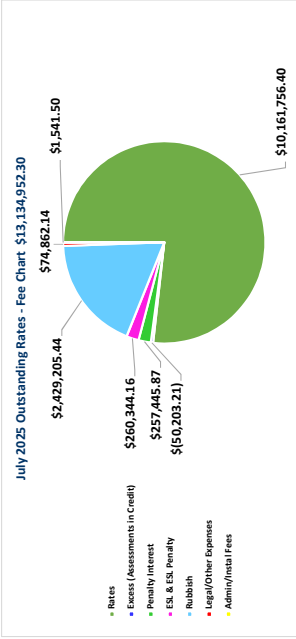
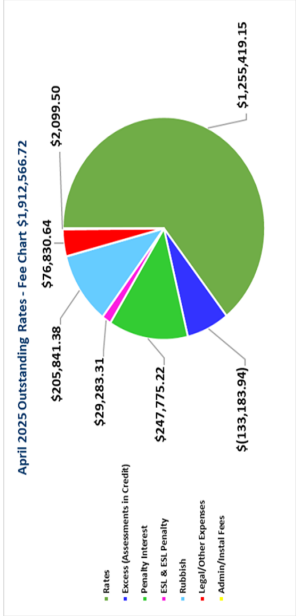
	Debt Older Than Three Years	23/24	24/25	25/26	Credit Balances	Total Outstanding
COMMERCIAL - GRV		\$25,960.97	\$91,232.59	\$1,687,442.08	\$0.00	\$1,804,635.64
INDUSTRIAL - GRV	4608.92	\$11,270.90	\$70,197.48	\$508,234.04	-\$13,570.48	\$580,740.86
MINING - UV	0.00	\$26.31	\$14,969.37	\$652,795.38	\$0.00	\$667,791.06
	5787.57	\$1,098.13	\$468.54	-\$4,880.33	-\$4,260.03	-\$1,786.12
NON-RATEABLE						
NON-RATEABLE/EXEMPT - GRV	33476.10	\$10,856.41	\$12,891.93	\$332,907.93	-\$99.24	\$390,033.13
	0.00	\$426.93	\$1,283.68	\$42,137.42	-\$7,467.53	\$36,380.50
NON-RATEABLE/EXEMPT - UV						
	0.00	\$83.02	\$7,335.16	\$7,177.02	\$0.00	\$14,595.20
OTHER LOCATIONS - GRV						
RESIDENTIAL - GRV	352816.37	\$173,255.82	\$353,115.17	\$5,685,324.55	-\$16,703.23	\$6,547,808.68
RURAL - UV	29418.08	\$53,857.70	\$191,632.00	\$2,778,378.51	-\$8,102.70	\$3,045,183.59
URBAN FARMLAND - GRV	4979.53	\$7,124.99	\$6,766.81	\$30,698.43	\$0.00	\$49,569.76
Total	431086.57	283,961.18	749,892.73	11,720,215.03	-50,203.21	13,134,952.30

Comparison of Current FY to Previous FY		
	2024/25	2025/26
Total rates and charges outstanding and levied at commencement of rating year	\$13,318,609.54	\$14,225,318.73
Unpaid rates and charges 31 July	\$1,016,249.51	\$13,134,952.30
Percentage Outstanding	7.63%	92.34%



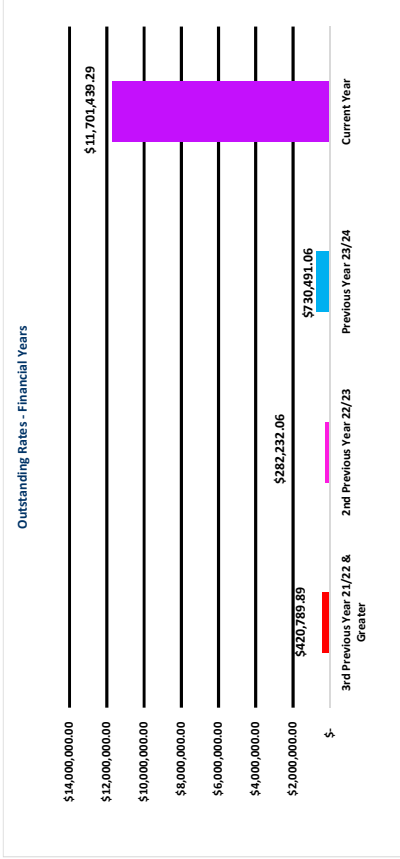
Report to Audit Committee - Rates Debt Overview
July 2025

