



**Shire of Derby /
West Kimberley**

AGENDA

Audit, Risk and Improvement Committee Meeting

Thursday 21 May 2026

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

Date: Thursday 21 May 2026

Time: 4:30 PM

Location: Council Chambers, 31 Clarendon Street, Derby

Tamara Clarkson Chief Executive Officer



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1 DECLARATION OF OPENING**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 ANNOUNCEMENT OF VISITORS**4 ATTENDANCE VIA ELECTRONIC MEANS**

A Council Member may attend Council 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 a 12 month period. Authorisation can only be provided if the location and the equipment to be used by the member are suitable to enable effective, and where necessary confidential, engagement in the meeting's deliberations and communications.

5 DISCLOSURE OF INTERESTS

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by Council Members to ensure that a financial/impartiality/proximity interests are declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

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****RECOMMENDATION**

That the Audit, Risk and Improvement Committee (ARIC) CONFIRM the Minutes of the ARIC Meeting held 19 February 2026 at the Council Chambers, 31 Clarendon Street, Derby.

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9 REPORTS

9.1 FUNDING AND DONATIONS DISTRIBUTED THROUGH THE COMMUNITY FUNDING SCHEME - FEBRUARY TO APRIL 2026

File Number: GS/010/0

Author: Santana Altham, Manager Community Development

Responsible Officer: Luke Lawrence, Director Community Planning

Authority/Discretion: Information

SUMMARY

This report provides a quarterly update on allocations distributed to individuals, community groups and non-for-profit organisations under the Shire's Community Funding Scheme for the period 1 February 2026 to 30 April 2026.

DISCLOSURE OF ANY INTEREST

Nil by Author and Nil by Responsible Officer.

BACKGROUND

The Shire's Community Funding Scheme provides financial and in-kind assistance to individuals, community groups and not-for-profit organisations. The scheme supports the delivery of services, and initiatives that enhance community participation and wellbeing.

Funding is delivered through the following programs:

- Community Grants Program – Up to \$5,000 (ex GST) to support events, projects and initiatives aligned with the Shire's Strategic Community Plan. Applications are assessed monthly by the Community Grants Review Group.
- Community Representative Grants – Funding for individuals or groups participating in representative events. Funding is capped at \$1,500 (ex GST) per individual and \$5 000 (ex GST) per group each financial year. Applications are assessed monthly.
- In-Kind Donations – Community organisations may request in-kind support from the Shire to assist with the delivery of events and projects. This support may include facility hire, equipment use or staff assistance. Requests are considered on an ad-hoc basis and approved under delegated authority.
- Council Decision - Requests that fall outside of the above guidelines are referred to Council for consideration.

Funding for the 2025/26 financial year is divided into two rounds. Round One operates from 1 July 2025 to 31 December 2025, and Round Two from 1 January 2026, closing on 30 June 2026. This structure ensures funding opportunities are available throughout the year and supports a balanced and timely distribution of community grants.

STATUTORY ENVIRONMENT

Local Government Act 1995 Part 6 - Financial Management 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

Community Funding Scheme Policy.

FINANCIAL IMPLICATIONS

The funding allocated under ‘Donations to Community Groups’ supports the Shire’s grant programs and forms part of the Shire’s annual operational budget. For the 2025/26 financial year, an initial allocation of \$45,000 (ex GST) was approved with a further \$10,000 (ex GST) added during the annual budget review, increasing the total available funding to \$55,000 (ex GST).

At the time of this report \$49,998 (ex GST) has been allocated through the Community Grants Program and Community Representative Grants, with \$5,002 (ex GST) remaining for the second funding round. The Community Funding Scheme closes on 30 June 2026.

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 misuse of Shire funding.	Likely	Major	Medium	Ensure a process is established and implemented to allow good governance and compliance of grant funding allocation and use.
Reputation: Dissatisfaction within 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 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 implemented and followed to allow good governance and compliance of grant funding allocation and use.
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CONSULTATION

Internal.

COMMENT

For the period February to April 2026, funding allocations and in-kind support were issued through the Community Funding Scheme. The Shire assessed community grant applications and in-kind support requests in accordance with the approved policy and assessment processes.

A total of \$49,998 (ex GST) has been allocated towards the Community Grants Program from the 2025/26 budget, leaving \$5,002 (ex GST) available. The Community Grants Program closes on 30 June 2026.

The tables below detail allocations through the Community Funding Scheme during this period.

Community Grants Program:

Organisation Name	Project Description	Amount (ex GST)
Wangki Yupurnanupurru Radio	Facility Upgrades at Wangki Yupurnanupurru Radio in Fitzroy Crossing.	\$5,000
Derby Speedway Club	Donny Archer Memorial and Westralia Cup in August 2026	\$5,000
RSPCA WA	Community Action Day in July 2026	\$5,000
Walalakoo Aboriginal Corporation	Derby NAIDOC Ball in July 2026	\$5,000
Total		\$20,000

In Kind Donations:

Organisation Name	Project Description	Amount (incl GST)
Murdoch University	Fee Waiver Request for the Derby Recreation Centre Community Room. Free Student Chiropractic Clinic on Monday 16 March and Tuesday 17 March 2026.	\$194
Murdoch University	Fee Waiver Request for the Derby Recreation Centre Community Room. Free Student Chiropractic Clinic on Wednesday 18 March 2026.	\$68
Derby Aboriginal Health Service	Fee Waiver Request for the Derby Recreation Centre. Closing the Gap Day on Thursday 19 March 2026.	\$295
Derby Chamber of Commerce and Industry	Kimberley Economic Forum 2026. Contribution toward the facility hire of the Derby Airport, including equipment and staff assistance.	\$20,000
	Total	\$20,557

Council Decisions:

Organisation Name	Project Description	Amount (incl GST)
Edith Cowan University	RESOLUTION 17/26 Request for Fee Waiver of the Derby Short Stay Accommodation for the ECU On Country Study Tour in June 2026.	\$3,640
Country Women's Association – Derby Air Branch	RESOLUTION 20/26 Request for Fee Waiver of the Derby Airport for the Craft Show and the Flower and Produce Show in August 2026.	\$14,000
	Total	\$17,640

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council NOTE the in-kind and financial support provided to local community organisations by the Shire through the Community Funding Scheme.

9.2 UPDATE ON EXTERNAL GRANTS AND FUNDING - FEBRUARY TO APRIL 2026**File Number:** GS/055**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 support for the proposed projects. It covers grant activity from the period 23 January to 30 April 2026.

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 and Nil by Responsible Officer.

BACKGROUND

The Shire 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 has been applied for (pending outcome), confirmed or acquitted during the period 23 January to 30 April 2026.

STATUTORY ENVIRONMENT

Local Government Act 1995 Part 6 – Financial Management 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

- Risk and Opportunity Management Policy.
- Significant Accounting Policy.

FINANCIAL IMPLICATIONS

This report outlines funding which has been sought, has been obtained or has been acquitted, to support the delivery of projects, programs, services and events of the Shire. At the time of developing the 2025/26 financial year budget, 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 either as part of the budget review process (for grants under \$10,000), or as a separate report to Council requesting a budget adjustment (for grants \$10,000 or over).

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 usually 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
2. Community	2.4 Sustainable Communities	2.4.2 Collaborate with key agencies, groups and service providers to improve community services, programs and facilities

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, only internal consultation has been undertaken in relation to the grants applied for. However, some specific projects may involve or have been informed by community consultation with relevant stakeholders and community groups or to seek external support for the project. This occurs on a case-by-case basis depending on the nature of the project and the grant.

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. As at 30 April 2026, the Shire has;

- 27 grant funded projects or programs which are being currently delivered.
- 5 grant agreements being negotiated and executed.
- 4 funded projects which have been completed and final reporting is being undertaken.
- 2 project on hold, pending further advice from the funding body.

The 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 30 January to 30 April 2026:

Grant Program and Funder	Project Description	Funding Received (Ex GST)	Funding Period
2026 National Volunteer Week Grants – Volunteering WA	Volunteer recognition event to be held in Fitzroy Crossing during May's National Volunteering Week.	\$1,500.00	26 March to 7 June 2026
Community Giving Program - Rio Tinto*	Sponsorship of the Kimberley Art and Photographic Prize	\$5,000.00	14 April to 17 July 2026
Community Investment Framework - Lotterywest	Civic Centre upgrades, including the installation of air-conditioning and accessibility improvements.	\$1,297,000.00	14 April 2026 to 30 December 2027
TOTAL FUNDING RECEIVED		\$1,303,500.00	

Grants marked with an * have been awarded but Grant Agreement not executed.

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 awaiting outcome, not just those submitted during the reporting period.

Grant Program and Funder	Project Description	Funding Requested (Ex GST)	Funding Period	Expected Notification of Outcome
Community Partnership – Horizon Power	Purchase of equipment for the Kimberley Art and Photographic Prize	\$10,000.00	Date of award to 17 July 2026	May 2026
Recycling Modernisation Fund – Department of Water and Environmental Regulation	Upgrade to Steel Street from Fitzroy Street to the entry of the Derby Waste Management Site.	\$576,328.71	1 July 2026 to 1 June 2027	29 May 2026
Regional Housing Support Fund - Department of Planning, Lands and Heritage	Construction of 6 units at 5 Delewarr Street, Derby	\$4,940,000.00	July 2026 to October 2028	Not advised.
TOTAL AMOUNTS		\$5,526,328.71		

Unsuccessful applications:

During the reporting period no grant applications were deemed unsuccessful.

