



**Shire of Derby /
West Kimberley**

MINUTES

Compliance and Strategic Review Committee Meeting Thursday, 11 April 2019

Date: Thursday, 11 April 2019

Time: 4.00pm

Location: Council Chambers
Clarendon Street
Derby



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**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY
COMPLIANCE AND STRATEGIC REVIEW COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, CLARENDON STREET, DERBY
ON THURSDAY, 11 APRIL 2019 AT 4.00PM**

- PRESENT:** Cr Geoff Haerewa (Shire President), Cr Chris Kloss, Cr Peter McCumstie, Cr Iris Prouse, Cr Andrew Twaddle, Cr Paul White (Deputy Shire President)
- IN ATTENDANCE:** John Attwood (Acting Chief Executive Officer), Danielle Hurstfield (Manager Administration and Governance), Stuart Martin (Manager Development Services), Carlie McCulloch (Governance Officer)
- VISITORS:** Nil
- GALLERY:** Nil
- APOLOGIES:** Nil
- APPROVED LEAVE OF ABSENCE:** Nil
- ABSENT:** Nil

1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 4.25pm by Cr Geoff Haerewa, Shire President.

2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 14A of the Local Government (Administration) Regulations 1996 Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by absolute majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

APPROVE REMOTE ATTENDANCE

COMMITTEE RESOLUTION CSRC11/19**Moved:** Cr Andrew Twaddle**Seconded:** Cr Chris Kloss**That Council, BY AN ABSOLUTE MAJORITY:**

- 1. APPROVES Cr Peter McCumstie attendance at the Council Meeting held 11 April 2019 via telephone communication in accordance with regulation 14A(1) of the *Local Government (administration) Regulations 1996*;**
- 2. APPROVES Perth, Western Australia, as a suitable place for Councillor attendance in accordance with regulation 14A(4) of the *Local Government (Administration) Regulations 1996*.**

In Favour: Crs Geoff Haerewa, Chris Kloss, Iris Prouse, Andrew Twaddle and Paul White**Against:** Nil**CARRIED BY AN ABSOLUTE MAJORITY 5/0****3 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

Nil

4 DISCLOSURE OF INTERESTS

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

4.1 Declaration of Financial Interests

Nil

4.2 Declaration of Proximity Interests

Nil

4.3 Declaration of Impartiality Interests

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE RESOLUTION CSRC12/19

Moved: Cr Paul White

Seconded: Cr Iris Prouse

That the Minutes of the Compliance and Strategic Review Committee Meeting held at the Library, Fitzroy Crossing, Derby, on 28 March 2019 be CONFIRMED.

In Favour: Crs Geoff Haerewa, Chris Kloss, Peter Mccumstie, Iris Prouse, Andrew Twaddle and Paul White

Against: Nil

CARRIED 6/0

6 REPORTS**6.1 POLICY MANUAL REVIEW****File Number:** 4160 - Policy (Council)**Author:** Danielle Hurstfield, Manager Administration and Governance**Responsible Officer:** John Attwood, Acting Chief Executive Officer**Authority/Discretion:** Legislative**SUMMARY**

This report recommends that the Compliance and Strategic Review Committee recommend that Council adopt new and reviewed policies detailed in this report.

DISCLOSURE OF ANY INTEREST

Nil

BACKGROUND

The Terms of Reference for the Compliance and Strategic Review Committee adopted on 26 March 2015 detail the key role the Committee holds in assisting the Shire fulfil its corporate governance responsibilities in managing the affairs of the organisation. This includes financial reporting, risk management, compliance requirements and auditing.

Councillors were provided a suite of draft documents at the 27 September 2018 Committee Meeting and a proposed program at the 18 October 2018 Committee Meeting. The documents outlined are now presented for consideration.

POLICY IMPLICATIONS

As detailed in each policy.

FINANCIAL IMPLICATIONS

As detailed in each policy.

STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
4: Good governance and effective organisation	4.1: Effective governance and leadership	4.1.3: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role 4.1.8: Develop and maintain risk management policies and procedures

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 Compliance and Strategic Review Committee for awareness and direction where required.

CONSULTATION

Internal consultation has been undertaken with relevant areas to collate information.

COMMENT

Detail is provided below outlining content, intent and/or proposed changes to the policies programmed for this month:

AF35 – Establishment of Leases and User Agreements

On hold pending review of leases, MOUs, agreements and user agreements

AF37 – Volunteer Emergency Service Leave/Defence Reservist

A review of AF37 Volunteer Emergency Service Leave and AF38 Defence Reservist Leave revealed the conditions were generally the same. This policy combines both into a single policy.

TP8 – Town Centre Development

To be deferred for major review in conjunction with preparation of new Town Planning Scheme No. 8.

TP10 – Transportable/Relocated Dwellings

To be deferred to May 2019 Compliance and Strategic Review Committee.

W2 – Derby Townsite Streetscape

To be deferred for review after development of Community Strategic Plan.







W3 – Underground Public Utilities/Services that Cross Council Controlled Thoroughfares

This policy has been reviewed and amended to reflect current standards including the need for traffic management.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **AF35 - Establishment of Leases and User Agreements** [↓](#) 
2. **AF37 - Volunteer Emergency Service/Defence Reservist Leave** [↓](#) 
3. **TP8 - Town Centre Development** [↓](#) 
4. **TP10 - Transportable/Relocated Dwellings** [↓](#) 
5. **W2 - Derby Townsite Streetscape** [↓](#) 
6. **W3 - Underground Public Utilities/Services that cross Council Controlled Thoroughfares** [↓](#)


COMMITTEE RESOLUTION CSRC13/19

Moved: Cr Chris Kloss

Seconded: Cr Paul White

That the Compliance and Strategic Review Committee:

1. Adopt Reviewed Policies:

AF37 Defence Reservist/Volunteer Emergency Service Leave

W3 Underground Public Utilities/Services that Cross Council Controlled Thoroughfares

2. Defer:

TP10 Transportable/Relocated Dwellings to the May 2019 Compliance and Strategic Review Committee.

W2 Derby Townsite Streetscape until after the adoption of the Community Strategic Plan

TP8 Town Centre Development Policy – for inclusion in major review in conjunction with preparation of New Town Planning Scheme.

AF35 Establishment of Leases and User Agreements – until after review of existing Leases, MOU's and agreements in May 2019

3. That the recommendations above be presented to Council for adoption.

In Favour: Crs Geoff Haerewa, Chris Kloss, Peter Mccumstie, Iris Prouse, Andrew Twaddle and Paul White

Against: Nil

CARRIED 6/0

AF35 – ESTABLISHMENT OF LEASES AND USER AGREEMENTS

PROCEDURE: N/A

DELEGATION: N/A

OBJECTIVE

To ensure that all commercial business, community groups and sporting clubs occupying shire facilities are operating under a formal agreement with the Shire of Derby/West Kimberley.

To outline the process to be used when establishing Leases or User Agreements for commercial business, community groups and sporting clubs to ensure a standard, equitable and consistent approach is adopted that is appropriate to this region.

POLICY

Commercial Business

A commercial business is defined under the following:

1. Registered as a Corporate Body.
2. Is a registered business.
3. Is registered under other legislation for the purpose of carrying on the operation of a business.
4. Generates income to pay for operational expenses.
5. Has stock in trade.
6. Business turnover is in excess of \$50,000 annually.
7. Business is open for operating in excess of 20 hours per week on a yearly basis.
8. Employs staff to assist in the operation of the business.

Commercial Leases

Commercial Business Leases should be prepared in the manner outlined below for all new Leases. If this arrangement is beneficial to an existing lessee, a new Lease may be established.

For any commercial business which has sole occupancy rights over Council Property.

- The Lessee is required to pay all legal, valuation and surveying cost in relation to signing of a lease agreement.
- The Lessee will be charged and invoiced an annual lease fee based on a Market or Land Rental Valuation unless otherwise directed by Council.
- Rent to be reviewed annually at the anniversary date of the commencement of the term of the lease and increased by the Consumer Price Index (all groups) for Western Australia's Capital City of Perth.
- Lessee will be responsible for all outgoings including water, drainage, sewerage, electricity.
- The Lessee is responsible for maintenance and cleaning of the premises
- The Lessee is required to insure all building structures, fixtures, fittings and contents belonging to the Lessee on the land.
- The Lessee is not required to pay rates.
- GST will apply to all leases.
- The Lease contains a redevelopment clause which allows the Lessor to terminate the Lease by giving not less than 6 months' notice to the Lessee if the Lessor wishes to redevelop the premises.

- The Lessee may not assign or sublet the premises without the Lessor's consent.
- All commercial businesses operating under a Lease will need to provide evidence of current public liability insurance to the value of \$10,000,000.
- The term of the Lease shall be five (5) years with a five (5) year option unless otherwise determined by Council.
- The Lessee must abide by all other legislation, local laws and other regulations relative to the type of the activity of the lessee.
- Provision of special conditions to apply to individual Leases is to be inserted in the applicable item of the Schedule.
- At expiration term of lease there is to be the application of a holding over clause of one month.

Community Groups and Sporting Clubs

A community group or a sporting club is defined under the following;

1. Is an Incorporated Body.
2. Is a not for profit organisation.
3. Whose primary purpose is to provide an activity or a service to the community.

Community group and sporting club Leases should be prepared in the manner outlined below for all new Leases. If this arrangement is beneficial to an existing lessee, a new Lease may be established. Any club not under a Lease who have shared occupancy of Council property, need to have a User Agreement, prepared in the manner outlined below.

Leases

For any Group which has sole occupancy rights over Council Property.

- The Lessee will be charged and invoiced an annual lease fee of \$100 to cover administration costs.
- The Lessor is to insure any buildings or structures on the property which belong to the Lessor.
- The Lessee will be responsible for all outgoings including water and electricity.

For any insurance claim made the Lessee will be required to pay 50% of the excess. The Lessee will be able to request assistance from Council to cover these costs in times of economic hardship. Cyclone, Wind, Rainwater and Flood (as defined by Council's current insurance policy) are excluded as Council will meet the excess involved with these incidents.