Total Rates Outstanding as at EOM July 2025 \$ 13,134,952.30



Rates and Service Charges Levied 2025/2026

Levied at 18th July 2025	
Rates	\$ 10,124,883.51
Waste	\$ 2,591,198.50
ESL	\$ 278,325.28
Total Levied 25/26	\$ 12,994,407.29
Arrears	\$ 1,230,911.44
Total Outstanding (As at 15/07/2025)	\$ 14,225,318.73

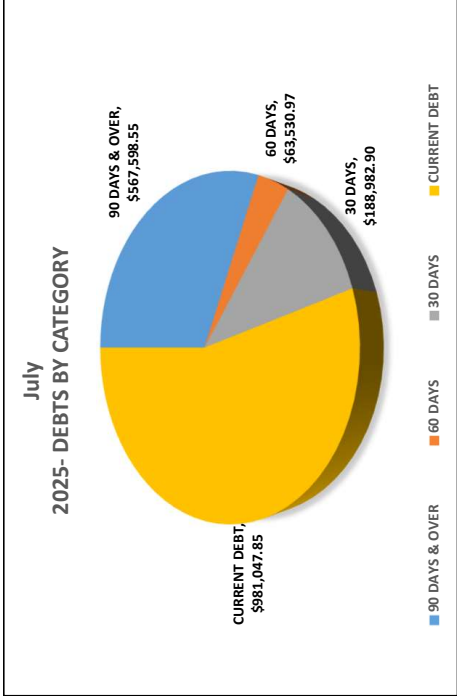
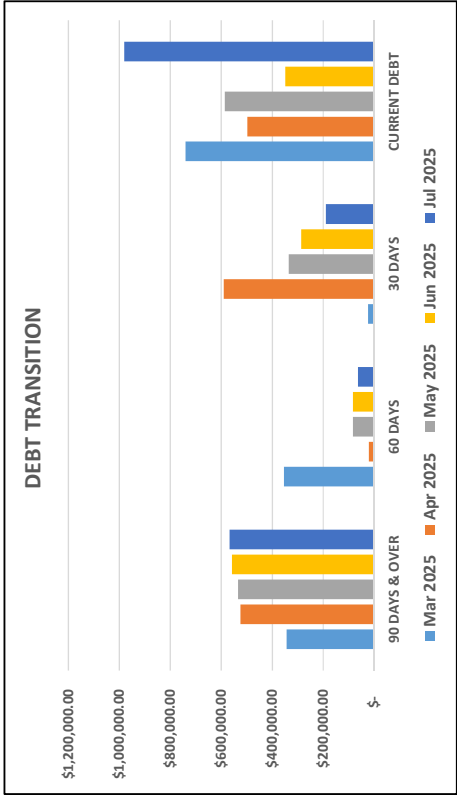