Grant Program and Funder	Project Description	Funding Requested (Ex GST)	Implication of funding not being received
Animal Welfare Grants Round 5- Department of Primary Industries and Regional Development	Animal de-sexing, preventive health and vet services in remote communities for domestic animals	\$47,626.59	Unable to run animal de-sexing program in remote communities this dry season. It is noted Nindilingarri Health Service has been funded for a similar program in the Fitzroy Valley, however West Kimberley Communities are likely to not be included in their program. Will apply in the next round, which closes in May.
Regional Events Scheme - Tourism WA	Kimberley Art and Photographic Prize Roadshow to remote community arts centres.	\$20,000	Roadshow unlikely to happen due to lack of funding and insufficient time to identify additional funding.
TOTAL AMOUNTS		\$67,626.59	

Funding Acquitted

During the reporting period the following grant funded projects were completed and acquittal reporting requirements completed.

Grant Program and Funder	Project Description	Amount Acquitted (ex GST)
Grassroots and Community Initiatives - LotteryWest	Fitzroy Crossing Youth Precinct project	\$28,533.72
Regional Airport Development Scheme 2023-25 – Department of Transport	A Flood Study was undertaken at the Fitzroy Crossing Airport, which will inform future capital works projects at the airport.	\$38,415.00
Small and Vital Stream – Foundation for Regional and Rural Renewal	The Red Shed: Derby Women’s Collective received a grant to do some facility upgrades on the Old Fire Station. This grant was auspiced by the Shire as they were not incorporated at the time of applying for the grant.	\$10,000.00
TOTAL AMOUNTS		\$379,250.72

During this period the Shire withdrew from a funding arrangement with the Department of Transport (DoT) and Department of Industry, Science and Resources (DISR) for an upgrade to the Derby Airport due to escalated project costs. The agreement with Department of Transport has been rescinded and the Shire has no further liabilities in relation to the project. Officers are working with DISR to formalise the retraction of the contract through their funding program.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

Nil

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council:

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

9.3 LEASE REGISTER - STATUS REPORT

File Number: 5345
Author: Rowan Scott, Manager ICT and Customer Service
Responsible Officer: Tamara Clarkson, Chief Executive Officer
Authority/Discretion:

SUMMARY

This report provides an update on the Shire’s community and commercial lease portfolio.

DISCLOSURE OF ANY INTEREST

Nil by Author and Nil by Responsible Officer.

BACKGROUND

The Shire has several key parcels of land which it provides for both community and commercial leases.

Current leases require ongoing monitoring for consideration of renewal, with lease terms and due dates all varying. Submissions for new leases are occasionally received, which require actioning and reporting to Council for its consideration. The process for commercial leases must follow the requirements of the Local Government Act and must reach mutual agreement on lease conditions.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.58 Disposing of property sets out that disposal of property includes to sell, lease or otherwise dispose of property.

POLICY IMPLICATIONS

Establishment of Commercial Leases Policy
 Community Leases and License Agreements of Shire Assets (Facilities, Buildings and Land) Policy

FINANCIAL IMPLICATIONS

Lease income and expenditure is covered in the adopted 2025/26 Annual Budget and transactions are routinely provided to Council in the monthly financial activity and accounts for payment reports.

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
<p>Reputation: Not gaining a suitable financial return from Shire owned assets may result in adverse community sentiment about asset commercialisation opportunities available.</p>	Likely	Moderate	High	Ensure that resources are made available to enable adequate management of commercial leases.

CONSULTATION

Internal.

COMMENT

The Shire’s lease portfolio ensures mutual benefits to all parties with both good financial and social dividends. Community groups have security of tenure, providing confidence to invest time and effort into their organisation, and commercial tenants are enabled to pursue business activities contributing to economic development within the Shire.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Lease Register - May 2026 [↓](#) 

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council NOTE the information contained in this Lease Register - Status Report.

	<u>Lease Identification</u>	<u>Lessee Plus/and Or Trading name</u>	<u>Location</u>	<u>Lease End Date</u>	<u>Rent PA (not including annual CPI)</u>	<u>Notes / Updates</u>
Derby Airport	Derby Airport - Land Area 1	Frontier Helicopters	Derby Airport Lease Area 1	7/09/2035	\$26,700 (First year \$31,100 with purchase of tech)	No action required
Derby Airport	Derby Airport - Lot 143 on Plan 144238, Lease Area 2 (663m2)	Dunnings Fuel	Derby Airport - Lease area 2	30/04/2032	\$16,500.00	No action required
Derby Airport	Derby Airport - Lot 143 on Plan 144238, Lease Area 3 (1,658m2)	All North Helicopters Trading as Frontier Helicopters	Lot 143 on Plan 144238, Derby Airport Lease Area 3	4/06/2033	\$25,462.80	No action required
Derby Airport	Derby Airport - Lot 143 on Plan 144238, Lease Area 5	All North Helicopters Trading as Frontier Helicopters	Lot 143 on Plan 144238, Derby Airport Lease Area 5	11/09/2031	\$17,249	No action required
Derby Airport	Derby Airport - Lease Areas 6 and 11 (now amalgamated into one single lease)	Recharge Petroleum	Derby Airport Lease Area 6	31/03/2029	\$27,502.28	No action required
Derby Airport	Derby Airport - Lease Area 7	All North Helicopters Trading as Frontier Helicopters	Derby Airport Lease Area 7	31/12/2030	\$19,300	No action required
Derby Airport	Derby Airport - Lot 143 on Plan 144238, Lease Area 10 (1556m2)	Dunnings Fuel	Derby Airport - Lease area 10	1/05/2032	\$25,674.00	No action required

Derby Airport	Derby Airport - Lease Area 17 - Aircraft Hanger and Associated Offices	Kingdom Aviation Ministries	Aircraft Hanger and Associated Offices, Lease Area 17	30/04/2034	\$100	No action required
Derby Airport	Derby Airport - Lease Area 18	All North Helicopters Trading as Frontier Helicopters	Derby Airport Land Area 18	31/12/2032	\$15,304.68	No action required
Derby Airport	Derby Airport	Bureau of Meteorology	Derby Airport	31/03/2033	One off payment \$1,000.00	No action required
Derby Airport	Derby Airport - Lease Area 19	Geoscience Australia/SouthPAN	Derby Airport - Lease Area 19	30/11/2034	\$5,148	No action required
Derby Community	Part of Crown Reserve 24	Ngunga Group Ladies Aboriginal Corporation	Part of Crown Reserve 24	31/10/2045	\$100	No action required
Derby Community	One Tree Community Services Inc., Lot 1220, Ashley Street Derby	One Tree Community Services Inc.	One Tree Childcare Facility, Lot 1220, Ashley Street	1/12/2029	\$1	No action required
Derby Community	2 Holman Street, Derby (Lot 1143,Residence)	One Tree Community Services Inc	Residence at 2 Holman Street, Derby (Lot 1143)	Ongoing - In line with Child Care lease	\$13,000	No action required
Derby Community	61 Ashley Street Derby Lot 3033, Part Reserve 23127	Derby Rodeo Club	Lot 3033, Part Reserve 23127, 61 Ashley Street	23/05/2026	\$100	Discussions for 10 year extension currently occurring.

Derby Community	Lot 656, Reserve 6929 On Plan 210827	Red Shed: Derby's Women's Collective	Lot 656, Reserve 6929 On Plan 210827	1/10/2027	\$100	No action required
Derby Community	Reserve 35129 Lot 226 on Plan 187656 Worsley Road, Derby	Derby Speedway Club	Reserve 35129 Lot 226 on Plan 187656 Worsley Road, Derby	28/10/2031	\$100	No action required
Derby Community	Reserve 35130, Lot 1271 on Plan 189172 Worsley Road, Derby	Derby Pistol Club	Reserve 35130, Lot 1271 on Plan 189172	28/10/2031	\$100	No action required
Derby Community	Reserve 35130, Lot 1271 on Plan 189172 Worsley Road, Derby	Derby Sporting Shooters Aust Inc. (Rifle Club)	Reserve 35130, Lot 1271 on Plan 189172	31/12/2031	\$100	No action required
Derby Community	Guildford Road, Derby Lot 3033 Part Reserve 23127,	West Kimberley Turf Club	Lot 3033, Part Reserve 23127, Guildford Road	30/06/2030	\$100	No action required
Derby Community	Guildford Road, Derby Lot 3033 Part Reserve 23127,	Derby Sportsmans Club (Golf Club)	Lot 3033, Part Reserve 23127, Guildford Road	30/06/2030	\$100	No action required
Derby Community	Guildford Road, Derby Lot 3033 Part Reserve 23127,	SDWK/Derby Golf Club/Water Corporation	Lot 3033, Part Reserve 23127, Guildford Road	Ongoing		No action required
Derby Community	Portion of reserve 35129, Lot 226 Plan 187656	VACANT. (MotoX)	Portion of reserve 35129, Lot 226 Plan 187656	NIL		No action required