- The Lessee is responsible for maintenance and cleaning of the premises.
- The Lessee will report all major maintenance requirements to the Lessor.
- The Lessee is required to insure all building structures, fixtures, fittings and contents belonging to the Lessee on the land.
- The Lessee is not required to pay rates.
- GST will apply to all leases.
- The Lease contains a redevelopment clause which allows the Lessor to terminate the Lease by giving not less than 6 months notice to the Lessee if the Lessor wishes to redevelop the premises.
- The Lessee may not assign or sublet the premises without the Lessor's consent

- All community or sporting groups operating under a Lease will need to provide evidence of current public liability insurance to the value of \$5,000,000.
- The term of the Lease shall be for five years, with an option for a further five years.
- Provision of special conditions to apply to individual Leases is to be inserted in the applicable item of the Schedule.
- A copy of the Lessee's constitution must be provided to the Shire of Derby/West Kimberley and the Committee must be able to prove, at all times when requested by Council, that it is acting constitutionally.
- At expiration term of lease there is to be the application of a holding over clause of one month.

User agreements

All continuous users who have shared occupancy of Shire facilities and are not under a Lease, need to have a User Agreement. This includes oval and court users, any groups that store equipment in Shire operated buildings between uses and any group that has shared use of a Shire facility.

- User Groups who have independent access to the facility they utilise will be charged at a rate of \$3.00 per hour based on a negotiated average number of hours of use with a minimum of 100 hours annually. This will be calculated and charged annually.
- User Groups will be charged for power usage at all facilities with air conditioning and/or sports lighting.
- Community Groups and Sporting Clubs will not incur additional fees for rooms used solely for storage. The hire fee for the Oval or Hall they are using will be the only charge and they will be required to sign a User Agreement.
- The User is required to insure all fixtures, fittings and contents belonging to the User on the land.
- All User Agreements will contain a recommendation for the User to obtain public liability insurance to the value of \$5,000,000.
- All users must obtain a Liquor permit to consume alcohol in the facility, as it will remain the property of the Shire of Derby/West Kimberley.
- Maintenance of the facility is the responsibility of the Shire of Derby/West Kimberley – however any damage deemed to be caused by negligence on behalf of the user group will be charged to the user group.
- All facilities under management agreements need to be accessible via the Shire of Derby/West Kimberley's key system. Authorised staff should be allowed access to these facilities provided adequate notice is given to the User.
- Cleaning of the part of the facility occupied by the user group is the User's responsibility. Failure to fulfil cleaning obligations will incur costs to the lessee for contractors to carry out the work and may jeopardise future use.

All newly established Leases and User Agreements are to be approved by Council prior to formalisation of the negotiation being acknowledged.

All newly established Leases over land vested in Council by DOLA must be approved by DOLA prior to formalisation of the negotiation being acknowledged.

Once formalised, the annual amount is to be included in the list of Standing Invoices produced by the Shire of Derby/West Kimberley's Corporate Services Division and a copy of the agreement is to be kept on file.

Relevant Legislation:	
Related Documents:	
Related Local Law:	
Related Policies:	
Last Reviewed:	
Next Review Date:	08.2016
Adopted:	26.09.2002

AF37 – VOLUNTEER EMERGENCY SERVICE/DEFENCE RESERVIST LEAVE

PROCEDURE: N/A

DELEGATION: N/A

OBJECTIVE

To acknowledge that employees of the Shire of Derby/West Kimberley who are members of recognised volunteer service organisations and/or the Defence Force are able to access a reasonable amount of additional leave for that purpose.

POLICY

It is recognised that the participation of employees in volunteer emergency organisations and/or the Australian Defence Reserve, is a positive and often vital role, particularly in smaller remote communities such as those in the Shire of Derby/West Kimberley. Employees seeking under this policy must provide certification that they have become members of a recognised volunteer service organisation or the Australian Defence Force.

PROCEDURE

1. Paid leave of up to 76 hours per calendar year will be granted to employees who are members of a bona fide volunteer emergency service organisation (such as SES or Bush Fire Brigade or Australian Defence Force) for the purpose of participating in training or service at the discretion of the Chief Executive Officer. This leave will be in addition to annual leave entitlements.
2. Service or training in excess of 76 hours per calendar year is subject to the approval of the Chief Executive Officer and is conditional upon the availability of back-up staff and the ability of the Shire to continue to provide an adequate level of customer service during the staff member's absence.
3. Paid or unpaid leave granted under this policy will be treated as continuous service for the purposes of calculating annual leave, long service leave, sick leave or any other entitlements. Unpaid leave will be treated as leave without pay.
4. Employees wishing to take leave are to provide reasonable notification to the Shire of Derby/West Kimberley and have the leave approved by their Executive Manager.
5. Employees granted paid leave under this policy shall be paid for time absent from duty up to the total of ordinary time usually worked in that day or period during the emergency but not including time in excess of ordinary working hours, weekends or public holidays.

RESPONSIBILITY

Executive Managers are required to approve Volunteer Emergency Services Leave and ensure that appropriate documentation is supplied by the employee.

Relevant Legislation:	Local Government Act 1995
Related Documents:	Indoor Enterprise Agreement
	Outdoor Enterprise Agreement
Related Local Law:	
Related Policies:	
Last Reviewed:	
Next Review Date:	
Adopted:	30.04.2003

TP8 – TOWN CENTRE DEVELOPMENT POLICY

PROCEDURE: N/A

DELEGATION: N/A

OBJECTIVE

To facilitate development of mixed uses within the Town Centre zone taking into account the need for economic viability and protection of amenity for the various land uses.

POLICY

This policy applies to all land zoned Town Centre in Town Planning Scheme No. 5 Derby Townsite (see map attached to policy).

This policy may be cited at the Town Centre Development Policy and shall come into operation at the time of endorsement by the Council of the Shire of Derby/West Kimberley.

Where definitions have not been included in this policy the definitions outlined in Appendix 1 of Town Planning Scheme No. 5 shall prevail.

The Council may, at any time, amend this policy and provisions relating thereto or may upon consideration of an application waive any conditions or impose special conditions it thinks fit to enable the proposal before it to meet with the objectives of the policy.

Landuses

The landuses permitted in the Town Centre zone shall be as is set down in Table 1 “Zoning/Landuse” of Town Planning Scheme No. 5 (as amended) and as per the provisions of this policy in regard to each landuse precinct.

Residential Precincts

The Council’s objectives for residential development within the Town Centre are:

- To retain the residential buildings and occupation of them where practicable.
- To encourage social interaction and activity between the residential component and that of the shopping, entertainment, service and employment functions.
- To promote and aesthetic and harmonious mixture of buildings and facades.

Residential development shall conform to the provisions of the Residential Planning Codes. The maximum residential density for residential only proposals is R35.

Only residential development shall be permitted in the Residential precincts.

Residential Development in Non-Residential Precincts

In areas not specified as a Residential precinct residential development may still be permitted as outlined below and in accordance with the Residential Planning Codes:

- Commercial Precinct – Mixed Use development (combined residential and commercial proposals) may be permitted. The maximum residential density permitted shall be R50. Caretaker’s dwelling may be permitted at a rate of one per lot.
- Community Purposes precinct – Residential development may be permitted to a density of R35. Caretaker’s dwellings may be permitted at a rate of one per lot.
- Industrial Precincts – Only Caretaker’s Dwellings may be permitted at a rate of one per lot.

Service and Light Industry Precincts

The objectives for the industrial precincts are to:

- Enable the development of land for active employment and service to the general population in a convenient and accessible location.
- To encourage a development of a high and uniform standard for a wide range of activities;
- To maintain a standard of building frontage to enhance the overall streetscape and general amenity of the town centre.

Standards for Development

- Landscaping – not less than 10 percent of a lot shall be set aside for landscaping of which half shall be between the building liner and the front boundary of the lot. This landscaping shall be designed, developed and maintained in accordance with the provisions of Town Planning Scheme No. 5.
- Storage and Display – No dumping, storage of waste, stockpiling of materials or construction servicing or maintenance shall be permitted between the front building line and the street frontage. This shall not prohibit the display of finished products between the front building line and the street frontage as an open air display.
- Loading and Unloading – Areas for loading and unloading of vehicles carrying goods or commodities to of from the premises shall be provided as part of the overall development of the lot and maintained in accordance with the approved plan relating thereto.

Commercial Precinct

The objective is to encourage the development of a wide range of retail shopping facilities, services and offices in an environment which is safe and accessible, and harmonious in style, materials and general presentation to the street.

In considering applications for development Council shall have particular regard to:

- The gross leasable area of retail floor space to the population;
- The safe and convenient movement of pedestrians and vehicles around the site;
- The spacing and location of vehicular access points;
- The visual scale of the building in relation to neighbouring buildings;
- The external appearance of the building and associated signs, including the landscaping of the site;
- Any adverse effects on adjoining residential areas.

Building Height

Building height shall not exceed two storeys in accordance with the provisions of Town Planning Scheme No. 5.

Awnings/Verandahs

Awnings and verandahs may be constructed over a footpath provided that:

- It does not exceed 6 metres from the property line;
- It is of similar height and harmonises with the design of neighbouring awnings and verandahs; and
- In the case of verandahs, the post are set back a minimum of 600mm from the kerb.

Landscaping

Shops – Landscaping shall be required at the discretion of Council

Offices – a minimum of 10% of the site area shall be landscaped.

Restaurants – a minimum of 10% of the site are shall be landscaped.

Loading and Unloading

In considering each application for development the Council shall ensure that adequate provisions is made for the loading and unloading of goods and commodities to and from the building and shall ensure the provisions will not cause disruption or disadvantage free movement of pedestrians and/or other vehicles in the general movement of parking thereof in a public street.

SIGNS**Community Purposes Precinct**

The Council's objectives for the Community Purposes precinct are to provide the necessary facilities for the benefit of the community in general and to present a standard of development of a high environmental quality.

The standards of development shall be at the discretion of Council unless otherwise stated in the policy or in Town Planning Scheme No. 5.

DEVELOPMENT STANDARDS AND PROVISIONS – ALL PRECINCTS**Setbacks**

Setbacks shall in accordance with those laid down in Town Planning Scheme No. 5.