**Shire of Derby /
West Kimberley**

ACCOUNTS RECEIVABLE DEBT COMPARISON CHARTS - 2025/2026

	Mar 2025	Apr 2025	May 2025	Jun 2025	Jul 2025	Changes (April - July)
90 DAYS & OVER	\$ 343,834.21	\$ 524,691.96	\$ 534,333.42	\$ 557,884.55	\$ 567,598.55	\$ 42,906.59
60 DAYS	\$ 354,081.59	\$ 20,843.89	\$ 83,980.66	\$ 82,896.34	\$ 63,530.97	\$ 42,687.08
30 DAYS	\$ 23,302.06	\$ 590,574.12	\$ 335,081.33	\$ 285,701.16	\$ 188,982.90	\$ 401,591.22
CURRENT DEBT	\$ 739,685.70	\$ 498,010.83	\$ 586,335.01	\$ 348,505.91	\$ 981,047.85	\$ 483,037.02
CREDIT BALANCE	-\$ 1,930.00	-\$ 3,870.97	-\$ 2,095.82	-\$ 5,376.01	-\$ 2,882.08	\$ 988.89
TOTAL	\$ 1,458,973.56	\$ 1,630,249.83	\$ 1,537,634.60	\$ 1,269,611.95	\$ 1,798,278.19	\$ 168,028.36



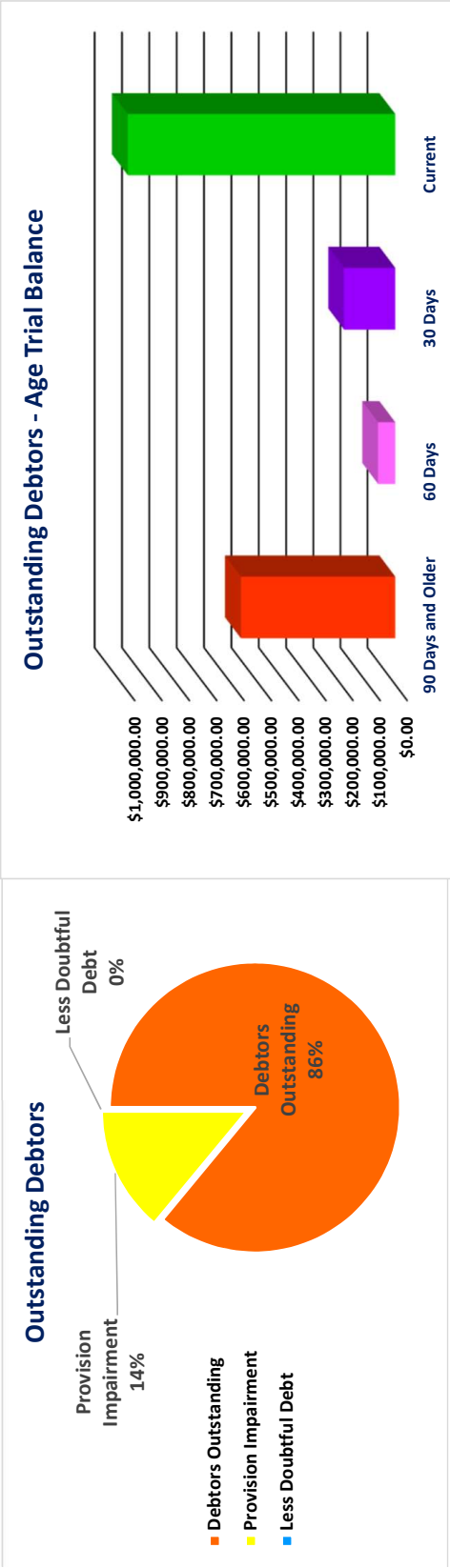
90+ Days Debt Comparison by Year				
Jul-19	Jul-20	Jul-21	Jul-22	Jul-25
\$358,323.33	\$317,132.53	\$534,058.51	\$384,168.65	\$567,598.55



Report to Council Accounts Receivable

July 2025

31/07/2025 \$ 1,798,338.19



9 NEW BUSINESS OF AN URGENT NATURE

10 NEW AND EMERGING ITEMS FOR DISCUSSION

11 DATE OF NEXT MEETING

The next meeting of Audit, Risk and Improvement Committee will be held 4:00pm Tuesday, 9 December 2025 in the Council Chambers, Clarendon Street, Derby.

12 CLOSURE OF MEETING