Derby Community	27 Sutherland Street Derby Lot 1287 Reserve 42140.	Ngamang Barwoona Frail Aged Home (Juniper - Uniting Church Homes)	Reserve 42140 Lot 1287 DP 190598	30/09/2035	\$100	No action required
Derby Community	Lot 296 on Plan 222380, being the whole of the land contained in Certificate of Title	Regional Power Corp. (trading as Horizon Power)	Lot 296 on Plan 222380, being the whole of the land contained in Certificate of Title	30/06/2032	N/A	No action required
Derby Community	Nicholson Road - Reserve 26179, Lot 1402 on plan 193851	Horizon Power - Community Battery	Nicholson Road - Reserve 26179, Lot 1402 on plan 193851	Ongoing	N/A	No action required
Derby Community	Derby District School - Carpark	Dept of Education	Lot 254, Reserve 24594	Ongoing (currently)		No action required
Derby Port	Derby Port, PT Reserve 26818 - Derby Wharf lot 293, Plan 243258.	Colonial Marine Consultants (CMC)	PT Reserve 26818 - Derby Wharf	Ongoing	\$33,306.77	No action required
Derby Port	Derby Port Lot 293 of Deposited Plan 243258, PT Reserve 26818	Derby Volunteer Marine Rescue Group	Lot 293 of Deposited Plan 243258, PT Reserve 26818	31/01/2030	\$100	No action required
Derby Port	Derby Port PT Reserve 10831	Mary Island Fishing Club	Reserve 10831 being land more particularly described as Lot 643 on Deposited Plan 222380	30/09/2031	\$100	No action required
Derby Port	Derby Port - Lease Area 2 & 3 (combined into one lease) - Jetty Transit Shed PT Reserve 26818	Tassal Operations Pty Ltd	PT Reserve 26818, Lease Area 2 - Transit Shed; and Lease Area 3 - Transit Shed	28/02/2027	\$64,572	No action required

Derby Port	Derby Port, Elder Street Derby, PT Reserve 26818 Lot 639	VACANT LEASE (Old BP Site)	Elder Street Derby, PT Reserve 26818 Lot 639	N/A	N/A	No action required
Derby Port	Derby Port, Barge Ramp (License)	Mt Gibson Iron (Koolan Island Operations)	Derby Port (SW Side Nr Boat Slipway.	30/04/2038	\$1,154	No action required
Fitzroy Crossing Community	Fitzroy Crossing Lot 106, Reserve 36669 on Deposited Plan 213657 (more info)	Fitzroy Valley Rodeo Club	Lot 106, Reserve 36669 on Deposited Plan 213657	9/07/2035	\$100	No action required
Fitzroy Crossing Community	Fitzroy Valley DHS Hard Courts Licence Agreement	Department of Education	Lot 199 on Deposited Plan 186944 and being the whole of the land in qualified certificate of	30/09/2031	N/A	No action required
Fitzroy Crossing Community	Fitzroy Valley DHS Oval Licence Agreement	Department of Education	Lot 199 on Deposited Plan 186944 and being the whole of the land in qualified certificate of	31/12/2029	N/A	No action required
Fitzroy Crossing Community	Fitzroy Crossing, Flynn Drive - Reserve 36824	Karrayili Adult Education Centre	Reserve 36824 Flynn Drive, Fitzroy Crossing	30/06/2039	\$100	No action required
Fitzroy Crossing Community	FX Swimming Pool and House (Fitzroy Crossing Lot 199, Reserve 39671)	The Housing Authority	Lot 199, Reserve 39671, Fitzroy Crossing	23/03/2031	Nil	No action required
Fitzroy Crossing Community	Lot 302 on Deposited Plan 76781, being the whole of the land contained in Qualified	Regional Power Corp. (trading as Horizon Power)	Lot 302 on Deposited Plan 76781, being the whole of the land contained in Qualified	30/06/2032	N/A	No action required

Fitzroy Crossing Airport	Fitzroy Crossing - Airport Area 1 -PT Reserve 20668 LOC 32, 40, 47 & 72,	Fuel Trans Australia Pty Ltd	FX Airport PT Reserve 20668 LOC 32, 40, 47 & 72, Area 1	14/05/2033	\$10,200	No action required
Fitzroy Crossing Airport	Fitzroy Crossing - Airport Area 2 - PT Reserve 20668 LOC 32, 40, 47 & 72,	Fitzroy Helicopters	FX Airport PT Reserve 20668 LOC 32, 40, 47 & 72, Area 2	26/05/2031	\$8059.28 (invoiced monthly)	No action required
Fitzroy Crossing Airport	Fitzroy Crossing - Airport Area 3	Fitzroy Helicopters I52145 Original in Strong Room	FX Airport Area 3	19/04/2027	\$7,260	No action required
Fitzroy Crossing Airport	Fitzroy Crossing - Airport PT Reserve 20668 LOC 32, 40, 47 & 72 Lease Area 4	All North Helicopters	FX Airport PT Reserve 20668 LOC 32, 40, 47 & 72	12/02/2027	\$4,991.28	No action required
Fitzroy Crossing Airport	Fitzroy Crossing - Airport Crown Land Record Volume 3101 265	Bureau of Meteorology	Fitzroy Crossing Crown Land Record Volume 3101 265	31/03/2033	One off payment \$3,000.00	No action required

9.4 COUNCIL MEMBER MEETING ATTENDANCE - MAY 2026

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*.

DISCLOSURE OF ANY INTEREST

Nil by Author and Nil by Responsible Officer.

BACKGROUND

In accordance with regulation 14D of *the Local Government (Administration) Regulations 1996*, Council may approve Ordinary and Special Council meetings to be held by electronic means. The regulations limit electronic meetings to no more than 50 per cent of all meetings held within a twelve-month period.

Council Members may also be individually authorised to attend meetings electronically, up to 50 per cent of the in-person meetings they attended in the preceding twelve months. Approval is contingent on the member's location and equipment being suitable to support effective participation and, where required, confidentiality.

The Audit, Risk and Improvement Committee is responsible for monitoring compliance with these requirements. This report provides the Committee with an up-to-date attendance register to support oversight of Council Members' attendance and ensure conformity with the *Local Government Act 1995* and the *Local Government (Administration) Amendment Regulations 2022*.

Each year, following the October Local Government elections, Council adopts the schedule of meeting dates, times and locations for the forthcoming calendar year. Members may elect to attend meetings electronically within the limits prescribed by the regulations.

STATUTORY ENVIRONMENT

Local Government Act 1995 (WA) – Part 2 (Constitution of Local Government), Division 5 (Qualifications for Holding Office on the Council), Section 2.25 (Disqualification for failure to attend meetings) provides that a Council Member who is absent without approved leave from three consecutive ordinary meetings of Council is disqualified from continuing as a member, unless those meetings occur within a two month period. The Council may grant leave of absence but not for more than six consecutive ordinary meetings without Ministerial approval. Certain circumstances (such as no quorum, suspension, disputed election proceedings, or parental leave) are excluded from counting as an absence.

Local Government Act 1995 (WA) – Part 5 (Administration) Section 5.23 (Meetings of Council) establishes that Council meetings are to be conducted in accordance with the Act and regulations,

including rules relevant to attendance, quorum and procedure. Specific attendance-related matters are prescribed in regulations made under this section (e.g. electronic attendance).

Local Government Act 1995 (WA) – Section 5.25 (Procedure and business at meetings) requires that meetings of Council comply with prescribed procedural rules, including quorum requirements and voting. Attendance rules, including authorisation of attendance by electronic means, are enabled by this section and given effect through the Administration Regulations.

Local Government Act 1995 (WA) – Section 5.98 (Fees, reimbursements and allowances for council members) outlines that a councillor is only entitled to receive a meeting attendance fee if they attend a Council or committee meeting (including meetings attended electronically where authorised). Attendance therefore has a direct financial implication.

Local Government (Administration) Regulations 1996 (WA) – Regulation 8 (No quorum, procedure if) outlines that where a quorum is not present, the meeting cannot proceed. For attendance purposes, a councillor's non-attendance does not count as an absence if no meeting with a quorum is actually held.

Local Government (Administration) Regulations 1996 (WA) – Regulation 11 (Minutes, content of) requires that the minutes of a Council meeting record the attendance and absences of members, including whether leave of absence was granted. This forms the official record for determining attendance and potential disqualification under the Act.

Local Government (Administration) Regulations 1996 (WA) – Regulation 14C (Attendance at meetings by electronic means may be authorised) allows a Council Member to attend a Council or committee meeting by electronic means (e.g. telephone or video conference) if authorised by the Mayor, President or Council. Attendance may be authorised in emergencies or other circumstances but generally cannot exceed more than half of the meetings in a 12-month period unless the member has a disability.

Local Government (Administration) Regulations 1996 (WA) – Regulation 14CA (Provisions relating to attendance at meetings by electronic means) provides that a Council Member attending by authorised electronic means is deemed to be present for the purposes of the Act and regulations. It also sets confidentiality requirements where meetings (or parts of meetings) are closed to the public, including mandatory declarations recorded in the minutes.

Local Government (Administration) Regulations 1996 (WA) – Regulation 14D (Meetings held by electronic means) allows entire Council or committee meetings to be conducted by electronic means where authorised, and modifies the application of the Act to ensure members attending electronically are treated as present.

POLICY IMPLICATIONS

Code of Conduct (Council Members, Committee Members and Candidates) Policy.