Car Parking Provisions

Car Parking shall be provided in accordance with the provisions of Town Planning Scheme No. 5

Caretaker's Dwellings

Caretaker's Dwellings shall be as is defined in Appendix 1 of Town Planning Scheme No. 5.

Signs

The erection or display of advertising signs and signboards is prohibited unless in accordance with the provisions of Town Planning Scheme No. 5.

Untidy Sites

Where in the Council's view a property is not being maintained in a clean and tidy condition and that the unkept appearance of the property has a deleterious effect on the amenity of the area in which it is located, the Council may, by written notice require the owner, occupier or lessee of that land to undertake such works as may be necessary to restore or upgrade the condition of that property to a standard commensurate with those generally prevailing in the vicinity.

Non-Conforming Use of Land

Non-conforming uses shall be in accordance with the provisions of Town Planning Scheme No. 5.

Relevant Legislation:	Town Planning and Development Act 1928 (As Amended)
	Local Government Act 1995 (As Amended)
Related Documents:	Town Planning Scheme No.5 – Table 1 "Zoning/Landuse"
Related Local Law:	
Related Policies:	
Last Reviewed:	

Next Review Date:	
Adopted:	31.03.1999

TP10 – TRANSPORTABLE/RELOCATED DWELLINGS

PROCEDURE: N/A

DELEGATION: N/A

APPLICATION

This Policy applies to applications for Planning Consent for residential development within the town site areas covered by Town Planning Schemes No. 5 and 7 (TPS No. 5 / 7) and Interim Development Order No. 7 (IDO No. 7). The Policy should be read, and operates in conjunction with the Schemes and IDO No. 7, which also set out the application requirements for such development.

INTRODUCTION

Council recognises that transportable buildings for residential purposes are a valid low cost alternative to on-site built dwellings. The planning implications with respect to the use of 'second-hand' dwellings as opposed to 'new', is addressed in the Policy and the Planning Consent required to be issued.

As distinct from the above, but of a similar nature, relocated houses also provide another residential development option. The implications for relocated houses are even greater than that for 'second-hand' transportable dwellings. Whatever the housing option, transportable or relocated, the issue is fundamentally one of structural integrity, suitability and compatibility with the housing stock established in the locality.

OBJECTIVES

- 3.1 To provide the opportunity for transportable and relocated dwellings to be utilised as a reduced housing cost option in appropriate locations.
- 3.2 To identify those situations and localities where Council will not support applications for second-hand transportable and relocated dwellings.
- 3.3 To ensure that the structural integrity of the transportable or relocated dwelling is of a satisfactory standard and that the architectural design and external appearance is compatible with the building standards, design and character of existing housing in the immediate locality of the proposal and that it will not detrimentally affect the character or amenity of the area.
- 3.4 To provide guidance for applicants who wish to develop transportable or relocated dwellings in the area of policy application and for Council in determining such applications.
- 3.5 To provide the opportunity for residents and owners of land within the locality of the proposed development to make a submission to Council on any application for second-hand transportable or relocated dwellings.

DEFINITIONS

Extract - TPS No.5:

Transportable Building - means any structure that is prefabricated at any place other than on the site upon which it is to be erected, but does not include a 'Kit Home'.

Second-hand Building - means any building or structure which does not consist of substantially all new material and may be transported or moved to a site for the purpose of re-erection.

For the purpose of Policy TP 10 :

A "new transportable dwelling" refers to a prefabricated residential dwelling being delivered direct from the manufacture's premises to the site on which it is to be established.

A “second-hand transportable dwelling” refers to a prefabricated residential dwelling previously established on a site, other than the site for which approval is sought to locate the dwelling.

A “relocated dwelling” refers to a residential dwelling previously established on a site, other than the site for which approval is sought to locate the dwelling.

DEVELOPMENT APPLICATIONS – PLANNING CONSENT

All development of land within the defined area of a Scheme or IDO requires the Planning Consent of Council and is subject to the requirements and provisions of the Scheme or IDO. In addition to a Planning Consent, a Building Licence is also required to be obtained prior to the location of the dwelling on the property.

The proposed use of transportable and relocated dwellings for residential purposes requires a development application to be submitted and is subject to the following Policy requirements and development criteria.

NEW TRANSPORTABLE DWELLINGS

The utilisation of ‘new’ transportable dwellings for residential development is of far less concern than those that are second-hand, particularly with respect to the age and condition of the structure. As the development implications of structural integrity, suitability and compatibility of a new dwelling is far less, the policy requirements are minimal in terms of dealing with applications to achieve similar outcomes as that applicable to traditional single housing.

Council will grant Planning Consent for the development of a new transportable dwelling, subject to:

- 6.1 The building being of a satisfactory standard and the architectural design and external appearance is compatible with the building standards, design and character of existing housing in the immediate locality of the proposed development and that in Council’s opinion, will not detrimentally affect the character or amenity of the area.
- 6.2 Full length verandahs being provided at the front and rear of the dwelling.
- 6.3 Carport or garage being provided on site or attached to the dwelling.
- 6.4 A bond of \$5,000 per dwelling to be paid prior to the issue of a Building Licence. The bond will be held until the satisfactory completion of the Schedule of Works.

SECOND-HAND TRANSPORTABLE AND RELOCATED DWELLINGS

Applications for Planning Consent will be subject to advertising pursuant to TPS No. 5 in accordance with Clauses 7.3.3 (a) & (b) and thereafter referred to Council for determination.

In support of an application for Planning Consent the following additional information and documentation is required:

- Photographs of each elevation of the dwelling
- A Schedule of Works for the proposed changes and upgrading of the dwelling
- List of external finishes
- Structural Certification in respect to the compliance of the dwelling with the BCA and the capacity of the dwelling to be moved.

Although Council recognises that second-hand transportable and relocated dwellings may be a suitable housing option, these developments will not be approved in the following locations:

- Town Centre zoned area of TPS No.5

- New DOLA subdivision area bounded by Mimosa St, Ashley St and Rowan St
- Residential land fronting Loch St, Clarendon St and the Derby Hwy within the TPS No.5 area

In respect to assessing the architectural design and external appearance of the dwelling the following criteria shall be used:

- Similarity or compatibility of quality and condition of the external appearance of the dwelling relative to those established in the locality.
- Age of the dwelling relative to that generally prevailing in the locality.
- Size of the lot on which it is proposed to locate the dwelling, relative proximity to other dwellings and visibility from public spaces.
- Proposed landscaping to be undertaken in conjunction with the location of the dwelling on the site.

Council may grant a Planning Consent to permit the erection or placement of a second-hand transportable or relocated dwelling on a residential lot, subject to:

- 7.1 The structural integrity of the dwelling being satisfactory.
- 7.2 The dwelling being of a satisfactory standard and that the architectural design and external appearance is compatible with the building standards, design and character of existing housing in the immediate locality of the proposed development and that in Council's opinion, will not detrimentally affect the character or amenity of the area.
- 7.3 A proposed Schedule of Works is to be provided for the upgrade of the dwelling in terms of its structural integrity and appearance prior to the issue of a Building Licence.
- 7.4 The Schedule of Works for the upgrade of the dwelling is required to be completed within 3 months of the location of the dwelling on-site and shall require the lodgement of a Bond as security against compliance with the Schedule of Works.
- 7.5 A bond of \$10,000 per dwelling to be paid prior to the issue of a Building Licence. The bond will be held until the satisfactory completion of the Schedule of Works.
- 7.6 Where a dwelling contains asbestos, the applicant is required to provide advice on the appropriate measures and work to be undertaken for the transportation and establishment of the relocated dwelling in accordance with the requirements of the Health Act. This information is required to be submitted with the documentation for a Building Licence.
- 7.7 A Landscape Plan is required to be submitted prior to the issue of a Building Licence to ensure the development of the site does not have an adverse impact on the streetscape.
- 7.8 The dwelling is to be secured to the footings immediately on its relocation to the site.
- 7.9 No relocation of a dwelling is to be undertaken during the cyclone period in the wet season being specifically, 1st November to 30th April of the year.

Relevant Legislation:	
Related Documents:	Town Planning Scheme No.5 (Derby)
	Town Planning Scheme No.7 (Birdwood Rise)
	Interim Development Order No.7 (Fitzroy Crossing/Camballin)
Related Local Law:	
Related Policies:	

Last Reviewed:	24.02.2003
Next Review Date:	
Adopted:	30.11.2000

W2 – DERBY TOWNSITE STREETScape

PROCEDURE: N/A

DELEGATION: N/A

OBJECTIVE

The overall objective and aim of a streetscape policy is to maintain and improve both the visual aspect and public amenity of the Derby townsite.

Improvements and expansions to the existing streetscape and public lands of Derby must take into consideration future ongoing operational maintenance needs and therefore be contained within the amount of available funding allocated within a specific financial years budget.