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: Council member payment not aligned with attendance to meetings.	Unlikely	Severe	Medium	Consistent reporting to the Committee for awareness and proceeding recommendation/s to Council where required.
Business Interruption: Inability to meet quorum due to poor Council Member attendance.	Unlikely	Severe	Medium	Consistent reporting to the Committee for their awareness and recommendation/s to Council where required to mitigate Council not reaching quorum.
Organisation's Operations: Council Member attendance (or potential lack of) affecting operations by way of delayed Council decision making.	Unlikely	Major	Medium	Consistent reporting to the Committee for their awareness and recommendation/s to Council where required to mitigate Council not reaching quorum.
Reputation: Council Member attendance (or potential lack of) affecting reputation.	Unlikely	Moderate	Medium	Consistent reporting to the Committee for awareness and proceeding recommendation/s to Council where required.

CONSULTATION

Internal.

COMMENT

As at 23 April 2026, all Council Members meet attendance requirements. No 2026 meetings of Council have been scheduled to be held wholly by electronic means.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Council Member meeting attendance report - May 2026 [↓](#) 

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council NOTE the information in the Council Member meeting attendance - May 2026 report.

Meeting date		20-Oct-25	30-Oct-25	20-Nov-25	27-Nov-12	11-Dec-25	19-Feb-26	26-Feb-26	26-Mar-26	23-Apr-26
Meeting type		Special	OCM	ARIC	OCM	OCM	ARIC	OCM	OCM	OCM
Meeting location		DBY	DBY	DBY	FX	DBY	DBY	DBY	FX	DBY
Members of Council	President McCumstie	P	P	P	P	P	E	P	P	P
	Deputy President O'Meara	E	P	P	P	P	P	P	ABS	P
	Cr Cornish	E	P	-	P	P	-	E	E	P
	Cr Davis	P	P	-	P	P	-	E	A	P
	Cr Goult	P	P	P	P	P	-	P	E	E
	Cr Money	P	E	P	P	P	P	P	P	P
	Cr Ross	P	P	P	E	E	P	P	P	P
	Cr Shaw	P	P	-	P	P	-	P	P	P
	Cr Umbagai	A	P	-	P	P	-	P	P	P

Attendance Key
P : IN-PERSON
E : ELECTRONIC
ABS : ABSENT
A : APOLOGY
LOA : LEAVE OF ABSENCE
C : CANCELLED

		Physical Attendance	Electronic Attendance	Absent	Apology ¹	LOA ¹	Total meetings	Electronic attendance % ²
Members of Council	President McCumstie	8	1	0	0	0	9	89
	Deputy President O'Meara	7	1	1	0	0	9	89
	Cr Cornish	4	3	0	0	0	7	57
	Cr Davis	5	1	0	1	0	6	83
	Cr Goult	6	2	0	0	0	8	75
	Cr Money	8	1	0	0	0	9	89
	Cr Ross	7	2	0	0	0	9	78
	Cr Shaw	7	0	0	0	0	7	100
	Cr Umbagai	6	0	0	1	0	6	100

¹Not counted in attendance %

²Measured over the prior 12 months year.

9.5 COUNCIL MINUTE MANAGEMENT - MAY 2026**File Number: 0040****Author: Ryan Boldison, Executive Assistant****Responsible Officer: Tamara Clarkson, Chief Executive Officer****Authority/Discretion: Information****SUMMARY**

This report provides the Audit, Risk and Improvement Committee with an update on required actions by the Administration relating to new and existing Council resolutions.

DISCLOSURE OF ANY INTEREST

Nil by Author and Nil by 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 (Functions of the CEO) establishes the Chief Executive Officer as the principal administrative officer of the local government and assigns responsibility for the day-to-day management and administration of the organisation, including implementing Council decisions and lawful directions of the President, providing accurate and timely advice and information to Council, ensuring the efficient and effective use of resources, exercising delegated powers and performing any other functions imposed under the Act or other written laws.

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	Quarterly reporting to the Committee for awareness and direction where required.

CONSULTATION

Internal.

COMMENT

Council resolutions requiring action by the Administration are routinely prioritised. A number of resolutions remain on the Minute Actions Report. 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 in addition to the unforeseen impacting circumstances outside of the Administration’s control.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Council Meeting Minute Actions Report - May 2026 [↓](#) 

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council **NOTE** the information contained in the Council Minute Management - May 2026 report.

Meeting	Meeting date	Officer	Director	Section	Subject	Resolution	Initial target	Revised target	Update
Council	25/08/2022	Neate, Wayne	Neate, Wayne	Technical Services	REQUEST TO CLOSE HOLLAND STREET, DERBY AND TO AMALGAMATE WITH ADJOINING LAND	<p>RESOLUTION 110/22 Moved: Mr Andrew Twaddle Seconded: Mr Rowena Mouda That with respect to request to close Holland Street, Derby and to amalgamate with adjoining land, Council: 1. Pursuant to Section 58 of the Land Administration Act 1997, support the permanent closure of Holland Street, Derby as outlined in this Report and expresses its preference that the closed portion be offered to adjoining land owners to acquire those portions of the closed road that abut their land; 2. Give notice of the proposed road closure in accordance with Land Administration Act 1978 allowing a minimum period of 35 days for people to lodge submissions from the date of the notice; 3. At the conclusion of the submission period, that the Chief Executive Officer be requested to provide a further report addressing whether to proceed or not to proceed with the proposed road closure in light of any submissions; and 4. Instruct the Chief Executive Officer to write to all of the owners requesting that they indemnify the Shire and the State of Western Australia of any and all third party costs that may be triggered by this process and only proceed with points 1, 2 and 3 when all letters are received from all property owners that adjoin the Holland Street road reserve. In Favour: Mrs Geoff Davis, Andrew Twaddle, Rowena Mouda, Pat Riley, Linda Evans and Peter McCumstie Against: Nil CARRIED 6/0</p>	8/09/2022	1/12/2026	24 March 2026 - Awaiting DPLH process
Council	29/02/2024	Neate, Wayne	Neate, Wayne	Development Services	Proposed Dedication of Portion of Sandford Road, Fitzroy Crossing	<p>RESOLUTION 17/24 Moved: Mr Andrew Twaddle Seconded: Mr Brian Ellison That Council initiate the process required to dedicate a previously constructed portion of Sandford Road, Fitzroy Crossing through Lot 126 on DP215485 (Reserve 36669) and portion Lot 402 on DP77614 (Reserve 36669) as a public road pursuant to section 56 of the Land Administration Act 1997 and associated regulations and direct the Shire Chief Executive Officer to progress the proposal accordingly. In Favour: Mr Peter McCumstie and Crs Brett Angwin, Geoff Davis, Brian Ellison, Wayne Foley, Kerrisa O'Meara and Andrew Twaddle Against: Nil CARRIED 7/0</p>	14/03/2024	1/12/2026	24 March 2026 - Awaiting DPLH process
Council	29/02/2024	Lawrence, Luke	Lawrence, Luke	Executive Services	One Tree Community Services Inc. Child Care Centre Lease and Building Modification; and Associated Residence	<p>RESOLUTION 14/24 Moved: Mr Andrew Twaddle Seconded: Mr Wayne Foley That Council: 1. Congratulates One Tree Community Services Inc. on securing the grant funding, and thanks Lottery West for its commitment to this local service; 2. Endorses as the property owner, the installation of the Childcare Centre modifications proposed, subject to: a. At the earliest opportunity (following the finalisation of plans and prior to works commencing) One Tree to provide a detailed presentation to a Council Forum on the proposed project, and in particular, the capital upgrades suggested and implementation program proposed; b. the CEO developing an engagement protocol/Memorandum of Understanding between the Shire and One Tree for the duration of the project, to suitably address procurement and project management issues; and protect the Shire's interests in the Centre and ensure that the finished works are appropriate, fit-for-purpose, and professionally undertaken; and c. One Tree securing all necessary planning and building assessments and approvals, prior to any works commencing; 3. Proposes that following the expiry of the lease, its intention would be to utilise the relevant lease clause to retain the upgrade works so longer term community benefit can be maximised (currently reflected in Lease Clause 16.3 (Lessor may require improvements to remain)); 4. Requires One Tree Community Services Inc. to engage the community to keep them informed of the works proposed and any inconveniences that might occur during the period the improvements are being constructed; 5. Authorises the Chief Executive Officer to negotiate a new lease (for \$1pa and up to a maximum of 5 + 5 + 5 years) with One Tree Community Services Inc., for both the Childcare Centre and the 2 Holman Street property, with the conditions of the lease being as consistent as practical with the current One Tree Childcare Centre lease; and 6. Requires that One Tree Community Services Inc meet legal costs only for the establishment of the new lease. In Favour: Mr Peter McCumstie and Crs Brett Angwin, Geoff Davis, Brian Ellison, Wayne Foley, Kerrisa O'Meara and Andrew Twaddle Against: Nil CARRIED 7/0</p>	14/03/2024	30/06/2026	30 April 2026 - Building work has been completed. Lease is under negotiation.

Council	28/03/2024	Neate, Wayne	Neate, Wayne	Confidential	Waste Facility Site Identification Derby and Fitzroy Crossing 2024	<p>RESOLUTION 42/24 Moved: Mr Geoff Davis Seconded: Mr Geoff Haerewa That Council:</p> <ol style="list-style-type: none"> 1. Receives the report Waste Facility Site Identification Derby and Fitzroy Crossing prepared by ASK Waste Management Consulting; 2. Directs the CEO to ensure the potential waste facility sites remain confidential until land tenure agreements are secured. 3. Directs the CEO to complete the following: <ol style="list-style-type: none"> (a) Identify potential waste facility sites and seek land tenure agreements; (b) Investigate potential waste facility sites in parallel for Derby and Fitzroy Crossing; (c) Complete basic soil test assessments of potential waste facility sites; (d) Conduct a survey to confirm projected operational lifespan of the Derby waste facility site; (e) Engage a suitably qualified and experienced project manager for the two waste facility projects; and (f) Define specific lots for each potential waste facility site where tenure is required and detailed investigations can take place. 4. Considers the full costs of site investigations and construction for inclusion in the long-term financial plan for the waste facility sites in Derby and Fitzroy Crossing; and 5. Directs the CEO to prepare revaluation of future waste facility closure costs for Derby and Fitzroy Crossing and to bring back a report to Council for its consideration in the subsequent budget. <p>In Favour: Mrs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara Against: Nil CARRIED 8/0</p>	11/04/2024	30/12/2027	23 March 2026 - Extension to process was granted by DFES in line with Cat D Funding
Council	30/05/2024	Lawrence, Luke	Lawrence, Luke	Community Services	Ngunga Early Years - Lease of Land and Proposed Transfer of Reserve - Commercial in Confidence	<p>RESOLUTION 77/24 Moved: Mr Geoff Davis Seconded: Mr Kerrissa O'Meara That Council:</p> <ol style="list-style-type: none"> 1. Endorses the establishment of a 21-year lease (on a peppercorn style basis) to Ngunga Women's Group for a 1,300sqm parcel of land from Reserve Number; 24904 (part of 28 Ashley Street) vested in the Shire of Derby/West Kimberley for Recreation and Community Purposes, for the establishment of the Early Years Centre, inclusive of a day care centre with a 30 children capacity; 2. Authorises the CEO to progress the lease to its conclusion; 3. Authorises the CEO (once the initial lease has been executed) to apply to the Minister for Lands, for a further 21-year lease as above; 4. Approves the CEO to progress the formal transfer of the leased area of land (approximately 1,300sqm) to Ngunga Women's Group (Aboriginal Corporation) through the Department of Planning, Lands and Heritage, under the authority of the Minister for Lands; and 5. Authorises the CEO to undertake all necessary actions to facilitate the above transfer. <p>In Favour: Mr Peter McCumstie and Crs Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley, Kerrissa O'Meara and Andrew Twaddle Against: Nil CARRIED 9/0 BY ABSOLUTE MAJORITY</p>	13/06/2024	30/06/2026	30 April 2026 - Currently in review for surity of full completion.
Council	29/08/2024	Brazil, Jill	Brazil, Jill	Corporate Services	One Tree Community Services Inc. - Works Proposal	<p>RESOLUTION 110/24 Moved: Mr Andrew Twaddle Seconded: Mr Kerrissa O'Meara That Council:</p> <ol style="list-style-type: none"> 1. Endorses as the property owner, the installation of the childcare centre modifications proposed, subject to: <ol style="list-style-type: none"> (a) One Tree Community Services Inc. securing all necessary planning and building assessments and approvals, prior to any works commencing; (b) One Tree Community Services Inc. allowing Shire staff to undertake a pre-construction inspection and regular inspections throughout the works to ensure the asset remains in an acceptable condition (c) One Tree Community Services Inc. rectify any damage as a result of the work being undertaken to any part of the building or infrastructure. 2. Require One Tree Community Services Inc. to engage with the community to keep them informed of the works proposed and any inconveniences that might occur during the period the improvements are being constructed. <p>In Favour: Mrs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Wayne Foley, Kerrissa O'Meara and Andrew Twaddle Against: Nil CARRIED 8/0</p>	13/09/2024	1/12/2026	23 March 2026 - Ongoing. Officers have met with One Tree to discuss works.
Council	27/02/2025	Gloor, Aaron	Brazil, Jill	Corporate Services	Local Government Act (LGA) Sales - 5 Knopp Street & 19 Kurralong Loop	<p>RESOLUTION 17/25 Moved: Mr O'Meara Seconded: Mr Ellison That Council:</p> <ol style="list-style-type: none"> 1. Approve the commencement of LGA sale proceedings against the following properties; 5 Knopp Street (A103940) & 19 Kurralong Loop (A900275). <p>In Favour: Resident McCumstie, Cr Bickerton, Cr Davis, Cr Ellison and Cr O'Meara Against: Nil CARRIED 5/0</p>	13/03/2025	1/06/2026	23 March 2026 - 5 Knopp street will be going back to Council as we did not proceed with the LGA sale previously. This was due to communication between the owner and Shire Legal representing indicating that sale of the property by the owner was imminent. The owner has now missed several deadlines to provide an update on the sale and as such we intend to re-present this matter to Council in May. 19 Kurralong loop is close to being cleared as the mother of the owner entered into a payment arrangement of 2K per month and has been adhering to that.
Council (Commissioner)	22/05/2025	Lawrence, Luke	Lawrence, Luke	Community Services	Draft Local Heritage Survey 2025 and Draft Heritage List 2025	<p>RESOLUTION That Council (Commissioner):</p> <ol style="list-style-type: none"> 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. <p>RESOLUTION CCO28/25 Moved: Mr Jeff Gooding In Favour: Mr Jeff Gooding Against: Nil CARRIED 1/0</p>	5/06/2025	1/06/2026	23 March 2026 - Works on progressing the Heritage Survey continue.

Council (Commissioner)	22/05/2025	Altham, Santana	Lawrence, Luke	Development 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 CARRIED 1/0	5/06/2025	30/06/2026	30 April 2026 - Review of the Child Safe Organisation Action Plan 2023 is in progress.
Council (Commissioner)	31/07/2025	Clarkson, Tamara	Clarkson, Tamara	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) Continuation 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 Against: Nil CARRIED 1/0	14/08/2025	1/06/2026	23 March 2026 - 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.
Council (Commissioner)	20/08/2025	Neate, Wayne	Neate, Wayne	Infrastructure	Fitzroy Crossing Cemetery maintenance - Expression of Interest	RESOLUTION CCO83/25 Moved: Mr Jeff Gooding That Council (Commissioner): 1. Authorises the Chief Executive Officer to undertake an Expressions of Interest process for the provision of maintenance services of the Fitzroy Crossing Cemetery. 2. Notes that if no suitable service provider is identified through the Expression of Interest process, the Shire will continue to deliver maintenance services of the Fitzroy Crossing Cemetery. 3. Notes that the operational component of sinking graves and management of grave allocation remains with the Shire as per current operations. In Favour: Mr Jeff Gooding Against: Nil CARRIED 1/0	4/09/2025	30/09/2026	24 March 2026 - EOI soon to be released to allow works to commence following the wet season.
Council	30/10/2025	Brazil, Jill	Brazil, Jill	Corporate Services	Review of Local Laws	RESOLUTION 32/25 Moved: Cr Kerrissa O'Meara Seconded: Cr Geoff Davis That Council: 1. DIRECTS the Chief Executive Officer to provide public notice stating that; a. The Shire proposes to review the below local laws: - Bush Fire Brigades 2001; - Cemeteries 2001; - Dogs 2001; - Extractive Industries 2001; - Local Government Property 2001; - Health 1999; - Standing Orders 2001; - Activities on Thoroughfares and Trading in Thoroughfares and Public Places 2001; and - Parking 2023 b. A copy of the local laws may be inspected or obtained at the Shire offices or from its website; and c. Submissions about the local laws may be made to the Shire before a day to be specified in the notice, being a day that is not less than six weeks after the notice is given. 2. NOTES that the Chief Executive Officer will present a report to Council following the consultation period. In Favour: Mr Peter McCumstie and Crs Kerrissa O'Meara, Adam Cornish, Geoff Davis, Trish Gault, Elliot Money Val Ross, Laurie Shaw, Leah Umbagai Against: Nil CARRIED 9/0	13/11/2025	1/06/2026	24 March 2026 - Local Laws have been advertised for review with one response to date. The project may be deferred due to costings.