POLICY

1. That Council having regard for available budgetary allocations has an immediate focus on maintaining the existing streetscape ensuring the following:
 - That Loch street is maintained by Council as the premier gateway thoroughfare for the townsite of Derby with specific regards to –
 - Ensuring the median island is maintained as a green grassed precinct and maintained accordingly.
 - That Lytton park and surrounding green space is maintained accordingly.
 - That Nicholson Square sporting precinct is maintained at an appropriate standard for the specified sporting fixtures.
 - That Bougainvillea Park is maintained accordingly.
 - That the heritage precinct at the end of Loch Street is maintained accordingly.
 - The undertaking of continual playground maintenance at the Derby oval to ensure the playground equipment is kept to the required industry and safety standard.
 - That the Clarendon street precinct from Loch Street to Elder Street is maintained by Council to reflect that this thoroughfare is a major retail precinct for the townsite of Derby with specific regard to the median island, verges, and Coach Bay Park and park areas around the current Visitor Centre building.
 - That Rowan Street / Marmion Street be maintained with regard to pedestrian usage in relation to the caravan park, retirement village and the tourist precinct surrounding the Boab Dinner Tree.
 - That the public areas surrounding the Ashley street recreation reserve are maintained in accordance with sporting requirements and public usage of this facility.
 - That all other street verges within the Derby townsite are mowed twice a year, typically being at the conclusion of the wet season (to reduce growth and therefore future potential fire hazards) and around October to promote a general cleanup before cyclone season commences.
 - That Council does not undertake general verge mowing or cleanups within rural residential or rural precincts excepting the verge area at the approach to Derby townsite fronting Derby Highway (Maxted Street to Wodehouse Street.)
2. That Council, having regard for future budgetary allocations, considers expansion of the Derby streetscape to include the following:
 - Loch Street Precinct (in priority order)

- The replacement of unkempt verges along Loch Street with paving of a suitable material, i.e. brick paving, crushed coloured rock or patterned concrete or for future budgetary allocation to ensure a specific and regular maintenance mowing programming.
- The gradual removal of old and degraded imported species of trees along the Loch street median island and for these to be replaced with Boab tree species to create one defined iconic avenue.
- The installation of under tree up lighting to enhance the perspective of the planted boab trees and in consideration for the budget requirements.
- The installation of welcoming and special event banners along the entrance portion of Loch Street.
- The planning for the landscaping of the proposed new Visitor Centre/ Administration Office to include iconic tree species, minimal maintenance vegetation and planting areas with specific regard to ensure areas of planted vegetation are of the type and density to inhibit anti-social behavioural activities.
- Clarendon Street Precinct Area
 - The replacement of degraded lawn area at the round- about located at the intersection of Hardman Street and Clarendon Street with the peripheral area of the roundabout and the adjacent verges and intermediate portion of the roundabout to contain a paved surface of suitable material i.e. patterned surface of paving brick, concrete or coloured crushed rock. The centre island tree to remain.
 - Improvement and implementation of verge planting along Clarendon Street between Neville Street and Elder Street.
 - Selective improvement of the landscape within the Coach bay on Clarendon Street which should be more suitable to vehicle parking users and should be designed to inhibit anti-social behaviour.
 - Progressive replacement of existing tree vegetation in median islands along Clarendon street so as to be more suitable to width of the median island and also to prevent damage to the carriageway.
- General Derby Townsite
 - The continual mowing of all unkempt verges within the Derby townsite boundaries only. The ability to undertake a minimum of two mowing cycles per year.
 - Planting of native tree species on road verges approaching the Derby wharf and along portions of Rowan Street, Villiers Street and Marmion Street. The species and planting pattern to be undertaken with specific industry specialists in regard to undertaking a planting program.
 - The installation of one or two major playground equipment sites; this equipment will be placed in an area that is suitable to have after-hours access control so as to inhibit vandalism and anti-social behaviour i.e. swimming pool area and the Sportsmen's Club precinct.
 - The enhancement of parklands at the entrance to the Derby townsite and the improvement of visitor signage and information.
 - The installation of pram ramps / disabled access at all pedestrian crossings within the Derby townsite.

- The installation of a uniform style of pedestrian/dual use pathway system within the Derby townsite.
- The installation of a uniform style of street signage within the Derby townsite inclusive of the Shire of Derby West Kimberley logo.
- The installation of underground reticulated electricity supply along the main thoroughfares of the Derby townsite inclusive of Loch Street/ Clarendon Street and Ashley Street.
- The planning for the replacement of unused existing allocated lands for parks and recreation within the Derby townsite to be processed within the current State Government policy of housing land utilisation so that funds that become available to the Shire from the sale of this unused land can be allocated to specific parks and recreation improvement projects. The two portions of current land that may be considered for this purpose would be the land opposite the existing Derby sports oval and the portion of land on the south western corner of the intersection of Marmion and Rowan Streets.
- The continual upgrade/ maintenance of tourist information facilities at the entrance to the Derby townsite.
- The continual upgrading and maintenance of the passive recreation facilities at the Derby Wharf Park.
- The continual maintenance/upgrade of the heritage precinct at the entrance to Jetty Road.

RESPONSIBILITY

The Executive Manager Technical and Development Services is required to ensure that the Officers in charge of such works shall undertake the budgeting, planning, monitoring, and supervision of the implementation of this policy.

Relevant Legislation:	
Related Documents:	
Related Local Law:	
Related Policies:	
Last Reviewed:	
Next Review Date:	
Adopted:	26.06.2008

W3 – UNDERGROUND PUBLIC UTILITIES SERVICES THAT CROSS COUNCIL CONTROLLED THOROUGHFARES

PROCEDURE: N/A

DELEGATION: N/A

OBJECTIVE

To define the procedure as to how underground public utilities services cross Council controlled thoroughfares.

POLICY

1. When an existing town street does not have any scarring or the integrity of the pavement is intact, then installation of services as technology dictates shall be placed by the under road boring technique.
2. When an existing town street does have previous scarring, the integrity of the pavement has suffered failure or as technology dictates, then installation of services may be placed by the open excavation method with a cement stabilised sand or compacted roadbase backfill, and sealed with bitumen / aggregate or asphalt premix surface. (As per WA Water Corporation backfilling of trenches standards).
3. The Manager of Engineering Services shall be advised a minimum of twenty eight (28) days in advance of any proposed installation of under road services so that assessment of the carriageway may be undertaken to ascertain the most appropriate method of installation and issue authorisation.
4. The authorising Corporation will be responsible for public consultation.
5. A Main Roads WA compliant traffic management plan (TMP) shall be presented to the Manager Engineering Services for approval a minimum of 14 days prior to commencement of any scheduled works. Appropriate warning signage for these works shall be displayed in accordance with the approved TMP and Australian or Main Roads WA standards.

Relevant Legislation:	
Related Documents:	
Related Local Law:	<u>Activities on Thoroughfares and Trading in Thoroughfares and Public Places</u>
Related Policies:	
Last Reviewed:	
Next Review Date:	
Adopted:	31.05.2001

6.2 COMPLIANCE REPORTS**File Number:** 4110 - Internal Audit**Author:** Danielle Hurstfield, Manager Administration and Governance**Responsible Officer:** John Attwood, Acting Chief Executive Officer**Authority/Discretion:** Information**SUMMARY**

For the Committee to note the information provided in the attached reports and provide strategic direction as required.

DISCLOSURE OF ANY INTEREST

Nil

BACKGROUND

The Terms of Reference for the Compliance and Strategic Review Committee adopted on 26 March 2015 detail the key role the Committee holds in assisting the Shire fulfil its corporate governance responsibilities in managing the affairs of the organisation. This includes financial reporting, risk management, compliance requirements and auditing.

The Committee will ensure compliance in the Shire's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the Shire's financial accounting systems to meet statutory requirements.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
4: Good governance and effective organisation	4.1: Effective governance and leadership	4.1.3: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role 4.1.8: Develop and maintain risk management policies and procedures

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 Compliance and Strategic Review Committee for awareness and direction where required.

CONSULTATION

Internal consultation has been undertaken with relevant areas to collate information.






COMMENT

Nil

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Governance Program update [↓](#) 
2. Credit Card reconciliation - Feb-Mar 2019 [↓](#) 
3. Risk Register - March 2019 [↓](#) 
4. Use of Delegations register - March 2019 [↓](#) 
5. Meeting Status Report - March 2019 [↓](#) 

COMMITTEE RESOLUTION CSRC14/19

Moved: Cr Chris Kloss

Seconded: Cr Paul White

That the Compliance and Strategic Review Committee NOTE the information contained in the reports detailing use of delegations of authority, credit cards, compliance register, governance program update and Council Minute management.

In Favour: Crs Geoff Haerewa, Chris Kloss, Peter Mccumstie, Iris Prouse, Andrew Twaddle and Paul White

Against: Nil

CARRIED 6/0

ENDORSED GOVERNANCE PROGRAM - 2018/19				
Meeting	Item	Review Requirements	Comments	Date Adopted
OCTOBER C&SRC/NOVEMBER ADOPT	Recordkeeping Plan	Review Requirements: Every 5 years Last reviewed: 2013 State Records Act 2000 LGA Principles and Standards 2002 - Principle 6 s.5.41(h) s.28(5) s.5.41(h)	Approved by State Records Commission 7 December 2018.	Approved by State Records Commission 7 December 2018.
	Code of Conduct	Review Requirements: After each new election LGA s.5.103 s.5.104 Admin.Regs. Part 9 Rules of Conduct Regs.	CSR019/2018 1. That the Compliance and Strategic Review Committee review the Code of Conduct, Statement of Business Ethics and Governance Manual; and 2. That the review feedback be provided to the Compliance and Strategic Review Committee on 14 February 2019.	Adopted OCM 2019-02-28
	Business Ethics	Cross Reference to Code of Conduct	CSR019/2018 1. That the Compliance and Strategic Review Committee review the Code of Conduct, Statement of Business Ethics and Governance Manual; and 2. That the review feedback be provided to the Compliance and Strategic Review Committee on 14 February 2019.	Adopted OCM 2019-02-28
	Proposed AF 41 FRAUD, MISCONDUCT CONTROL AND RESILIENCE	Review Requirements: Annually LGA S.2.7(2)(b)	This new policy supports the Code of Conduct and Business Ethics Statement. It sets out the Shire's commitment to a zero-tolerance approach to fraud, misconduct, bribery and corruption and to building resilience through the identification and implementation of strategies to prevent, detect and respond to Fraud and Misconduct.	Adopted OCM 2019-02-28
	Proposed AF 43 ATTRACTIVE ITEMS	Review Requirements: Annually LGA S.2.7(2)(b)	This new policy is in response to amendments to Regulation 17a of the Local Government (Audit) Regulations 1996 Local governments are required to maintain a property register of portable and attractive items valued under \$5,000 in line with State Government agencies as specified in Treasurer's Instruction 410 Record of Assets. It clearly sets out guidelines in identifying, recording and tracking items that are portable and attractive within the Shire of Derby/West Kimberley.	Adopted OCM 2019-02-28
	AF6 – RISK AND OPPORTUNITY MANAGEMENT POLICY	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed with no amendments recommended.	Adopted OCM 2019-02-28
	AF1 – PROCUREMENT OF GOODS AND SERVICES	Procurement: Review Requirements: Annually LGA FM Reg.5 Audit.Reg.17(1) Purchasing Policy Review Requirements: Triennial Last Reviewed: Due by: LGA F&G.Reg.11A.	From CSRC Minutes 2018-12-10: AF1 – Procurement of Goods and Services As a result of recent industry investigations and available reports, this item will be deferred until an audit using the WALGA Integrity in Procurement – Self Assessment Tool (attached) has been undertaken. Has been amended using WALGA model which provides industry best practice as a result of investigations and consideration of WA Auditor General guidelines	Adopted OCM 2019-02-28
	AF14 – SIGNIFICANT ACCOUNTING POLICIES	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed and amended to reflect current industry standard.	Adopted OCM 2019-02-28
	AF32 – COUNCIL LIGHT VEHICLE FLEET – STAFF USAGE	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed to current industry standard. The allocation of each level of use right will be undertaken in conjunction with the review of the Workforce Plan. Minutes CSRC - 2018-12-10 Needs further review. Deferred until CSRC Meeting of 2019-02-14 Amendments made to include provision of vehicle to Shire President, removal of vehicle specifications and level entitlements for staff as referred to previous policy	Adopted OCM 2019-02-28
	C5 – COUNCIL MEETINGS – DATE, TIME AND VENUE	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed to reflect current practice of the majority of Ordinary Council Meetings in Derby and where possible the mid-month meetings to be held in Fitzroy Crossing. Minutes CSRC - 2018-12-10 Needs further review. Deferred until CSRC Meeting of 2019-02-14 Amendments made to include attendance by electronic means, referencing form on LG Hub and timeframes for notification	To be endorsed CSRC 2019-02-14
C&SRC /December Adopt	Annual Report	Review Requirements: Accepted, by Absolute Majority, by no later than 31 December LGA s.5.53 s.5.54	TBC - Deferred due to Financials	
	Governance Manual	Cross Reference to Code of Conduct	CSR019/2018 1. That the Compliance and Strategic Review Committee review the Code of Conduct, Statement of Business Ethics and Governance Manual; and 2. That the review feedback be provided to the Compliance and Strategic Review Committee on 14 February 2019.	Adopted OCM 2019-02-28
	AF24 – ATTENDANCE AT CONFERENCES, SEMINARS AND TRAINING	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed with the intent of aligning Councillors and Staff entitlements.	Adopted OCM 2019-02-28