Council	30/10/2025	Clarkson, Tamara	Clarkson, Tamara	Executive Services	Derby Port - Transfer of management back to State Government (Kimberley Ports Authority)	<p>RESOLUTION 25/25 Moved: Mr Val Ross Seconded: Mr Adam Cornish That Council:</p> <p>1. ENDORSE 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; 2. NOTES the contents of the draft Agreement; 3. AUTHORIZES the Chief Executive Officer to continue negotiations with Kimberley Ports Authority, terms that: (a) Conditionally surrenders the current lease of Derby Port from the Kimberley Ports Authority to the Shire; (b) 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. 4. DIRECTS the Chief Executive Officer to facilitate community consultation on Community and Recreation use of the jetty and boat ramps; and 5. DIRECTS the Chief Executive Officer to present final agreement for Council adoption. In Favour: Mr Peter McCumstie and Crs Kerrissa O'Meara, Adam Cornish, Geoff Davis, Trish Gault, Eliot Money Val Ross, Laurie Shaw, Leah Umbagai Against: Nil CARRIED 9/0</p>	13/11/2025	1/06/2026	24 March 2026 - Contract negotiations are ongoing.
Council	27/11/2025	Neate, Wayne	Neate, Wayne	Infrastructure	Endorsement of Local Planning Strategy	<p>RESOLUTION 49/25 Moved: Mr Trish Gault Seconded: Mr Eliot Money That Council:</p> <p>1. ACCEPTS the draft Local Planning Strategy for the Shire of Derby/West Kimberley, as prepared in accordance with the Planning and Development (Local Planning Schemes) Regulation 2015; 2. DIRECTS the Chief Executive Officer to provide a copy of the draft Local Planning Strategy to the Western Australian Planning Commission; 3. ENDORSES the draft Local Planning Strategy for the purpose of community consultation and public advertising; 4. AUTHORIZES the Chief Executive Officer to make any minor modifications to the draft Local Planning Strategy as required by the Commission prior to advertising; 5. Upon receipt of certification from the Western Australian Planning Commission; DIRECTS the Chief Executive Officer to advertise the draft Local Planning Strategy in accordance with legislative requirements for a period of not less than 21 days; and 6. DIRECTS the Chief Executive Officer to present the outcomes of the consultation to Council for consideration prior to final adoption. 7. DIRECTS the CEO to facilitate a workshop with Council. In Favour: Mr Peter McCumstie and Crs Adam Cornish, Trish Gault, Kerrissa, O'Meara, Eliot Money, Val Ross, Laurie Shaw, Leah Umbagai. Against: Mr Geoff Davis CARRIED 8/1</p>	11/12/2025	11/12/2026	24 March 2026 - Complete process through DPLH taking time should have consent to advertise for comment by the end of April
Council	11/12/2025	Brazil, Jill	Brazil, Jill	Corporate Services	Department of Transport Services - Derby	<p>RESOLUTION 59/25 Moved: Mr Adam Cornish Seconded: Mr Eliot Money That Council:</p> <p>1. ENDORSES the transfer of the provision of licensing services to an alternative provider in Derby; 2. Should a suitable provider not be identified, DIRECT the Chief Executive Officer to negotiate a Memorandum of Understanding with the Department of Transport to provide counter space to continue the service; and 3. NOTES the Department of Transport's commitment to licensing services not being compromised or diminished in the community. In Favour: Mr Peter McCumstie and Councillors Adam Cornish, Geoff Davis, Trish Gault, Kerrissa, O'Meara, Eliot Money, Val Ross, Laurie Shaw, Leah Umbagai. Against: Nil CARRIED 9/0</p>	25/12/2025	1/06/2026	14 April 2026 - Discussions continue, progress ongoing.
Council	26/02/2026	Brazil, Jill	Brazil, Jill	Corporate Services	Part Lease of Fitzroy Crossing Visitors Centre	<p>RESOLUTION 09/26 Moved: Mr Eliot Money Seconded: Mr Trish Gault That Council by ABSOLUTE MAJORITY:</p> <p>1. ENDORSES the assignment of the lease for Fitzroy Crossing Visitors Centre to Marra Worra Worra Aboriginal Corporation for civic purposes; and 2. NOTES the proposed lease fee in the Confidential Attachment 2 Extract Schedule 1 Draft Lease Fitzroy Crossing Visitors Centre, are subject to final negotiation; and 3. AUTHORIZES the Chief Executive Officer to sign and make any final amendments to the lease for Fitzroy Crossing Visitors Centre with Marra Worra Worra Aboriginal Corporation for six years with the option of additional five years amendments including finalising the lease fee; and 4. APPROVE finalised lease fee as to be included as income in the 2025/26 Annual Budget – General Ledger account 3140235 ADMIN - Other Income Relating to Administration. In Favour: Mr Peter McCumstie, Kerrissa O'Meara, Adam Cornish, Trish Gault, Eliot Money, Val Ross, Laurie Shaw and Leah Umbagai. Against: Nil. CARRIED 8/0 BY ABSOLUTE MAJORITY</p>	12/03/2026	1/06/2026	14 April 2026 - Negotiations ongoing to finalise.
Council	26/03/2026	Neate, Wayne	Neate, Wayne	Infrastructure	Disposal of Fleet Vehicles	<p>RESOLUTION 22/26 Moved: Leah Umbagai Seconded: Adam Cornish That Council by ABSOLUTE MAJORITY, APPROVES:</p> <p>1. The disposal of the following vehicles by public auction: ☐ Plant number 103 14KW – 2018 Toyota Landcruiser ute ☐ Plant number 105 7KW – 2018 Toyota Landcruiser ute ☐ Plant number 121 36KW – 2015 Toyota Camry ☐ Unregistered – 2016 Toyota Camry 2. Income from the sale of the vehicles being allocated to account 51403500 PWO – Proceeds on Disposal of Assets. In Favour: Mr Peter McCumstie, Adam Cornish, Trish Gault, Eliot Money, Val Ross, Laurie Shaw and Leah Umbagai. Against: Nil. CARRIED 7/0 BY ABSOLUTE MAJORITY</p>	9/04/2026	1/06/2026	30 April 2026 - Vehicles are in the process of being put to public auction.

9.6 GOVERNANCE AND COMPLIANCE - INTERNAL CONTROLS

File Number: 5476

Author: Aaron Gloor, Acting Manager Corporate Services

Responsible Officer: Tamara Clarkson, Chief Executive Officer

Authority/Discretion: Executive

SUMMARY

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.

This report provides Council an update on the status of internal control management matters within the Shire.

DISCLOSURE OF ANY INTEREST

Nil by Author and Nil by Responsible Officer.

BACKGROUND

Local Government (Audit) Regulations 1996 outline the functions of a local government audit committee. At a meeting dated 26 October 2023, Council confirmed the current Audit, Risk and Improvement Committee purpose to include, not exclusively, review the Chief Executive Officer's systems and procedures and progress its implementation.

Due to an increased focus on the accountability and transparency of local governments, a review of the effectiveness of all business processes is considered 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.

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 an annual legislative requirement and is reported to the Audit, Risk and Improvement Committee meeting, prior to being submitted to Council for endorsement.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 2.7 outlines the role of local government including overseeing the allocation of the local government’s finances and resources

Local Government Act 1995 Section 5.41 outlines the role of the Chief Executive Officer as responsible for managing the local government’s administration and operations

Local Government Act 1995 Section 7.1A states that a local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it

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 employees 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 employees on legislative compliance

CONSULTATION

Nil.

COMMENT

This report highlights to Council the actions taken by the Chief Executive Officer to ensure compliance and to minimise risk. It also promotes an improved understanding by officers, of the strategic risk/compliance expectations of Council. Administration is continuing to build best practice in this area using staff training, information sessions and the provision of support.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **Internal Controls Report - April 2026** [↓](#) 

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council NOTE the information contained in the attached Internal Controls report – April 2026.

Shire of Derby / West Kimberley
Internal Controls - Compliance Calendar as at April 2026

Calendar task	Category	Legislation	Due	Comment	Status
C338 Grants Acquittal - Local Government Heritage Consultancy Grant Acquittal of funding to engage a consultant to undertake a Local Heritage Survey.	Operational Task	Heritage Act 2018	30 Jun 2025	April 2026 - 70% Complete The Draft Heritage Survey has been approved by Council and will be updated prior to going out for community consultation. Consultant required to update project.	Grant - In Progress
C372 Acquittal Report - Regional North Local Government Assistance Financial Program 2023. The Shire has received funding to support the development of a new Local Planning Scheme. As part of this agreement the Shire is required to provide the Department with a final report for the project, including the final, endorsed strategy.	Compliance Requirement	Planning and Development (Local Planning Schemes) Regulations 2015	31 Jul 2025	April 2026 - 70% Complete Draft LPS with WAPC for consent to advertise.	Grant - In Progress
C166 Aerodrome Manual Review (Derby and Fitzroy Crossing) Derby and Fitzroy Crossing Aerodrome Manuals to be reviewed annually.	Operational Task		October 2025 - October 2026	October 2025 - Review - 100% Complete April 2026 - Ongoing work post-review - 50% Complete The manuals review is complete. Officers are now in the process of working through CASA findings some of which are related to the manual. An additional review process is being undertaken by officers noting issues with the manuals - expected completion date 30 June 2026	Ongoing Action Item
C349 Acquittal Report - FAA1 The Shire has received funding from the Department of Local Government, Sport and Cultural Industries to; * Upgrade the lighting system at the Fitzroy Crossing Oval, and * Develop a masterplan for the Fitzroy Crossing Multi-purpose Centre (including evacuation centre).	Compliance Requirement		30 Nov 2025	April 2026 CITS has advised they have been contacted by the Minister's Office for advice related to the variation request. No update from the Minister's Office has yet been provided on the timeline for the outcome of this request. 24/03/2026 - Have contacted Local Member's Office to request an update on the progress of this request. CITS indicated last week they haven't had anything come through at their end. Ms D'Anna's staff have advised she is currently consulting with Ministers who have an interest in the project (Sport and Rec, Emergency Management, Regional Development, Kimberley). Can't advise timeframe but hopeful it won't be too much longer. 3/03/2026 - Met with CITS last week on FAA1 proposal. They have advised they believe the request is still sitting with the local member as they have not received a ministerial request in relation to the project yet. 20/01/2026 - The Shire is currently discussing with CITS and Local Member for a variation to be made to the Recreation and evacuation component of the grant. A formal variation will be made to the agreement when discussions are finalised. This will include an amendment to the acquittal date. In the meanwhile CITS has advised the acquittal is not required to be submitted at this stage and will advise new due date once variation negotiations have been completed.	Grant - In Progress
C42-9.1 Asset Management Plan Review Update the Asset Management Plan to be included in the outcomes of the Corporate Business Plan Review.	Compliance Requirement	Local Government Act 1995 Local Government (Administration) Regulations 1996	31 Mar 2026	April 2026 - 90% Complete Reviewed as part of the adopted Council plan. Work has now commenced on the details of plans for each asset class.	Progressing

9.7 GOVERNANCE AND COMPLIANCE - AUDIT LOG**File Number:** 5476**Author:** Aaron Gloor, Acting Manager Corporate Services**Responsible Officer:** Tamara Clarkson, Chief Executive Officer**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 and Nil by 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 requires a local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

Local Government (Audit) Regulations 1996 Regulation 17 requires the Chief Executive Officer to review certain systems and procedures.