ENDORSED GOVERNANCE PROGRAM - 2018/19				
Meeting	Item	Review Requirements	Comments	Date Adopted
November	AF18 – SUNDRY DEBTORS COLLECTION POLICY	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed with minor amendments to reflect industry practices.	Adopted OCM 2019-02-28
	AF19 – OUTSTANDING RATES COLLECTION POLICY	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed with minor amendments to reflect industry practices.	Adopted OCM 2019-02-28
	F20 – RATING ADMINISTRATION POLICY	Review Requirements: Annually LGA S.2.7(2)(b)	Reviewed and remains unchanged.	Adopted OCM 2019-02-28
	AF34 – COMMUNITY FUNDING SCHEME	Review Requirements: Annually LGA S.2.7(2)(b)	Reviewed to provide clarity and transparency in areas that operationally have made decision making difficult.	Adopted OCM 2019-02-28
January	Delegations Register – review by staff	Review Requirements: Annually Last Reviewed: 28/09/2017 Next Due: 28/09/2018 LGA s.5.16, 5.17, 5.18 s.5.42, 5.43, 5.44, 5.45, 5.46 s.7.1B	Meeting with Dani 07/01/19 - Send out to Management for review 08/02/2019.	Adopted OCM 2019-02-28
	Local Laws – review by staff to commence	Review Requirements: 8 yearly Made/last reviewed: 2011 Review Due by: March 2019 LGA S.3.16(2), (2a) s.3.16(3)(4)	Meeting with Dani 07/01/19 - Send out to Management for review 08/02/2019. For inclusion and discussion at 14/2/2019 Concept forum.	Awaiting direction from Council to prioritise
February C&SRC / March Adopt	Customer Service Charter	Cross Reference to Code of Conduct	To Compliance and Strategic Review Committee 2019-03-14	To Compliance and Strategic Review Committee 2019-03-14
	Budget Review	Between 1 January 2018 and 1 March 2018 in each financial year, a review of the annual budget is to be carried out. Review must be submitted to Council within 30 days after it has been carried out; and Council is to consider the review and determine, by absolute majority, whether or not to adopt the review, any parts of the review or any recommendations made in the review. Due: 31 March 2019. LGA FM Reg.33A(1) (2A) (2) (3)		To Compliance and Strategic Review Committee 2019-04-18 then OCM 2019-04-18
	AF3 – ASSET MANAGEMENT C6 – USE OF CHAMBERS2	Review Requirements: Annually LGA S.2.7(2)(b)	Reviewed - no amendments	Adopted OCM 2019-02-28
	AF44 - LOCAL PUBLICATION	Review Requirements: Annually LGA S.2.7(2)(b)	Proposed new policy to recognise the Babbling Boabs as a locally circulated publication for the purposes of Local Public Notices	Adopted OCM 2019-02-28
	C7 – COUNCILLORS PRESENTATION ON RETIREMENT	Review Requirements: Annually LGA S.2.7(2)(b)	Combined with AF31 - no amendments have been made to values	Adopted OCM 2019-02-28
	AF31 – PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD	Review Requirements: Biennial LGA s.5.50	Combined with C7 - no amendments have been made to values	Adopted OCM 2019-02-28
	H2 – TRADERS AND STALL HOLDERS PERMITS	Review Requirements: Annually LGA S.2.7(2)(b)		Adopted OCM 2019-02-28
	W1 – CROSSOVERS	Review Requirements: Annually LGA S.2.7(2)(b)	Amended to reflect current standards and provide detail on process for obtaining subsidy	Adopted OCM 2019-02-28
	AF45 - TRANSACTION CARDS	A Transaction Card Policy is to be endorsed by Council resolution as it contributes to the Local Government fulfilling its duties, in regard to Credit Cards, under Regulation 12 of the Local Government (Financial Management) Regulations 1996.	Replaces previous Credit Card policy. Have used WALGA template ensuring industry best practice. Was highlighted during CAR that fuel cards require further framework. Combined policy will be supported by management systems that ensure officer signs for business use, provides correct detail and documentation in required timeframes and usage is reported monthly to CSRC	Adopted OCM 2019-02-28
	TP1 – LIGHT INDUSTRIAL AREA – CARETAKERS RESIDENCE	Review Requirements: Annually LGA S.2.7(2)(b)	Amended to include Caretakers and Drivers accommodation and to provide clear definitions.	Adopted OCM 2019-02-28
March C&SRC / April Adopt	AF7 – GPS FLEET TRACKING	Review Requirements: Annually LGA S.2.7(2)(b)	Reviewed, no amendments to CSRC 2019-03-14	Adopted OCM 2019-03-28
	AF21 – FIRE CONTROL OFFICERS AUTHORITIES	Review Requirements: Annually LGA S.2.7(2)(b)	Reviewed, no amendments to CSRC 2019-03-14	Adopted OCM 2019-03-28
	AF23 – PROVISION OF STAFF HOUSING	Review Requirements: Annually LGA S.2.7(2)(b)	This policy is to be reviewed after commencement of new CEO in line with review of Workforce Plan. to CSRC 2019-03-14	Deferred
	AF30 – LEGAL REPRESENTATION COSTS INDEMNIFICATION	Review Requirements: Annually LGA S.2.7(2)(b)	Reviewed, no amendments to CSRC 2019-03-14	Adopted OCM 2019-03-28
	AF33 – REGIONAL PRICE PREFERENCE POLICY	Review Requirements: Annually LGA S.2.7(2)(b)	This policy has been reviewed and amended to provide a definition of a local business. to CSRC 2019-03-14	Adopted OCM 2019-03-28 with amendment to consult with Chamber of Commerce on definition of local business, to be resubmitted to Council
	TP5 – RADIO MASTS	Review Requirements: Annually LGA S.2.7(2)(b)	reviewed, recommend recind to CSRC 2019-03-14	Adopted OCM 2019-03-28
	TP7 – MINIMUM FINISHED FLOOR LEVEL FOR NEW BUILDINGS (OTHER THAN OUTBUILDINGS) FITZROY CROSSING AND CABBALLIN	Review Requirements: Annually LGA S.2.7(2)(b)	The review of this policy has commenced. Due to the complex nature of background information and previous reviews it will be presented to the Compliance and Strategic Review Committee at a later date. to CSRC 2019-03-14	Deferred

ENDORSED GOVERNANCE PROGRAM - 2018/19				
Meeting	Item	Review Requirements	Comments	Date Adopted
April C&SRC /May Adopt	AF35 – ESTABLISHMENT OF LEASES AND USER AGREEMENTS	Review Requirements: Annually LGA S.2.7(2)(b)	On hold pending review of leases, MOUs, agreements and user agreements to CSRC 2019-04-11	
	AF37 – DEFENCE RESERVIST/VOLUNTEER EMERGENCY SERVICE LEAVE	Review Requirements: Annually LGA S.2.7(2)(b)	Combination of AF37 Volunteer Emergency Service Leave and AF38 Defence Reservist Leave. to CSRC 2019-04-11	
	TP8 – TOWN CENTRE DEVELOPMENT POLICY	Review Requirements: Annually LGA S.2.7(2)(b)	To be deferred for major review in conjunction with preparation of new Town Planning Scheme No. 8 to CSRC 2019-04-11	
	TP10 – TRANSPORTABLE/ RELOCATED DWELLINGS	Review Requirements: Annually LGA S.2.7(2)(b)	To be deferred to May 2019 CSRC.	
	W2 – DERBY TOWNSITE STREETScape	Review Requirements: Annually LGA S.2.7(2)(b)	To be deferred for review after development of Community Strategic Plan. to CSRC 2019-04-11	
	W3 – UNDERGROUND PUBLIC UTILITIES SERVICES THAT CROSS COUNCIL CONTROLLED THOROUGHFARES	Review Requirements: Annually LGA S.2.7(2)(b)	Reviewed to reflect current standards including need for traffic management. to CSRC 2019-04-11	
May C&SRC /June Adopt	Corporate Business Plan - Review (Council Workshop) Includes Workforce Plan, Asset Management Plan, Long Term Financial Plan, Corporate Business Plan.	Workshop Council Members and Executive staff to review options and priorities (including the Capital Works Plan) and to finalise the Corporate Business Plan for recommendation to Council. LGA s.5.56 Admin.Reg.19DA Due by: 30 June Council to adopt by absolute majority. Amended Corporate Business Plan informs the preparation of the budget by June 30.		
	FM1 – FORWARD PLANNING	Review Requirements: Annually LGA S.2.7(2)(b)		
	FM2 – BUDGET ISSUES	Review Requirements: Annually LGA S.2.7(2)(b)		
	FM3 - RATES	Review Requirements: Annually LGA S.2.7(2)(b)		
	FM4 – RESERVE ACCOUNTS	Review Requirements: Annually LGA S.2.7(2)(b)		
	FM5 – LOAN BORROWINGS	Review Requirements: Annually LGA S.2.7(2)(b)		
	FM6 - PROVISIONS	Review Requirements: Annually LGA S.2.7(2)(b)		
	FM7 – CASH FLOW MANAGEMENT	Review Requirements: Annually LGA S.2.7(2)(b)		
	FM8 – INVESTMENTS	Review Requirements: Annually LGA S.2.7(2)(b)		
	AF16 – OCCUPATIONAL SAFETY, HEALTH AND INJURY MANAGEMENT	Review Requirements: Annually LGA S.2.7(2)(b)		

Last Reviewed - 5 April 2019 **Compliance Status Report**

File No	Subject/Facility	Reference No	Issue	Comment	Estimated Completion	Position Title Officer Responsible for Action Compliance	Completed Y/N	Date Completed	Records Ref (Evidence of completion)	Comments If Action not completed, report on plan to rectify
9010.12	Derby Port	Worksafe 48000254	RCD's need to be tested and certificate of testing supplied	Completed		Nick Harrington	Yes	30/1/2018	Yes	
9010.12	Derby Port	Worksafe 48000255	Gaps in railing to be replaced and further railing to be installed to both sides of public areas	This will be a tender		Wayne Neate				
9010.12	Derby Port	Worksafe 48000256	Conduct a risk assessment in relation to traffic movements through public areas so risk may be reduced of vehicle vs public incidents	Traffic management plan being discussed with a risk assessment as part of this process		Paul Glennon				
9010.12	Derby Port	Worksafe 48000257	Undertake a risk assessment of fuel bunkering on wharf potentially adopt a procedure			Paul Glennon				
9010.12	Derby Port	Worksafe 48000258	Conduct an inspection for asbestos within the wharf buildings and label and note appropriately any damaged/hazardous sheets to be removed	Complete		Nick Harrington	Yes	20/09/2018	Yes	
9010.12	Derby Port	Worksafe 48000259	Hazardous materials not to be stored in same fridge as employees food. Provide adequate storage	Removal of fridges where items stored with Food		Paul Glennon	Yes	27/02/2019	Yes	DWA removed fridges Shire will remove old coke fridge. New fridge supplied for staff
9010.12	Derby Port	Worksafe 48000260	Ensure sanitary facilities and shower are clean and safe to use	Old facilities need to be boarded up if not in use		Nick Harrington	Yes	30/1/2018	Yes	
9010.12	Derby Port	Worksafe 48000261	Conduct a risk assessment for each hazard on the Water tank, Correctly Label water tank			Paul Glennon	Yes	30/1/2018	Yes	
9010.12	Derby Port	Worksafe 48000262	Develop man overboard procedure incase someone falls off wharf	Have a look at Broome port or Wyndham Ports procedure		Wayne Neate				
9010.12	Derby Port	Worksafe 48000263	Portable Fire extinguisher to be installed as per AS2444 and training to be provided regarding use of fire extinguishers	Contact fire service providers		Nick Harrington	Yes	30/1/2018	Yes	
9010.12	Derby Port	Worksafe 48000264	Provide and maintain a first aid kit appropriate to the activities being carried out on the wharf	Kit purchased in the process of being installed.		Paul Glennon	Yes	30/1/2018	Yes	
9010.12	Derby Port	Worksafe 48000265	Old BARC facilities are in need of repair potentially hazardous	Old facilities need to be boarded up if not in use		Nick Harrington				
9010.12	Derby Port	Worksafe 48000266	Vermin faecal matter throughout old BARC area	Old facilities need to be boarded up if not in use, Regular baiting required		Nick Harrington	Yes	10/01/2019	Yes	Worksafe notified on the 18/02/2019
9010.12	Derby Port	Worksafe 48000267	Old Tram rails present trip hazard in various areas need to be rectified			Paul Glennon				
9020.2	Derby Airport	CASA NCN 717001	Issues with physical characteristics of the Airport - Markers, lights, line marking etc and overall Airport Management. Current ARO's not performing duties correctly and lack of management control by the Shire	A lot of the Physical elements have been completed. Manual has been reviewed with several changes made to reporting procedure. Several new ARO's now trained and roster of duties allowing several eyes to look over Airport. Previous ARO still requires coaching to remove prior habits		Wayne Neate	Yes	7/12/2018	Yes	
9020.2	Derby Airport	CASA NCN 717005	Line marking and hold line points on the apron were incorrect	Inspection schedule on ATI included to allow for greater technical advice which would allow these issues to be picked up. Change to the aerodrome Manual has occurred		Wayne Neate	Yes	28/02/2019	Yes	
9020.2	Derby Airport	CASA NCN 717006	Not correct Markers along strip	New markers purchased and in place apart from runway 29 and		Wayne Neate	Yes	10/1/2018	Yes	
9020.2	Derby Airport	CASA NCN 717007	Not correct Markers along strip, procedure breakdown	New ARO's and new forms will hopefully solve this matter		Wayne Neate	Yes	10/1/2018	Yes	
9020.2	Derby Airport	CASA NCN 717008	Faded Line Markings on runway 11/29	Shire has purchased Line marker and undertaken work. New ARO's and procedural change has occurred to prevent this from occurring in the future		Wayne Neate	Yes	11/1/2018	Yes	
9020.2	Derby Airport	CASA NCN 717010	Earthing points to be removed	Will be removed		Wayne Neate	Yes	11/1/2018	Yes	
9020.2	Derby Airport	CASA NCN 717011	Manual to include correct drawing numbers and appropriate drawings	Manual reviewed and changed to reflect correct drawing numbers. Drawings have now been updated		Wayne Neate	Yes	12/1/2018	Yes	
9020.2	Derby Airport	CASA NCN 717014	Manual needs to be amended to outline procedures in a more clear and methodical manner with provision to allow cross check or document record			Wayne Neate	Yes	12/1/2018	Yes	
9020.2	Derby Airport	CASA NCN 717015	ERSA needs to be amended			Wayne Neate	Yes	12/1/2018	Yes	
9020.2	Derby Airport	CASA NCN 717016	Servicability Inspections and ATI reports need to be updated	As part of the review of the Manual both these sections have been reviewed		Wayne Neate	Yes	12/1/2018	Yes	
9030.2	Fitzroy Crossing Airport	CASA NCN 717064	Full review of the FX Aerodrome Manual including Servicability Inspections and ATI reports need to be updated	Manual needs to be reviewed as a severe lack of reporting by ARO's to management and lack of following procedure at both airports.		Wayne Neate				
9030.2	Fitzroy Crossing Airport	CASA NCN 716886	Faded Line Markings on runway	Shire has purchased Line marker and undertaken work. New ARO's and procedural change has occurred to prevent this from occurring in the future		Wayne Neate				
9030.2	Fitzroy Crossing Airport	CASA NCN 716937	Reporting on Wildlife as per procedure not being followed and BAS yet to supply certification of fuel bowser/storage	Manual and Wildlife management plan need to be reviewed as a severe lack of reporting by ARO's to management and lack of following procedure at both airports. Airport Manager following up BAS.		Wayne Neate				

Last Reviewed - 5 April 2019 **Compliance Status Report**

File No	Subject/Facility	Reference No	Issue	Comment	Estimated Completion	Position Title Officer Responsible for Action Compliance	Completed Y/N	Date Completed	Records Ref (Evidence of completion)	Comments: If Action not completed, report on plan to rectify
9030.2	Fitzroy Crossing Airport	CASA NCN 716887	Issues with physical characteristics of the Airport - Markers, lights, line marking etc and overall Airport Management. Current ARO's not performing duties correctly and lack of management control by the Shire	Manual in the process of being reviewed with several changes being made to reporting procedure. Previous ARO still requires coaching to remove prior habits		Wayne Neate				
	Derby RADS Grant	Derby Airport	Acquital of RADS grant for lighting upgrade at Derby Airport	Acquital of grant to occur		Wayne Neate	Yes	30/10/2018	Yes	
8005.3	Derby Sportsmens Club	Worksafe 90011925	Ensure that identification and assessment of asbestos containing materials is carried out by a competent person in accordance with the code of practice			Wayne Neate	Yes	24/01/2019	Yes	



Register of Exercised Powers or Duties

Delegation Reference	Date exercised	Officer or committee	Description	Persons directly affected	Address of persons directly affected	Granted or declined
H2	28 Mar 2019	Stuart Martin, Manager Development Services	Stallholder permit granted for the Gibb River Challenge 2019	Simon Rimmer	14 Forest Edge Retreat Roleystone WA 6111	Granted
H2	14 Mar 2019	Stuart Martin, Manager Development Services	stallholder application was granted to have a sausage sizzle at Mitre 10	Dale Edwards	22 Lennard Road Derby WA 6728	Granted
H2	14 Mar 2019	Stuart Martin, Manager Development Services	stallholder permit granted to trade at the CWA markets to raise funds for the Gibb river challenge	Tania Turei	12 Bell Creek Road Derby WA 6728	Granted
H2	14 Mar 2019	Stuart Martin, Manager Development Services	Permit granted to have a stall at the Clarendon st Arcade to display information about the services provided by the Kimberley Stolen Generation	Pauline Mckenzie	28 Barker Street Broome WA 6725	Granted
H2	13 Mar 2019	Stuart Martin, Manager Development Services	stallholder permit approve to hold a sausage sizzle at the World kidney Day event	Serena Buckle	4 Stanley Street Derby WA 6728	Granted
W1	8 Mar 2019	Chris Hurstfield, Manager Technical Services	Approved Road Closure for 2019 Dawn Service on ANZAC Day	Motorists	Derby	Granted
A1	6 Mar 2019	Wayne Neate, Director of Technical and Development Services/Deputy CEO	Additional drainage works required to protect water main plus installation of culverts, base slabs and headwalls for 2 additional crossovers not identified on design drawings.	Adjoining landowners	Sutherland St, Derby	Granted
F3	1 Mar 2019	Myra Henry, Manager Finance	Invested 1,052,652.49 for 2mths to mature on the 30/04/2019 at 2.35%	NA		N/A