Local Government (Financial Management) Regulations 1996 Part 2 Section 6.10 provides requirements for general financial management of the local government.

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 educate employees on legislative compliance
Reputation: Adverse media and lack of community confidence	Possible	Moderate	Medium	Continue to build and monitor internal procedures and to ensure legislative compliance

CONSULTATION

Internal.

COMMENT

The below table highlights the current status of the Shire’s Audit Log.

STATUS	NUMBER
Identified risk items at beginning of reporting	94
Risk Items added to register since inception	47
Completed (Since 23 May 2024)	117
TOTAL OUTSTANDING	24

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

- 1. Shire of Derby / West Kimberley Internal Controls - Audit Log - Confidential**

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council:

- 1. NOTE the information contained in the attached Audit Log – April 2026.**
- 2. DIRECT the Chief Executive Officer to prioritise audit findings and present an updated report to June 2026 Ordinary Meeting of Council for endorsement.**

9.8 OUTSTANDING DEBT - APRIL 2026**File Number:** 5174 & 5112**Author:** Aaron Gloor, Senior Finance Officer**Responsible Officer:** Jill Brazil, Director Corporate Services**Authority/Discretion:** Information**SUMMARY**

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

DISCLOSURE OF ANY INTEREST

Nil by Author and Nil by Responsible Officer.

BACKGROUND

The Audit, Risk and Improvement Committee will ensure compliance with the Shire's financial reporting and will liaise with the Chief Executive Officer 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

Sundry Debtors Collection Policy
Outstanding Rates Collection Policy
Financial Hardship Policy

FINANCIAL IMPLICATIONS

Outstanding Rates and Service Charges totalling \$1,665,578.40

Outstanding Sundry Debtors (non-rates) totalling \$600,683.01

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	Continue to proactively approach 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 a depiction of rates debt by month. The report also contains a breakdown of outstanding sundry debtor (non-rates) charges by age as well as the movement of this debt over a rolling five-month period.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Debt Summary Report - April 2026 [!\[\]\(676fc355d2b3c277f5357b523556bac6_img.jpg\) !\[\]\(e11ff46fe43b6c1209dbcd38d098a438_img.jpg\)](#)

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council RECEIVE the information contained in the report detailing outstanding rates and sundry debtors as at 30 April 2026.



Rates Debt Summary Report - 2025/2026

Total Rates & Service Charges in arrears at rates levy date 25/26 \$1,230,911.44
 Total Rates & Service Charges Levied for FY 2025/26 \$12,994,407.29
 Total Collected YTD From Outstanding Rates & Service charges \$12,559,740.33
 Total Rates & Service Charges Outstanding as at 30 April 2026 \$1,665,578.40

Total Outstanding Balance from Instalment Payers
 \$29,417.51

Total Balance of Debt Currently Referred to CS Legal (102 Debtors)
 \$1,248,735.42

	Total Debt					Debt Movement (January - April)
	Dec-25	Jan-26	Feb-26	Mar-26	Apr-26	
GRV (Residential, Commercial & Industrial)	\$ 1,889,990.05	\$ 1,771,182.70	\$ 1,560,703.38	\$ 1,413,890.62	\$ 1,364,170.51	\$ (407,012.19)
Mining UV (Mining Tenements)	\$ 171,997.90	\$ 173,040.06	\$ 145,659.52	\$ 145,025.28	\$ 142,603.69	\$ (30,436.37)
Rural UV (Pastoral properties)	\$ 402,250.66	\$ 234,066.90	\$ 93,048.90	\$ 95,097.80	\$ 97,080.68	\$ (136,986.22)
Non-Rateable	\$ (1,693.62)	\$ (1,674.87)	\$ (1,657.88)	\$ 769.84	\$ (3,526.90)	\$ (1,852.03)
Non-Rateable UV Exempt	\$ (3,100.37)	\$ (3,098.91)	\$ (3,097.59)	\$ (3,134.54)	\$ (8,991.45)	\$ (5,892.54)
Non-Rateable GRV Exempt (Waste & ESL Charges)	\$ 74,879.36	\$ 75,416.59	\$ 74,851.19	\$ 75,398.56	\$ 74,241.87	\$ (1,174.72)
Total	\$ 2,534,323.98	\$ 2,248,932.47	\$ 1,869,507.52	\$ 1,727,047.56	\$ 1,665,578.40	\$ (583,354.07)

Comments
Majority of work now in the debt collection space, working with CS Legal to clear outstanding debt.

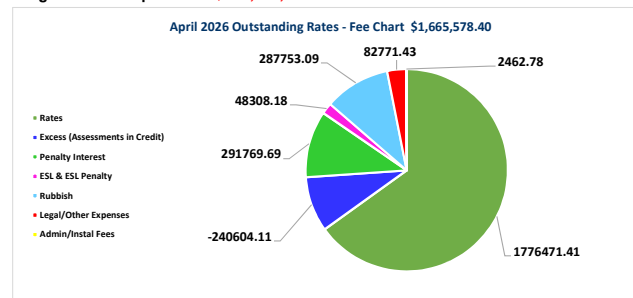
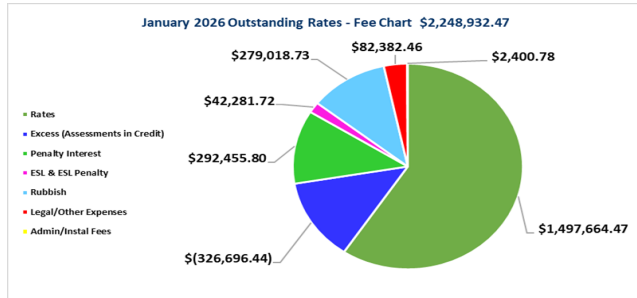
	Debt Older Than Three Years	23/24	24/25	25/26	Credit Balances	Total Outstanding
COMMERCIAL - GRV	\$0.00	\$7,839.13	\$50,059.68	\$233,447.87	-\$4,269.05	\$287,077.63
INDUSTRIAL - GRV	\$4,608.92	\$11,250.19	\$15,936.13	\$68,721.70	-\$29,053.69	\$71,463.25
MINING - UV	\$0.00	\$0.00	\$10,424.50	\$136,064.95	-\$3,885.76	\$142,603.69
NON-RATEABLE	\$1,458.88	\$766.16	\$196.45	\$845.18	-\$6,793.57	-\$3,526.90
NON-RATEABLE/EXEMPT - GRV	\$33,476.10	\$10,856.41	\$12,619.68	\$18,435.10	-\$1,145.42	\$74,241.87
NON-RATEABLE/EXEMPT - UV	\$0.00	\$0.00	\$190.86	\$98.04	-\$9,280.35	-\$8,991.45
OTHER LOCATIONS - GRV	\$0.00	\$0.00	\$0.00	\$256.26	\$0.00	\$256.26
RESIDENTIAL - GRV	\$281,751.04	\$127,264.37	\$215,071.92	\$473,051.18	-\$118,143.86	\$984,125.00
RURAL - UV	\$615.68	\$2,219.67	\$47,373.94	\$237,974.56	-\$191,103.17	\$97,080.68
URBAN FARMLAND - GRV	\$3,737.85	\$4,486.67	\$6,207.85	\$6,816.00	\$0.00	\$21,248.37
Total	\$325,648.47	\$164,682.60	\$358,081.01	\$1,175,710.84	-\$363,674.87	\$1,665,578.40

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 30 April	\$1,912,566.72	\$1,665,578.40
Percentage Outstanding	14.36%	11.71%



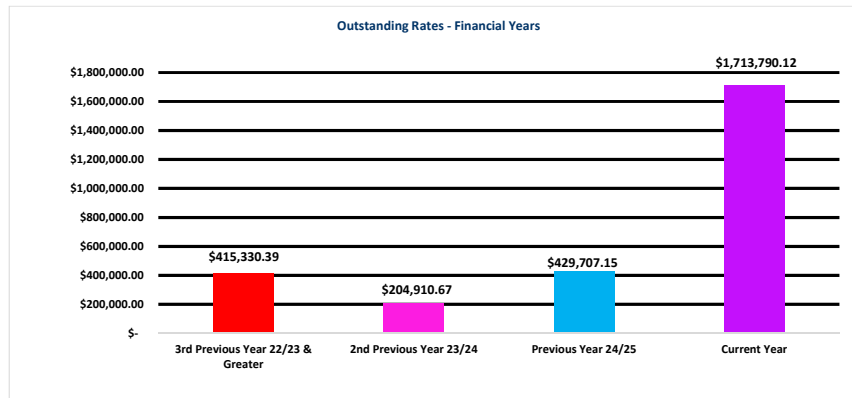
Report to Audit Committee - Rates Debt Overview
April 2026