Last Reviewed - 5 April 2019

Ordinary/Special Council Meeting Status Report

Meeting	File No	Minute Number	Decision	Comment	Estimated Completion	Position Title Officer Responsible for Action Compliance	Completed Y/N	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify
		MINUTE NO. 062/2017	That Council DELEGATE to the Chief Executive Officer to finalise, sign and execute the User Agreement with the Derby Sporting Shooters Association.			Stephen Gash - CEO				
		MINUTE NO. 077/2017	That Council: 1. AUTHORISES the Chief Executive Officer to extend all existing Memorandum of Understanding's at the Derby Wharf Precinct; 2. AUTHORISES the Shire President and Chief Executive Officer to sign and affix the Common Seal to the Memorandum of Understanding between the Shire of Derby/West Kimberley and the relevant parties.			Stephen Gash - CEO				
OCM 2017-11-30		MINUTE NO: 145/2017	That Council 1. AUTHORISES the Chief Executive Officer to finalise any minor amendments to obtain Department of Transport consent for the revised Derby Port head lease and management agreement. 2. AUTHORISES the Shire President and Chief Executive Officer to execute by affixing the Common Seal.			Stephen Gash - CEO				
OCM 2017-11-30		MINUTE NO: 146/2017	That Council 1. Advertise its intention to dispose by lease part of Lot 325 R26818 to WGPL Property No. 3 Pty Ltd (CAN 620 050 615) and ACE Infrastructure SPV Pty Ltd (CAN 621 887 634) for a 5+5 year term for a sum of \$5.00 per annum. 2. If no submissions received authorise the Chief Executive Officer and Shire President to execute the lease by affixing the Common Seal.			Stephen Gash - CEO				
OCM 2018-02-22		MINUTE NO. 012/2018	That Council RESOLVE to allow the Derby Volunteer Fire and Rescue Unit the use for restoration the historical Bedford fire truck currently housed at Derby Airport.			Ross Sullivan				
OCM 2018-03-29	7072	MINUTE NO. 024/2018	That Council: 1. Pursuant to Division 1, clause 6.5, subclause 1 of the Shire of Derby/West Kimberley's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law, that Council APPROVE the application for an amendment of Condition 2 of the annual Traders Permit issued to Amporn's Thai Food on the 5 December 2017. 2. Pursuant to Division 1, clause 6.6, subclause 1 of the Shire of Derby/West Kimberley's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law, that Council issue the approval with the following adjustment to Condition 2: a. No pre-packaged food items are to be sold and sale of drinks is restricted to pre-packaged, canned and bottled drinks only.			Taryn Dyer - Environmental Health Officer (Previous)				
OCM 2018-08-30	A300219	MINUTE NO. 078/2018	That Council BY ABSOLUTE MAJORITY authorises the Shire President and Chief Executive officer to sign and affix the Common Seal to Amendment No.1 to the Lease between the Shire of Derby/West Kimberley and the Fitzroy Valley Rodeo Club Inc.	Draft Lease has been drawn in consultation with DoL. Draft now in form suitable for execution and will be forwarded to Fitzroy Rodeo Club for execution and return	viz endFeb 2019	Noel Myers - Manager Planning Services/Stephen Gash - CEO	N		N13496	ersion of Lease has been approved by DoL and doc has been fwd'd and signed by Rodeo Club, however, doc requires Common Seal to be affixed which Rodeo Club may have misplaced. Working with FX Area Manager to resolve and am in communication with DoL
OCM 2018-08-30	8005.24	MINUTE NO. 085/2018	That Council delegate authority to the Chief Executive Officer to negotiate and execute a lease with One Tree Community Services under exemption from Section 3.58 of the Local Government Act 1995 by virtue of Section 30 Local Government (Functions and General) Regulations 1996. Such a lease will include the following: (i) Lease term of 5 years with a further term of 5 years at the discretion of Council; (ii) Lessee to pay for all costs associated with preparing the lease; (iii) Rental based on one peppercorn (nominal) per annum; (iv) Other standard terms and conditions of Shire lease agreements.	Council's comments regarding renewal option provided to Mcleods for drafting into lease.	30/11/018	Ross Sullivan - Manager Community Services	N			Lease is with One Tree for their review and comments Awaiting response from One tree (06/02/2019)
OCM 2018-10-25	4110	MINUTE NO. 099/2018	That Council endorse the Compliance Program attached.			Danielle Hurstfield - Manager Administration and Governance/Stephen Gash - CEO	N			Ongoing - on track for all proposed policies to be adopted 28/2 as planned.
OCM 2018-10-25		MINUTE NO. 103/2018	That Council convey support for the Firefighting resources at Camballin.			Ross Sullivan - Manager Community Services				

Last Reviewed - 5 April 2019

Ordinary/Special Council Meeting Status Report

Meeting	File No	Minute Number	Decision	Comment	Estimated Completion	Position Title Officer Responsible for Action Compliance	Completed Y/N	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify
OCM 2018-10-25		MINUTE NO. 105/2018	That Council by ABSOLUTE MAJORITY: 1. Appoint WALGA as the CEO Recruitment Consultant for \$10,000 excl. GST in accordance with the October 2018 proposal. 2. Endorse the WALGA model CEO contract for use in the process, subject to minor amendment. 3. Approve the advertising under the current salary range within Salaries and Allowances Tribunal Band 2. 4. Establish the CEO Recruitment Committee under Section 5.8 of the Local Government Act 1995 and appoint Cr Haerewa, Cr White, Cr Kloss, Cr Prouse and one Councillor from Fitzroy Crossing. 5. Delegate to the CEO Recruitment the ability to liaise with the Recruitment Consultant, finalise documentation for advertising, and undertake shortlisting applications for final interview. 6. Note that ALL Councillors will participate in the final interview and appointment process.			Stephen Gash - CEO				
OCM 2018-11-28	2301	MINUTE NO. 111/2018	That Council:- 1. Pursuant to the Part 6 of the Planning and Development Act 2005, initiates a Local Interim Development Order for land within the Shire of Derby/West Kimberley not covered by Town Planning Scheme No 5 and Town Planning Scheme No.7; 2. Refers the Local Interim Development Order to the Western Australian Planning Commission for comment; 3. Advises the Western Australian Planning Commission that the Interim Development Order is required to control ad hoc development outside current planning Scheme areas while a District Wide Local Planning Scheme is implemented. 4. Advertises the Local Interim Development Order for a period of 28 days after making any modifications required by the Western Australian Planning Commission. 5. By ABSOLUTE MAJORITY delegates authority to the Chief Executive Officer to modify the draft provisions of the Interim Development Order based on advices received from the Western Australian Planning Commission. Such delegation is based on any modifications proposed not being assessed by the Chief Executive Officer as being contrary to the intent and purpose of the provisions detailed within the draft document considered by Council.	Ongoing	End March 2019	Noel Myers - Manager Planning	N			Referring draft to DPLH - await clearance to proceed with advertising
OCM 2018-12-10	5480	MINUTE NO. 119/2018	That Council: 1. Accept the intent of the invalid petition received from Kelly Betambeau; and 2. Highlight the support of the wider community in further correspondence to the Commissioner of Main Roads Western Australia (MRWA) in accordance with Council minute no 092/2018			Danielle Hurstfield - Manager Administration and Governance	N			Letter drafted to be reviewed
OCM 2018-12-10	5115	MINUTE NO. 122/2018	That Council advertise notice of intention to dispose of the ex-Curtin Accommodation Block 1 by gifting to the Derby Speedway Club in accordance with Section 3.58 of the Local Government Act 1995.			Stephen Gash - CEO				
OCM 2018-12-10		MINUTE NO. 124/2018	That Council:- 1. Approve extension to the Memorandum of Understanding with WGPL Property No. 3 Pty Ltd and ACE Infrastructure SPV Pty Ltd to 30 June 2019; and 2. Authorise the Shire President and Chief Executive Officer to affix the Common Seal to the Deed detailed under letter dated 6 December 2018.			Stephen Gash - CEO				

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Ordinary/Special Council Meeting Status Report