Total Rates Outstanding as at EOM April 2026 \$ 1,665,578.40



Rates and Service Charges Levied 2025/2026

Levied at 15th 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

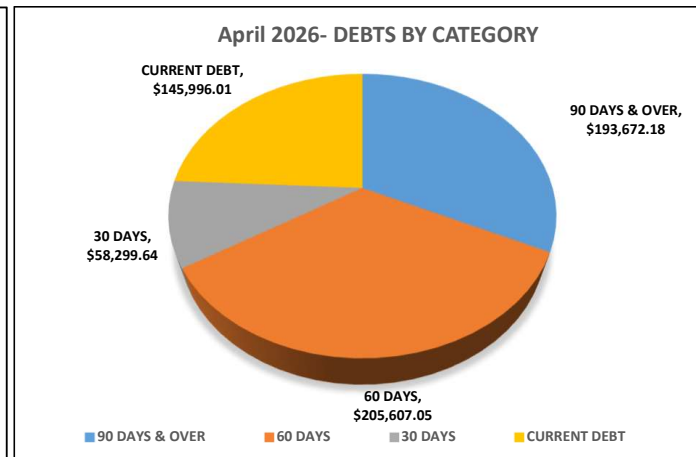
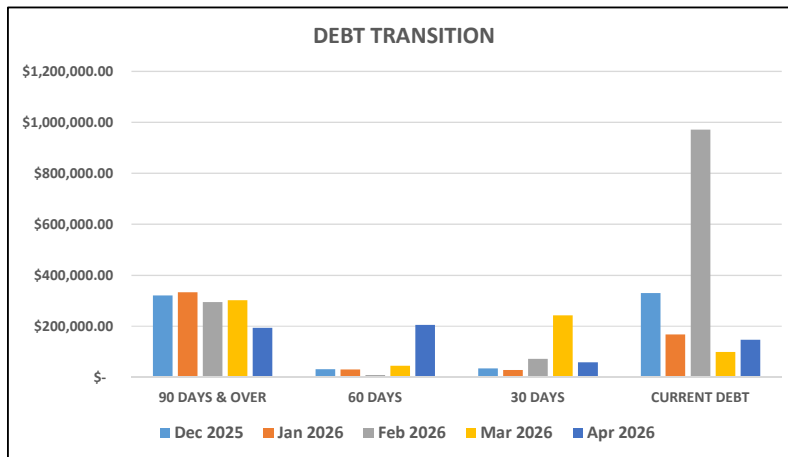




**Shire of Derby /
West Kimberley**

NON-RATES DEBT SUMMARY REPORT - 2025/2026

	Dec 2025	Jan 2026	Feb 2026	Mar 2026	Apr 2026	Changes (Jan- Apr)
90 DAYS & OVER	\$ 320,457.42	\$ 332,794.93	\$ 294,500.18	\$ 301,986.15	\$ 193,672.18	-\$ 139,122.75
60 DAYS	\$ 31,154.08	\$ 29,874.81	\$ 8,155.29	\$ 44,916.71	\$ 205,607.05	\$ 175,732.24
30 DAYS	\$ 33,842.18	\$ 27,593.09	\$ 71,685.19	\$ 241,701.97	\$ 58,299.64	\$ 30,706.55
CURRENT DEBT	\$ 329,900.05	\$ 166,990.32	\$ 971,395.20	\$ 97,855.90	\$ 145,996.01	-\$ 20,994.31
CREDIT BALANCE	-\$ 2,418.72	-\$ 2,688.58	-\$ 2,540.99	-\$ 2,585.48	-\$ 2,891.87	-\$ 203.29
TOTAL	\$ 712,935.01	\$ 554,564.57	\$ 1,343,194.87	\$ 683,875.25	\$ 600,683.01	\$ 46,118.44



90+ Days Debt Comparison by Year						
Apr-20	Apr-21	Apr-22	Apr-23	Apr-24	Apr-25	Apr-26
\$295,793.65	\$498,595.84	\$372,579.77	\$1,955,696.00	\$269,858.05	\$524,691.96	\$193,672.18

90+ Days Outstanding Debt over \$1000 30/04/2026			
DEBTOR	TOTAL	COMMENTS	DEBTOR CODE
Tristans Lawnmowing	\$ 2,063.24	Multiple waste charges from 31/01/2023 to present. Statements and follow-up requests have been issued to this debtor without response. Due to the age of the debt and the continued operation of the business we may look to recommended revoking access to the waste site until these charges are cleared.	TLW
Act Eco Homer	\$ 64,705.49	Multiple waste charges from 14/06/2024 to present. Debtor originally emailed requesting the Shire remove these invoices stating that they should be charged to other companies that Act Eco Homer was completing work on behalf of. Recent contact has been made with the debtor to clarify discrepancies in certain invoices, including the correct measurements that should have been applied. The debtor is currently working with the Shire to resolve this matter and has provided some information on an invoice where they believe they have been overcharged. Officers have requested a meeting to look at the remaining invoices in dispute and are awaiting the debtor to provide a suitable time.	AEH
Unreel Adventure Safaris	\$ 5,269.03	May 2025 wharf usage charge and annual rent charge for Area 1 of the Derby Wharf. Finance and previous ports manager made several attempts via phone and email to secure payment for these outstanding invoices without success. Given the operator is likely to continue operation at the commencement of the next tourist season we will recommend that future wharf bookings are not granted until this debt is cleared.	UNR
Mowanjum Aboriginal Corporation - Mowanjum Station & Knowsley Agricultural	\$ 107,116.42	Mowanjum is currently responsible for the payment of rates on two pastoral properties in the Shire with the combined total of rates outstanding at \$104,792.08. This debt is an accumulation of current debt as well as arrears back to 23/24. Mowanjum has previously communicated with the Shire and made payments towards the debt via an arrangement without ever achieving full clearance of the balance. In the 25/26 FY the Shire has not yet received communication from Mowanjum with regards to these assessments and the matter was referred to CS Legal in November 2025. CS Legal records indicated that there has been no response to letters of demand and no payments have been received. Officers will instruct CS Legal to initiate further legal proceedings through the magistrates court.	A600190 and A500420
Mowanjum Aboriginal Corporation	\$ 53,200.44	Waste charges that were raised in 2020. These charges relate to Mowanjum's use of the Derby waste facility for residential waste from 2016 through to 2020. The total payable in the original invoice was \$158,371.30, these charges were disputed by Mowanjum at the time and subsequently reduced by 50% to \$79,185.65 in October 2020 via Council Resolution 170/20. On the 18th of June 2021 Mowanjum made a payment of \$26,395.21 via a payment arrangement. From this point no further payments were made by Mowanjum who then proceeded to take the matter to the Ombudsmen in 2022. The Ombudsmen made no ruling in Mowanjum's favour and at this point Mowanjum indicated they would be seeking legal advice. There has been no further communication from Mowanjum with regards to this debt nor has the Shire received any communication from Mowanjum's legal representatives. The Shire now believes that these charges may be recovered after expected administrative changes at Mowanjum.	MJU

Burrinunga Aboriginal Corporation	\$ 69,527.30	This debt relates to residential bin charges dating back to 2018 for the group of houses at 18-32 Panton Street Derby. The matter has previously progressed through CS Legal who concluded that due to the nature of the houses, the enforcement of the debt through legal proceedings is difficult as the Shire does not realistically have the ability to exercise our power of sale. The director of the corporation has also previously stated they have no income and no ability to repay this debt. Following this conclusion the Shire wrote to the minister for Local Government's office but a response was not received. The Shire has also attempted to secure payment through the Department of Housing and Works, Aboriginal Housing & the section of the Department of Housing and works that deals specifically with remote area housing. All of these avenues have been unsuccessful to date with each area advising they were not responsible for the payment of these charges. The Shire has most recently been advised to communicate with the Derby office of the Department of Housing and Works however these contact attempts have not been responded to. At this stage the Shire may need to engage directly again with the minister's office or potentially cease collection of waste at this location. The latter option is problematic given the implications this would have from a health/waste recovery point of view.	A107124
Beyond Potential Group Pty Ltd	\$ 4,243.72	Multiple Waste Charge invoices that company has disputed as they believe the charges are incorrect. Officers have requested that the business outline where the inaccuracies are on their invoices in order to investigate further. To date the business owner have not provided further detail. Once the business has confirmed what the invoice inaccuracies are, officers will be in a position to investigate further.	BPG
Broome Cabinets	\$ 1,280.34	Waste Charge Invoice from June 2025 & Interest Charges, emails and monthly statements have been sent to debtor however no contact has been received.	1000
Abuelitas Shop	\$ 1,715.81	An invoice issued in March 2025 remains outstanding. The debtor had previously entered into a payment arrangement of \$350 per week. However, no payments have been received since December 2025. The Shire has issued regular email correspondence and monthly statements to the debtor, reminding them of the outstanding balance. To date, no response or communication has been received. The Shire will make further attempts to contact the debtor to seek resolution of the matter.	ABS

10 URGENT BUSINESS**11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED****RECOMMENDATION**

That Council **CONSIDER** the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the *Local Government Act 1995*:

11.1 High-Level Service Review Report

This matter is considered to be confidential under section 5.23 - (4)(a) of the *Local Government Act* as it deals with Legal advice, or other information, over which the local government holds legal professional privilege.

RECOMMENDATION

That the Audit, Risk and Improvement Committee recommend that Council **RECEIVE** the information contained in the report detailing outstanding rates and sundry debtors as at 30 April 2026.

12 CLOSURE**12.1 Date of Next Meeting**

The next meeting of Audit, Risk and Improvement Committee will be held Thursday 20 August 2026 in the Council Chambers, 31 Clarendon Street, Derby.

12.2 Closure of Meeting