Meeting	File No	Minute Number	Decision	Comment	Estimated Completion	Position Title Officer Responsible for Action Compliance	Completed Y/N	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify
OCM 2019-02-28		MINUTE NO. 005/2019	<p>That Council adopt:</p> <p>1. Reviewed policies AF6 Risk and Opportunity Management AF14 Significant Accounting Policies AF24 Attendance at Conferences, Seminars and Training AF18 Sundry Debtors Collection Policy AF19 Outstanding Rates Collection AF20 Rating Administration Policy AF34 Community Funding Scheme</p> <p>2. New policies AF41 Fraud, Misconduct Control and Resilience AF43 Portable and Attractive Items</p> <p>3. Recind policies C1 Smoking – Workplace/Council Buildings C2 Mobile phones in meetings C3 Local Government Conferences C4 Code of Conduct C8 Electoral advertising C9 Tourism C10 Health and Wellbeing C11 Compliance and Strategic Review Committee AF2 Disposal of lease vehicles AF4 Financial assistance to organisations and clubs AF5 Local History Collections AF9 Sexual harassment AF12 Equal opportunity and diversity AF17 Occupational Health and Safety AF22 Use of Council equipment by community organisations AF25 Report Format – Agendas and Minutes</p>			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-02-28		MINUTE NO. 006/2019	<p>That the Compliance and Strategic Review Committee adopt:</p> <p>1. Reviewed policies AF3 Asset Management AF32 Council Light Vehicle Fleet – Staff and Elected Member Usage C5 Council Meetings – Date, Time and Venue C6 Use of Council Chambers C7 Presentations on Completion of Service H2 Traders and Stallholders Permits W1 Crossovers</p> <p>2. New policies AF44 Local Publication AF45 Transaction Cards</p> <p>3. That the adopted policies be presented to Council for adoption</p>			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-02-28		MINUTE NO. 007/2019	<p>That Council receive policy TP1 Caretakers and Drivers Accommodation in Industrial Areas and approve advertising for 28 days. Reason for Amendment: A Statutory Planning Policy requires advertising to comply provision of Town Planning Scheme No. 5 in response to the preparation and adoption of a policy.</p>			Noel Myers - Mnager Planning				
OCM 2019-02-28		MINUTE NO. 008/2019	<p>That Council adopt the Code of Conduct, Statement of Business Ethics and Governance Manual.</p>			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-02-28		MINUTE NO. 009/2019	<p>That Council, BY AN ABSOLUTE MAJORITY:</p> <p>1. ENDORSES the review of its delegations in accordance with sections 5.46 of the Local Government Act 1995;</p> <p>2. REPEAL the Register of Delegations of Authority contained in the Shire of Derby/West Kimberley Register of Delegations of Authority dated September 2017 in accordance with section 5.45 of the Local Government Act 1995; and</p> <p>3. DELEGATE authority to the Chief Executive Officer, the local government functions as listed in the amended Register of Delegations of Authority attached, in accordance with section 5.42 of the Local Government Act 1995, acknowledging the relevant heads of power in addition to the Local Government Act 1995:</p> <ul style="list-style-type: none"> • Building Act 2011 – section 127 • Bush Fires Act 1954 – section 48 • Cat Act 2011 – section 44 • Dog Act 1976 – section 10AA • Food Act 2008 – section 118 • Public Health Act 2016 – section 21 • Road Traffic (Events on Roads) Regulations 1991. 			Danielle Hurstfield - Manager Administration and Governance				

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Ordinary/Special Council Meeting Status Report

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OCM 2019-02-28		MINUTE NO. 010/2019	That Council: 1. ENDORSES the completed Compliance Audit Return for the period 1 January 2018 to 31 December 2018; 2. Recommend to Council that Council ADOPTS the completed 2018 Compliance Audit Return for the period 1 January 2018 to 31 December 2018 as attached; 3. AUTHORISES the Shire President and Chief Executive Officer to sign the joint certification and SUBMIT the completed Compliance Audit Return, and any additional information explaining or quantifying the compliance audit, to the Department of Local Government, Sport and Cultural Industries by 31 March 2019; and 4. NOTES the non-compliance and requests the Chief Executive Officer to address the areas of non-compliance and report back to the Compliance and Strategic Review Committee on the measures taken to mitigate the non-compliances			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-02-28		MINUTE NO. 011/2019	That Council, BY AN ABSOLUTE MAJORITY, 1. Decides, in accordance with section 4.6(1) of the Local Government Act 1995 that the election is to be conducted as a voting in person election. 2. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2019 Shire of Derby/West Kimberley ordinary election together with any other elections or polls which may also be required. 3. Provide provision in the 2019/20 budget for the conduct of the 2019 Local Government election as detailed.			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-02-28		MINUTE NO. 012/2019	That Council adopt the revised Policy – AF1 Procurement of Goods and Services, as attached, to comply with the Local Government (Functions and General) Regulations 1996.			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-02-28		MINUTE NO. 015/2019	That Council advertise notice of intention to dispose of the ex-Curtin Accommodation Block 2 to the Derby Turf Club in accordance with Section 3.58 of the Local Government Act 1995.			Stephen Gash - CEO				
OCM 2019-02-28		MINUTE NO. 018/2019	That Council: 1. As pursuant to Section 6.26 2(g) of the Local Government Act. 1995, approve the Rate Exemption Application for A900252, A900572 and A900430. 2. As pursuant to Section 6.12 of the Local Government Act 1995, write off \$6,103.03 being rates already paid to the properties for 2018/19 Billing period and refund credits to the company on approval. 3. Foundation Housing are to reapply for the rate exemption on all properties before the end of every financial year to maintain status. If application is not received, full rates will be charged to properties.			Emma Guger - Finance Officer Myre Henry - Finance Manager				
OCM 2019-03-28		MINUTE NO.	That Council: 1. Adopt Reviewed Policies: AF7 GPS Fleet Tracking AF21 Fire Control Officers Authorities AF30 Legal Representation Costs Indemnification 2. Rescind TP5 Radio Masts and provide formal notification in accordance with Town Planning Scheme No. 5 3. Note TP7 Minimum Finished Floor Level for New Buildings (other than outbuildings) Fitzroy Crossing and Camballin requires further review and will be presented to the Compliance and Strategic Review Committee at a later date. 4. AF23 Provision of Staff Housing be put on hold until commencement of new CEO to be reviewed with Workforce Plan. 5. Adopt reviewed policy AF33 – Regional Price Preference noting it supports existing practice; and 6. Consult with the community on the definition of 'local business' and that policy AF33 be referred back to the Compliance and Strategic Review Committee after consultation.			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-03-28			That Council adopt the draft Customer Service Charter attached.			Danielle Hurstfield - Manager Administration and Governance				
OCM 2019-03-28			That Council adopts by ABSOLUTE MAJORITY the 2018-2019 budget review, as attached to this report with no budget amendments.			Danielle Hurstfield - Manager Administration and Governance				

Last Reviewed - 5 April 2019

Ordinary/Special Council Meeting Status Report

Meeting	File No	Minute Number	Decision	Comment	Estimated Completion	Position Title Officer Responsible for Action Compliance	Completed Y/N	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify
OCM 2019-03-28			1. That Council writes to advise the Bunuba Dawangarru Aboriginal Corporation that it provides its in-principle support to the use of a portion of Reserve No. 36824 Lot 301 Great Northern Highway, Fitzroy Crossing as a possible location for the development of a future Youth Centre/Precinct on the following conditions; (i) That the use of the site as a Youth Centre/Precinct is endorsed by the community following the completion and endorsement of the Fitzroy Crossing Youth Engagement Strategy and is consistent with the State Governments response to the Coroners Inquiry into the deaths of children and young persons in the Kimberley; (ii) Completion of a due diligence investigation that confirms the sites suitability for the intended purpose; (iii) That upon the confirmation of the suitability of the site as required under Conditions i) and ii) above, the matter be referred back to Council for a formal decision to relinquish its management order over the portion of the Reserve			Noel Myers - Manager Planning				
OCM 2019-03-28			1. That the Council endorses the Draft Minute of Consent Orders and Draft Minute of Consent Determination (dated 5 March 2019) for the Bunuba # 2 'Part B' Native Title Application; and 2. That Council by Absolute Majority delegates authority to the Chief Executive Officer to authorise Council's Solicitor on the Federal Court Record to execute the Minute Consent Determination as it applied to the Bunuba # 2 'Part B' Native Title Application on the condition there is no further significant amendments to the document that would adversely impact upon the Shire; and 3. That Council by Absolute Majority delegates authority to the Chief Executive Officer and Shire President to affix the Common Seal of the Shire of Derby/West Kimberley to the final version of the Bunuba # 2 'Part B' Native Title Application on the condition that the final version of the document does not include any significant amendment to the draft document dated 5 March 2019 that would adversely impact upon the Shire; and 4. That Council by Absolute Majority delegates authority to the Chief Executive Officer to authorise Council's Solicitor on the Federal Court Record to execute any procedural documents on behalf of the Shire that may be required to assist with the progression of the matter towards the Consent Determination Hearing.			Noel Myers - Manager Planning				
OCM 2019-03-28			1. That Council endorses the Draft Minute of Consent Orders and Draft Minute of Consent Determination (dated 4 March 2019) for the Mayala # 2 'Native Title Application; and 2. That Council By Absolute Majority, delegates authority to the Chief Executive Officer and Shire President to execute the final version of the Minute of Consent Orders and Minute of Consent Determination as it applies to the Mayala #2 Native Title Application documents and affix the Common Seal of the Shire of Derby/West Kimberley to those documents as required on the condition that there is no significant amendment to the document that would adversely impact upon the Shire and further authorises the Chief Executive Officer and the Shire President to execute any procedural documents associated with the progression of the matter towards the Consent Determination Hearing.			Noel Myers - Manager Planning				
OCM 2019-03-28			That Council; 1. Award tender T11-2018 for Maintenance work at the Derby Wharf as follows; a) Parts A – Handrail replacement and Part B – Shed Repairs to H&M Tracey b) Part C – Fender Replacement on Berth 2 to the Pacific Construction Group and should a contract fail to be signed and executed for this component that the work be retendered. 2. Note the contractual obligations for consideration in the 2019/2020 budget			Wayne Neate - Director Technical and Development Services				
OCM 2019-03-28			That council issue and order under section 110 of the Building Act 2011 requiring the building to be vacated and then removed as per section 112 (2) (g) (ii) and (vi) of the Building Act 2011.			Wayne Neate - Director Technical and Development Services				

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Ordinary/Special Council Meeting Status Report

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OCM 2019-03-28			That Council authorise the Chief Executive Officer to execute the extension to; 1. Contract C17-2013 for a further two years with the availability of a further three x 12 month extensions as per schedule 1 of the contract. 2. Contract C18-2013 for a further one year with the availability of a further four x 12 month extensions as per schedule 1 of the contract.			Wayne Neate - Director Technical and Development Services				
OCM 2019-03-28			That Item 18.2 lay on the table pending further consideration and be resubmitted to the next Ordinary Council Meeting on 18 April 2019.			Wayne Neate - Director Technical and Development Services				

7 NEW BUSINESS OF AN URGENT NATURE

8 DATE OF NEXT MEETING

The next meeting of Compliance and Strategic Review Committee will be held Thursday, 18 April 2019 in the Council Chambers, Clarendon Street, Derby.

9 CLOSURE OF MEETING

The Presiding Member closed the meeting at 4.30pm.

These minutes were confirmed at a meeting on
.....
Signed:
Presiding Person at the meeting at which these minutes were confirmed.
Date: