



**Shire of Derby /
West Kimberley**

AGENDA

Ordinary Council Meeting Thursday, 30 March 2023

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Thursday, 30 March 2023

Time: 1:00pm

Location: Fitzroy Crossing

Amanda Dexter

Chief Executive Officer



Our Guiding Values

We are **PROUD** of who we are and where we live.

We will create a **POSITIVE LEGACY** for our children and children's children.

We will go about our business with **INTEGRITY, TRANSPARENCY and AUTHENTICITY**.

We value and **RESPECT** what our community has to say and will strive to make things happen.

We are **PROUD** of and value the **KNOWLEDGE** of our diverse and strong people and cultures.

We value our **RELATIONSHIPS** and will work with others to achieve common goals and gain maximum impact.

We are **PROUD** of and **COMMITTED** to the responsible preservation of our unique natural environment and making sure our built environment reflects our current and future needs.

We are open for and encourage business, industry and all aspects of **COMMUNITY DEVELOPMENT**, particularly our thriving arts and cultural scene.

Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Derby/West Kimberley (Shire) for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any Elected Member or officer of the Shire during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire.

The Shire warns that anyone who has any application lodged with the Shire must obtain and should only rely on written confirmation of the outcome of the application and any conditions attaching to the decision made by the Shire in respect of the application.

Notes for Members of the Public

PUBLIC QUESTION TIME

The Shire of Derby/West Kimberley extends a warm welcome to you in attending any Shire meeting. The Shire is committed to involving the public in its decision making processes whenever possible. The ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective. The Shire sets aside a period of 'Public Question Time' to enable a member of the public to put questions. Questions should only relate to the business of the Shire and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Presiding Member may either answer the question or direct it to an officer to answer, or it will be taken on notice.

Any comments made by a member of the public become a matter of public record as they are minuted by Council. Members of the public are advised that they are deemed to be held personally responsible and legally liable for any comments made by them that might be construed as defamatory or otherwise considered offensive by any other party.

MEETING FORMALITIES

Local government Council meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation. Members of the public shall ensure that their mobile telephone or audible pager is not switched on or used during any Shire meeting.

Members of the public are hereby advised that the use of any electronic, visual or audio recording device or instrument to record proceedings of the meeting is not permitted without the permission of the Presiding Member.

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Notes for Elected Members

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations, grants, and setting and amending budgets.
Legislative:	Includes adopting local laws, town planning schemes and policies.
Administrative:	When Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.
Review:	When Council reviews a decision made by Officers.
Information:	Includes items provided to Council for information purposed only that do not require a decision of Council (that is for 'noting').

ALTERNATIVE MOTIONS

Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions in written form to the Chief Executive Officer prior to the Council meeting.

DECLARATIONS OF INTERESTS

Elected Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences. Section 5.60A of the *Local Government Act 1995* states;

"a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."

Section 5.60B states;

"a person has a proximity interest in a matter if the matter concerns –

(a) a proposed change to a planning scheme affecting land that adjoins the person's land;
or

(b) a proposed change to the zoning or use of land that adjoins the person's land; or

(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."

Regulation 34C (Impartiality) states;

"interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."

MEETING DATES

At its Ordinary Meeting of Council on 27 October 2022, Council adopted the following meeting dates for 2023;

January			Council in Recess
Thursday	23 February 2023	5.30 pm	Council Chambers, Derby
Thursday	30 March 2023	5.30 pm	Fitzroy Crossing
Thursday	27 April 2023	5.30 pm	Council Chambers, Derby
Thursday	25 May 2023	5.30 pm	Fitzroy Crossing
Thursday	29 June 2023	5:30pm	Council Chambers, Derby
Thursday	27 July 2023	11.00am	Remote Aboriginal Community (Location to be advised)
Thursday	31 August 2023	5.30 pm	Council Chambers, Derby
Thursday	28 September 2023	5.30 pm	Fitzroy Crossing
Thursday	26 October 2023	5.30 pm	Council Chambers, Derby
Thursday	30 November 2023	5.30 pm	Fitzroy Crossing
Thursday	14 December 2023	5.30 pm	Council Chambers, Derby

Council's Compliance and Strategic Review Committee and the Commercial Committee meet when required. Details of these meetings are advised as appropriate.

APPLICATION FOR LEAVE OF ABSENCE

In accordance with Section 2.25 of the *Local Government Act 1995*, an application for leave requires a Council resolution granting leave requested. Council may grant approval for Leave of Absence for an Elected Member for ordinary Council meetings for up to but not more than six consecutive meetings. The approval of the Minister is required for leave of absence greater than six ordinary Council meetings.

This approval must be by Council resolution and differs from the situation where an Elected Member records their apologies for the meeting. A failure to observe the requirements of the Act that relates to absence from meetings can lead to an Elected Member being disqualified should they be absent without leave for three consecutive meetings.

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1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS**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.

3 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.

3.1 Declaration of Financial Interests**3.2 Declaration of Proximity Interests****3.3 Declaration of Impartiality Interests****4 APPLICATIONS FOR LEAVE OF ABSENCE****5 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****6 PUBLIC TIME****6.1 Public Question Time****6.2 Public Statements****7 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS****8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 23 February 2023 be CONFIRMED.

10 RECOMMENDATIONS AND REPORTS OF COMMITTEES

10.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 23 MARCH 2023

File Number: 4110

Author: Sarah Smith, Executive Services Coordinator

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Executive

SUMMARY

For Council to receive the minutes of the Audit Committee Meeting held on 23 March 2023.

ATTACHMENTS

1. Minutes of the Audit Committee Meeting held on 23 March 2023

RECOMMENDATION

THAT COUNCIL:

1. Receive the Minutes of the Audit Committee Meeting held on 23 March 2023 and the recommendations therein be adopted:

COMMITTEE RESOLUTION AC27/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council authorise, by Absolute Majority, as proposed in the Background of this report, changes of a temporary nature to:

1. Shire Policy AF1 (*Procurement of Goods and Services*) and
2. Delegation 1.1.18 (*Tenders for Goods And Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options*),

in order to accommodate expedient purchasing requirements in response to the impacts of Ex Tropical Cyclone Ellie. In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY

COMMITTEE RESOLUTION AC28/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That Audit Committee recommends that Council by Absolute Majority:

1. endorse the Audit & Risk Committee's Terms of Reference (as provided in the attachment); and
2. requires that the Terms of Reference be reviewed as part of the appointment process

for the new Audit & Risk Committee (which will occur at a October or November 2023 Council Meeting, following the October 2023 Council Elections).

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY

COMMITTEE RESOLUTION AC29/23

Moved: Cr Geoff Haerewa

Seconded: Cr Pat Riley

That Audit Committee recommends that Council:

1. Notes that the first review of Council Policies for 2023 has been undertaken;
2. Adopts the policies in the attached March 2023 Policy Review document, inclusive of the policy revisions outlined therein; and
3. Notes that all policies will be updated on the Shire's Web Page in accordance with (2) above.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY

COMMITTEE RESOLUTION AC30/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council:

1. RECEIVES the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 28th February 2023. In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

COMMITTEE RESOLUTION AC31/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council:

1. Notes the List of Accounts for February 2023 paid under Delegated Authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 attached to this report, totalling \$2,720,426.58

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

COMMITTEE RESOLUTION AC33/23**Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie****That the Audit Committee Recommends that Council by Absolute Majority:**

1. Writes off the outstanding rates and charges on the property totalling \$8,956.93.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED BY ABSOLUTE MAJORITY**COMMITTEE RESOLUTION AC34/23****Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie****That the Audit Committee recommends that Council:**

1. RECEIVES the report on outstanding rates and service charge debts by financial year to the end of February 2023.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0**COMMITTEE RESOLUTION AC35/23****Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie****That the Audit Committee recommends that Council:**

1. RECEIVES the information contained in the report detailing Sundry Debtors as at 28th February 2023.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY



**Shire of Derby /
West Kimberley**

UNCONFIRMED MINUTES

Audit Committee Meeting Thursday, 23 March 2023

Date: Thursday, 23 March 2023

Time: 4:00pm

**Location: Council Chambers
Clarendon Street
Derby**



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**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY
AUDIT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, CLARENDON STREET, DERBY
ON THURSDAY, 23 MARCH 2023 AT 4:00PM**

PRESENT: Cr Andrew Twaddle, Cr Geoff Haerewa (Shire President), Cr Peter McCumstie (Deputy Shire President)(via MS Teams) and Cr Pat Riley (via MS Teams).

IN ATTENDANCE: Amanda Dexter (Chief Executive Officer), Wayne Neate (Director Technical and Development Services), Christie Mildenhall (Acting Director of Community Services)(via MS Teams), Tamara Clarkson (Acting Director of Corporate Services), Susan Krouzecky (Manager of Finance), Jill Brazil (Finance Consultant), Sarah Smith (Executive Services Coordinator) and Maria O'Connell (Executive Services Administration Officer).

VISITORS: Cr Paul White.

GALLERY: Nil

APOLOGIES: Cr Keith Bedford.

APPROVED LEAVE OF ABSENCE: Nil

ABSENT: Nil

1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 4:04pm by Cr Andrew Twaddle.

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.

- Cr Peter McCumstie (Deputy Shire President); and
- Cr Pat Riley (via MS Teams).

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 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

- Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE RESOLUTION AC24/23

Moved: Cr Geoff Haerewa

Seconded: Cr Pat Riley

That the Minutes of the Audit Committee Meeting held at the Council Chambers, Clarendon Street, Derby, on 16 February 2023 be CONFIRMED.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

7 REPORTS

7.1 COMPLIANCE REPORTS - COUNCILLOR MEETING ATTENDANCE

File Number: 4262 - Status Reports

Author: Sarah Smith, Executive Services Coordinator

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Information

SUMMARY

For the Committee to monitor councillor attendance at Ordinary Meetings of Council and Special Council Meetings to oversee compliance with the Local Government Act.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

The Councillor Meeting Attendance Report provides Council with accurate meeting attendance register and allows the Administration to monitor attendance by Councillors to ensure compliance with the Local Government Act 1995.

STATUTORY ENVIRONMENT

Local Government Act 1995

2.25. Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
 - (a) a meeting that has concluded; or
 - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.
- (5A) If a council holds 3 or more ordinary meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.

- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —
- (a) if no meeting of the council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs —
 - (i) while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iii) while the member is suspended under section 5.117(1)(a)(iv) or Part 8; or
 - (iiii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
- (6) A member who before the commencement of the *Local Government Amendment Act 2009* section 5 was granted leave during an ordinary meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.

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

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

RISK MANAGEMENT CONSIDERATIONS

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

CONSULTATION

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

COMMENT

There is no compliance concerns noted for this reporting period.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS**1. Council Meeting Attendance Table - 22/23****COMMITTEE RESOLUTION AC25/23**

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee:

1. RECEIVES the information contained in the report detailing Councillor meeting attendance.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0



MEETING ATTENDANCE

The following table provides information on attendance at the 2022/23 Financial Year Ordinary and Special Council Meetings:

Councillor	28	25	29	13	27	24	8	23	30	27	25	29
	Jul	Aug	Sep	Oct	Oct	Nov	Dec	Feb	Mar	Apr	May	June
	2022	2022	2022	2022	2022	2022	2022	2023	2023	2023	2023	2023
	OCM	OCM	OCM	Special	OCM	OCM	OCM	OCM	OCM	OCM	OCM	OCM
G Haerewa	✓ Phone	LOA	✓	✓	✓	✓	✓	✓				
P McCumstie	LOA	✓	✓	✓	✓	✓	✓	✓ Phone				
K Bedford	✓ Phone	LOA	LOA	LOA	LOA	LOA	✓	✓ Phone				
R Mouda	✓	✓	A	✓	✓ Phone	LOA	✓	LOA				
P Riley	A	✓ Phone	A	✓ Phone	A	✓	✓	✓ Phone				
P White	✓	LOA	LOA	A	✓	✓	✓	A				
A Twaddle	✓	✓	✓	✓ Phone	✓	✓	✓	✓				
G Davis	✓ Phone	✓	✓ Phone	✓ Phone	✓ Phone	✓	✓	✓ Phone				
L Evans	A	✓	✓	A	✓	LOA	LOA	LOA				

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PO Box 101, Fitzroy Crossing

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www.sdwk.wa.gov.au

7.2 COMPLIANCE REPORTS - COUNCIL MINUTE MANAGEMENT**File Number:** 4262 - Status Reports**Author:** Sarah Smith, Executive Services Coordinator**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Information**SUMMARY**

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

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

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

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

STATUTORY ENVIRONMENT***Local Government Act 1995***

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

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

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

RISK MANAGEMENT CONSIDERATIONS

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

CONSULTATION

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

COMMENT

All items are up to date within reasonable parameters.

Staff leave, recent resignations and COVID 19 impacts have had some impact on progress, and however the delays at this point are not concerning.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS**1. Actions - March 2023****COMMITTEE RESOLUTION AC26/23**

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee:

RECEIVES the information contained in the report detailing Council Minute Management.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

Meeting	Officer/Director	Section	Subject
Council 25/03/2021	Neate, Wayne Dexter, Amanda	Development Services	Policy H2 - Traders and Stall Holders Permits (revised)
<p>RESOLUTION 24/21</p> <p>Moved: Cr Rowena Mouda</p> <p>Seconded: Cr Paul White</p> <p>That Council:</p> <ol style="list-style-type: none"> Pursuant to Section 2.7(2)(b) of the Local Government Act, 1995 adopt Policy H2 – Traders and Stall Holders Permits (revised) as presented in Attachment 1 of this report for a period of three months whilst it seeks community consultation on the matter. Request the Chief Executive Officer to undertake a consultation process as addressed in the Shire Report and refer the matter back to Council for consideration. <p><u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena Mouda, Pat Riley and Keith Bedford</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED 8/0</p> <p><i>17 May 2021 - 3:49 PM - Robert Paull</i> Further report to Council on outcome of advertising</p> <p><i>10 Sep 2021 - 4:14 PM - Robert Paull</i> Report to be prepared for the 28 October 2021 Council meeting.</p> <p><i>10 Aug 2022 - 11:04 AM - Sarah Smith</i> Action reassigned to Neate, Wayne by: Smith, Sarah for the reason: Rob Paull has left the organisation</p> <p><i>12 Aug 2022 - 10:49 AM - Wayne Neate</i> Revised Target Date changed by: Neate, Wayne From: 8 Apr 2021 To: 01 Sep 2022 Reason: With resignation of MDS the DTDS will need to investigate what has occurred</p>			

Meeting	Officer/Director	Section	Subject
Council 26/08/2021	Dexter, Amanda Dexter, Amanda	Executive Services	Aboriginal Empowerment Strategy
<p>RESOLUTION 84/21</p> <p>Moved: Cr Geoff Davis</p> <p>Seconded: Cr Rowena Mouda</p>			

That Council:

1. **Endorses the Workshop Report – 22 July 2021 – Shire of Derby/West Kimberley Aboriginal Empowerment Strategy;**
2. **Authorise the CEO to commence a Request for Quote process, to seek out an external consultancy with expertise to support Councillors and the Executive with strategic direction setting and policy development to the Aboriginal Empowerment Strategy; and**
3. **Endorse the scoping and development of a senior Aboriginal identified position within the SDWK to operationalise empowerment strategies including economic development and communications.**

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena Mouda, Pat Riley and Keith Bedford

Against: Nil

CARRIED 8/0

10 Sep 2021 - 4:12 PM - Sarah Smith

Action reassigned to O'Halloran, Amanda by: Smith, Sarah for the reason: Sarah Tobias is an external consultant

16 Mar 2022 - 11:30 AM - Amanda Dexter

Amanda will arrange advertising to progress the appointment of a Organisation/ Consultant to assist with the Development of a Strategy and/ or high level priorities in order to get this program up and running over the next few months.

16 Mar 2022 - 11:34 AM - Amanda Dexter

Revised Target Date changed by: Dexter, Amanda From: 9 Sep 2021 To: 31 May 2022

Reason: This item has not been resourced adequately and higher prioritisation has been allocated to ensure that it progresses over the next few months

9 Jun 2022 - 4:02 PM - Amanda Dexter

Revised Target Date changed by: Dexter, Amanda From: 31 May 2022 To: 30 Jul 2022

Reason: This project has unfortunately not progressed due to resourcing issues, it has been reallocated in the 2022/23 Budget and the CEO's Exec Team will progress the project once the budget is approved.

12 Aug 2022 - 11:09 AM - Amanda Dexter

Revised Target Date changed by: Dexter, Amanda From: 30 Jul 2022 To: 30 Sep 2022

Reason: This Item is a high priority for the first quarter of the 2022/23 FY.

12 Aug 2022 - 11:10 AM - Amanda Dexter

Revised Target Date changed by: Dexter, Amanda From: 30 Sep 2022 To: 30 Sep 2022

Reason: This Item is a high priority of the 2022/23 FY. A detailed report will be provided to Council by the 30 September 2022

Meeting	Officer/Director	Section	Subject
Council 9/12/2021	Hartley, Neil Dexter, Amanda	Executive Services	Fitzroy Crossing Airport - Proposal for State Government Funding Plan
RESOLUTION 160/21			
Moved: Cr Peter McCumstie			
Seconded: Cr Keith Bedford			

That Council:

- 1. Endorse the principle and thrust of the Fitzroy Crossing Airport Funding Plan and request the CEO to coordinate its finalisation at the earliest opportunity;**
- 2. Authorise the President and the Chief Executive Officer to facilitate discussions with the State Government for a contribution towards the long term asset management funding of the Fitzroy Crossing Airport; and**
- 3. Notes that a separate report on Curtin and Derby airports, including asset and operational cost considerations at those sites, will be forthcoming.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Rowena Mouda, Pat Riley, Keith Bedford, Linda Evans and Peter McCumstie

Against: Nil

CARRIED 8/0

15 Dec 2021 - 9:53 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 23 Dec 2021 To: 31 Mar 2022

Reason: Letter forwarded to State Minister for Health. Awaiting meeting opportunity. Still need to finalise Funding Proposal with accurate asset management estimates (awaiting consultant engineering report).

7 Feb 2022 - 7:28 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 31 Mar 2022 To: 30 Jun 2022

Reason: Minister for Health has passed on to Minister for Transport. Requires ongoing lobbying of state government.

3 Jun 2022 - 10:35 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Jun 2022 To: 30 Sep 2022

Reason: In ongoing discussions with Department of Transport. Asset Management Plans being prepared for DoT consideration to justify ongoing state support. \$1.5m(State - approved) + \$1.5m(Federal - awaiting confirmation) grants applied for to fund runway and apron area upgrade.

7 Sep 2022 - 8:36 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Sep 2022 To: 30 Apr 2024

Reason: \$1.5m (State) + \$1.5m (Federal) grants secured. Project Manager appointed. Works to now be scheduled and tendered for construction to occur in 2023. Discussions continue with State Department of Transport on the longer term management/funding of FX Airport.

17 Nov 2022 - 4:32 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Apr 2024 To: 30 Apr 2024

Reason: Project is progressing. For example, the Funding Agreements have been executed by the parties; the Project Manager has been appointed. One of the grant pre-conditions, a Geotechnical Assessment has been organised and will be commenced on 28 November 2022. An independent assessment/peer review is also a grant pre-condition and the RFQ for for that service has now closed but the successful contractor has not as yet been selected.

6 Feb 2023 - 8:35 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Apr 2024 To: 30 Apr 2024

Reason: Independent Reviewer appointed (grant pre-condition) (AMS Australia) and protocols settled for review to be undertaken; Geo Technical survey undertaken (grant pre-condition); Specifications and Tender Documents being prepared. Delays and logistical difficulties expected in light of Cyclone Ellie but no change to final completion date expected at this point in time.

7 Mar 2023 - 2:47 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Apr 2024 To: 30 Apr 2025

Reason: Project now delayed by Cyclone Ellie and application for 12 months deferral submitted. Project will progress to Full Tender Specification stage, with the view to calling tenders at the earliest reasonable opportunity.

Meeting	Officer/Director	Section	Subject
Council 25/11/2021	Hartley, Neil Dexter, Amanda	Matters for which the Meeting May Be Closed (Confi	Derby Jetty - Insurance and Related Considerations
RESOLUTION 159/21			
Moved: Cr Paul White			
Seconded: Cr Geoff Davis			
That Council:			
<ol style="list-style-type: none"> 1. Accepts the position offered by Kimberley Ports Authority that the Derby Jetty can be insured for \$5.6m on the basis that in the event of a catastrophic event which destroyed the jetty, the jetty would not be reinstated or replaced utilising the existing design and specifications, and the intent would be to clear the site and reinstate a small recreational jetty (due to the change in demand and utilisation since the Jetty was first built); 2. Understands that any costs above the insured level would be the responsibility of the Shire to bear, and asks that the Chief Executive Officer arrange for engineering studies to be sought to confirm the most prudent level of insurance that should be set, such that removal of debris/clean-up can be undertaken, and construction/reinstatement of a small recreational jetty to replace the existing structure can be achieved, without there being any undue risk of excess costs resulting. 3. Confirms the need to maintain current levels of insurance levels (until 2023 when the MPA Fish Farms Lease is due to expire) unless legal advice is obtained that reasonably allows the changes to be brought in earlier; 4. Notes that the eventual lease renegotiations with Kimberley Mineral Sands will need to accommodate a mutually agreed position on jetty insurance; 5. Requires the Chief Executive Officer to pursue the implementation of a Deed to suitably modify the insurance clauses of the Head Lease (from “replacement”, to a “removal of debris/clean up only” clause); 6. Requires that any future Derby Port/Jetty Leases provide clarity on the Shire’s capacity going forward to undertake Jetty maintenance or replacement, and that the Shire’s position be suitably protected; 7. Requires that a Derby Port Masterplan workshop be scheduled with Councillors, to outline options available for the sustainable operation of the Derby Port; and 8. Requires that a review of Derby Jetty fees/charges be undertaken and a report be presented to Council on the options available to it. 			
<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Rowena Mouda, Pat Riley, Keith Bedford, Linda Evans and Peter McCumstie			
<u>Against:</u> Nil			

CARRIED 9/0

31 Mar 2022 - 2:37 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 9 Dec 2021 To: 30 Jun 2023

Reason: Insurance changes can be accommodated by LGIS, but can generally only occur once each year, on policy renewal (end of financial year). Insurance change is also subject to Kimberley Mineral Sands and MPA Fish Farms lease clauses and commitments. It is hoped that a change to Removal of Debris Only insurance can be arranged to occur from 1 July 2023.

5 Dec 2022 - 2:26 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Jun 2023 To: 30 Jun 2023

Reason: KMS has agreed to fund the Replacement Value Insurance Premiums for the time being. Can revert to Removal of Debris Insurance once KMS ceases paying the premium.

Meeting	Officer/Director	Section	Subject
Audit Committee 24/03/2022	Clarkson, Tamara Dexter, Amanda	Reports	Long Term Financial Plan - 2022-23 to 2036-37

COMMITTEE RESOLUTION AC24/22

Moved: Cr Peter McCumstie

Seconded: Cr Keith Bedford

That the Audit Committee recommend that Council:

1. Endorse the Long Term Financial Plan 2022/23 – 2036/37 per attachment to this report for Council's on going consideration.

In Favour: Crs Keith Bedford, Peter McCumstie and Andrew Twaddle

Against: Nil

CARRIED 3/0

12 Aug 2022 - 11:17 AM - Amanda Dexter

Revised Target Date changed by: Dexter, Amanda From: 7 Apr 2022 To: 30 Sep 2022

Reason: Formal Presentation of the Long Term Financial Plan will occur at the OCM September 29 2022

13 Feb 2023 - 3:34 PM - Sarah Smith

Action reassigned to Clarkson, Tamara by: Smith, Sarah for the reason: Alan Thornton no longer at SDWK

Meeting	Officer/Director	Section	Subject
Audit Committee 24/03/2022	Clarkson, Tamara Dexter, Amanda	Matters for which the Meeting May Be Closed (Confidential)	Kimberley Mineral Sands - Debt Write-Off

COMMITTEE RESOLUTION AC28/22

Moved: Cr Peter McCumstie

Seconded: Cr Keith Bedford

That the Audit Committee recommends that Council, conditional on a new sub-lease being executed by the Shire and the Kimberley Mineral Sands group:

- 1. Writes off the insurance contribution claim made upon the Derby Port lessee's, Thunderbird Operations Pty Ltd and Sheffield Resources Limited (of \$172,958.16); and**
- 2. Notes that insurance contributions by the lessee will apply (as per the lease's new position) from 1 January 2022.**

In Favour: Crs Keith Bedford, Peter McCumstie and Andrew Twaddle

Against: Nil

CARRIED 3/0 BY ABSOLUTE MAJORITY

3 May 2022 - 2:11 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 7 Apr 2022 To: 26 May 2022

Reason: Lease negotiations ongoing, with report hoped to be presented to the 26 May 2022 Council Meeting.

3 Jun 2022 - 10:29 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 26 May 2022 To: 30 Jun 2022

Reason: Updated decision as per 26 May Council Meeting. Debt can be written off on execution of revised lease documentation.

4 Jul 2022 - 9:31 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Jun 2022 To: 30 Sep 2022

Reason: Subject to new 28 July Council Meeting decision and lease being executed.

7 Sep 2022 - 8:39 AM - Neil Hartley

Action reassigned to Thornton, Alan by: Hartley, Neil for the reason: New lease agreement execution progressing. Debt to be written off through the normal accounting process once executed lease documents finalised.

13 Feb 2023 - 3:34 PM - Sarah Smith

Action reassigned to Clarkson, Tamara by: Smith, Sarah for the reason: Alan Thornton no longer at SDWK

Meeting	Officer/Director	Section	Subject
Audit Committee 23/06/2022	Mildenhall, Christie Dexter, Amanda	Reports	LGIS / Royal Life-saving WA Safety Assessment and Improvement Audit
COMMITTEE RESOLUTION AC54/22			
Moved: Cr Peter McCumstie			
Seconded: Cr Geoff Haerewa			
That the Audit Committee;			

- 1. Receives the information contained in the report detailing the Royal Life-Saving Safety Assessment and Improvement Plan.**
- 2. Notes the proposed Action Plan as outlined in Attachment 2 to address the issues identified in the Royal Life-Saving WA Safety Assessment and Improvement Plan.**

In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 5/0

18 Aug 2022 - 8:12 AM - Christie Mildenhall

Feedback provided to Royal Lifesaving on some aspects of the report as per process. Final report has been provided with our total audit score increasing from 88.04% to 90.22% (90% is target mark).

18 Aug 2022 - 3:22 PM - Christie Mildenhall

15 of 32 identified actions now completed.

1 Nov 2022 - 10:42 AM - Christie Mildenhall

26/32 items completed.

16 Mar 2023 - 11:28 AM - Christie Mildenhall

Four actions remain outstanding, two of which are underway.

Since last update major risk identified relating to the chlorine gas system has been addressed and rectified. The other significant risk relating to the equipotential bonding has been addressed, with the certification required scheduled for next week.

Meeting	Officer/Director	Section	Subject
Council 29/06/2022	Hartley, Neil Dexter, Amanda	Executive Services	WA Grants Commission Submission - Change of Distribution Methodology
RESOLUTION 75/22			
Moved: Cr Paul White			
Seconded: Cr Peter McCumstie			
That Council:			
<ol style="list-style-type: none"> 1. Endorse the draft WA Grants Commission submission; 2. Supports the principal that the Shire and the Kimberley Region would benefit from other Kimberley local governments also having input and lodging complimentary submissions to the Grants Commission, and requires that the CEO refer the submission to the Kimberley Regional Group for its input and support; and 3. Authorises the CEO to modify the report following any feedback from the Kimberley Regional Group's members, and subsequent to that, forward the finalised submission to the Grants Commission for its consideration. 			

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

12 Aug 2022 - 11:20 AM - Amanda Dexter

Revised Target Date changed by: Dexter, Amanda From: 13 Jul 2022 To: 30 Sep 2022

Reason: The Submission has been circulated to the KRG CEO's and Councils for their review and any recommendation and ultimate endorsement, prior to sending through to the Commission.

7 Sep 2022 - 8:29 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Sep 2022 To: 30 Jun 2023

Reason: Submission forwarded to Grants Commission. Assessment by Commission is expected to be concluded prior to the notification of the 2023/24 grant allocations.

6 Feb 2023 - 8:28 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Jun 2023 To: 30 Jun 2023

Reason: Awaiting communications with Grants Commission. Assessment by Commission is expected to be concluded prior to the notification of the 2023/24 grant allocations.

7 Mar 2023 - 2:45 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Jun 2023 To: 30 Jun 2024

Reason: State Government has delayed appointment of Grants Commission members, so still awaiting fromal communications. Assessment by Commission is not now expected until after 2023/24 grant allocations have been announced. Minor possibility of some "financial acknowledgement" in 2023/24 grants.

Meeting	Officer/Director	Section	Subject
Council 25/08/2022	Neate, Wayne Dexter, Amanda	Technical Services	REQUEST TO CLOSE HOLLAND STREET, DERBY AND TO AMALGAMATE WITH ADJOINING LAND
RESOLUTION 110/22			
Moved: Cr Andrew Twaddle			
Seconded: Cr 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 <i>Land Administration Act 1978</i> 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: Crs Geoff Davis, Andrew Twaddle, Rowena Mouda, Pat Riley, Linda Evans and Peter McCumstie

Against: Nil

CARRIED 6/0

3 Nov 2022 - 4:38 PM - Wayne Neate

Revised Target Date changed by: Neate, Wayne From: 8 Sep 2022 To: 30 Jan 2023

Reason: All letters agreeing to indemnify Shire have been recieved from all property Owners. Currently advertising proposal and will await outcome of advertising.

Meeting	Officer/Director	Section	Subject
Council 27/10/2022	Hartley, Neil Dexter, Amanda	Executive Services	Fitzroy Crossing Swimming Pool - Lease Extension
RESOLUTION 134/22			
Moved: Cr Linda Evans			
Seconded: Cr Rowena Mouda			
That Council:			
1. Notes that the current lease to the WA State Government is in “holding over” and that the Fitzroy Crossing Swimming Pool provides a valuable service to the Fitzroy Crossing community at an affordable cost to the Shire; and			
2. Instructs the CEO to provide a letter of extension of the existing lease to the WA State Government on the same terms and conditions, for up to 10+10 years.			
<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Rowena Mouda, Linda Evans and Peter McCumstie			
<u>Against:</u> Nil			
CARRIED 7/0			
17 Nov 2022 - 12:12 PM - Neil Hartley			
Revised Target Date changed by: Hartley, Neil From: 10 Nov 2022 To: 31 Dec 2022			
Reason: Draft letter of extension for the existing lease has been forwarded to the State Government. Awaiting a response.			
6 Feb 2023 - 8:06 AM - Neil Hartley			
Revised Target Date changed by: Hartley, Neil From: 31 Dec 2022 To: 31 Mar 2023			
Reason: Department of Education has informally agreed to the extension. Awaiting its advice as to how best to formalise that matter.			

7 Mar 2023 - 2:48 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 31 Mar 2023 To: 30 Apr 2023

Reason: Original Lease did not have Minister's Endorsement so cannot be extended. Likely we will need to initiate an entirely new lease. Awaiting a position from the Department of Housing.

Meeting	Officer/Director	Section	Subject
Council 27/10/2022	Hartley, Neil Dexter, Amanda	Executive Services	Derby Port Masterplan (Draft for Stakeholder Consultation)
RESOLUTION 135/22 Moved: Cr Peter McCumstie Seconded: Cr Linda Evans That Council: <ol style="list-style-type: none"> Endorse the attached draft Derby Port Masterplan for the purposes of Stakeholder consultation; Endorse the attached stakeholder consultation process and require the CEO to facilitate its implementation; Notes that a "save the date" email has already been distributed to Derby Port Stakeholders; and Requires that the CEO reports back to Council with a final draft of the Derby Port Masterplan by June 2023, to enable any relevant components to be referred on for 2023/24 budget consideration. <p><u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Rowena Mouda, Linda Evans and Peter McCumstie</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED 7/0</p>			
<p>17 Nov 2022 - 11:00 AM - Neil Hartley</p> <p>Revised Target Date changed by: Hartley, Neil From: 10 Nov 2022 To: 28 Feb 2023</p> <p>Reason: Stakeholder consultation process continuing with the deadline for stakeholder input closing on 28 February 2023.</p> <p>7 Mar 2023 - 2:41 PM - Neil Hartley</p> <p>Revised Target Date changed by: Hartley, Neil From: 28 Feb 2023 To: 31 Mar 2023</p> <p>Reason: Masterplan ready for consultation with Councillors at March and April Councillors' Forums (with the view of a Council Report in May or June 2023).</p>			
Meeting	Officer/Director	Section	Subject
Audit Committee 20/10/2022	Clarkson, Tamara Dexter, Amanda	Reports	Annual Financial Report 2020-2021
COMMITTEE RESOLUTION AC99/22			

Moved: Cr Peter McCumstie

Seconded: Cr Geoff Haerewa

That the Audit Committee recommends that Council BY AN ABSOLUTE MAJORITY:

- 1. Adopts the Audited 2020-2021 Annual Financial Statements;**
- 2. Notes that the Independent Audit Report is to be included as the final page of the Annual Financial Statements; and**
- 3. Notes the response from management to the items raised in the Auditor's Management Letters.**

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

13 Feb 2023 - 3:34 PM - Sarah Smith

Action reassigned to Clarkson, Tamara by: Smith, Sarah for the reason: Alan Thornton no longer at SDWK

Meeting	Officer/Director	Section	Subject
Audit Committee 17/11/2022	Gloor, Aaron Dexter, Amanda	Matters for which the Meeting May Be Closed (Confi	Aboriginal Communities - Waste & ESL Debt Write-Off
COMMITTEE RESOLUTION AC116/22			
Moved: Cr Geoff Haerewa			
Seconded: Cr Peter McCumstie			
That the Audit Committee Recommends to Council:			
1. Writes off the waste, ESL, legal and interest charges on each assessment totalling \$68,597.76.			
<u>In Favour:</u> Crs Geoff Haerewa, Peter McCumstie and Andrew Twaddle			
<u>Against:</u> Nil			
CARRIED 3/0 BY ABSOLUTE MAJORITY			

Meeting	Officer/Director	Section	Subject
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Council 24/11/2022

Hartley, Neil
Dexter, Amanda

Executive Services

Derby Port - Leasing of Jetty Areas 2 and 3 to MPA Fish Farms Pty Ltd

RESOLUTION 151/22**Moved: Cr Geoff Davis****Seconded: Cr Peter McCumstie****That Council;**

- 1. Authorise the commencement of the process of disposition of property in accordance with Section 3.58 of the Local Government Act by giving local public notice of its intention to lease area 3 and 2 of the Derby Jetty Goods Shed at the Derby Port, to MPA Fish Farms Pty Ltd;**
- 2. Subject to no objections being received by the close of the submission period, Council authorise the Chief Executive Officer to negotiate a lease which will include the following;**
 - i) Lease Areas 2 and 3 of the Goods Shed;**
 - ii) Period to be from 1 July 2023 for a two year term, but to be extendible in two year increments at the Shire's sole discretion, with the ultimate term being no longer than to the period to 29 June 2040 when the Head Lease expires (noting that the Lessee may wish to propose an end term earlier than 29 June 2029);**
 - iii) Lessee to pay for all costs associated with preparing the lease including but not limited to legal, advertising and survey fees;**
 - iv) Rental fee to commence at:**
 - a. Area 2 - \$32,130pa(+GST); and**
 - b. Area 3 - \$16,300pa(+GST);**
 - v) Additional Conditions: to be consistent with the existing Head Lease; to require Head Lessor endorsement; to incorporate any operational or other restrictions that result from the Kimberley Mineral Sands Lease; that normal commercial conditions for a port type lease are to apply; and to be consistent with Council Policy (ES2) Establishment of Commercial Leases; and**
- 3. Notes that the lease will be executed and the common seal affixed in accordance with Delegation 1.1.33 (Applying Common Seal).**

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Pat Riley and Peter McCumstieAgainst: Nil**CARRIED 6/0**

5 Dec 2022 - 2:11 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 8 Dec 2022 To: 31 Mar 2023

Reason: No submissions received from consultation advertising.

Lessee has agreed to new lease fee (as per Valuation).

Lease documentation under preparation.

6 Feb 2023 - 8:04 AM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 31 Mar 2023 To: 30 Apr 2023

Reason: No submissions received from consultation advertising.

Lessee has agreed to new lease fee (as per Valuation).

Lease documentation under preparation.

7 Mar 2023 - 2:42 PM - Neil Hartley

Revised Target Date changed by: Hartley, Neil From: 30 Apr 2023 To: 30 Apr 2023

Reason: Draft lease prepared. Change of Company Ownership also being progressed, but should still meet expected timeline.

Meeting	Officer/Director	Section	Subject
Council 24/11/2022	Neate, Wayne Dexter, Amanda	Development Services	Making the New Parking Local Law 2022
RESOLUTION 153/22			
Moved: Cr Andrew Twaddle			
Seconded: Cr Peter McCumstie			
That Council In accordance with section 3.12(4) of the Local Government Act 1995, make the Parking Local Law 2022:			
1. Instruct officers In accordance with section 3.12(5) of the Local Government Act 1995 to publish the Parking Local Law 2022 in the <i>Government Gazette</i> ;			
2. Instruct officers In accordance with section 3.12(5) of the Local Government Act 1995 to write to the Minister for Local Government in accordance with the Department of Local Government requirements and;			
3. In accordance with sections 3.12(6) of the Local Government Act 1995 after its publication in the <i>Government Gazette</i> , local public notice be given;			
a) stating the title of the Parking Local Law 2022;			
b) summarizing the purpose and effect of the Parking Local Law 2022 (specifying the day on which it comes into operation); and			
c) advising that the Parking Local Law 2022 is published on the Shire's official website and provide copies of the Local Law at the Shire offices for inspection or for the public to obtain a copy.			
<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Pat Riley and Peter McCumstie			
<u>Against:</u> Nil			

CARRIED 6/0

Meeting	Officer/Director	Section	Subject
Council 24/11/2022	Edwards, Shane Martin, Stuart	Community and Recreation Services	Garnduwa User Agreement - Fitzroy Crossing Gym
RESOLUTION 154/22			
Moved: Cr Paul White			
Seconded: Cr Peter McCumstie			
That Council			
1. Endorses the 2022/23 Garnduwa Amboorny Wirnan Aboriginal Corporation User Agreement as provided in Attachment 1;			
2. Approves the user agreement fees for the gymnasium area of the Fitzroy Crossing Recreation Centre to be included into the Schedule of Fees and Charges;			
3. Require Garnduwa Amboorny Wirnan Aboriginal Corporation to undertake a deep clean of the space prior to installing new equipment; and			
4. Approves the advertisement of the intention to impose the fee as required in Section 6.19 to the <i>Local Government Act 1995</i> .			
<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Pat Riley and Peter McCumstie			
<u>Against:</u> Nil			
CARRIED 6/0 BY ABSOLUTE MAJORITY			

Meeting	Officer/Director	Section	Subject
Council 24/11/2022	Edwards, Shane Martin, Stuart	Matters for which the Meeting May Be Closed (Confidential)	Nominations - Community Citizen of the Year Awards 2023
RESOLUTION 155/22			
Moved: Cr Paul White			
Seconded: Cr Andrew Twaddle			

That Council

1. **Determines Nominee B as the recipient of the 2023 Community Citizen of the Year for the Shire of Derby / West Kimberley.**
2. **Determines Nominee C as the recipient of the 2023 Senior Community Citizen of the Year for the Shire of Derby / West Kimberley.**
3. **Determines Nominee B as the recipient of the 2023 Youth Community Citizen of the Year for the Shire of Derby / West Kimberley.**
4. **Determines the Nominee A as the recipient of the 2023 Active Citizenship Award for the Shire of Derby / West Kimberley.**

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Pat Riley and Peter McCumstie

Against: Nil

CARRIED 6/0

Meeting	Officer/Director	Section	Subject
Council 24/11/2022	Dexter, Amanda Dexter, Amanda	Amendment	Amendment - FITZROY CROSSING ADMINISTRATION CENTRE - UNSAFE WORK ENVIRONMENT
RESOLUTION 150/22			
Moved: Cr Paul White			
Seconded: Cr Andrew Twaddle			
This recommendation was changed and workshopped by Council at the 24 November 2022 Ordinary Council Meeting and is now put for consideration.			
That Council:			
<ol style="list-style-type: none"> 1. Express its appreciation to the Shire's Fitzroy Crossing staff for endeavouring to maintain a workable service to the Fitzroy Crossing community, notwithstanding the extremely difficult circumstances that presently prevails in that location, and express its empathy to staff and their families for any physical and psychological violence or stress suffered by them as a direct consequence of elevated violence within the Fitzroy Crossing community; Council accepts that it needs to take appropriate actions to protect its employees; 2. The actions of the Chief Executive Officer to immediately close the Fitzroy Crossing Administration & Visitors Centre to the public are to remain in place, until such time that a safe work environment consistent with the expectations of the Work Health and Safety Act 2020 can be provided for the Shire's staff; 3. Notes that in regard to (2), the Shire's customer services will be provided by appointment, other arrangement or via remote access where that is 			

available;

4. Notes that the WA State Government has a direct responsibility through the WA Police force's Policing Pillars to maintain a safe environment in Fitzroy Crossing, the Shire considers the situation in Fitzroy Crossing to be akin to an "Emergency Situation" and therefore requires WA Police to more satisfactorily meet those responsibilities, particularly the following key pillars not being maintained to date:

- (a) Pillar #1 - Enforce the Law; and
- (b) Pillar #2 - Prevent Crime;
- (c) Pillar #3 - Manage and Coordinate Emergencies - Coordinate multi-agency approaches to manage emergencies.

5. Authorises an immediate emergency 2022/23 budget allocation for the purpose of improving security and community/employee safety at the Shire's Fitzroy Crossing Administration, Library and Visitors Centre Building and its surrounds, and at Shire owned employee homes in Fitzroy Crossing in the immediate term as per the CEO's delegated authority. Funds to be allocated at the Chief Executive Officer's discretion so as to maximise safety but in a suitably cost conscious manner, reported monthly to council;

6. Requires the President and CEO to immediately and actively engage with the WA State Government Agencies to:

- (a) secure additional Police and other government resources for Fitzroy Crossing;
- (b) secure State Government grant funds to meet the costs outlined in (5); and
- (c) secure the necessary State (and Federal) Government services to address the existing issues within Fitzroy Crossing and to have those services remain until community concerns are addressed to meet community expectations;

7. Requires that the President and the CEO actively engage the media in all of its forms and across the widest practical levels, to draw to the attention of Fitzroy Crossing stakeholders that the Council is actively engaging in strategic discussions, taking direct action where it can, and redirecting its limited resource capacities to addressing the situation. Also, to highlight the Shire is actively engaging with the WA State Government to directly assist with addressing the issues within Fitzroy Crossing; and

8. Requires that the President and CEO arrange for suitable public consultation to occur in the district, to invite contributions from relevant stakeholders, particularly the local community and government agencies.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Pat Riley and Peter McCumstie

Against: Nil

CARRIED 6/0

RESOLUTION 150/22**Moved: Cr Paul White****Seconded: Cr Andrew Twaddle**

This recommendation was changed and workshopped by Council at the 24 November 2022 Ordinary Council Meeting and is now put for consideration.

That Council:

- 1. Express its appreciation to the Shire's Fitzroy Crossing staff for endeavouring to maintain a workable service to the Fitzroy Crossing community, notwithstanding the extremely difficult circumstances that presently prevails in that location, and express its empathy to staff and their families for any physical and psychological violence or stress suffered by them as a direct consequence of elevated violence within the Fitzroy Crossing community; Council accepts that it needs to take appropriate actions to protect its employees;**
- 2. The actions of the Chief Executive Officer to immediately close the Fitzroy Crossing Administration & Visitors Centre to the public are to remain in place, until such time that a safe work environment consistent with the expectations of the Work Health and Safety Act 2020 can be provided for the Shire's staff;**
- 3. Notes that in regard to (2), the Shire's customer services will be provided by appointment, other arrangement or via remote access where that is available;**
- 4. Notes that the WA State Government has a direct responsibility through the WA Police force's Policing Pillars to maintain a safe environment in Fitzroy Crossing, the Shire considers the situation in Fitzroy Crossing to be akin to an "Emergency Situation" and therefore requires WA Police to more satisfactorily meet those responsibilities, particularly the following key pillars not being maintained to date:**
 - (a) Pillar #1 - Enforce the Law; and**
 - (b) Pillar #2 - Prevent Crime;**
 - (c) Pillar #3 - Manage and Coordinate Emergencies - Coordinate multi-agency approaches to manage emergencies.**
- 5. Authorises an immediate emergency 2022/23 budget allocation for the purpose of improving security and community/employee safety at the Shire's Fitzroy Crossing Administration, Library and Visitors Centre Building and its surrounds, and at Shire owned employee homes in Fitzroy Crossing in the immediate term as per the CEO's delegated authority. Funds to be allocated at the Chief Executive Officer's discretion so as to maximise safety but in a suitably cost conscious manner, reported monthly to council;**
- 6. Requires the President and CEO to immediately and actively engage with the WA State Government Agencies to:**
 - (a) secure additional Police and other government resources for Fitzroy Crossing;**

- (b) secure State Government grant funds to meet the costs outlined in (5); and
- (c) secure the necessary State (and Federal) Government services to address the existing issues within Fitzroy Crossing and to have those services remain until community concerns are addressed to meet community expectations;

7. Requires that the President and the CEO actively engage the media in all of its forms and across the widest practical levels, to draw to the attention of Fitzroy Crossing stakeholders that the Council is actively engaging in strategic discussions, taking direct action where it can, and redirecting its limited resource capacities to addressing the situation. Also, to highlight the Shire is actively engaging with the WA State Government to directly assist with addressing the issues within Fitzroy Crossing; and

8. Requires that the President and CEO arrange for suitable public consultation to occur in the district, to invite contributions from relevant stakeholders, particularly the local community and government agencies.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Pat Riley and Peter McCumstie

Against: Nil

CARRIED 6/0

Meeting	Officer/Director	Section	Subject
Council 8/12/2022	Millar, Paris Dexter, Amanda	Community and Recreation Services	Child Safe Organisations Action Plan
RESOLUTION 161/22			
Moved: Cr Andrew Twaddle			
Seconded: Cr Pat Riley			
That Council:			
1. Notes the findings of the <i>National Principles for Child Safe Organisations WA: Self-assessment and review tool</i> provided as Attachment 1; and			
2. Adopts the Shire of Derby / West Kimberley Child Safe Organisation Action Plan (Attachment 2) as a mechanism to work towards addressing gaps and risks within the organisation.			
<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Rowena Mouda, Pat Riley, Keith Bedford and Peter McCumstie			

Against: Nil

CARRIED 8/0

Meeting	Officer/Director	Section	Subject
Council 8/12/2022	Neate, Wayne Dexter, Amanda	Matters for which the Meeting May Be Closed (Confi	Awarding of Tender 6-2022 Kerbside Collection of Waste and Management of Landfill sites
RESOLUTION 163/22			
Moved: Cr Geoff Davis			
Seconded: Cr Andrew Twaddle			
That Council:			
<ol style="list-style-type: none"> 1. Awards the of Tender 6-2022 to Cleanaway Industrial solutions “Alternative proposal” for the Kerbside Collection of waste and Landfill Management subject to the negotiations with the Chief Executive Officer; 2. Notes the legal advice received on the contract as submitted by Civic Legal; 3. Delegate Authority the Chief Executive Officer to; <ol style="list-style-type: none"> (a) Negotiate the best possible position for the Shire relative to the proposed contract and in light of the legal advice received; and (b) Explore with Cleanaway any modifications that might be possible within the proposed “alternative” tender submitted, with the view to locating any cost reductions achievable (even if those reductions result in service level reductions); 4. Instruct the Chief Executive Officer to provide advice to Council no later than the February 2024 Ordinary Council Meeting, inclusive of: <ol style="list-style-type: none"> (a) Any modifications to the service levels outlined in Tender 6-2022 with any significant changes bought before Council as soon as practicable; (b) Any modifications to the proposed contract as submitted by Cleanaway; and (c) Budgeting options to accommodate any added costs beyond the existing 2022/23 contract rate (which would be considered as part of the Councillor workshop program for the 2023/24 budget). 			
<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Rowena Mouda, Pat Riley, Keith Bedford and Peter McCumstie.			
<u>Against:</u> Nil			

CARRIED 8/0

Meeting	Officer/Director	Section	Subject
Audit Committee 8/12/2022	Clarkson, Tamara Dexter, Amanda	Reports	Endorsement of the Asset Management Plans and Long-Term Financial Plan
COMMITTEE RESOLUTION AC125/22			
Moved: Cr Peter McCumstie			
Seconded: Cr Keith Bedford			
That the Audit Committee recommends that Council:			
1. Adopt the Asset Management Plans 2023-2042 and the Long Term Financial Plan 2024 to 2038.			
<u>In Favour:</u> Crs Geoff Haerewa, Keith Bedford, Peter McCumstie, Pat Riley and Andrew Twaddle			
<u>Against:</u> Nil			
CARRIED 5/0 BY ABSOLUTE MAJORITY			
<i>13 Feb 2023 - 3:34 PM - Sarah Smith</i>			
Action reassigned to Clarkson, Tamara by: Smith, Sarah for the reason: Alan Thornton no longer at SDWK			

Meeting	Officer/Director	Section	Subject
Audit Committee 16/02/2023	Clarkson, Tamara Dexter, Amanda	Reports	2022-23 MID-YEAR BUDGET REVIEW
COMMITTEE RESOLUTION AC08/23			
Moved: Cr Geoff Haerewa			
Seconded: Cr Peter McCumstie			
That the Audit Committee recommend that Council			
1. Accept the 2022-23 Mid-Year Budget Review, forming attachments 1 in accordance with regulation 33A of the <i>Local Government (Financial Management) Regulations 1996</i>;			
2. Forward a copy of the Council resolution and attachments to the Department of Local			

Government, Sport and Cultural Industries.

In Favour: Crs Geoff Haerewa, Peter McCumstie and Andrew Twaddle

Against: Nil

CARRIED 3/0 BY ABSOLUTE MAJORITY

Meeting	Officer/Director	Section	Subject
Audit Committee 16/02/2023	Bone, Jamie Dexter, Amanda	Reports	Compliance Audit Return - 2022
THE ITEM WAS NOT FOUND (BOOKMARK: PDF2_ReportName_11038) CHECK THE INTEGRITY OF THE ITEM IN THE MINUTES DOCUMENT			
DOCUMENT: \\SDWK-APP02\INFOCOUNCIL\DOCUMENTS\COMMITTEES\MINUTES\AC_20230216_MIN_2258_AT.DOCX Resolution not found			

Meeting	Officer/Director	Section	Subject
Audit Committee 16/02/2023	Gloor, Aaron Dexter, Amanda	Matters for which the Meeting May Be Closed (Confi	Dead Tenements Debt Write-Off
COMMITTEE RESOLUTION AC19/23			
Moved: Cr Peter McCumstie			
Seconded: Cr Geoff Haerewa			
That the Audit Committee Recommends that Council			
1. Writes off the balance of rates, charges and penalty interest levied and accrued on dead mining tenements;			
Assess No	Total Balance	Lot No	
A900350	\$20,548.83	E80/4066	
A900298	\$8,110.83	E04/1771	
A900800	\$7,423.36	E04/2177	

A900297 \$1,994.26 PEP04/464

A803630 \$1,399.58 M04/202

A900431 \$614.61 E04/1937

\$40,091.47

In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY

Meeting	Officer/Director	Section	Subject
Audit Committee 16/02/2023	Gloor, Aaron Dexter, Amanda	Matters for which the Meeting May Be Closed (Confi	Aboriginal Communities - Rates Write-off and exemption
COMMITTEE RESOLUTION AC20/23			
Moved: Cr Geoff Haerewa			
Seconded: Cr Peter McCumstie			
That the Audit Committee recommend that Council			
1. Impairs the ESL, legal, Rates & interest charges on A600276, A900616, A600153 & A300605 totalling \$198,524.44			
2. Approves the conversion of A600276, A600153 & A300605 to Non-Rateable/Exempt – UV			
3. Upholds and re-endorses Councils decision 059/2017 to convert A900616 to Non-Rateable/Exempt – UV			
<u>In Favour:</u> Crs Geoff Haerewa, Keith Bedford, Peter McCumstie and Andrew Twaddle			
<u>Against:</u> Nil			
CARRIED 4/0 BY ABSOLUTE MAJORITY			

Meeting	Officer/Director	Section	Subject
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Audit Committee 16/02/2023	Gloor, Aaron	Matters for which the Meeting May Be Closed (Confi	Local Government Act (LGA) Sales - Rates Debt 3+ Years
	Dexter, Amanda		

COMMITTEE RESOLUTION AC21/23**Moved: Cr Geoff Haerewa****Seconded: Cr Keith Bedford****That the Audit Committee recommends that Council:****1. Approve the commencement of LGA sale proceedings against the following properties;****A100000, A100760, A101040, A103320, A103950, A105880, A900275, A108150, A108151, A108152, A108153**In Favour: Crs Geoff Haerewa, Keith Bedford, Peter McCumstie and Andrew TwaddleAgainst: Nil**CARRIED 4/0**

Meeting	Officer/Director	Section	Subject
Audit Committee 16/02/2023	Gloor, Aaron Dexter, Amanda	Matters for which the Meeting May Be Closed (Confi	Looma Community - Rates Write-off and Refund
COMMITTEE RESOLUTION AC22/23			
Moved: Cr Geoff Haerewa			
Seconded: Cr Peter McCumstie			
That the Audit Committee recommend that Council			
1. Impairs the ESL, Rates & interest charges outstanding on the community of \$18,440.36.			
2. Declines the request to refund rates and ESL charges (\$44,683.01) already paid prior to the 12/13 FY.			
<u>In Favour:</u> Crs Geoff Haerewa, Keith Bedford, Peter McCumstie and Andrew Twaddle			
<u>Against:</u> Nil			

CARRIED 4/0 BY ABSOLUTE MAJORITY

Meeting	Officer/Director	Section	Subject
Council 23/02/2023	Millar, Paris Dexter, Amanda	Community and Recreation Services	Derby Landcare Group Memorandum of Understanding
RESOLUTION 08/23			
Moved: Cr Andrew Twaddle			
Seconded: Cr Keith Bedford			
That Council:			
Endorse the proposed Memorandum of Understanding between the Shire of Derby/West Kimberley and Derby Landcare Group.			
<u>In Favour:</u> Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Pat Riley, Keith Bedford and Peter McCumstie			
<u>Against:</u> Nil			
CARRIED 6/0			

Meeting	Officer/Director	Section	Subject
Council 23/02/2023	Neshoda, Megan Dexter, Amanda	Community and Recreation Services	User Agreement - Garnduwa Amboorny Wirnan Aboriginal Corporation - Fitzroy Crossing undercover courts and canteen
RESOLUTION 09/23			
Moved: Cr Peter McCumstie			
Seconded: Cr Keith Bedford			
That Council			
1. Authorises the CEO to enter into a User Agreement with Garnduwa Amboorny Wirnan Aboriginal Corporation for the use of the Fitzroy Crossing undercover courts, kiosk and one (1) storage cage for two hours per day, five (5) days per week, noting the standard facility User Agreement is currently under review and may be an amended version of the agreement provided as Attachment 1.			

2. Endorses a fee of \$937.50 be charged to Garnduwa Amboorny Wirnan Aboriginal Corporation for the use of the undercover courts, kiosk and one (1) storage cage for a twelve month period.

In Favour: Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Pat Riley, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 6/0 BY ABSOLUTE MAJORITY

Meeting	Officer/Director	Section	Subject
Council 23/02/2023	Neshoda, Megan Dexter, Amanda	Community and Recreation Services	Community Development Grants Assessment
RESOLUTION 10/23			
Moved: Cr Peter McCumstie			
Seconded: Cr Andrew Twaddle			
That Council:			
1. APPROVES Derby Media Aboriginal Corporation (6DBY) funding request of \$5,000 (ex GST) for the Larrkardi Session project.			
2. APPROVES Guruama Yani U Inc. funding request of \$3,682.94 (ex GST) for the Preseason Training project.			
3. DECLINES Pandanus Park Aboriginal Corporation funding request of \$5,000 (ex GST) for the Prevention project.			
<u>In Favour:</u> Crs Geoff Haerewa, Geoff Davis, Andrew Twaddle, Pat Riley, Keith Bedford and Peter McCumstie			
<u>Against:</u> Nil			
CARRIED 6/0			

7.3 EX TROPICAL CYCLONE ELLIE IMPACTS - MODIFICATIONS OF A TEMPORARY NATURE TO PURCHASING POLICY AND CEO DELEGATION

File Number: 4160

Author: Neil Hartley, Director - Strategic Business

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Executive

SUMMARY

Ex Tropical Cyclone Ellie has placed added demands on the Shire, one of them being to expedite the purchasing of goods and services so that the district's recovery from the cyclone can be achieved as soon as possible.

This report proposes to make a change of a temporarily nature, the existing CEO delegation as it relates to purchasing, and the existing purchasing policy, to ensure that goods and services are procured in the quickest and most responsible manner possible.

DISCLOSURE OF ANY INTEREST

Nil applicable by author.

BACKGROUND

Ex Tropical Cyclone Ellie has devastated parts of the district, and had a significant impact on Fitzroy Crossing in particular. It was proclaimed an eligible disaster under the Disaster Recovery Funding Arrangements WA, on 5 January 2023. Australian Government Reference Number 1044 (AGRN1044) was allocated to the event. "AGRN1044" has placed added demands on the Shire, one of them being to expedite the purchasing of goods and services so that the district's recovery from the cyclone can be achieved as soon as possible.

At the Special Council Meeting of 27 January 2023, Council considered the matter of emergency purchasing requirements to accommodate anticipated purchasing demands upon the organisation resultant from Ex Tropical Cyclone Ellie. At that meeting, emergency purchasing authority pursuant to s6.8(1) (c) of the Local Government Act 1995 was provided. The organisation is now needing to promptly initiate the provision of services and goods "on the ground" and seeks to expedite that purchasing process by temporarily extending the CEO's delegated purchasing limit to \$600,000 (up from \$250,000) for Ex Tropical Cyclone Ellie related purchases (following which the Shire's purchasing program should return to a more "normal" level).

The proposal is to initiate a change of a temporary nature, to the Shire's Policy AF1 (Procurement of Goods and Services) and also to Delegation 1.1.18 (Tenders for Goods and Services) as follows, to accommodate expedient Ex Tropical Cyclone Ellie purchasing requirements:

1. (F1) PROCUREMENT OF GOODS AND SERVICES

Modify part 5 Authorised Officers, by adding an additional authorisation level, authorising the Chief Executive Officer to sign official purchase orders and requisition Goods and services on behalf of Council, but only for the period limited period that purchasing relates to Ex Tropical Cyclone Ellie:

Limit	Officer
\$600,000	Chief Executive Officer (for purchases relevant to Ex Tropical Cyclone Ellie only)
\$250,000	Chief Executive Officer

Add the following new provision (as point #7) to the Policy:

7. AGRN 1044 – Ex-Tropical Cyclone Ellie (2023 Fitzroy Crossing Floods)

Procurement for goods or services under \$250,000 which are required as a result of Ex-Tropical Cyclone Ellie (AGRN1044) may be exempt from relevant quotation requirements where it can be demonstrated via the Shire's Requisition Form that:

The district's commercial and its Aboriginal businesses can provide the quotation, and the goods or services:

1. As a registered business;
2. Within the agreed timeframe and to the required standard;
3. At an acceptable and reasonable cost;
4. With a suitably high level of community engagement and employment;
5. That businesses local to firstly Fitzroy Crossing, then secondly Derby, have been given the opportunity to provide a quotation;
6. Where there is more than one local supplier, the procurement of goods and/or services must be shared amongst those suppliers, conditional on each provider supplying the goods/services:
 - within the agreed timeframe and to the standard required;
 - At an acceptable and reasonable cost; and
 - With a suitably high level of community engagement and employment.

At least one quote must be obtained, but where adequate time is available to do so, two is preferable. Suitable levels of specification for the purchase must also be supplied by Shire, or obtained from the provider. Purchasing authority limits apply as for *business as usual* procurement.

This provision is intended to be in place for the period of dealing with the impacts of ex Tropical Cyclone Ellie, or until otherwise modified by Council decision.

2. DELEGATION 1.1.18 (TENDERS FOR GOODS AND SERVICES – ACCEPTING AND REJECTING TENDERS; VARYING CONTRACTS; EXERCISING CONTRACT EXTENSION OPTIONS)

Modify the Conditions section of the delegation as follows:

- b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where:
 - i. The original tender accepted by Council decision has not been able to be finalised into a contract (with the exception of purchases relevant to addressing the impacts of Ex Tropical Cyclone Ellie, where the CEO may accept original or replacement tenders

up to a maximum of \$600,000, consistent with Council Policy F1 - Procurement of Goods and Services).

STATUTORY ENVIRONMENT

Local Government Act S2.7 (Role of council) outlines that Council is to (amongst other things) “determine the local government’s policies”.

Local Government Act S5.42 (Delegation of some powers and duties to CEO) provides for a Council to delegate* to the CEO, the exercise its Local Government Act powers or the discharge of any of its duties.

* Absolute majority required.

Local Government Act S5.43 (Limits on delegations to CEO) outlines the limits/conditions relevant CEO delegations. There are several, but the limitation relevant to this report is that a CEO may only accept a tender up to the value determined by Council.

POLICY IMPLICATIONS

Policy AF1 Procurement of Goods and Services, and Delegation 1.1.18 (Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options) are both proposed to be modified to facilitate temporary improvements to purchasing during the recovery period of Ex Tropical Cyclone Ellie.

FINANCIAL IMPLICATIONS

Whilst the needs of the district have expanded since Ex Tropical Cyclone Ellie, this proposal for extended purchasing delegation will not impact upon expenditure levels for Ex Tropical Cyclone Ellie projects. There will however likely be an impact on cash flow, as a more expedient purchasing process will likely lead to funds being expended more quickly than would otherwise have been the case.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.2 Provide strong governance
2. Community	2.1 Safe Communities	2.1.4 Manage and respond to emergency situations

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Organisation's Operations: Not allowing the delegation will result in delays to service delivery or alternatively require the scheduling	Almost Certain	Major	Extreme	Enable the delegation, with suitable conditions.

of Special Council Meetings to authorise those purchases.				
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CONSULTATION

Community consultation is not required on this occasion.

COMMENT

All local governments have purchasing policies and delegations in place to enable the business of their local government to be undertaken as expediently as is reasonably possible. The use of delegation is specifically designed to facilitate the prompt decision making of a local government, and improve timeliness for the delivery of services.

The Shire of Derby/West Kimberley has numerous delegations in place, which have been used by the organisation to achieve the above goals. Appropriate management, culture, and processes have provided a strong governance framework around the use of delegation in the past, and which is anticipated to continue into the future.

The use of a modified purchasing delegation to enable the prompt delivery of services in the aftermath of the Ex Tropical Cyclone Ellie flooding event is considered to be an appropriate temporary mechanism to consider, under the circumstances.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS

Nil

COMMITTEE RESOLUTION AC27/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council authorise, by Absolute Majority, as proposed in the Background of this report, changes of a temporary nature to:

- 1. Shire Policy AF1 (*Procurement of Goods and Services*) and**
- 2. Delegation 1.1.18 (*Tenders for Goods And Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options*),**

in order to accommodate expedient purchasing requirements in response to the impacts of Ex Tropical Cyclone Ellie. In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY

7.4 AUDIT COMMITTEE - MODIFICATIONS TO ROLE, MEMBERSHIP, TITLE AND MEETING CYCLE.

File Number: 0060

Author: Neil Hartley, Director - Strategic Business

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Executive

SUMMARY

In light of a the state government's review of the Local Government Act, which is expected to include some provisions specific to local government audit committees, a review of the structure and role of the Shire's Audit Committee has been undertaken by the Chief Executive Officer.

The Audit Committee plays a very important role in local government, taking on both a day to day, and a strategic responsibility. The proposed modifications have a two-fold purpose, (1) to achieve compliance with proposed the new legislation, and (2) to improve the process of how the organisation provides its end of month financial reports to Council.

DISCLOSURE OF ANY INTEREST

Nil applicable for author.

BACKGROUND

The current role of the Audit Committee is defined both in legislation, and can be further expanded on by Council resolution.

The Local Government (Audit) Regulations outline that the role of the Audit Committee is to:

1. guide and assist the local government in carrying out:
 - a. its functions under Part 6 (Financial management) – like fees & charges, borrowing, rates etc;
 - b. its functions relating to other audits and other matters related to financial management; and
 - c. the local government's functions in relation to audits;
2. review the CEO's Systems & Procedures ("Regulation 17" report) and progress its implementation;
3. support the auditor to conduct the Shire's audits and the auditor's other functions;
4. oversee the implementation of any action that the local government is required to take in respect to:
 - a. examining an audit report received by the local government; determining if any matters raised by the audit report require action to be taken by the local government; and ensuring that appropriate action is taken in respect of those matters.
 - b. what it has stated it has taken or intends to take in a report prepared addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each

- of those matters; and ensures that a copy of that report is provided to the Minister within three months after the audit report is received by the local government; and
- c. what it has stated it has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c); and

5. review the Compliance Audit Return and report to the Council the results of that review.

The last appointment of the Audit Committee was at the Council Meeting of 28 October 2021 (following the 2021 Councillor elections) where five Councillors were elected as its members and the Council report outlined the following background:

Formerly the Compliance and Strategic Review Committee, it was established in May 2005 to comply with legislation and to oversee financial issues. Change of Committee name and Terms of Reference occurred in March 2015 to reflect changes to the Local Government (Audit) Regulations 1996 to expand the focus of the Committee to provide effective corporate governance through the review of systems and procedures relating to risk management, internal control and legislative compliance.

The Committee meets on a monthly basis and the Committee's meeting dates are generally set at the same meeting that sets the Council's Meeting program for the next 12 months period.

The 2021 Local Government Act review Panel Report identified that *"Audit Committees should be expanded, including to provide improved risk management"; "to ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government"* and the *"Audit Committees would also need to consider proactive risk management"*. The Audit Regulations have not as yet been altered, but it is expected that these will be made in the near future once the present Local Government Act modifications have been implemented (noting that one of the 2023 proposed changes to the Local Government Act includes the statement *"to allow regulations to make provisions relating to the functions of committees or the functions of types of committees"* and *"committee members who are not council members or employees (e.g. independent committee members) may receive fees and expenses for their services"*).

The CEO review proposal is that the Audit Committee would:

1. now include an independent member and have its role and function modified to emphasise a change in direction of having a heightened focus on the risks the Shire is dealing with (as is expected to be required by legislation);
2. change its name to the *Audit & Risk Committee* (to acknowledge its role of having a higher emphasis on risk matters); and
3. change its ordinary meeting schedule from monthly, to quarterly (to acknowledge that a more workable timeline for the provision of end of month financial reports would be to have those reports go directly to Council).

STATUTORY ENVIRONMENT

Local Government Act S5.8 (Establishment of committees) outlines that a local government may establish* committees of three or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

(* Absolute majority required).

Local Government (Audit) Regulations R.16 (Functions of audit committee) outlines that there must be an Audit Committee appointed and as a minimum, its role must include:

1. to guide and assist the local government in carrying out:
 - a. its functions under Part 6 (Financial management) – like fees & charges, borrowing, rates etc;
 - b. its functions relating to other audits and other matters related to financial management;
 - c. the local government’s functions in relation to audits;
2. to review the CEO’s Systems & Procedures (“Regulation 17” report) and progress its implementation;
3. to support the auditor to conduct the Shire’s audits and the auditor’s other functions;
4. to oversee the implementation of any action that the local government is required to take in respect to:
 - a. examining an audit report received by the local government; determining if any matters raised by the audit report require action to be taken by the local government; and ensure that appropriate action is taken in respect of those matters;
 - b. what it has stated it has taken or intends to take in a report prepared addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and ensures that a copy of that report is provided to the Minister within three months after the audit report is received by the local government;
 - c. what it has stated it has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c); and
5. To review the Compliance Audit Return and report to the Council the results of that review.

POLICY IMPLICATIONS

Nil applicable.

FINANCIAL IMPLICATIONS

The appointment of an independent person to the Audit & Risk Committee will likely require the Shire to commit to reasonable levels of added costs for meeting attendance and associated expenses. An allowance of \$10-15,000 should be sufficient to attract a qualified person with risk/accounting/audit experience.

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. 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
Reputation: Not ensuring the role, function and makeup of the Audit Committee remains consistent with contemporary expectations and legislation could result in a loss of community confidence in Council.	Possible	Moderate	Medium	Refocus the Audit Committee's role as proposed (e.g. to specifically include "risk", and the inclusion of an independent member).

CONSULTATION

Community consultation is not required on this occasion.

COMMENT

Whilst the proposed change in legislation has prompted the review to be undertaken, the matter of the logistics of finalising the end of month financials and having them presented to the Committee (which meets before the Council meeting day) has created challenges for quite some time, occasionally resulting in these reports being presented the following month, which is not ideal. The change to presenting the end of month financials will result in these being more regularly available to Councillors, albeit through the Council Agenda.

Initiating expected legislative changes early will enable the Audit & Risk Committee time to "find its feet" with these new roles, before they are legislatively imposed upon us.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS**1. Audit & Risk Terms of Reference (Draft)****COMMITTEE RESOLUTION AC28/23****Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie****That Audit Committee recommends that Council by Absolute Majority:**

- 1. endorse the Audit & Risk Committee's Terms of Reference (as provided in the attachment); and**
- 2. requires that the Terms of Reference be reviewed as part of the appointment process for the new Audit & Risk Committee (which will occur at a October or November 2023 Council Meeting, following the October 2023 Council Elections).**

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle**Against: Nil****CARRIED 4/0 BY ABSOLUTE MAJORITY**

Audit & Risk Committee

Terms of Reference

Committee Title:	Audit & Risk Committee
Role and Function:	<p>To undertake the tasks as outlined in the Local Government (Audit) Regulations, namely:</p> <ol style="list-style-type: none"> 1. guide and assist the local government in carrying out: <ol style="list-style-type: none"> a) its functions under Part 6 (Financial management) – like fees & charges, borrowing, rates etc; b) its functions relating to other audits and other matters related to financial management; and c) the local government’s functions in relation to audits; 2. review the CEO’s Systems & Procedures (“Regulation 17” report) and progress its implementation; 3. support the auditor to conduct the Shire’s audits and the auditor’s other functions; 4. oversee the implementation of any action that the local government is required to take in respect to: <ol style="list-style-type: none"> a) examining an audit report received by the local government; determining if any matters raised by the audit report require action to be taken by the local government; and ensure that appropriate action is taken in respect of those matters; b) what it has stated it has taken or intends to take in a report prepared addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and ensures that a copy of that report is provided to the Minister within three months after the audit report is received by the local government; and c) what it has stated it has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c); 5. review the Compliance Audit Return and report to the Council the results of that review; and 6. to advise on how the Shire should proactively consider and deal with risk management issues relevant to it.
Membership:	<p>Up to five Councillors, plus, up to one independent person.</p> <p>All members are to be selected by Council.</p> <p>All members’ terms will expire at the same time.</p>
Independent	The Audit & Risk Committee is to recommend for Council’s consideration,

Person:	<p>an attraction and selection process for the independent person position.</p> <p>Ideally, the independent person would have qualifications and experience in either the field of accounting, auditing, or risk management.</p> <p>If following the completion of the selection process, the Committee agrees it has attracted a suitable person for the position of independent person, it shall recommend to the Council that person be appointed. Council must decide whether to accept, or reject the Committee's recommendation.</p> <p>The remuneration of the independent person will be set by Council as part of each year's budget adoption process.</p>
Meeting Frequency:	<p>At least four meetings per year (to deal with for example, the Audit Report; the Regulation 17 report from the CEO; the Compliance Audit Return; and considering matters to do with risk) with special meetings being called on an "as required" basis.</p>

7.5 COUNCIL POLICIES - 2023 BIENNIAL REVIEW**File Number:** 4160**Author:** Janyce Smith, Author**Responsible Officer:** Tamara Clarkson, Acting Director of Corporate Services**Authority/Discretion:** Legislative**SUMMARY**

The last annual review of Council policies was undertaken in early 2022 to ensure policies remain current and in line with legislation, accounting standards and other relevant information. Twenty-eight (28) policies were reviewed and endorsed by Council at its 24 February 2022 Ordinary Council Meeting.

Since that time, Governance has developed and improved the policy review process. Included in those improvements is that two reviews are to occur during the calendar year.

This report recommends that the policy updates/modifications proposed by this review, be adopted.

DISCLOSURE OF ANY INTEREST

Nil by author.

BACKGROUND

This review accommodates the requirement to review Council policies in accordance with their allotted review schedule (which is mostly annually, or bi-ennially).

In addition to the defined review period being included at the last policy review, the standard documentation for each policy now includes a "Next Due for Review" date. The schedule for policy reviews has been adjusted, and all Council policies have been reviewed since 2021.

Council policies reviewed on this occasion are:

ES3 Fraud, Misconduct Control and Resilience

F1 Procurement of Goods and Services

F7 Regional Price Preference Policy

F8 Transaction Cards

F9 Rating Administration Policy

F10 Forward Planning

F11 Budget Issues

F12 Rates – Administration, Interims, and Interest Charges

F13 Reserve Accounts

F14 Loan Borrowings

F16 Cash Flow Management

F17 Investments

F18 Portable and Attractive Items Policy

PC3 Injury Management and Rehabilitation

Attached is a copy of the proposed policy modifications. There are three (3) outcome types:

Yellow highlights	Minor changes – including terminology, typographical, formatting, pronunciation improvements and linkage to delegations.
Green highlights	Changes warranting Council's specific consideration.
No highlights	Policies that have been reviewed, but have not suggest changes/improvements.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* regulates the ability of a local government to delegate the exercise of its powers or discharge its duties under the Act.

Local Government Act 1995 S 2.7(2)(b) Role of Council - outlines that one of the roles of Council is to "determine the local government's policies".

POLICY IMPLICATIONS

As detailed in each policy.

FINANCIAL IMPLICATIONS

The officers' time taken to undertake the review is incorporated into the Shire's annual budget allocation. If there are any specific financial implications resultant from the review, these will be as detailed in the reviews comments (see Comments section) for each policy.

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

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Organisation's Operations: Inefficiency and inconsistency can occur if policy positions are not set, or not consistently followed.	Possible	Moderate	Medium	Regular review of policies, and ongoing induction and training of staff to ensure policies are consistently applied.

CONSULTATION

Internal consultation has been undertaken with relevant areas to collate information. It is not considered that community consultation is required in this instance as suggested policy modifications are not significant.

COMMENT

In the main, suggested changes are minor, but the table below outlines the changes that are considered particularly worthy of specific note:

POLICY	CHANGE	REASONING
F1 Procurement of Goods and Services	<p>Minor typographical changes proposed.</p> <p>Changes are also suggested to this policy relating to Ex-Tropical Cyclone Ellie, but these are captured in a separate item ("Ex-Tropical Cyclone Ellie Impacts – Modifications of a Temporary Nature to Purchasing Policy and CEO Delegation") to Council, through the Audit Committee. The changes to the policy from both reports will be collated following Council consideration of approval.</p>	To improve purchasing efficiency and provide clarity to staff when engaging goods and services in relation to the flood event.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS**1. Policy Review March 2023****COMMITTEE RESOLUTION AC29/23**

Moved: Cr Geoff Haerewa

Seconded: Cr Pat Riley

That Audit Committee recommends that Council:

- 1. Notes that the first review of Council Policies for 2023 has been undertaken;**
- 2. Adopts the policies in the attached March 2023 Policy Review document, inclusive of the policy revisions outlined therein; and**
- 3. Notes that all policies will be updated on the Shire's Web Page in accordance with (2) above.**

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY



March 2022 Policy Review





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(ES3) FRAUD, MISCONDUCT CONTROL AND RESILIENCE

POLICY OBJECTIVE

To articulate the Shire of Derby/West Kimberley's commitment to a zero-tolerance approach to fraud, misconduct, bribery and corruption (Fraud and Misconduct) and to building resilience through the identification and implementation of strategies to prevent, detect and respond to Fraud and Misconduct.

POLICY STATEMENT

The Shire adopts a **zero-tolerance** approach to Fraud and Misconduct and will appropriately deal with all allegations and suspected instances of Fraud and Misconduct. This includes notifying, reporting or referring any such instances to the appropriate authority for investigation and possible prosecution. The Shire will seek to recover any losses incurred after considering all relevant issues.

POLICY SCOPE:

The management of Fraud and Misconduct is a collective responsibility of all persons engaged or closely associated with the Shire in any capacity.

The Shire's 'Statement of Business Ethics' (**Code of Conduct**) and '**Code of Conduct (Employees)**' outlines the integrity and ethical standards expected by the Shire to ensure business relationships between the Shire (and its Employees), suppliers and/or service providers exhibit the highest standards of integrity when conducting business.

Term	Definition
Australian Standard	AS8001-2008 – Fraud and Corruption Control.
Bribe	The Offering, giving, receiving, or soliciting of something of value for the purpose of influencing the action of an official in the discharge of his or her public or legal duties.
CCC	Corruption and Crime Commission.
CEO	Chief Executive Officer.
Code of Conduct	Principles, values, standards, and rules of behaviour that guide the decisions, procedures and systems of the Shire of Derby/West Kimberley.
Corruption	<p>Dishonest activity in which a director, executive, manager, employee, or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.</p> <p>The concept of "corruption" [within this standard] can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity.</p>
Employee	A person employed by a local government in accordance with section 5.36 of the LGA including the CEO, Directors, Managers, officers, casual and contract employees.
Fraud	Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal purpose or the improper use of information or position for personal financial benefit.



Term	Definition
	The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' [for the purposes of this standard] (Source: AS8001:2008).
LGA	Local Government Act 1995.
Minor Misconduct	Minor misconduct occurs if a public officer engages in conduct that: <ul style="list-style-type: none"> a. adversely affects the honest or impartial performance of the functions of a public authority or public officer, whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or b. involves the performance of functions in a manner that is not honest or impartial; or c. involves a breach of the trust placed in the public officer; or d. involves the misuse of information or material that is in connection with their functions as a public officer, whether the misuse is for the benefit of the public officer or the benefit or detriment of another person; and constitutes, or could constitute, a disciplinary offence providing reasonable grounds for termination of a person's office or employment. (<i>Corruption, Crime and Misconduct Act 2003</i>).
Misconduct	Means when a public officer abuses their position and/or authority for personal gain, to cause detriment to another person, or acts contrary to the public interest (Source: Corruption and Crime Commission).
PID Act	The <i>Public Interest Disclosure Act 2003</i> was introduced to encourage people to report wrongdoing within amongst other places, a Local government, and protect them when they do.
PID Officer	The ' <i>Public Interest Disclosure (PID) Officer</i> ' is the person who holds the specified position as the proper authority to receive public interest disclosures within the sphere of responsibility of the public authority. This person is designated by the Principal Executive Officer (PEO) under section 23(1)(a) of the PID Act.
PSC	Public Sector Commission.
Public Interest Information	means information that tends to show, in relation to its public function a public authority, a public officer, or a public sector contractor is, has been, or proposes to be, involved in: <ul style="list-style-type: none"> (a) improper conduct; or an act or omission that constitutes an offence under a written law; or a substantial unauthorised or irregular use of, or substantial mismanagement of, public resources; or an act done or omission that involves a substantial and specific risk of – <ul style="list-style-type: none"> (i) injury to public health; or (ii) prejudice to public safety; or (iii) harm to the environment; or matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971. (<i>Public Interest Disclosure Act 2003</i>).
Public Officer	Includes a member, officer, or employee of an authority, board, corporation, commission, local government, council, committee or other similar body established for a public purpose under an Act(<i>Corruption, Crime and Misconduct Act 2003</i>).
Public Authority	Includes a council, committee, local government, regional local government or similar body established under a written law. (<i>Corruption, Crime and Misconduct Act 2003</i>).
Serious Misconduct	Serious misconduct occurs when: <ul style="list-style-type: none"> a) a public officer corruptly acts or corruptly fails to act in the performance of the functions of the public officer's office or employment; or



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Term	Definition
	<p>b) a public officer corruptly takes advantage of the public officer's office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person; or</p> <p>c) a public officer whilst acting or purporting to act in his or her official capacity, commits an offence punishable by two or more years' imprisonment. (<i>Corruption, Crime and Misconduct Act 2003</i>).</p>

1. **IMPLEMENTATION**

This Policy along with the 'Code of Conduct (**Employees**)', the Shire's values and culture and its governance and risk management frameworks all operate in synergy to prevent, detect and respond to potential or actual fraud and misconduct.

The Framework establishes the strategies and processes by which the Shire will determine specific practices, plans and procedures to manage the prevention and detection of fraudulent activities, the related investigation and, where appropriate, referral of incidents to the appropriate authorities.

1.2 **Reporting Serious or Minor Misconduct**

A Public Officer or any other person may report to the CCC or the PSC any matter which that person suspects on reasonable grounds concerns or may concern serious or minor misconduct. Information on reporting to the appropriate authority is available on the Shire's public website.

1.3 **Public Interest Disclosure**

Any person may make an appropriate disclosure of public interest information to the Shire. The legislation which governs such disclosures is the PID Act.

A disclosure can be made by anyone and may be made anonymously. If disclosures are made in accordance with the PID Act, the person making them is protected from reprisal. This means that the person enjoys immunity from civil or criminal liability and is protected from any disciplinary action or dismissal.

The PID Act requires local governments to appoint a PID Officer to whom disclosures may be made. The PID Officer should be consulted when considering whether to make a disclosure. Information on public interest disclosures and the Shire's PID Officers are maintained on the Shire's public website.

1.4 **Disciplinary and Recovery Action**

The Shire will respond to all instances of Fraud and Misconduct which may lead to termination, in accordance with its disciplinary process. The Shire will also seek to recover any losses it may have suffered through Fraud and Misconduct.

2. **DISPUTE RESOLUTION**

All disputes in respect of this policy must be referred to the **Director Corporate Services** in the first instance, and if unresolved, to the CEO.

3. **WHO NEEDS TO KNOW ABOUT THIS POLICY?**

All Councillors and Employees will need to be aware of this policy and its implications, together with other stakeholders, including contractors and consultants.



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Policy Details			
Original Adoption date:	28 February 2019 (Item 9.1.1, Res. 005/2019)	Review Frequency (Annual/Bi-ennial):	Annually
		Next Review Due:	February 2024
Policy Implementing Officer or Team:	Senior Management Team	Policy Reviewer:	Chief Executive Officer
Legislative Head of Power (Act, Regulation, or Local Law):	Public Interest Disclosure Act 2003 Corruption, Crime and Misconduct Act 2003		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	<p>Code of Conduct (Employees)</p> <p>Shire of Derby/West Kimberley Statement of Business Ethics</p> <p>Australian Standard for Fraud and Corruption Control (AS8001:2008)</p> <p>Australian Standard for Organisational Codes of Conduct (AS8002:2003)</p> <p>Australian Standard for Whistleblower Protection (AS8004:2003)</p> <p>Australian National Audit Office – Fraud Control in Australian Government Entities</p> <p>Public Sector Commission: Code of Ethics Principles Conduct Guide and Accountable and Ethical Decision Making Modules</p> <p>Corruption & Crime Commission: Agency Misconduct Management Systems and Misconduct</p> <p>Resistance Framework</p> <p>Public Interest Disclosure Act 2003</p> <p>Reporting Serious and Minor Misconduct Policy and Procedures</p> <p>Policy PC1 Risk and Opportunity Management Policy and Framework</p> <p>Gifts, Benefits and Conflict of Interest Policies/Codes/Procedures</p>		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	24 June 2021	Item 11.2 Res. No. 57/21	
2.	24 February 2022	Item 11.5 Res. No. 07/22	
3.	Xx March 2023	Item xx Res. No. xx	



(F1) PROCUREMENT OF GOODS AND SERVICES

1. PURCHASING

The Shire of Derby/West Kimberley (the "Shire") is committed to delivering the objectives, principles and practices outlined in this Policy, when purchasing goods, services or works to achieve the Shire's strategic and operational objectives.

This policy complies with the *Local Government (Functions and General) Regulations 1996* (The Regulations).

1.1 Objectives

The Shire's purchasing activities will achieve:

- The attainment of best value for money;
 - Sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment;
- Consistent, efficient and accountable processes and decision-making;
 - Fair and equitable competitive processes that engage potential suppliers impartially, honestly and consistently;
 - Probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
 - Compliance with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, as well as any relevant legislation, Codes of Practice, Standards and the Shire's policies and procedures;
- Risks identified and managed within the Shire's Risk Management framework;
 - Records created and maintained to evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan; and
 - Confidentiality protocols that protect commercial-in-confidence information and only release information where appropriately approved.

1.2 Ethics & Integrity

The Shire's *Code of Conduct (Employees)* applies when undertaking purchasing activities and decision making. Elected Members and employees must observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

1.3 Value for Money

Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic and qualitative factors to determine the most advantageous supply outcome that contributes to the Shire achieving its strategic and operational objectives.

The Shire will apply value for money principles when assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

1.3.1 Assessing Value for Money

Assessment of value for money will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, training, maintenance and disposal;



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- (b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, tenderers resources available, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- (c) Financial viability and capacity to supply without the risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- (d) A strong element of competition by obtaining a sufficient number of competitive quotations wherever practicable and consistent with this policy;
- (e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy; and
- (g) Providing opportunities for businesses within the Shire's boundaries to quote wherever possible.

1.4 **Purchasing Thresholds and Practices**

The Shire must comply with all requirements, including purchasing thresholds and processes, as prescribed within the Regulations, this policy and associated purchasing procedures in effect at the Shire.

1.4.1 **Policy Purchasing Value Definition**

Purchasing value for a specified category of goods, services or works is to be determined upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) Where a contract is in place, the actual or expected value of expenditure over the full contract period, including all options to extend specific to a particular category of goods, services or works.
OR
- (c) Where there is no existing contract arrangement, the Purchasing Value will be the estimated total expenditure for a category of goods, services or works over a minimum three year period. This period may be extended to a maximum of 3 years only where the supply category has a high risk of change i.e. to technology, specification, availability or the Shire's requirements (Regulation 12).

The calculated estimated Purchasing Value will be used to determine the applicable threshold and purchasing practice to be undertaken.

1.4.2 **Purchasing from Existing Contracts**

The Shire will ensure that any goods, services or works required that are within the scope of an existing contract will be purchased under that contract.

1.4.3 **Table of Purchasing Thresholds and Practices**

This table prescribes Purchasing Value Thresholds and the applicable purchasing practices which apply to the Shire's purchasing activities:



Purchase Value Threshold (excluding GST)	Purchasing Practice Required
Up to \$2,500	<p>Request Consult as to whether an existing Term Contract or Panel of Pre-Qualified Suppliers exists and use as prescribed.</p> <p>If no Contract or Panel exists, seek at least one verbal or written quotation (preferably a written quotation if a new supplier is involved) from a suitable supplier:</p> <ul style="list-style-type: none"> a Local Supplier (direct or via <i>Vendor Panel Marketplace</i>). <p>Evaluate The rationale for the procurement decision is to be documented within the Record and Evaluation of Quotes form and attached to the requisition.</p>
\$2,501 to \$10,000	<p>Request Consult as to whether an existing Term Contract or Panel of Pre-Qualified Suppliers exists and use as prescribed.</p> <p>If no Contract or Panel exists seek at least one written quotation from a suitable supplier:</p> <ul style="list-style-type: none"> a Local Supplier (direct or via <i>Vendor Panel Marketplace</i>); a prequalified supplier on the WALGA Preferred Supplier Program (via <i>eQuotes</i>); a WA Disability Enterprise; and/or an Aboriginal Owned Business. <p>Where it can be demonstrated that a suitable supplier is not available, seek at least one written quotation from:</p> <ul style="list-style-type: none"> other Suppliers that are accessible under another tender exempt arrangement; and/or the open market. <p>The reason for not using a suitable supplier must be documented within the Record and Evaluation of Quotes form and written approval must be given by the relevant Director or the CEO.</p> <p>Evaluate The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> a brief outline of the specified requirement for the goods; services or works required; and value for Money criteria, not necessarily the lowest quote.



Purchase Value Threshold (excluding GST)	Purchasing Practice Required
	The rationale for the procurement decision is to be documented within the Record and Evaluation of Quotes form and attached to the requisition.
\$10,001 to \$50,000	<p>Request Consult as to whether an existing Term Contract or Panel of Pre-Qualified Suppliers exists and use as prescribed.</p> <p>If no Contract or Panel exists, seek at least two written quotations from suitable suppliers:</p> <ul style="list-style-type: none"> a prequalified supplier on the WALGA Preferred Supplier Program (via eQuotes); a Local Supplier (direct or via <i>Vendor Panel</i> Marketplace); a WA Disability Enterprise; and/or an Aboriginal Owned Business. <p>Where it can be demonstrated that a suitable supplier is not available, seek at least two written quotations from:</p> <ul style="list-style-type: none"> other Suppliers that are accessible under another tender exempt arrangement; and/or the open market. <p>The reason for not using a suitable supplier must be documented within the Record and Evaluation of Quotes form and written approval must be given by the Director or CEO.</p> <p>Where it can be demonstrated that the required number of quotes cannot be sourced, the reason will be documented within the Record and Evaluation of Quotes form and written approval must be given by the Director or CEO.</p> <p>Evaluate The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> a brief outline of the specified requirement for the goods; services or works required; and Value for Money criteria, not necessarily the lowest quote. <p>The rationale for the procurement decision is to be documented within the Record and Evaluation of Quotes form and attached to the requisition.</p>
\$50,001 to \$250,000	<p>Request Consult as to whether an existing Term Contract or Panel of Pre-Qualified Suppliers relevant to the required purchasing category exists and seek at least three written quotations by invitation under a formal Request for Quotation.</p>



Purchase Value Threshold (excluding GST)	Purchasing Practice Required
	<p>If no Contract or Panel exists for the required purchasing category, seek at least three written quotations from a suitable supplier:</p> <ul style="list-style-type: none"> a prequalified supplier on the WALGA Preferred Supplier Program (via <i>eQuotes</i>); a Local Supplier (direct or via <i>Vendor Panel</i> Marketplace); a WA Disability Enterprise; and/or an Aboriginal Owned Business. <p>Where it can be demonstrated that a suitable supplier is not available, seek at least three written quotations from:</p> <ul style="list-style-type: none"> other Suppliers that are accessible under another tender exempt arrangement; and/or the open market. <p>The reason for not using a suitable supplier must be documented within the Record and Evaluation of Quotes form and written approval must be given by the Director or CEO.</p> <p>Where it can be demonstrated that the required number of quotes cannot be sourced, the reason will be documented within the Record and Evaluation of Quotes form and written approval must be given by the relevant Director or the CEO.</p> <p>Evaluate The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> a brief outline of the specified requirement for the goods; services or works required; and Value for Money criteria, not necessarily the lowest quote. <p>The rationale for the procurement decision is to be documented and recorded in accordance with the Shire Operational Procedure – Procurement of Goods and Services.</p>
Over \$250,000	<p>Request Consult as to whether an existing Term Contract or Panel of Pre-Qualified Suppliers relevant to the required purchasing category exists and use in accordance with the procedures prescribed Section 3.</p> <p>If no Contract or Panel exists for the required purchasing category:</p> <ul style="list-style-type: none"> Seek at least three written quotations from suppliers included in the relevant WALGA Preferred Supplier Arrangement and / or another tender exempt arrangement; or



Purchase Value Threshold (excluding GST)	Purchasing Practice Required
	<ul style="list-style-type: none"> Conduct a Public Request for Tender process in accordance with the Local Government Act 1995 and relevant Shire Policy requirements. <p>Evaluate The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and pre-determined evaluation criteria that assess all best and sustainable value considerations <p>The rationale for the procurement decision is to be documented and recorded in accordance with the Shire Operational Procedure – Procurement of Goods and Services.</p>
Emergency Purchases (Not Included in Budget)	<p>Only applicable where, authorised in advance by the Mayor / President in accordance with s.6.8 of the <i>Local Government Act 1995</i> and reported to the next available Council Meeting.</p> <p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, the emergency supply must be obtained from the Panel suppliers.</p> <p>If, however, no member of the Panel of Pre-qualified Suppliers or a suitable supplier from WALGA Preferred Supplier Arrangement is available, then the supply may be obtained from any supplier capable of providing the emergency purchasing requirement, and to the extent that it is reasonable in context of the emergency requirements, with due consideration of best and sustainable consideration.</p> <p>The rationale for the procurement decision should be documented and recorded in accordance with the Shire Operational Procedure – Procurement of Goods and Services.</p>

1.4.4 Exemptions

An exemption from the requirement to publicly invite tenders may apply when the purchase is:

- obtained from a pre-qualified supplier under the WALGA Preferred Supplier Arrangement or other suppliers that are accessible under another tender exempt arrangement.
- from a pre-qualified supplier under a Panel established by the Shire;
- from a Regional Local Government or another Local Government;
- acquired from a person/organisation registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less (excluding GST) and represents value for money;



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- acquired from an Australian Disability Enterprise and represents value for money;
- the purchase is authorised under action by Council under delegated authority;
- within 6 months of no tender being accepted;
- where the contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- the purchase is covered by any of the other exclusions under Regulation 11 of The Regulations.

1.4.5 Other Purchasing Exemptions

In addition to the regulatory Tender exemptions for purchasing as set out in Regulation 11.2 of The Regulations and section 1.4.4 of this policy, it may at times be necessary to vary from the requirements of this policy for a number of reasons, including but not limited to, the following further exemptions where the Shire is not required to undertake a competitive purchasing process (but these only apply where the total value of the purchase does not exceed \$250,000 (excluding GST) over three years):

- Services, supplies, and/or equipment directly related to an impacting epidemic or a pandemic (e.g., COVID-19);
- Services of industry organisations (e.g., WALGA, and Local Government Professionals);
- Advance / Prior Payment of Services (for example: accommodation, travel services, entertainment, conferences, seminars, Memberships, Subscriptions, training courses);
- Advertising – Newspaper (e.g., public notices and statutory advertising);
- Advertising – State Government Gazette (e.g., statutory advertising);
- Annual Memberships/Subscriptions (e.g., WALGA, and Library stocks);
- Annual Service/Software annual licencing and Maintenance/Support Fees;
- Reimbursements (TAFE, training course fees, accommodation / meal costs, telephone and internet);
- Employment of temporary staff through temporary personnel service agencies (CEO approval required for any contract exceeding or extended beyond three months);
- Motor vehicle licensing and registration;
- Postage;
- Talent acts for community events;
- Pre-employment medicals and staff medical services (e.g. annual flu immunisation program);
- Provision of utility services (where only sole provider – e.g. Western Power);
- Purchases from Original Equipment Manufacturer (OEMs) and where warranty provisions may be voided; and
- Local Government Insurance Service (e.g. premiums and insurance excesses) – note: not subject to the \$250,000 limit; and
- Purchasing as required and determined by the CEO and Directors providing that the approval is provided in writing prior to the purchase and the details are recorded against the requisition.

1.4.6 Inviting Tenders Under the Tender Threshold

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 threshold.

This decision will be made after considering:



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- Whether the purchasing requirement can be met through the WALGA Preferred Supplier Program or any other tender exemption arrangement; and
- Any value for money benefits, timeliness, risks; and
- Compliance requirements.

A decision to invite Tenders, though not required to do so, may occur where an assessment has been undertaken and it is considered that there is benefit from conducting a publicly accountable and more rigorous process. In such cases, the Shire's tendering procedures must be followed in full.

1.4.7 Other Procurement Processes

Expressions of Interest

Expressions of Interest (EOI) are typically considered in situations where the project is of a significant value, or contains significant complexity of project delivery that may solicit responses from a considerable range of industry providers.

In these cases, the Shire may consider conducting an EOI process, preliminary to any Request for Tender process, where the purchasing requirement is:

- Unable to be sufficiently scoped or specified;
- Open to multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- Subject to a creative element; or
- To establish a procurement methodology that allows for an assessment of a significant number of tenders leading to a shortlisting process based on non-price assessment.

All EOI processes are conducted as a public process and similar rules to a Request for Tender apply. However, the EOI should not seek price information from respondents, seeking qualitative and other non-price information only. All EOI processes should be subsequently followed by a Request for Tender through an invited process of those shortlisted under the EOI.

Request for Proposal

As an alternative to a Request for Tender, the Shire may consider conducting a Request for Proposal where the requirements are less known, or less prescriptive and detailed. In this situation, the Request for Proposal would still be conducted under the same rules as for a Request for Tender but would seek responses from the market that are outcomes based or that outline solutions to meet the requirements of the Shire.

1.4.8 Emergency Purchases

An emergency purchase is defined as an unanticipated purchase which is required in response to an emergency situation as provided for in the Act. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

Time constraints are not a justification for an emergency purchase. Every effort must be made to anticipate purchases in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

1.4.9 Sole Source of Supply

A sole source of supply arrangement may only be approved where the:



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- purchasing value is estimated to be over \$5,000; and
- purchasing requirement has been documented in a detailed specification; and
- specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- market testing process and outcomes of supplier assessments have been documented, inclusive of a rationale for why the supply is determined as unique and cannot be sourced through more than one supplier.

A sole source of supply arrangement will only be approved for a period not exceeding three (3) years. For any continuing purchasing requirement, the approval must be **reassessed** before expiry to evidence that a Sole Source of Supply still genuinely exists.

1.4.10 Anti-Avoidance

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, avoiding a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

Utilising rolling contract extensions at the end of a contract term without properly testing the market or using a **tender exempt arrangement** will not be adopted as this would place this Local Government in breach of **The Regulations** (Regulation 12).

The Shire will conduct regular periodic analysis of purchasing activities within supply categories and aggregating expenditure values in order to identify purchasing activities which can be more appropriately undertaken within the Purchasing Threshold practices detailed in clause 1.4.3 above.

1.4.11 Contract Variations

Authorises the CEO to approve minor variations to contracts **entered** by Council, subject to the funds required meeting the cost of the variations been contained within the amounts set aside in the budget.

2. SUSTAINABLE PROCUREMENT

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that *demonstrate* sustainable business practices (social advancement, environmental protection and local economic benefits).

The Shire will embrace Sustainable Procurement by applying the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes. Sustainable Procurement can be demonstrated as being internally focused (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focused (i.e. initiatives such as corporate philanthropy).

Requests for Quotation and Tenders will include a request for information from Suppliers regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.



2.1 Local Economic Benefit

The Shire encourages the development of competitive local businesses within its boundary first, and second within its broader region. As much as practicable, the Shire will:

- Where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- Consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- Ensure that procurement plans address local business capability and local content;
- Explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- Avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
- Provide adequate and consistent information to local suppliers.

To this extent, a qualitative weighting will be included in the evaluation criteria for quotes and Tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy. This criteria will relate to local economic benefits that result from Tender processes.

The Shire has adopted **F7** Regional Price Preference Policy, which will be applied when undertaking purchasing activities.

2.2 Purchasing from Disability Enterprises

An Australian Disability Enterprise may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this policy, where a value for money assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and Tenders to provide advantages to Australian Disability Enterprises, in instances where not directly contracted.

2.3 Purchasing from Aboriginal Businesses

A business registered in the current Aboriginal Business Directory WA (produced by the Small Business Development Corporation) may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this policy, only where:

- The contract value is or is worth \$250,000 or less, and
- A best and sustainable value assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to businesses registered in the current Aboriginal Business Directory WA, in instances where not directly contracted.

2.4 Purchasing from Environmentally Sustainable Business

The Shire will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.



A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to suppliers which:

- Demonstrate policies and practices that have been implemented by the business as part of its operations;
- Generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- Encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

3. PANELS OF PRE-QUALIFIED SUPPLIERS

3.1 Objectives

The Shire will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis.

Part of the consideration of establishing a panel includes:

- There are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';
- The purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- The Panel will streamline and will improve procurement processes; and
- The Shire has the capability to establish a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

3.2 Establishing and Managing a Panel

If the Shire decides that a Panel is to be created, it will establish the panel in accordance with the Regulations.

Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.

Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the CEO/ Executive Director.

Evaluation criteria will be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier, the Shire will state the expected number of suppliers it intends to put on the panel.

If a Panel member leaves the Panel, the Shire will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. The Shire will disclose this approach in the detailed information when establishing the Panel.

A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure



that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

3.3 **Distributing Work Amongst Panel Members**

To satisfy Regulation 24AD(5) of The Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel will prescribe one of the following as to whether the Shire intends to:

- Obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- Develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

In considering the distribution of work among Panel members, the detailed information will also prescribe whether:

- Each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- Work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Shire will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 1.4.3 of this policy. When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

3.4 **Purchasing from the Panel**

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every Panel member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be made through eQuotes (or other nominated electronic quotation facility).

Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire's electronic records system. A separate file is to be maintained for each



quotation process made under each Panel that captures all communications between the Shire and Panel members.

4. PURCHASING POLICY NON-COMPLIANCE

Purchasing Activities are subject to financial and performance audits, which review compliance with legislative requirements and also compliance with the Shire's policies and procedures.

A failure to comply with the requirements of this policy will be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is **substantiated**, it may be treated as:

- An opportunity for additional training to be provided;
- A disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*;
- Misconduct in accordance with the *Corruption Crime and Misconduct Act 2003*.

5. AUTHORISED OFFICERS

The following employees are authorised to sign official purchase orders and requisition Goods and services on behalf of Council: (See changes in agenda item "Ex-Tropical Cyclone Ellie Impacts – Modifications of a Temporary Nature to Purchasing Policy and CEO Delegation")

LIMIT*	OFFICER
\$250,000	Chief Executive Officer
\$125,000	Director Technical and Development Services
\$125,000	Director Corporate and Community (note: currently two separate roles)
\$125,000	Director Strategic Business
\$60,000	Manager Infrastructure
\$60,000	Manager Engineering
\$60,000	Manager Finance
\$60,000	Manager Operations
<\$50,000 (vis. below the lower limit of being classified as "Key Management Personnel").	To ensure operational efficiency, the Chief Executive Officer is authorised to select employee roles and purchasing limits and manage operationally, for purchases <\$50,000. These are detailed in the CEO Directive D-CP3 Procurement Purchasing Limits

***Note:** Employees with authority ≥\$50,000 need to also be classified as "Key Management Personnel" and be include in the Related Party Transaction Register.

6. RECORD KEEPING

All purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan. This includes those with organisations involved in a tender or quotation process, including suppliers.

7. AGRN 1044 – Ex-Tropical Cyclone Ellie (2023 Fitzroy Crossing Floods)



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(See changes in agenda item "Ex-Tropical Cyclone Ellie Impacts – Modifications of a Temporary Nature to Purchasing Policy and CEO Delegation")

Policy Details			
Original Adoption date:	27 August 1997	Review Frequency (Annual/Bi-ennial):	Bi-ennial
		Next Review Due:	June 2025
Policy Implementing Officer or Team:	Manager Finance	Policy Reviewer:	Director Corporate Services Services
Legislative Head of Power (Act, Regulation, or Local Law):	s 3.57 of the Local Government Act 1995 Part 4 of the Local Government (Functions and General) Regulations 1996		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Policy F7 Regional Price Preference Policy F8 Transaction Cards Policy F18 Portable and Attractive Items Policy CEO Directive D-CP3 Procurements Purchasing Limits Delegation 1.1.16 Expressions of Interest for Goods and Services Delegation 1.1.17 Tenders for Goods and Services - Call Tenders Delegation 1.1.18 Tenders for Goods and Services - Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options Delegation 1.1.19 Tenders for Goods and Services - Exempt Procurement Delegation 1.1.20 Application of Regional Price Preference Delegation 1.1.21 Payments from the Municipal or Trust Funds Delegation 1.1.31 Renewal or Extension of Contracts during a State Emergency Delegation 1.1.32 Procurement of Goods or Services required to address a State of Emergency Delegation 1.2.10 Financial Management Systems and Procedures Code of Conduct (Employee) Risk Management Framework Operational Procedure – Procurement of Goods and Services		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	28 February 2019	Item 10.1.2, Res. 012/19	
2.	12 December 2019	Item 10.7, Res. 159/19	
3.	30 September 2020	Item 11.3, Res. 159/20	
4.	24 June 2021	Item 11.2, Res. 57/21	
5.	24 February 2022	Item 11.5, Res. 07/22	
6.	xx March 2023	Item xx, Res. Xx and Item xx, Res. xxx	



(F7) REGIONAL PRICE PREFERENCE POLICY

POLICY OBJECTIVE

To encourage and foster local businesses within the Shire of Derby/West Kimberley.

POLICY DEFINITION

A local business is defined as a business that has a physical presence (office or depot) within the Shire boundary office/depot.

POLICY STATEMENT

Council supports purchasing locally and this policy is to apply to the entire district of the Shire of Derby/West Kimberley.

The price percentage that may be given within the district will vary according to the type of contract.

A preference may be given (i.e. a discount applied) to the tendered price of:

Tender Type	Regional Price Preference Amount
Contract for goods or services.	Up to 10% (to a maximum price reduction of \$50,000).
Contract for construction (building) services.	Up to 5% (to a maximum price reduction of \$50,000).
Contract for goods or services (including construction (building) services), if the Shire is seeking tenders for the provision of these goods or services, as those goods or services having been, until then, undertaken by the Shire.	Up to 10% (to a maximum price reduction of \$500,000).

Policy Details			
Original Adoption Date:	24 April 2002	Review Frequency (Annual/Bi-ennial):	Bi-ennial
		Next Review Due:	February 2025
Policy Implementing Officer or Team:	Officers conducting purchasing	Policy Reviewer:	Chief Executive Officer
Legislative Head of Power (Act, Regulation, or Local Law):	Local Government Act 1995 Local Government (Functions and Generals) Regulations 1996 Local Government (Functions and Generals) Amendment Regulations 2000		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Local Government Purchasing and Tender Guide 2000 Policy F1 Procurement of Goods and Services Delegation 1.1.16 Expressions of Interest for Goods and Services Delegation 1.1.17 Tenders for Goods and Services - Call Tenders Delegation 1.1.18 Tenders for Goods and Services - Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options		



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	Delegation 1.1.19 Tenders for Goods and Services - Exempt Procurement Delegation 1.1.20 Application of Regional Price Preference Policy		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	28 March 2019	Item 10.1, Res. 12/19	
2.	24 June 2021	Item 11.2, Res. 57/21	
3.	24 February 2022	Item 11.5, Res. 07/22	
4.	Xx March 2023	Item. Xx, Res. xx	

Review



(F8) TRANSACTION CARDS

POLICY OBJECTIVE

To provide the Chief Executive Officer with a framework of principles to guide the use and management of Transaction Card facilities and which:

1. Ensures efficient and effective procurement and payment operations;
2. Minimises the risk of misuse, fraudulent or corrupt use;
3. Defines allowable and prohibited uses; and
4. Defines Cardholder duty of care and responsible use obligations.

POLICY STATEMENT

This policy provides an in-principle framework to guide the Chief Executive Officer (CEO) when fulfilling their statutory duties for establishing and implementing appropriate systems and procedures for incurring expenditure and making payments specific to Transaction Cards.

1. Definitions

Cardholder means an employee who has been authorised by the CEO to incur expenditure by means of a Transaction Card.

Transaction Card means a card facility (which may include; credit, store, parking, cab-charge and fuel cards) approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire of Derby/West Kimberley business activities and in accordance with relevant Shire Policies.

2. Management Oversight and Reporting

2.1 Legislation

Section 6.5(a) of the *Local Government Act 1995* prescribes the Chief Executive Officer's duty to ensure that proper accounts and records of the transactions and affairs of the Local Government are to be kept in accordance with regulations.

The *Local Government (Financial Management) Regulations 1996* prescribe:

- a) Regulation 5, the Chief Executive Officer's duties to ensure efficient systems and procedures are established for the proper authorisation of incurring of liabilities and the making of payments.
- b) Regulation 11(1)(a) and (2) requires the Local Government to develop procedures that ensure effective security for the authorisation and payment of accounts and for the authorised use of payment methods, including credit cards.

2.2 Determining When Transaction Card Facilities are Appropriate

Transaction Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of Derby/West Kimberley operations by ensuring:

- a) goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire of Derby/West Kimberley;
- b) financial management and accounting standards are met; and
- c) purchasing and payment functions are secure, efficient and effective.



Transaction Card facility providers will only be acceptable where, in the opinion of the CEO, they:

- a) Provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire of Derby/West Kimberley to sufficiently administer the facility; and
- b) Provide the Shire of Derby/West Kimberley with protection and indemnification from fraudulent/unauthorised transactions.

2.3 Management Oversight

The Chief Executive Officer shall determine and implement systems and procedures adequate to ensure:

- a) Assessment and selection of Transaction Card facilities suitable to the efficient and effective operations of the Shire of Derby/West Kimberley;
- b) Authorisation and appointment of suitably eligible Cardholders;
- c) Cardholder duties and responsibilities are documented and Cardholders provided with training; and
- d) Monitoring and auditing of Transactional Card activities is planned and reported.

2.4 Reporting

The CEO will ensure that acquitted transaction statements for each Transaction Card facility are provided to Council as part of the monthly financial reporting regime.

2.5 Misuse, Misconduct and Fraudulent Use

Any alleged misuse of Transaction Cards will be investigated and may be subject to disciplinary procedures.

Where there is reasonable suspicion of misconduct or fraudulent activity arising from Transaction Card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the *Public Sector Management Act 1994* and the *Corruption, Crime and Misconduct Act 2003*.

2.6 Principles for Transaction Card Usage

Allowable Transactions:

Transaction Card facilities may only be used where:

- a) The expenditure is directly arising from a Shire of Derby/West Kimberley operational business activity for which there is an Annual Budget provision;
- b) The expenditure is in accordance with legislation, the Shire of Derby/West Kimberley Procurement Policy, Code of Conduct and any conditions or limitations applicable to the individual Cardholder;
- c) The procurement of the required goods or services is impractical or inefficient if undertaken via a Purchase Order or is not able to be obtained other than by a Transaction Card;
- d) Supplier surcharges (fees) on transactions are minimised and only allowable where the alternative method of obtaining the supply (i.e. by purchase order) is more onerous, not cost effective or there is no alternative mode of supply.
- e) Hospitality expenditure may only occur with the express written permission of the CEO or Council. Official travel, accommodation and related expenses may only occur in accordance with Shire of Derby/West Kimberley policies and procedures;
- f) Accounts payable payments are made under the direction of the Manager Finance;



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- g) A sufficient record of each transaction is obtained and retained in the local government record.

Allowable transaction modes include:

- a) In-person and over the counter retail purchases;
- b) Telephone purchasing;
- c) Mail order purchasing and subscriptions;
- d) Internet purchasing.

Prohibited Transactions

The Shire of Derby/West Kimberley prohibits the use of Transaction Card facilities for:

- a) Cash advances;
- b) Incurring expenses which are personal or private (i.e. any expenditure which is not an approved Local Government activity);
- c) Making deposits onto the Card, whether to offset misuse or otherwise;
- d) Incurring Capital expenditure;
- e) Incurring expenditure for goods or services which are subject to a current supplier contract;
- f) Incurring expenses which are not in accordance with legislation, the Shire of Derby/West Kimberley Procurement Policy, the Annual Budget and/or the conditions or limitations relevant to the individual Cardholder;
- g) Expenses for which another Transaction Card is the approved facility (i.e. the Corporate Credit Card is not to be used for purchasing fuel or oil, as the Fuel Card is the approved facility for that purpose);
- h) Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and
- i) Incurring expenses for the primary purpose of obtaining personal advantage through the transaction (i.e. membership or loyalty rewards).

2.7 Cardholder duty of care and responsible use obligations

A Cardholder is required to:

- a) Keep the Transaction Card and access information in a safe manner; protected from improper use or loss;
- b) Only use the Transaction Card for allowable purposes and not for prohibited purposes;
- c) Obtain, create and retain Local Government records that evidence transactions;
- d) Acquit the reconciliation of Transaction Card usage in the required format and within required timeframes. The onus is on the cardholder to provide sufficient detail for each transaction to avoid any potential perception that a transaction may be of a personal nature;
- e) Return the Transaction Card to the Shire of Derby/West Kimberley before termination of employment, inclusive of reconciliation records; and
- f) Reimburse the Shire of Derby/West Kimberley the full value of any unauthorised, prohibited or insufficiently reconciled expenditure.

Benefits obtained through use of a Transaction Card (i.e. membership or loyalty rewards) are the property of the Shire of Derby/West Kimberley and may only be used for Shire of Derby/West Kimberley business purposes. Such benefits must be relinquished by the Cardholder to the Shire of Derby/West Kimberley. Under no circumstances may such benefits be retained as a personal benefit.



2.8 Transaction evidence

A sufficient transaction record must include the following minimum information:

- Invoice and/or receipt that includes; the date, company name, address, ABN, amount and any GST amount included;
- Where an invoice and/or receipt cannot be obtained, the Cardholder must provide a Statutory Declaration-detailing the nature of the expense and sufficient information to satisfy the requirements of subclause (a) above.

Where a Transaction Card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity:

- the number of persons entertained;
- the names of any employees in that number; and
- the purpose of providing the entertainment or hospitality.

Policy Details			
Original Adoption date:	28 February 2019 (Item 9.2.1, Res. 006/2019)	Review Frequency (Annual/Bi-ennial):	Annual
		Next Review Due:	February 2024
Policy Implementing Officer or Team:	Director Corporate & Community Services Director Corporate Services	Policy Reviewer:	Chief Executive Officer
Legislative Head of Power (Act, Regulation, or Local Law):	Section 6.5(a) of the Local Government Act 1995 Regs 5 & 11(1)(a) & (2) of the Local Government (Financial Management) Regulations 1996 Public Sector Management Act 1994 Corruption, Crime and Misconduct Act 2003 Oaths, Affidavits and Statutory Declarations Act 2005 Department of Local Government, Sporting and Cultural Industries Guideline No.11 – Use of Corporate Credit Cards		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Policy F1 Procurement of Goods and Services Code of Conduct (Employees) Shire of Derby/West Kimberley Operational Procedure – Transaction Card Administration Shire of Derby/West Kimberley Operational Procedure – Transaction Card User Delegation 1.1.21 Payments from the Municipal or Trust Funds Delegation 1.2.10 Financial Management Systems and Procedures		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	24 June 2021	Item 11.2, Res. 57/21	
2.	24 February 2022	Item 11.5, Res. 07/22	
3.	Xx March 2023	Item xx, Res. xx	



(F9) RATING ADMINISTRATION POLICY

POLICY OBJECTIVE

The objective of this policy is to clearly set out guidelines for the calculation of rate increases, determination of non-rateable land, various methods for the payment of rates, write off of minor outstanding payments and associated rating procedures applicable within the Shire of Derby/West Kimberley.

POLICY STATEMENT

1. Calculation of Rates and Charges

Rates are to be raised in accordance with the *Local Government Act 1995*, calculated by the rate in the dollar set by Council for each financial year.

Any applications for objections or disputes must be received within 45 days of the issue of the original rates notice to be considered by Council.

2. Determining Non Rateable Land

Non rateable land is defined in accordance with Section 6.26 of the *Local Government Act 1995*. The Chief Executive Officer is to determine the validity of claims for non-rateable land.

When determining application in accordance with Section 6.26 (2) (g) of the *Local Government Act 1995* ("land used exclusively for charitable purposes") the organisation is to provide evidence that the property is used for a charitable purpose.

When the Chief Executive Officer has determined land to be non-rateable, details of the organisation, the property and reasons for such determination are to be reported to Council on an information basis through the Information Bulletin.

Any determinations made in accordance with Section 6.26 are to be reviewed every two years where practicable and the list be submitted to Council on an information basis through the Information Bulletin.

3. Instalment Options for Payment of Rates and Charges

Ratepayers may choose to pay rates and charges using one of Council's three instalment options.

Instalment Option 1 – one payment covering all rates and charges, including any arrears that may apply. The discount as set by Council each financial year is to be applied to this option for full and early payment of rates.

Instalment Option 2 – two payments covering all rates and charges. An instalment administration fee is charged per instalment as well as instalment interest.

Instalment Option 3 – **four** payments covering all rates and charges. An instalment administration fee is charged per instalment as well as instalment interest.

Any arrears outstanding from previous financial years must be paid in addition to the first instalment to be eligible for the instalment option.

Instalment interest accrues at a rate set in the budget each year, on any late instalment payments. If an instalment remains unpaid 14 days after the issue of the Instalment Reminder notice, a letter will be sent advising of impending legal action if the instalment is not paid.



Early Payment – Should a ratepayer choose to undertake instalments and then clear their account before the original due date, then the administration and interest costs will be reversed.

Council sets the due dates for instalments in the budget each financial year. The *Local Government Act 1995* states that the due dates for instalments must be at least two months apart.

After 14 days from the issue of the original rate notice, ratepayers forfeit the right to undertake the instalment option provided.

4. Alternative Payment Arrangements

Alternative payment arrangements can be made in accordance with the Council's Financial Hardship Policy.

An administration fee as per the annual budget's schedule of fees and charges is to be applied and payable with the first instalment.

Should an alternative instalment payment not be made by the date specified in the agreement between the Shire and the ratepayer, recovery action on the balance of the rate account inclusive of any overdue alternative instalment is to be commenced.

5. Raising of Minor Penalties

For operational efficiency purposes, late payment penalties shall not be raised until the amount exceeds \$5.00.

Where, in the opinion of the Chief Executive Officer, a ratepayer is clearly aware that penalty exists but refuses to pay the cost, the penalty will be raised.

Penalties will be applied to outstanding assessments for the previous month following the end of month balancing procedures.

Policy Details			
Original Adoption date:	29 July 1998	Review Frequency (Annual/Bi-ennial):	Annual
		Next Review Due:	February 2024
Policy Implementing Officer or Team:	Finance Team	Policy Reviewer:	Director Corporate & Community Services Director Corporate Services
Legislative Head of Power (Act, Regulation, or Local Law):	Local Government Act 1995, Part 6, Div. 6		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Policy F5 Outstanding Rates Collection Policy Policy F12 Rates – Interest Charges		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	27 August 2009		
2.	24 June 2021	Item 11.2, Res. 57/21	
3.	24 February 2022	Item 11.5, Res 07/22	
4.	Xx March 2023	Item xx, Res. xx	



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(F10) FORWARD PLANNING

POLICY OBJECTIVE

Council will set objectives for all of its services, with these to be reviewed at least once in every four years.

Detailed Forward plans will be drawn up for all new major items, showing their likely financial implications/effects, over at least the next four years. Such financial effects shall include all operating expenses, operating incomes, as well as any debt repayments, or other financial issues.

POLICY STATEMENT

A detailed long-term plan for the following is required to be produced:

Details	Review Period
Debt Servicing Position, projected out for 10 years.	Every Year
All of Council's Major Assets.	Every 4 years
Each and every parcel of Council Owned or Controlled Land.	Every 4 years
All services provided by Council (as per Principal Activities Plan).	Every Year

Policy Details			
Original Adoption date:	31 May 2001	Review Frequency (Annual/Bi-ennial):	Bi-ennial
		Next Review Due:	February 2025
Policy Implementing Officer or Team:	Director Corporate & Community Services Director Corporate Services	Policy Reviewer:	Chief Executive Officer
Legislative Head of Power (Act, Regulation, or Local Law):			
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Strategic Community Plan 2021-2031 Corporate Business Plan 2019-2023		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	24 June 2021	Item 11.2 Res. No. 57/21	
2.	Xx March 2023	Item xx Res. No. xx	



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(F11) BUDGET ISSUES

POLICY STATEMENT

Rate Increases

Council will endeavour to set its annual rate increases at not less than the increase in the annual Consumer Price Index plus 2% until its *Financial Health Indicator Comparison Score* (as provided by the Department of Local Government) reaches the *Regional Average Score* (for the Kimberley).

Budget for a Minor Surplus Each Year

So as to avoid Council going into overdraft in future, and the fact that certain items within Council's current Assets are not easily convertible to cash in a short period of time, Council will attempt to budget for a minor surplus each year.

[NOTE: Council's stock inventory, debtors and outstanding rates cannot be readily converted to cash. This is particularly so with regard to deferred payment of pensioner rates. This will need to be allowed for when preparing budget proposals].

Policy Details			
Original Adoption date:	31 May 2001	Review Frequency (Annual/Bi-ennial):	Bi-ennial
		Next Review Due:	February 2025
Policy Implementing Officer or Team:	Director Corporate & Community Services Director Corporate Services	Policy Reviewer:	Director Corporate & Community Services Director Corporate Services
Legislative Head of Power (Act, Regulation, or Local Law):			
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Delegation 1.2.10 Financial Management System and Procedures		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	24 June 2021	Item 11.2 Res. No. 57/21	
2.	Xx March 2023	Item xx Res. No. xx	



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(F12) RATES – ADMINISTRATION, INTERIMS AND INTEREST CHARGES

POLICY STATEMENT

Administration Charge Applicable to Payment by Instalments

Where a ratepayer elects to pay rates by instalments, an Administration Charge to cover administration and handling costs will be imposed for each of the three instalments that apply (after the first instalment has been paid by the relevant due date).

The level of the charge will be set at the budget meeting each year, as part of the annual fees and charges considerations.

Interim Rates – Minimum Level

Where calculation of a minimum interim rate on an individual property would result in the net rate that would be raised to be less than \$25, then Council considers that the amount is of such a low level that it is considered not material enough to warrant staff time, resources and costs to justify the amount to be raised.

Interest Charges

Interest will be charged as follows where rates are paid later than permitted:

Rate Payment Type	Interest Charge Percentage Rate
On Late Payment of Rates.	As per statutory maximum.
On Late Payment of Instalments.	As per statutory maximum.

Policy Details			
Original Adoption date:	31 May 2001	Review Frequency (Annual/Bi-ennial):	Bi-ennial
		Next Review Due:	February 2025
Policy Implementing Officer or Team:	Finance Team	Policy Reviewer:	Director Corporate & Community Services Director Corporate Services
Legislative Head of Power (Act, Regulation, or Local Law):			
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Policy F5 Outstanding Rates Collection Policy Policy F9 Rating Administration Policy		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	24 June 2021	Item 11.2, Res. 57/21	
2.	Xxx March 2023	Item. Xx, Res. xx	



(F13) RESERVE ACCOUNTS

POLICY STATEMENT

1. Cash Backing of Discretionary Reserves

All of Council's discretionary Reserves, which include all Reserves except any asset revaluation reserves, shall be cash backed. The goal, subject to annual budget capacity, is to have the following reserves in place, so as to best position the Shire and its ongoing sustainability.

The following reserve Accounts shall be provided for (noting that these can be adjusted as part of the Shire's annual budget adoption process):

1.1 (Employee) Leave Reserve (To fund annual and long service leave requirements)

Objective:

1. To ensure that sufficient funds have been set aside to meet any unforeseen circumstances (e.g. where payment requirements significantly exceed that provided for in the budget);
2. To be used in conjunction with Annual Budget allocations, to "even out" payments (i.e. so as to avoid any one particular year being charged with a large payment burden);
3. To establish a method as to how to provide for payments of Employee Leave Liabilities over the years;
4. To provide direction to staff, and future Councils, as to how the movements to and from the Reserve are to operate.

Notes:

- (a) At each budget, the projected liabilities shall be calculated and adequate provision made in the next budget for the anticipated costs over the next year. If there are any anticipated retirements, these are to be taken into account in the next year's payments, with an appropriate transfer from the Reserve where calculated as being needed.
- (b) This Reserve shall have sufficient money held in it to provide for any large payments that may occur, over and above that previously allowed for. Transfers to and from the Reserve will need to be adjusted at the close of each financial year, following the identification and calculation of the 'actual' figures for the year just past. The most appropriate time for these adjustments to be considered and adopted by Council is at its Budget meeting for the next year.

Council will ensure that it has money on hand to meet:

- (i) **For the Current Liability of Annual Leave and Long Service Leave:** 100% of the next year's anticipated costs or accruals should be included within the budget proposals;
- (ii) **For the Non-Current Liability of Annual Leave and Long Service Leave** [i.e.: That beyond one year]: at least 25% of such costs to be held in the Reserve.
- (iii) That transfers to and from this Reserve shall be as per that calculated in accordance with the requirements of AAS30 and adopted in each year's budget, or via any end of year adjustments adopted in the subsequent year's budget.



1.2 Rubbish Services Reserve

Objective:

1. To operate the finances of the Rubbish collection and disposal services, and the related charges, on a 'cost/revenue neutral' basis;
2. To set aside those funds which are in excess of the operating costs each year;
3. To attempt to identify and effect multiple-year plans for these services, and to structure the related charges accordingly, in an endeavour to avoid large fluctuations in such annual charges;
4. To provide direction to staff, and future Councils, as to how the movements to and from the Reserve are to operate.

Council will ensure that the surplus or deficit from all the operations of the Rubbish collection and disposal service are transferred to or from the Rubbish Service Reserve as per the provisions included in the budget, including those end of year adjustments for the prior year following the actual results for that year.

The Rubbish/Sanitation charges are to be structured so as to allow for future year issues, in an endeavour to avoid large fluctuations in any one year.

1.3 Staff Housing Reserve (to fund the construction of staff housing)

This Reserve Account is to operate for Staff Housing matters. All the income from the sale of Shire Houses is to be transferred into the Staff Housing Reserve Account. This account is to then be used to assist in the funding of future staff housing.

1.4 Derby Wharf Export Facilities Reserve (to carry out wharf maintenance)

This Reserve has been established to carry out short and long term wharf maintenance.

1.5 Airport Reserve (to fund airport capital works, primarily bitumen resealing)

This Reserve has been established to help fund the reconstruction of the main runway of the Derby Airport, plus other Capital works at all other Shire airports.

1.6 Plant Reserve

This Reserve is for the purchase of major plant. It is expected to only have limited use, principally for the helping in shortfall of various purchases or for funding emergency major repairs costs.

1.7 Office Building Reserve

To fund the new Derby Administration Building.

1.8 Economic Development Reserve

To promote economic development within the Shire.

1.9 Fitzroy Resource Centre

To quarantine funds received from the lease of the Fitzroy Resource Recreation Hall to be utilised for any upgrade works.



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1.10 Energy Development Reserve

To administer the funds provided by Energy Developments Limited to create lasting value throughout the West Kimberley by contributing to not-for-profit projects or activities that benefit the Shire of Derby/West Kimberley.

1.11 Capital Works Reserve

To help with the construction/maintenance of major capital works.

Policy Details			
Original Adoption date:	31 May 2001	Review Frequency (Annual/Bi-ennial):	Annual
		Next Review Due:	February 2024
Policy Implementing Officer or Team:	Director Corporate & Community Services Director Corporate Services	Policy Reviewer:	Chief Executive Officer
Legislative Head of Power (Act, Regulation, or Local Law):			
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Delegation 1.2.10 Financial Management System and Procedures		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	28 August 2003		
2.	24 June 2021	Item 11.2, Res. 57/21	
3.	24 February 2022	Item 11.5, Res. 07/22	
4.	Xx March 2023	Item xx, Res. xxx	



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(F14) LOAN BORROWINGS

POLICY STATEMENT

Debt Servicing Ratio

Council believes that its level of debt should be kept at a manageable level.

Council's level of Net Debt Servicing Ratio shall not exceed 8% of its net Available Operating Revenue.

Self-Supporting Loans

Council is prepared to undertake loan borrowings for community projects on behalf of various groups which may wish to proceed with specific capital works, conditional upon the group supplying Council with a written undertaking that it will make the repayments to the Shire, and to supply Council with a written personal undertaking by specific guarantors. A Profit and Loss statement, and a Statement of Financial Position for the past three years is to be provided to the CEO at the time of the lodgement of an application for a self-supporting loan.

Policy Details			
Original Adoption date:	31 May 2001	Review Frequency (Annual/Bi-ennial):	Bi-ennial
		Next Review Due:	February 2025
Policy Implementing Officer or Team:	Director Corporate & Community Services Director Corporate Services	Policy Reviewer:	Chief Executive Officer
Legislative Head of Power (Act, Regulation, or Local Law):			
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Delegation 1.2.10 Financial Management System and Procedures		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	28 August 2003		
2.	24 June 2021	Item 11.2, Res. 57/21	
3.	Xx March 2023	Item xx, Res. xxx	



(F16) CASH FLOW MANAGEMENT

POLICY STATEMENT

A detailed, modern, daily cash flow management system is to be maintained so as to quickly monitor cash movements, and to assist in the maximisation of investment opportunities.

Review

Policy Details			
Original Adoption date:	31 May 2001	Review Frequency (Annual/Bi-ennial):	Bi-ennial
		Next Review Due:	February 2025
Policy Implementing Officer or Team:	Finance Team	Policy Reviewer:	Director Corporate & Community Services Director Corporate Services
Legislative Head of Power (Act, Regulation, or Local Law):			
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Delegation 1.2.10 Financial Management System and Procedures		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	24 June 2021	Item 11.2, Res. 57/21	
2.	Xx March 2023	Item xx, Res. xxx	



(F17) INVESTMENTS

POLICY OBJECTIVE

To undertake the authorised investment of the Shire's surplus funds, with consideration of risk at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are met.

POLICY DEFINITIONS

"Authorised Institution" means the same as that defined in Regulation 19C(1) of *the Local Government (Financial Management) Regulations 1996* as amended.

"Counterparty" means the other party that participates in a financial transaction.

"Credit Rating" means an estimate of overall ability and willingness of an entity or person to fulfil financial obligations in full and on time, based on previous financial dealings. Ratings are opinions issued by credit rating agencies.

"Short Term" in relation to investments means it matures in 12 months or less.

"Long Term" in relation to investments means it matures in excess of 12 months.

POLICY STATEMENT

While exercising the power to invest, consideration needs to be given to preservation of capital, liquidity, and the return on investment.

Preservation of capital is the principal objective of the investment portfolio. Investing activities are to be performed in a manner that seeks to ensure the security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within specified limits and parameters.

The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated realisation of an investment.

The investment portfolio is expected to achieve a predetermined market average rate of return that takes into account legislative investment limitations and the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation, liquidity requirements and prudent investment principles.

1. Authority for Investment

All investments are to be made in accordance with:

- a) *Local Government Act 1995* – Section 6.14;
- b) *The Trustees Amendment Act 1997* – Point 6, Part III – Investments;
- c) *Local Government (Financial Management) Regulations 1996* – Regulations 19, 19C, 28 and 49; and
- d) *Australian Accounting Standards*.

2. Delegation of Authority

Authority is delegated to the Chief Executive Officer to implement this policy. The Chief Executive Officer may in turn delegate the day-to-day management of the Shire's investments in accordance with the provisions of the *Local Government Act 1995*.



3. **Prudent Person Standard**

Investments will be managed with the care, diligence and skill that a prudent person would exercise. Officers delegated with authority to manage investments are to safeguard the portfolios in accordance with the substance of this policy, and not for speculative or any other purposes.

4. **Authorised Investments**

Without Direct approvals from Council, Investments are limited to:

- a) Bank Accepted/Endorsed Bank Bills;
- b) Bank Negotiable Certificates of Deposit;
- c) Bank Interest Bearing Deposits; and
- d) State/Commonwealth Government Bonds.

5. **Prohibited Investments**

The investment policy strictly prohibits any investment carried out for speculative purposes including:

- a) Derivative or derivative based instruments and or structured products;
- b) Principal only investments or securities that provide potentially nil or negative cash flow;
- c) Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind; and
- d) Any form of investment that risks the loss of the initial capital outlay in anticipation of significant gain that may arise from expected changes in future economic conditions.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

This policy also requires that the Shire may not do any of the following when investing money, as per Regulation 19C of the *Local Government (Financial Management) Regulations 1996*:

- a) Deposit with an institution except an authorised institution;
- b) Deposit for a fixed term of more than 3 years;
- c) Invest in bonds that are not guaranteed by the Commonwealth Government or a State or Territory Government;
- d) Invest in bonds with a term to maturity of more than 3 years; and
- e) Invest in a foreign currency.

6. **Risk Management Guidelines**

Any investments that are entered into by the Council should comply with the following five key criteria:

- 1. Portfolio Credit Framework – Limit overall credit exposure of the portfolio;
- 2. Counterparty Credit Framework – Limit exposure to individual counterparties/ institutions;
- 3. Term to Maturity Framework – Limits based upon maturity of securities;
- 4. Market Risk; and
- 5. Fraud.

(i) ***Portfolio Credit Framework***

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.



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S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A 1+	100%	100%
AA	A 1	100%	100%
A	A2	60%	80%

(ii) *Counterparty Credit Framework*

Exposure to an individual counterparty/institution will be restricted by its credit rating so that any single entity exposure is limited.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A 1+	45%	50%
AA	A 1	35%	45%
A	A2	20%	40%

(iii) *Term to Maturity*

The investment portfolio is to be invested within the following maturity constraints.

Overall Portfolio Return to Maturity	S&P Short Term Rating	Direct Investment Maximum %
Up to 12 months	40%	100%
12 to 24 months	0%	35%
25 to 36 months	0%	20%

The Term to Maturity impacts investment products exposure in two ways:

- a) **Maturity Risk**- Identifies the impact of maturity on the valuation of the investment. The longer the term to maturity the greater the length of exposure.
- b) **Liquidity Risk**- A low liquidity risk for a product will arise if there a high market depth for a product. The product has to be easily converted to cash in a market environment without too much additional cost to the Council.

(iv) *Market Risk*

Market Risk – All investment products should be scrutinised to ensure there is no significant exposure to the Shire from movements in interest rates, currency and other prices.

(v) *Fraud*

Two authorised signatories are required to authorise any investment transaction.

7. Investment Advisor

Any Investment Advisor used by a local government must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual, potential or perceived conflict of interest in relation to investment products recommended.

8. Reporting

A monthly information report should be provided to Council detailing the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio.



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The report should also detail investment income earned versus budget year to date.

For audit purposes, certificates must be obtained from the banks/fund managers confirming the amounts of investment held on Council's behalf at 30 June each year.

9. Quotations

At least three quotes must be obtained for investment products that adhere to this investment policy. These quotations will contain enough information to ensure it complies with this investment policy.

10. Variation to Policy

The Chief Executive Officer or their delegated representative be authorised to approve variations to this policy if the investment is to the Shire's advantage and/or due to revised legislation. All variations are to be reported to Council at the next Council meeting.

Policy Details			
Original Adoption date:	31 May 2001	Review Frequency (Annual/Bi-ennial):	Annual
		Next Review Due:	February 2024
Policy Implementing Officer or Team:	Manager Finance	Policy Reviewer:	Director Corporate & Community Services Director Corporate Services
Legislative Head of Power (Act, Regulation, or Local Law):	Local Government Act 1995 S.6.14 The Trustees Amendment Act 1997 – Point 6 Local Government (Financial Management) Regulations 1996		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Delegation 1.1.23 Power to Invest and Management Investments Delegation 1.2.10 Financial Management Systems and Procedures		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	15 December 2016	Item 11.2, Res. 145/2016	
2.	24 June 2021	Item 11.2, Res. 57/21	
3.	24 February 2022	Item 11.5, Res. 07/22	
4.	Xx March 2023	Item xx, Res. xx	



(F18) PORTABLE AND ATTRACTIVE ITEMS POLICY

POLICY OBJECTIVE

The objective of this policy is to clearly set out guidelines in identifying, recording and tracking items that are portable and attractive within the Shire of Derby/West Kimberley.

POLICY STATEMENT

The policy relates to all employees of Council (whether full-time, part-time or casual) and temporary staff of the Shire of Derby/West Kimberley, as well as Elected Members. and the policy does not form part of any contract of employment with Shire of Derby/West Kimberley. Nor does it form part of any contract for service with the Shire of Derby/West Kimberley.

This policy applies to all items defined as a portable and attractive and all workers who deal with portable and attractive items. A portable and attractive item is an item purchased by Council, with Council funds, irrespective of the funding source, and includes items gifted or donated to Council.

Council will comply with all relevant standards and legislation which requires written records of portable and attractive items. Council will maintain a register to record the receipt, movement and disposal of non-consumable items of a portable and attractive nature.

POLICY DEFINITIONS

Accountable Officer - The person or entity accountable for the policy or procedure and who coordinates its deployment. The Accountable Officer is also responsible for leading the review of the policy or procedure and will ensure that any policy or procedure has accurate and current Regulatory Compliance Instruments referenced. The CEO/Manager of Finance is the accountable officer.

Asset Capitalisation Threshold – The amount which determines when acquisitions of the Shire will be classified as a portable or attractive asset. The Asset Capitalisation Threshold is \$5,000. All acquisitions less than the Asset Capitalisation Threshold will be expensed in the year of acquisition. All acquisitions greater than \$5,000 will be treated as assets of the Shire.

Portable and Attractive Item – Non-consumable items of a portable and desirable nature which are susceptible to theft or loss due to their portable nature and attractiveness for personal use or resale. Typical examples of such items include, but are not limited to, plant (e.g.: chainsaws, scissor lifts, whipper snippers, electric drills, power tools etc.), computers, tablets, LCD monitors (above standard size only), computer hard drives, printers, cameras, mobile phones, mobile data devices, GPS devices, printers, firearms, televisions, etc.

POLICY PRINCIPLES

The following principles apply:

Portable and attractive items do not meet the Asset Capitalisation Threshold, and consequently are expensed in the year of acquisition.

All workers involved in the purchasing, disposal, usage, transfer, keeping, allocation and/or management of portable and attractive items are responsible for maintaining up-to-date knowledge of this policy and related procedures, to ensure that Council complies with its legislative obligations.

Responsibility for the control and safe custody of a portable and attractive item remains with the manager/supervisor responsible for that area or the worker who has control and use of the portable and attractive item. Council will retain ownership of the portable and attractive item at all times.



Council will maintain a portable and attractive item register and portable and attractive items will be subject to an annual stock-take.

A portable and attractive item is a non-consumable item of a portable and desirable nature that satisfies either of the following criteria:

- a) The item is of a non-consumable nature, such as a portable plant, laptop computer, tablet, desktop computer, mobile phone or portable business/consumer electronic device of any value less than \$5,000 (i.e. with no lower limit); or
- b) A non-consumable item valued between \$1,000 and \$4,999.99 (exclusive of Goods and Services Tax).

The Manager of Finance will review and may adjust the lower value limit annually.

Stock-takes

Stock-takes are the mechanism that assists in confirming the existence and proper control over assets. Stock-takes also ensure that operational units are accountable for the portable and attractive items under their control and assist them to:

- Identify items that have been lost or stolen and, where possible, recover them; and
- Assess the effectiveness of control practices for portable and attractive items and, where required, improve them.

Frequency of Stock-takes - Agencies must ensure that stock-takes of portable and attractive items are performed at least once a year, in order to safeguard identified portable and attractive items.

Responsibility for the Stock-take - The responsibility of performing the stock-take rests with the area responsible for the portable and attractive register. However, the person assigned to perform the stock-take must not maintain the portable and attractive register.

Results of Stock-take - The results of each stock-take must be provided to Manager of Finance, who should then address any significant issues of concern.

BREACH OF THIS POLICY

Any breach of the policy may result in disciplinary action, including, but not limited to, issue of a warning, demotion, suspension or termination of employment.

COUNCIL CONTACT

Any questions about this policy should be directed to Chief Executive Officer.



Shire of Derby / West Kimberley

Policy Details			
Original Adoption date:	28 February 2019 (Item 9.1.1, Res. 005/2019)	Review Frequency (Annual/Bi-ennial):	Annual
		Next Review Due:	February 2024
Policy Implementing Officer or Team:	Manager Operations Manager of Finance	Policy Reviewer:	Director Corporate & Community Services Director Corporate Services
Legislative Head of Power (Act, Regulation, or Local Law):			
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Code of Conduct (Employees) Delegation 1.1.21 Payments from the Municipal or Trust Funds Delegation 1.2.10 Financial Systems and Procedures Policy F1 Procurement of Goods and Services Policy F8 Transaction Cards Policy ES3 Fraud, Misconduct Control and Resilience		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	24 June 2021	Item 11.2, Res. 57/21	
2.	24 February 2022	Item 11.5, Res. 07/22	
3.	Xx March 2023	Item xx, Res. xxx	



(PC3) INJURY MANAGEMENT AND REHABILITATION

POLICY STATEMENT

It is a policy of the Shire of Derby/West Kimberley:

- To make provision for the injury management and rehabilitation of all workers who have sustained a compensable work related illness, injury or disability.
- To treat all workers with dignity and respect.
- To guarantee that all information is treated with sensitivity and confidentiality.
- To return the injured worker to the fullest capacity for gainful employment of which they are capable.

With this in mind, the 'Key Principles of Injury Management', as identified by *WorkCover*, will be adopted. They are:

- Recognition that employers and injured workers are the primary stakeholders within the workers' compensation system.
- Maintenance in or a safe return to work is the expected outcome.
- Medical practitioners and employers play a central decision making role in the return to work of injured workers.
- The focus of all services should be workplace based.
- The injury management process should be transparent, cost efficient and effective.
- Early intervention and pro-active injury management is critical in achieving return to work goals.
- When vocational rehabilitation is required, all parties are involved in a process that is transparent and requires joint decision making.

Policy Details			
Original Adoption date:	28 August 2003	Review Frequency (Annual/Bi-ennial):	Annual
		Next Review Due:	February 2024
Policy Implementing Officer or Team:	People & Culture	Policy Reviewer:	Human Resources Advisor
Legislative Head of Power (Act, Regulation, or Local Law):	Worksafe Commissioner - Work Health Safety Act (WHS) 2020		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Policy PC1 Risk and Opportunity Management Policy PC2 Occupational Safety and Health Policy		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	25 March 1998		
2.	24 June 2021	Item 11.2, Res. 57/21	
3.	24 February 2022	Item 11.5, Res. 07/22	
4.	Xx March 2023	Item xx, Res. xx	

7.6 STATEMENT OF FINANCIAL ACTIVITY - FEBRUARY 2023**File Number: 5179****Author: Susan Krouzecky, Manager of Finance****Responsible Officer: Tamara Clarkson, Acting Director of Corporate Services****Authority/Discretion: Information****SUMMARY**

This report provides a summary of Council's financial position for the period ending 28 February 2023.

DISCLOSURE OF ANY INTEREST

Nil

BACKGROUND

Pursuant to section 6.4 of the *Local Government Act 1995* and regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* (the Regulations), a Local Government is to prepare, on a monthly basis, a statement of financial activity that reports on the Shire's financial performance in relation to its adopted/amended budget.

The Shires Financial Reports are produced in accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* as amended. Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires that Local Governments produce a monthly statement of financial activity and such other supporting information as is considered relevant by the Local Government.

The Shires financial reporting framework provides Council, management and employees with a broad overview of the Shire's wide financial position.

STATUTORY ENVIRONMENT

In accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, a Statement of Financial Activity is required to be presented to Council as a minimum requirement.

Section 6.4 of the *Local Government Act 1995* provides for the preparation of financial reports.

In accordance with Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996*, a report must be compiled on variances greater than the materiality threshold adopted by Council of \$30,000 or 10% whichever is the greater. As this report is composed at a program level, variance commentary considers the most significant items that comprise the variance.

POLICY IMPLICATIONS

F3 – Significant Accounting Policies

F4 – Sundry Debtors Collection

F5 – Outstanding Rates Collection

F13 – Reserve Accounts

F16 – Cash Flow Management

F17 – Investments

FINANCIAL IMPLICATIONS

Expenditure for the period ending has been incurred in accordance with the 2022/23 Annual Budget as adopted by Council at its meeting held 28 July 2022 (Minute No. 94/22 refers) budget parameters, which have been structured on financial viability and sustainability principles.

Details of any budget variation in excess of \$30,000 (year to date) follow. There are no other known events which may result in a material non-recoverable financial loss or financial loss arising from an uninsured event.

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
Financial:	Possible	Moderate	Medium	The completion of the Monthly Financial Activity Statement report is a control that monitors this risk

CONSULTATION

Internal consultation within the Corporate Services Department.

External consultation with Moore Australia.

COMMENT

This is a monthly process advising Council of the current financial position of the Shire.

Financial integrity is essential to the operational viability of the Shire but also as the custodian of community assets and service provision. An ability to monitor and report on financial operations, activities and capital projects is imperative to ensure that financial risk is managed at acceptable levels of comfort.

The ability for the Shire to remain financially sustainable is a significant strategy for a region that is continually under pressure from the pastoral industry, private enterprise and State Government obligations for the ongoing development of infrastructure and services.

Any material variances are highlighted in the Operating Statement and included by way of note to the Operating Statement (as attached)

Attached to the Agenda is a copy of:

- Statement of Financial Activity by Nature and Type

Notes related to –

- Significant Accounting Policies
- Net Current Financial Position
- Capital – Acquisition, Funding and Disposal
- Cash and Investments
- Budget Amendments
- Trust Fund Movements
- Material Variances
- Grants and Contributions
- Rating Information
- Cash Backed Reserves
- Receivables
- Payables; and
- Summary Graphs.

Comments are required for variances that are more than 10% of budget or \$30,000 whichever is the greater.

Note: At the time of preparing the attached financials the Annual Financial Report has not been finalised and therefore the surplus from 2021/22, as displayed, may change due to year end and audit adjustments.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Monthly Financial Report - February 2023
2. Monthly Financial Management Report - 2023

COMMITTEE RESOLUTION AC30/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council:

1. RECEIVES the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 28th February 2023. In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

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17 March 2023

Mrs Amanda Dexter
Chief Executive Officer
Shire of Derby/West Kimberley
PO Box 94
DERBY WA 6728

Dear Amanda

COMPILATION REPORT TO THE SHIRE OF DERBY/WEST KIMBERLEY

We have compiled the accompanying local government special purpose financial statements of the Shire of Derby/West Kimberley, which comprise the statement of financial activity (by nature or type), a summary of significant accounting policies and other explanatory notes for the period ending 28 February 2023. The monthly financial report has been compiled to meet compliance with the *Local Government Act 1995* and associated regulations.

THE RESPONSIBILITY OF THE SHIRE OF DERBY/WEST KIMBERLEY

The Shire of Derby/West Kimberley are solely responsible for the information contained in the special purpose financial statements and are responsible for the maintenance of an appropriate accounting system in accordance with the relevant legislation.

OUR RESPONSIBILITY

On the basis of information provided by the Shire of Derby/West Kimberley we have compiled the accompanying special purpose financial statements in accordance with the requirements of the *Local Government Act 1995*, associated regulations and APES 315 *Compilation of Financial Information*.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the Shire of Derby/West Kimberley provided, in compiling the financial report. Our procedures do not include verification or validation procedures. No audit or review has been performed and accordingly no assurance is expressed.

The local government special purpose financial statements were compiled exclusively for the benefit of the Shire of Derby/West Kimberley. We do not accept responsibility to any other person for the contents of the special purpose financial statements.

A handwritten signature in black ink, appearing to read 'Russell Barnes'.

Russell Barnes
Director

Moore Australia (WA) Pty Ltd

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961.
An independent member of Moore Global Network Limited - members in principal cities throughout the world.
Liability limited by a scheme approved under Professional Standards Legislation.

SHIRE OF DERBY-WEST KIMBERLEY
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 28 February 2023

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 1

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

SUMMARY INFORMATION - GRAPHS



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 2

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

EXECUTIVE SUMMARY

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$3.83 M	\$3.83 M	\$2.54 M	(\$1.29 M)
Closing	\$0.00 M	\$7.02 M	\$4.71 M	(\$2.31 M)

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$7.47 M	% of total
Unrestricted Cash	\$6.49 M	86.9%
Restricted Cash	\$0.98 M	13.1%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$2.64 M	% Outstanding
Trade Payables	\$1.49 M	
0 to 30 Days		53.6%
Over 30 Days		46.4%
Over 90 Days		40.2%

Refer to Note 3 - Payables

Receivables		
	\$2.29 M	% Collected
Rates Receivable	\$1.52 M	79.7%
Trade Receivable	\$2.29 M	% Outstanding
Over 30 Days		86.8%
Over 90 Days		76.1%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$3.39 M)	\$1.11 M	\$4.20 M	\$3.10 M

Refer to Statement of Financial Activity

Rates Revenue		
YTD Actual	\$8.60 M	% Variance
YTD Budget	\$8.60 M	0.1%

Refer to Statement of Financial Activity

Operating Grants and Contributions		
YTD Actual	\$3.40 M	% Variance
YTD Budget	\$3.82 M	(10.9%)

Refer to Note 10 - Operating Grants and Contributions

Fees and Charges		
YTD Actual	\$4.38 M	% Variance
YTD Budget	\$4.31 M	1.6%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.53 M)	\$2.27 M	(\$1.84 M)	(\$4.11 M)

Refer to Statement of Financial Activity

Proceeds on sale		
YTD Actual	\$0.00 M	%
Amended Budget	\$0.00 M	

Refer to Note 5 - Disposal of Assets

Asset Acquisition		
YTD Actual	\$7.39 M	% Spent
Amended Budget	\$23.66 M	31.2%

Refer to Note 6 - Capital Acquisitions

Capital Grants		
YTD Actual	\$5.55 M	% Received
Amended Budget	\$23.13 M	24.0%

Refer to Note 6 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.09 M	(\$0.19 M)	(\$0.19 M)	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.19 M
Interest expense	\$0.05 M
Principal due	\$2.88 M

Refer to Note 7 - Borrowings

Reserves	
Reserves balance	\$0.98 M
Interest earned	\$0.00 M

Refer to Note 8 - Cash Reserves

This information is to be read in conjunction with the accompanying Financial Statements and notes.

Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 3

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 28 FEBRUARY 2023

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Excludes administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, and other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates, reimbursements etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

All costs associated with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets. Excluding Land.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 4

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

BY NATURE OR TYPE

	Ref	Amended Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Var.
	Note	(a)	(b)	(c)	(c) - (b)	((c) - (b))/(b)	
Opening funding surplus / (deficit)	1(c)	\$ 3,826,049	\$ 3,826,049	\$ 2,538,157	\$ (1,287,892)	% (33.66%)	▼
Revenue from operating activities							
Rates		8,598,322	8,598,322	8,603,482	5,160	0.06%	
Operating grants, subsidies and contributions	10	5,562,685	3,817,846	3,401,172	(416,674)	(10.91%)	▼
Fees and charges		5,136,913	4,313,766	4,382,092	68,326	1.58%	
Interest earnings		184,538	150,557	166,218	15,661	10.40%	
Other revenue		1,276,503	940,780	1,325,169	384,389	40.86%	▲
		20,758,961	17,821,271	17,878,133	56,862	0.32%	
Expenditure from operating activities							
Employee costs		(9,890,025)	(6,808,638)	(6,021,520)	787,118	11.56%	▲
Materials and contracts		(10,942,130)	(7,464,735)	(5,029,614)	2,435,121	32.62%	▲
Utility charges		(911,688)	(573,451)	(546,742)	26,709	4.66%	
Depreciation on non-current assets		(7,131,200)	(4,754,132)	0	4,754,132	100.00%	▲
Interest expenses		(102,989)	(51,445)	(44,066)	7,379	14.34%	
Insurance expenses		(1,482,254)	(1,223,488)	(1,443,271)	(219,783)	(17.96%)	▼
Other expenditure		(818,208)	(593,505)	(591,627)	1,878	0.32%	
		(31,278,494)	(21,469,394)	(13,676,840)	7,792,554	(36.30%)	
Non-cash amounts excluded from operating activities	1(a)	7,131,200	4,754,132	0	(4,754,132)	(100.00%)	▼
Amount attributable to operating activities		(3,388,333)	1,106,009	4,201,293	3,095,284	279.86%	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	11	23,134,525	15,112,738	5,554,343	(9,558,395)	(63.25%)	▼
Payments for property, plant and equipment and infrastructure	6	(23,664,938)	(12,838,275)	(7,394,827)	5,443,448	42.40%	▲
Amount attributable to investing activities		(530,413)	2,274,463	(1,840,484)	(4,114,947)	(180.92%)	
Financing Activities							
Proceeds from new debentures	7	1,000,000	0	0	0	0.00%	
Transfer from reserves	8	474,476	0	0	0	0.00%	
Repayment of debentures	7	(381,779)	(189,235)	(189,235)	0	0.00%	
Transfer to reserves	8	(1,000,000)	0	0	0	0.00%	
Amount attributable to financing activities		92,697	(189,235)	(189,235)	0	0.00%	
Closing funding surplus / (deficit)	1(c)	0	7,017,286	4,709,731	(2,307,555)	32.88%	▼

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 14 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 5

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

BASIS OF PREPARATION

BASIS OF PREPARATION

This financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 12 to these financial statements.

SIGNIFICANT ACCOUNTING POLICIES

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities not readily apparent from other sources.

Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 17 March 2023

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Notes	Amended Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$	\$
Adjustments to operating activities				
Add: Depreciation on assets		7,131,200	4,754,132	0
Total non-cash items excluded from operating activities		7,131,200	4,754,132	0

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Amended Budget Opening 30 June 2022	Last Year Closing 30 June 2022	Year to Date 28 February 2023
Adjustments to net current assets				
Less: Reserves - restricted cash	8	(501,325)	(975,801)	(975,801)
Add: Borrowings	7	618,221	381,779	192,544
Add: Provisions employee related provisions	8	402,441	402,441	402,441
Total adjustments to net current assets		519,337	(191,581)	(380,816)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	2,513,171	11,335,343	6,491,014
Financial assets at amortised cost	2	0	0	975,800
Rates receivables	3	1,372,036	1,290,181	1,522,540
Receivables	3	966,341	901,706	2,293,970
Other current assets	4	60,573	49,353	76,662
Less: Current liabilities				
Payables	5	(4,234,970)	(7,031,364)	(2,643,193)
Borrowings	7	(618,221)	(381,779)	(192,544)
Other liabilities	9	0	(2,611,951)	(2,611,951)
Provisions	9	(578,267)	(821,751)	(821,751)
Less: Total adjustments to net current assets	1(b)	519,337	(191,581)	(380,816)
Closing funding surplus / (deficit)		0	2,538,157	4,709,731

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash On Hand	Cash and cash equivalents	1,750	0	1,750	0	Cash on Hand	Nil	Nil
Municipal Bank Account	Cash and cash equivalents	4,349,910	0	4,349,910	0	ANZ	Variable	Nil
CBA Bank Acc - Fitzroy Deposits	Cash and cash equivalents	122,665	0	122,665	0	CBA	Nil	Nil
Municipal Investment Account	Cash and cash equivalents	2,016,689	0	2,016,689	0	ANZ	Variable	Nil
Reserve Bank Account	Financial assets at amortised cost	0	975,800	975,800	0	ANZ	2.98%	Jul-23
Trust Cash at Bank	Cash and cash equivalents	0	0	0	295,981	ANZ	Nil	Nil
Total		6,491,014	975,800	7,466,814	295,981			
Comprising								
Cash and cash equivalents		6,491,014	0	6,491,014	295,981			
Financial assets at amortised cost		0	975,800	975,800	0			
		6,491,014	975,800	7,466,814	295,981			

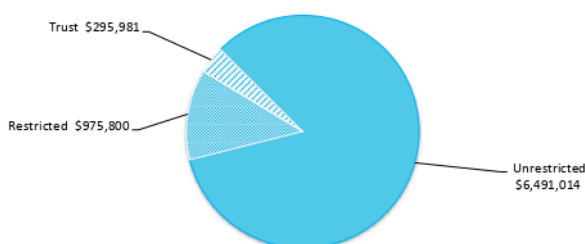
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



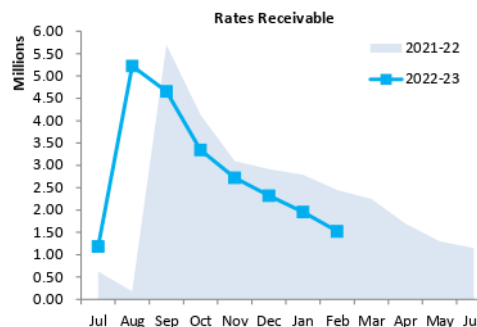
Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 8

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

OPERATING ACTIVITIES
NOTE 3
RECEIVABLES

Rates receivable	30 June 2022	28 Feb 2023
	\$	\$
Opening rates arrears	2,274,863	1,290,181
Levied	7,626,940	8,603,482
Less - collections	(8,611,622)	(7,882,961)
Gross rates collectable	1,290,181	2,010,702
Allowance for impairment of rates receivable	(488,162)	(488,162)
Net rates collectable	802,019	1,522,540
% Collected	87%	79.7%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(53,257)	375,185	140,288	121,400	1,862,383	2,445,999
Percentage	(2.2%)	15.3%	5.7%	5%	76.1%	
Balance per trial balance						
Sundry receivable						2,445,999
GST receivable						150,452
Allowance for impairment of receivables from contracts with customers						(374,162)
Rates pensioner rebates						8,615
Accrued income						63,066
Total receivables general outstanding						2,293,970

Amounts shown above include GST (where applicable)

KEY INFORMATION

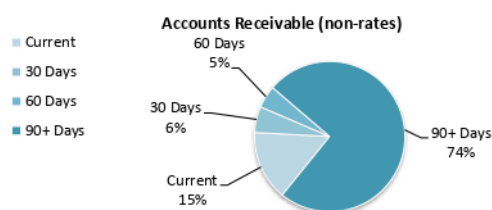
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 9

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS

	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 28 February 2023
Other current assets	\$	\$	\$	\$
Inventory				
Fuel	49,353	92,035	(64,726)	76,662
Total other current assets	49,353	92,035	(64,726)	76,662
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Please refer to the compilation report

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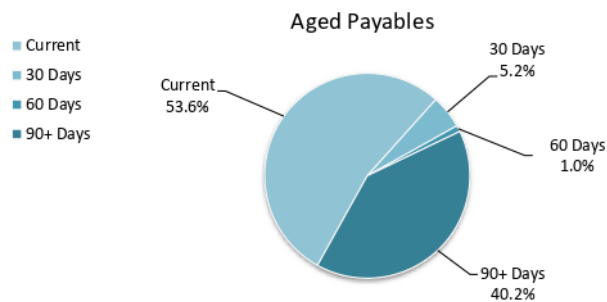
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 5
PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	796,888	77,791	14,707	597,013	1,486,399
Percentage	0%	53.6%	5.2%	1%	40.2%	
Balance per trial balance						
Sundry creditors						1,486,399
ATO liabilities						23,975
Other payables						616,297
Accrued expenses						373,199
Payroll creditors						3,651
Prepaid rates						139,672
Total payables general outstanding						2,643,193
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 11

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**INVESTING ACTIVITIES
NOTE 6
CAPITAL ACQUISITIONS**

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	1,936,513	936,513	238,174	(698,339)
Plant & Equipment	743,761	743,761	232,164	(511,597)
Infrastructure Roads	16,942,964	8,716,301	6,481,356	(2,234,945)
Infrastructure - Wharf	100,000	0	0	0
Infrastructure Other	3,941,700	2,441,700	443,133	(1,998,567)
Payments for Capital Acquisitions	23,664,938	12,838,275	7,394,827	(5,443,448)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	23,134,525	15,112,738	5,554,343	(9,558,395)
Borrowings	1,000,000	0	0	0
Cash backed reserves				
Asset renewal reserve	314,511	0	0	0
Staff housing Reserve	159,965	0	0	0
Contribution - operations	(944,063)	(2,274,463)	1,840,484	4,114,947
Capital funding total	23,664,938	12,838,275	7,394,827	(5,443,448)

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Initial recognition and measurement for assets held at cost

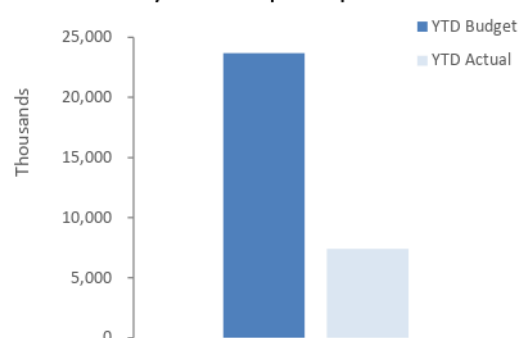
Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between

mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions



Please refer to the compilation report

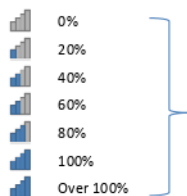
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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

INVESTING ACTIVITIES
NOTE 6
CAPITAL ACQUISITIONS (CONTINUED)


































Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

Level of completion indicator, please see table at the end of this note for further detail.			Amended			
Account Description			Current Budget	Year to Date Budget	Year to Date Actual	Variance (Under)/Over
Capital Expenditure						
Buildings						
	4080710	WELFARE - Building (Capital)	40,089	40,089	20,089	(20,000)
	4090110	STF HOUSE - Building (Capital)	1,440,300	440,300	130,689	(309,611)
	4110210	SWIM AREAS - Building (Capital)	0	0	16,678	16,678
	4110310	REC - Other Rec Facilities Building (Capital)	5,000	5,000	0	(5,000)
	4120110	ROADC - Building (Capital)	397,000	397,000	69,909	(327,091)
	4120610	AERO - Building (Capital)	35,424	35,424	0	(35,424)
	4140210	ADMIN - Building (Capital)	0	0	809	809
	4090210	OTH HOUSE - Building (Capital)	6,300	6,300	0	(6,300)
	4100710	COM AMEN - Building (Capital)	12,400	12,400	0	(12,400)
	Buildings Total		1,936,513	936,513	238,174	(698,339)
Plant & Equipment						
	4050230	ANIMAL - Plant & Equipment (Capital)	0	0	22,060	22,060
	4070730	OTH HEALTH - Plant & Equipment (Capital)	75,100	75,100	12,250	(62,850)
	4110530	LIBRARY - Plant & Equipment (Capital)	0	0	6,083	6,083
	4140230	ADMIN - Plant and Equipment (Capital)	143,342	143,342	3,707	(139,635)
	4140330	PWO - Plant and Equipment (Capital)	247,326	247,326	178,945	(68,381)
	4120130	ROADC - Plant & Equipment (Capital)	277,992	277,992	9,119	(268,873)
	Plant & Equipment Total		743,761	743,761	232,164	(511,597)
Infrastructure Roads						
	4120140	ROADC - Roads Built Up Area - Council Funded	1,557,960	740,960	1,687,511	946,551
	4120142	ROADC - Roads Outside BUA - Gravel - Council Funded	1,308,302	862,802	497,356	(365,446)
	4120144	ROADC - Roads Built Up Area - Roads to Recovery	702,402	418,068	657,632	239,564
	4120146	ROADC - Roads Outside BUA - Gravel - Roads to Recovery	231,428	115,714	0	(115,714)
	4120148	ROADC - Roads Built Up Area - Regional Road Group	372,016	193,329	43,366	(149,963)
	4120156	ROADC - Roads Built Up Area - Flood Damage	467,387	233,694	114,486	(119,208)
	4120158	ROADC - Roads Outside BUA - Gravel - Flood Damage	11,840,613	5,920,307	3,481,005	(2,439,302)
	Infrastructure Roads Total		16,942,964	8,716,301	6,481,356	(2,234,945)
Infrastructure Parks & Ovals Total						
			0	0	0	0
Infrastructure - Wharf						
	4120790	WATER - Infrastructure Other (Capital)	100,000	0	0	0
Infrastructure Other						
	4050390	OLOPS - Infrastructure Other (Capital)	0	0	25	25
	4120190	ROADC - Infrastructure Other (Capital)	431,000	431,000	154,599	(276,401)
	4120690	AERO - Infrastructure Other (Capital) - Aerodromes	3,000,000	1,500,000	0	(1,500,000)
	4110290	SWIM AREAS - Infrastructure Other (Capital)	503,700	503,700	288,509	(215,191)
	4110390	REC - Infrastructure Other (Capital)	7,000	7,000	0	(7,000)
	Infrastructure Other Total		3,941,700	2,441,700	443,133	(1,998,567)
	Grand Total		23,664,938	12,838,275	7,394,827	(5,443,448)

Please refer to the compilation report

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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

FINANCING ACTIVITIES

NOTE 7

BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing										
Staff Housing	136	51,785	0	0	(12,326)	(25,057)	39,459	26,728	(1,673)	(2,947)
Staff Housing	146	516,591	0	0	(25,297)	(51,394)	491,294	465,197	(16,350)	(31,900)
Staff Housing	148	243,688	0	0	(9,787)	(19,794)	233,901	223,894	(5,471)	(10,722)
Staff Housing		0	0	1,000,000	0	0	0	1,000,000	0	0
Transport										
Wharf Fenders and boat ramp	145	166,351	0	0	(14,223)	(28,934)	152,128	137,417	(5,714)	(10,940)
Refinance Derby Airport and wharf	152	1,531,820	0	0	(76,936)	(192,991)	1,454,884	1,338,829	(11,665)	(25,669)
Derby wharf infrastructure	151	251,676	0	0	(38,432)	(38,867)	213,244	212,809	(3,800)	(7,309)
Economic services										
Derby visitors centre	149	304,610	0	0	(12,234)	(24,742)	292,376	279,868	(6,838)	(13,402)
Total		3,066,521	0	1,000,000	(189,235)	(381,779)	2,877,286	3,684,742	(51,511)	(102,889)
Current borrowings		381,779					192,544			
Non-current borrowings		2,684,742					2,684,742			
		3,066,521					2,877,286			

All debenture repayments were financed by general purpose revenue.

The Shire has no unspent debenture funds as at 30th June 2022, nor is it expected to have unspent funds as at 30th June 2023.

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 14

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

OPERATING ACTIVITIES

NOTE 8

RESERVE ACCOUNTS

Reserve accounts

Reserve name	Opening Balance	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$
Restricted by Council							
Leave reserve	402,441	0	0	0	0	402,441	402,441
Plant reserve	28,456	0	0	0	0	28,456	28,456
Airport reserve	3,721	0	0	0	0	3,721	3,721
Asset renewal reserve	314,511	0	0	(314,511)	0	0	314,511
Economic development reserve	19,936	1,000,000	0	0	0	1,019,936	19,936
Fitzroy Crossing recreation hall reserve	46,771	0	0	0	0	46,771	46,771
Staff housing Reserve	159,965	0	0	(159,965)	0	0	159,965
	975,801	1,000,000	0	(474,476)	0	1,501,325	975,801

Please refer to the compilation report

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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

OPERATING ACTIVITIES
NOTE 9
OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2022	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 28 February 2023
Other current liabilities		\$		\$	\$	\$
Other liabilities						
- Contract liabilities		144,166	0	0	0	144,166
- Capital grant/contribution liabilities		2,467,785	0	0	0	2,467,785
Total other liabilities		2,611,951	0	0	0	2,611,951
Employee Related Provisions						
Annual leave		364,110	0	0	0	364,110
Long service leave		327,404	0	0	0	327,404
Total Employee Related Provisions		691,514	0	0	0	691,514
Other Provisions						
- RAAF Curtin		130,237	0	0	0	130,237
Total Other Provisions		130,237	0	0	0	130,237
Total other current liabilities		3,433,702	0	0	0	3,433,702

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 10 and 11

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled. The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

NOTE 10
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Amended Budget Revenue	YTD Budget	YTD Revenue
	1 July 2022		(As revenue)	28 Feb 2023	28 Feb 2023			Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating grants and subsidies								
General purpose funding								
GEN PUR - Financial Assistance Grant - General	0	0	0	0	0	1,787,278	1,212,807	1,340,459
GEN PUR - Financial Assistance Grant - Roads	0	0	0	0	0	446,640	313,026	282,639
GEN PUR - Financial Assistance Grant - Aboriginal Access Roads	0	0	0	0	0	286,667	213,021	215,000
Law, order, public safety								
ANIMAL - Grants	0	0	0	0	0	50,000	50,000	50,000
Health								
PEST - Grants	0	0	0	0	0	7,500	3,750	4,212
OTH HEALTH - Grants	0	0	0	0	0	625,000	312,500	414,427
Education and welfare								
WELFARE - Grants	37,707	0	0	37,707	37,707	970,000	738,000	244,204
WELFARE - Other Income	0	0	0	0	0	310,000	310,000	0
FAMILIES - Grant Funding	25,000	0	0	25,000	25,000	0	0	0
Community amenities								
COM AMEN - Grants	10,000	0	0	10,000	10,000	0	0	0
Recreation and culture								
REC - Grants	0	0	0	0	0	321,964	160,982	0
LIBRARY - Other Grants	0	0	0	0	0	5,000	0	4,332
LIBRARY - Grant - Regional Library Services	0	0	0	0	0	4,000	2,667	0
OTH CUL - Grants - Other Culture	13,813	0	0	13,813	13,813	30,000	6,667	23,155
OTH CUL - Sculptures on the Marsh - Grant	0	0	0	0	0	120,000	0	100,000
HERITAGE - Grants	23,340	0	0	23,340	23,340	0	0	0
State Wharfinger House	15,000	0	0	15,000	15,000	0	0	0
Transport								
ROADC - Other Grants - Roads/Streets	0	0	0	0	0	0	0	7,290
	124,860	0	0	124,860	124,860	4,964,049	3,323,420	2,685,718
Operating contributions								
Governance								
MEMBERS - Reimbursements	0	0	0	0	0	1,000	1,000	690
General purpose funding								
RATES - Reimbursement of Debt Collection Costs	0	0	0	0	0	45,000	18,336	42,115
OTH GOV - Reimbursements	0	0	0	0	0	400	400	397
Law, order, public safety								
FIRE - Reimbursements	0	0	0	0	0	0	0	9,830
ANIMAL - Reimbursements	0	0	0	0	0	12,287	12,287	12,287
OLOPS - Reimbursements	0	0	0	0	0	0	0	2,457
Health								
HEALTH - Reimbursements	0	0	0	0	0	1,500	750	8,270
OTH HEALTH - Reimbursements	0	0	0	0	0	2,260	1,130	1,273
Education and welfare								
WELFARE - Reimbursements	0	0	0	0	0	0	0	3,947
Recreation and culture								
REC - Reimbursements - Other Recreation	0	0	0	0	0	138,000	138,000	138,680
LIBRARY - Reimbursements Lost Books	0	0	0	0	0	200	200	69
HERITAGE - Contributions & Donations	0	0	0	0	0	1,999	1,333	967
OTH CUL - Other Income	0	0	0	0	0	20,000	0	0
OTH CUL - Contributions & Donations - Other Culture	0	0	0	0	0	55,000	0	20,868
Transport								
AERO - Reimbursements - Aerodromes	0	0	0	0	0	11,000	11,000	15,850
WATER - Reimbursements	0	0	0	0	0	309,990	309,990	410,325
Other property and services								
PRIVATE - Private Works Income	0	0	0	0	0	0	0	6,868
ADMIN - Reimbursements	0	0	0	0	0	0	0	3,863
PWO - Other Reimbursements	0	0	0	0	0	0	0	10,500
AGRN 1044 - Recovery - DRAFWA	0	0	0	0	0	0	0	21,198
AGRN 1044 - Recovery - Contributions and Donations	0	0	0	0	0	0	0	5,000
	0	0	0	0	0	598,636	494,426	715,454
TOTALS	124,860	0	0	124,860	124,860	5,562,685	3,817,846	3,401,172

Please refer to the compilation report

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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

NOTE 11
NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue		
	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 28 Feb 2023	Current Liability 28 Feb 2023	Amended Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies								
General purpose funding								
ROADC - Financial Assistance Grants -- Roads	0	0	0	0	0	350,000	175,000	556,566
Law, order, public safety								
OLOPS - Grants	25,697	0	0	25,697	25,697	0	0	0
Health								
OTH HEALTH - Capital Grants	0	0	0	0	0	75,100	75,100	0
Education and welfare								
WELFARE - Grants	16,193	0	0	16,193	16,193	0	0	0
Recreation and culture								
SWIM AREAS - Grant	0	0	0	0	0	503,700	503,700	0
SWIM AREAS - Grants	238,802	0	0	238,802	238,802	0	0	0
Transport								
ROADC - Regional Road Group Grants (MRWA)	0	0	0	0	0	1,276,680	761,586	0
ROADC - Roads to Recovery - Grants	430,043	0	0	430,043	430,043	1,389,716	841,023	0
ROADC - Other Grants -- Roads/Streets	94,672	0	0	94,672	94,672	979,960	629,960	338,937
ROADC - Other Grants -- Footpaths	0	0	0	0	0	436,000	218,000	0
ROADC - Other Grants -- Aboriginal Roads	0	0	0	0	0	611,600	396,600	174,333
ROADC - Other Grants - Flood Damage	1,098,279	0	0	1,098,279	1,098,279	0	0	96,941
ROADC - Other Grants -- Flood Damage	0	0	0	0	0	14,511,769	8,511,769	4,387,566
AERO - Grants -- Aerodromes	19,785	0	0	19,785	19,785	3,000,000	3,000,000	0
WATER - Grants	54,334	0	0	54,334	54,334	0	0	0
Economic services								
TOUR - Grants	489,980	0	0	489,980	489,980	0	0	0
	2,467,785	0	0	2,467,785	2,467,785	23,134,525	15,112,738	5,554,343

Please refer to the compilation report

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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**NOTE 12
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 28 Feb 2023
	\$	\$	\$	\$
Public open spaces	295,981	0	0	295,981
	295,981	0	0	295,981

Please refer to the compilation report

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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**NOTE 13
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$
Budget adoption						0
			Opening Surplus(Deficit)	0	(3,842,016)	(3,842,016)
3030130	RATES - Rates General	AC104/22	Operating Revenue	0	(495,000)	(4,337,016)
3030133	RATES - Rates Minimums	AC104/22	Operating Revenue	495,000	0	(3,842,016)
3050201	ANIMAL - Reimbursements	AC104/22	Operating Revenue	12,287	0	(3,829,729)
3050210	ANIMAL - Grants	AC104/22	Operating Revenue	50,000	0	(3,779,729)
3110301	REC - Reimbursements - Other Recreation	AC104/22	Operating Revenue	78,436	0	(3,701,293)
5110300	LRCI - Grant Funding 'Pool upgrades as part of LRCI Funding	AC104/22	Capital Revenue	67,200	0	(3,634,093)
4110290	LRCI - Grant Funding 'Pool upgrades as part of LRCI Funding	AC104/22	Capital Expenses	0	(67,200)	(3,701,293)
4120140	Footpath and broken kerb - deferred	AC104/22	Capital Expenses	180,000	0	(3,521,293)
5120212	Carry-Over Funding - Flood damage Reimbursement	AC104/22	Capital Revenue	2,511,769	0	(1,009,524)
5120202	Carry-Over Funding - Roads	AC104/22	Capital Revenue	49,337	0	(960,187)
5120204	Carry-Over Funding - Roads	AC104/22	Capital Revenue	150,000	0	(810,187)
5120202	Carry-Over Funding - Roads	AC104/22	Capital Revenue	76,663	0	(733,524)
5120204	Carry-Over Funding - Roads	AC104/22	Capital Revenue	142,331	0	(591,193)
5120202	Carry-Over Funding - Roads	AC104/22	Capital Revenue	120,492	0	(470,701)
5120210	Carry-Over Funding - Roads	AC104/22	Capital Revenue	52,000	0	(418,701)
5120210	Carry-Over Funding - Roads	AC104/22	Capital Revenue	22,000	0	(396,701)
5120210	Carry-Over Funding - Roads	AC104/22	Capital Revenue	12,600	0	(384,101)
5120210	Carry-Over Funding - Roads	AC104/22	Capital Revenue	50,000	0	(334,101)
5120210	Carry-Over Funding - Roads	AC104/22	Capital Revenue	15,000	0	(319,101)
5120210	Carry-Over Funding - Roads	AC104/22	Capital Revenue	20,000	0	(299,101)
5120210	Carry-Over Funding - Roads	AC104/22	Capital Revenue	10,000	0	(289,101)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(270,427)	(559,528)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(9,875)	(569,403)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(121,403)	(690,806)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(24,663)	(715,469)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(12,331)	(727,800)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(10,021)	(737,821)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(10,000)	(747,821)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(110,000)	(857,821)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(63,000)	(920,821)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(250,000)	(1,170,821)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(75,000)	(1,245,821)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(60,000)	(1,305,821)
4120158	Carry-Over Funding - Roads	AC104/22	Capital Expenses	0	(30,000)	(1,335,821)
5120206	Fitzroy Crossing Carpark - LCR	AC104/22	Capital Revenue	279,960	0	(1,055,861)
4120140	Fitzroy Crossing - Carpark	AC104/22	Capital Expenses	0	(279,960)	(1,335,821)
3120701	WATER - Reimbursements	AC104/22	Capital Expenses	309,990	0	(1,025,831)
3120502	Department of Transport - additional income	AC104/22	Operating Revenue	85,000	0	(940,831)
2140202	Employee Costs	AC104/22	Operating Expenses	0	(281,033)	(1,221,864)
2140202	Employee Costs	AC104/22	Operating Expenses	0	(49,180)	(1,271,044)
2140202	Employee Costs	AC104/22	Operating Expenses	0	(2,300)	(1,273,344)
2140202	Employee Costs	AC104/22	Operating Expenses	0	(7,500)	(1,280,844)
2130200	Employee Costs	AC104/22	Operating Expenses	281,033	0	(999,811)
2130200	Employee Costs	AC104/22	Operating Expenses	49,180	0	(950,631)
2130200	Employee Costs	AC104/22	Operating Expenses	2,300	0	(948,331)
2130200	Employee Costs	AC104/22	Operating Expenses	7,500	0	(940,831)
4140330	Carry-Over Funding - Plant - Kubota F3690 72" Front Deck Mower x 2	AC104/22	Capital Expenses	0	(40,000)	(980,831)
4140330	Carry-Over Funding - Plant - Kubota B3150 HD Tractor & Implements	AC104/22	Capital Expenses	0	(30,300)	(1,011,131)
4140330	Carry-Over Funding - Plant -Toyota Hilux Dual Cab Chassis as per Quote 35722	AC104/22	Capital Expenses	0	(33,376)	(1,044,507)
4140330	Carry-Over Funding - Plant -Toyota Hilux Dual Cab SR as per quote 35761	AC104/22	Capital Expenses	0	(43,096)	(1,087,603)
4140330	Carry-Over Funding - Plant -Toyota Landcruiser single cab tray back	AC104/22	Capital Expenses	0	(54,788)	(1,142,392)
4140330	Carry-Over Funding - Plant -Ranger Pod	AC104/22	Capital Expenses	0	(24,265)	(1,166,657)
2030114	RATES - Debt Collection Expenses	AC08/23	Operating Expenses	19,193	0	(1,147,464)
2030118	RATES - Rates Write Off	AC08/23	Operating Expenses	0	(180,000)	(1,327,464)
2040109	MEMBERS - Members Travel and Accommodation	AC08/23	Operating Expenses	0	(35,000)	(1,362,464)
2040211	Members check	AC08/23	Operating Expenses	0	(12,500)	(1,374,964)
2040221	OTH GOV - Information Systems	AC08/23	Operating Expenses	0	(5,000)	(1,379,964)
2040223	OTH GOV - LGIS Risk Expenditure	AC08/23	Operating Expenses	0	(15,000)	(1,394,964)
2040230	OTH GOV - Insurance	AC08/23	Operating Expenses	0	(5,328)	(1,400,292)
2050104	FIRE - Training & Development	AC08/23	Operating Expenses	0	(300)	(1,400,592)
2050105	FIRE - Recruitment	AC08/23	Operating Expenses	0	(7,000)	(1,407,592)
2050117	FIRE - Relief Ranger Services	AC08/23	Operating Expenses	0	(10,000)	(1,417,592)
2050203	ANIMAL - Uniforms	AC08/23	Operating Expenses	0	(2,100)	(1,419,692)
2050204	ANIMAL - Training & Development	AC08/23	Operating Expenses	8,000	0	(1,411,692)
2050205	ANIMAL - Recruitment	AC08/23	Operating Expenses	0	(14,000)	(1,425,692)
2050205	ANIMAL - Recruitment	AC08/23	Operating Expenses	0	(8,200)	(1,433,892)
2050209	ANIMAL - Travel & Accommodation	AC08/23	Operating Expenses	0	(3,000)	(1,436,892)
2050216	ANIMAL - Relief Ranger Services	AC08/23	Operating Expenses	0	(12,000)	(1,448,892)
2050220	ANIMAL - Communication Expenses	AC08/23	Operating Expenses	2,200	0	(1,446,692)
2050285	ANIMAL - Legal Expenses	AC08/23	Operating Expenses	9,000	0	(1,437,692)
2050286	ANIMAL - Expensed Minor Asset Purchases	AC08/23	Operating Expenses	0	(6,000)	(1,443,692)
2050287	ANIMAL - Other Expenditure	AC08/23	Operating Expenses	6,000	0	(1,437,692)
2050288	ANIMAL - Other Expenditure	AC08/23	Operating Expenses	0	(500)	(1,438,192)

Please refer to the compilation report

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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**NOTE 13
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$
2050298	ANIMAL - Staff Housing Costs Allocated	AC08/23	Operating Expenses	0	(5,678)	(1,443,870)
2050305	OLOPS - Recruitment	AC08/23	Operating Expenses	0	(3,000)	(1,446,870)
2050398	OLOPS - Staff Housing Costs Allocated	AC08/23	Operating Expenses	0	(1,000)	(1,447,870)
2050530	ESL BFB - Insurances	AC08/23	Operating Expenses	0	(3,954)	(1,451,824)
2050630	ESL SES - Insurances	AC08/23	Operating Expenses	0	(3,072)	(1,454,896)
2050687	ESL SES - Other Goods and Services	AC08/23	Operating Expenses	0	(5,000)	(1,459,896)
2050688	ESL SES - Other Goods and Services	AC08/23	Operating Expenses	0	(2,000)	(1,461,896)
2050688	ESL SES - Other Goods and Services	AC08/23	Operating Expenses	0	(1,000)	(1,462,896)
2070403	HEALTH - Uniforms	AC08/23	Operating Expenses	0	(1,000)	(1,463,896)
2070405	HEALTH - Recruitment	AC08/23	Operating Expenses	0	(15,000)	(1,478,896)
2070412	HEALTH - Analytical Expenses	AC08/23	Operating Expenses	0	(10,000)	(1,488,896)
2070703	OTH HEALTH - Uniforms	AC08/23	Operating Expenses	0	(2,000)	(1,490,896)
2070709	OTH HEALTH - Travel & Accommodation	AC08/23	Operating Expenses	0	(13,000)	(1,503,896)
2070740	OTH HEALTH - Advertising & Promotion	AC08/23	Operating Expenses	0	(4,000)	(1,507,896)
2070752	OTH HEALTH - Consultants	AC08/23	Operating Expenses	0	(50,000)	(1,557,896)
2080703	WELFARE - Uniforms	AC08/23	Operating Expenses	0	(3,000)	(1,560,896)
2080705	WELFARE - Recruitment	AC08/23	Operating Expenses	0	(2,000)	(1,562,896)
2080709	WELFARE - Travel & Accommodation	AC08/23	Operating Expenses	0	(10,000)	(1,572,896)
2080787	WELFARE - Other Expenses	AC08/23	Operating Expenses	0	(1,500)	(1,574,396)
2100616	PLAN - Postage and Freight	AC08/23	Operating Expenses	0	(5,000)	(1,579,396)
2100652	PLAN - Consultants	AC08/23	Operating Expenses	0	(25,000)	(1,604,396)
2110187	HALLS - Other Expenses	AC08/23	Operating Expenses	4,000	0	(1,600,396)
2110204	SWIM AREAS - Training & Conferences	AC08/23	Operating Expenses	5,000	0	(1,595,396)
2110287	SWIM AREAS - Other Expenses	AC08/23	Operating Expenses	4,000	0	(1,591,396)
2110221	SWIM AREAS - Information Technology	AC08/23	Operating Expenses	0	(9,000)	(1,600,396)
2110352	REC - Consultants	AC08/23	Operating Expenses	0	(8,500)	(1,608,896)
2120252	ROADM - Consultants	AC08/23	Operating Expenses	0	(20,000)	(1,628,896)
2120730	WATER - Insurance	AC08/23	Operating Expenses	0	(127,000)	(1,755,896)
2140710	SDWK - Flood Recovery Quick Grants	AC08/23	Operating Expenses	0	(4,500)	(1,760,396)
2140219	ADMIN - Information Technology Contract Services	AC08/23	Operating Expenses	0	(25,000)	(1,785,396)
3030121	RATES - Account Enquiry Charges	AC08/23	Operating Revenue	1,000	0	(1,784,396)
3030122	RATES - Reimbursement of Debt Collection Costs	AC08/23	Operating Revenue	0	(35,000)	(1,819,396)
3030123	RATES - Special Payment Arrangement	AC08/23	Operating Revenue	225	0	(1,819,171)
3030131	RATES - Rates Levied - Interim	AC08/23	Operating Revenue	12,300	0	(1,806,871)
3030132	RATES - Rates Levied - Back Rated	AC08/23	Operating Revenue	1,470	0	(1,805,401)
3030135	RATES - Other Income Relating To Rates	AC08/23	Operating Revenue	1,250	0	(1,804,151)
3030138	RATES - Discount on Rates Levied	AC08/23	Operating Revenue	0	(3,885)	(1,808,036)
3030145	RATES - Penalty Interest Received	AC08/23	Operating Revenue	0	(53,912)	(1,861,948)
3030147	RATES - Pensioner Deferred Interest Received	AC08/23	Operating Revenue	2,138	0	(1,859,810)
3030220	GEN PUR - Charges - Photocopying / Faxing	AC08/23	Operating Revenue	50	0	(1,859,760)
3030221	GEN PUR - Charges - Sale Of Electoral Rolls, Minutes, Local Laws	AC08/23	Operating Revenue	50	0	(1,859,710)
3030246	GEN PUR - Interest Earned - Municipal Funds	AC08/23	Operating Revenue	40,000	0	(1,819,710)
3030247	GEN PUR - Penalty Interest - Sundry Debtors	AC08/23	Operating Revenue	7,400	0	(1,812,310)
3030210	GEN PUR - Financial Assistance Grant - General	AC08/23	Operating Revenue	0	(510,607)	(2,322,917)
3030211	GEN PUR - Financial Assistance Grant - Roads	AC08/23	Operating Revenue	28,352	0	(2,294,565)
3030215	GEN PUR - Financial Assistance Grant - Aboriginal Access Roads	AC08/23	Operating Revenue	0	(7,919)	(2,302,484)
3040101	MEMBERS - Reimbursements	AC08/23	Operating Revenue	1,000	0	(2,301,484)
3040120	MEMBERS - Council Chamber Hire	AC08/23	Operating Revenue	550	0	(2,300,934)
3040135	MEMBERS - Other Income	AC08/23	Operating Revenue	730	0	(2,300,204)
3040201	OTH GOV - Reimbursements	AC08/23	Operating Revenue	400	0	(2,299,804)
3040220	OTH GOV - Fees & Charges	AC08/23	Operating Revenue	50	0	(2,299,754)
3100121	SAN - Domestic Services (Additional)	AC08/23	Operating Revenue	0	(33,000)	(2,332,754)
3110335	REC - Other Income	AC08/23	Operating Revenue	53,811	0	(2,278,943)
3110301	REC - Reimbursements - Other Recreation	AC08/23	Operating Revenue	59,564	0	(2,219,379)
3120601	AERO - Reimbursements - Aerodromes	AC08/23	Operating Revenue	11,000	0	(2,208,379)
3120620	AERO - Airport Landing Fees & Charges	AC08/23	Operating Revenue	164,000	0	(2,044,379)
3120735	WATER - Other Income	AC08/23	Operating Revenue	1,000,000	0	(1,044,379)
	Transfer to reserve - Economic Development Reserve (Rec)	AC08/23	Capital Expenses	0	(1,000,000)	(2,044,379)
4080710	Derby Youth Centre - Kitchen Upgrade (Capital)	AC08/23	Capital Expenses	0	(8,655)	(2,053,034)
4080710	Derby Youth Centre - Kitchen Upgrade (Capital)	AC08/23	Capital Expenses	0	(11,434)	(2,064,468)
4090110	Woollybutt 19A (Staff Housing) - Building (Capital)	AC08/23	Capital Expenses	5,000	0	(2,059,468)
4090110	Bloodwood 14 (Staff Housing) - Building (Capital)	AC08/23	Capital Expenses	5,000	0	(2,054,468)
4090110	Bloodwood 16 (Staff Housing) - Building (Capital)	AC08/23	Capital Expenses	5,000	0	(2,049,468)
4090110	Holman Street 13A (Staff Housing) - Building (Capital)	AC08/23	Capital Expenses	55,000	0	(1,994,468)
4090110	Holman Street 13B (Staff Housing) - Building (Capital)	AC08/23	Capital Expenses	20,000	0	(1,974,468)
4090110	Rowell Street 4A (Staff Housing) - Building (Capital)	AC08/23	Capital Expenses	10,000	0	(1,964,468)
4090110	Ashley Street 9 (Common Groh) - Building (Capital)	AC08/23	Capital Expenses	0	(65,300)	(2,029,768)
4100710	Fitzroy Crossing Public Toilets - Building (Capital)	AC08/23	Capital Expenses	10,000	0	(2,019,768)
4110310	Derby Recreation Centre - Building (Capital)	AC08/23	Capital Expenses	10,000	0	(2,009,768)
4120110	Derby Depot - Building (Capital)	AC08/23	Capital Expenses	0	(5,000)	(2,014,768)
4120130	Trailer For Ride On	AC08/23	Capital Expenses	6,606	0	(2,008,162)
4120190	Wheel Stops	AC08/23	Capital Expenses	30,000	0	(1,978,162)
4120610	Fitzroy Airport Terminal - Building (Capital)	AC08/23	Capital Expenses	0	(35,424)	(2,013,586)
4120130	Construction - Streets, Roads, Bridges & Depots	AC08/23	Capital Expenses	140,279	0	(1,873,307)
4120130	Construction - Streets, Roads, Bridges & Depots	AC08/23	Capital Expenses	94,373	0	(1,778,934)

Please refer to the compilation report

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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**NOTE 13
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$
4120130	Construction - Streets, Roads, Bridges & Depots	AC08/23	Capital Expenses	37,749	0	(1,741,185)
4120140	Guildford Street (Capital)	AC08/23	Capital Expenses	178,000	0	(1,563,185)
4120140	Forrest Road (Capital)	AC08/23	Capital Expenses	180,000	0	(1,383,185)
2050100	FIRE - Employee Costs	AC08/23	Operating Expenses	0	(5,921)	(1,389,106)
2050100	FIRE - Employee Costs	AC08/23	Operating Expenses	3,611	0	(1,385,495)
2050200	ANIMAL - Employee Costs	AC08/23	Operating Expenses	0	(7,560)	(1,393,055)
2050200	ANIMAL - Employee Costs	AC08/23	Operating Expenses	4,516	0	(1,388,539)
2050300	OLOPS - Employee Costs	AC08/23	Operating Expenses	0	(1,322)	(1,389,861)
2050304	OLOPS - Training & Development	AC08/23	Operating Expenses	901	0	(1,388,960)
2070400	HEALTH - Employee Costs	AC08/23	Operating Expenses	51,918	0	(1,337,042)
2070400	HEALTH - Employee Costs	AC08/23	Operating Expenses	12,579	0	(1,324,463)
2070700	OTH HEALTH - Employee Costs	AC08/23	Operating Expenses	79,459	0	(1,245,004)
2070700	OTH HEALTH - Employee Costs	AC08/23	Operating Expenses	37,677	0	(1,207,327)
2080700	WELFARE - Employee Costs	AC08/23	Operating Expenses	0	(16,917)	(1,224,244)
2080700	WELFARE - Employee Costs	AC08/23	Operating Expenses	38,351	0	(1,185,893)
2110100	HALLS - Employee Costs	AC08/23	Operating Expenses	0	(1,740)	(1,187,633)
2110100	HALLS - Employee Costs	AC08/23	Operating Expenses	76	0	(1,187,557)
2110200	SWIM AREAS - Salaries	AC08/23	Operating Expenses	74,356	0	(1,113,201)
2110200	SWIM AREAS - Salaries	AC08/23	Operating Expenses	24,111	0	(1,089,090)
2110300	REC - Employee Costs	AC08/23	Operating Expenses	25,269	0	(1,063,821)
2110300	REC - Employee Costs	AC08/23	Operating Expenses	13,732	0	(1,050,089)
2110500	LIBRARY - Employee Costs	AC08/23	Operating Expenses	42,377	0	(1,007,712)
2110500	LIBRARY - Employee Costs	AC08/23	Operating Expenses	12,290	0	(995,422)
2110600	HERITAGE - Employee Costs	AC08/23	Operating Expenses	0	(1,740)	(997,162)
2110600	HERITAGE - Employee Costs	AC08/23	Operating Expenses	76	0	(997,086)
2110700	OTH CUL - Employee Costs	AC08/23	Operating Expenses	217,605	0	(779,481)
2110700	OTH CUL - Employee Costs	AC08/23	Operating Expenses	63,414	0	(716,067)
2130200	TOUR - Employee Costs	AC08/23	Operating Expenses	90,826	0	(625,241)
2130200	TOUR - Employee Costs	AC08/23	Operating Expenses	28,227	0	(597,014)
2140200	ADMIN - Employee Costs Executive Services	AC08/23	Operating Expenses	241,652	0	(355,362)
2140200	ADMIN - Employee Costs Executive Services	AC08/23	Operating Expenses	101,482	0	(253,880)
2140202	ADMIN - Employee Costs Corporate Services	AC08/23	Operating Expenses	214,060	0	(39,820)
2140202	ADMIN - Employee Costs Corporate Services	AC08/23	Operating Expenses	102,602	0	62,782
2140300	PWO - Employee Costs	AC08/23	Operating Expenses	352,214	0	414,996
2140300	PWO - Employee Costs	AC08/23	Operating Expenses	138,399	0	553,395
2140328	PWO - Supervision	AC08/23	Operating Expenses	137,544	0	690,939
2140328	PWO - Supervision	AC08/23	Operating Expenses	37,404	0	728,343
2140252	ADMIN - Consultants	AC08/23	Operating Expenses	0	(60,000)	668,343
3140235	ADMIN - Other Income Relating to Administration	AC08/23	Operating Revenue	0	(557,713)	110,630
2140705	Recovery TC Ellie - Other Expenses	AC08/23	Operating Expenses	0	(110,630)	0
				9,506,546	(9,506,546)	0

Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 22

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 14
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2022-23 year is \$30,000 or 10.00% whichever is the greater.

Nature or type	Var. \$	Var. %	Explanation of positive variances		Explanation of negative variances	
			Timing	Permanent	Timing	Permanent
Opening funding surplus / (deficit)	\$ (1,287,892)	% (33.66%)				
Revenue from operating activities						
Operating grants, subsidies and contributions	(416,674)	(10.91%)				
Other revenue	384,389	40.86%				
Expenditure from operating activities						
Employee costs	787,118	11.56%				
Materials and contracts	2,435,121	32.62%				
Depreciation on non-current assets	4,754,132	100.00%				
Insurance expenses	(219,783)	(17.96%)				
Non-cash amounts excluded from operating activities	(4,754,132)	(100.00%)				
Investing activities						
Proceeds from non-operating grants, subsidies and contributions	(9,558,395)	(63.25%)				
Payments for property, plant and equipment	5,443,448	42.40%				
Closing funding surplus / (deficit)	(2,307,555)	32.88%				

Please refer to the compilation report

SHIRE OF DERBY-WEST KIMBERLEY | 23

**Moore Australia**

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17 March 2023

Mrs Amanda Dexter
Chief Executive Officer
Shire Of Derby/West Kimberley
PO Box 94
DERBY WA 6728

Dear Amanda

ACCOUNTING SERVICE INFORMATION REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2023

We advise we have completed the compilation of your statutory monthly statement of financial activity (by nature or type) and monthly financial report for the month ended 28 February 2023 and enclose this with our compilation report.

We are required under APES 315 *Compilation of Financial Information* to report certain matters in our compilation report. Other matters which arise during the course of our compilation that we wish to bring to your attention are raised in this report.

It should be appreciated, our procedures are designed primarily to enable us to compile the monthly financial report and therefore may not bring to light all weaknesses in systems and procedures, or all financial matters of interest to management and council, which may exist. However, we aim to use our knowledge of the shire's financial operations gained during our work to make comments and suggestions, which, we hope, will be useful to you.

Please note in order to meet legislative requirements, details and explanations of the material variances between the year to date actuals and year to date budget need to be completed by shire staff, as required by *Local Government (Financial Management) Regulation 34(1) (d)*.

COMMENTS/SUGGESTIONS

Attached is a list of comments/suggestions derived from compiling the monthly financial report and other end of month review services.

MATTERS FOR MANAGEMENT ATTENTION:

Please complete the monthly financial report by completing Note 14 – Explanation of Material Variances by providing a comment for each item where the council's year to date budget and year to date actual are over the variance threshold. These items are indicated with a ▼ or ▲.

In the management information report which follows, we have raised matters we wish to draw to management's attention.

Should you wish to discuss any matter relating to our service or any other matter, please do not hesitate to contact us.

Yours sincerely

A handwritten signature in black ink, appearing to read "Russell Barnes".

Russell Barnes
Director
Moore Australia (WA) Pty Ltd

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961.
An independent member of Moore Global Network Limited - members in principal cities throughout the world.
Liability limited by a scheme approved under Professional Standards Legislation.

**Shire of Derby/West Kimberley
Management Information Report**

**Period Ending
28 February 2023**

Topic	Item	First Identified	Explanation	Action Required	Priority
Subsidiary ledgers	Outstanding	February 2023	Debtors aged trial balance includes invoices totalling \$1,862,383 outstanding for over 90 days and debtors with credit balances totalling \$53,257.	We recommend reviewing overdue debtors collection procedures to ensure debtors outstanding for over 30 days are subject to regular review and reminder notices are issued to improve the collection rate. We recommend debtors with credit balances be investigated and remedied.	Medium
Disposal of assets	Proceeds allocation	December 2022	Trade in value of disposed vehicles have been fully allocated against the asset account in error. We have amended this on face of the statements.	We recommend processing asset disposals at the time of disposal to recognise the profit or loss on disposal.	Medium
Capital Acquisition / Disposal of Assets	Allocations	December 2022	Capital expenditure and disposal of asset transactions have occurred without budget allocations.	We recommend reviewing allocations and journal where necessary or include in budget review.	Medium
Liabilities	Contract liabilities	December 2022	Contract liabilities have not been adjusted in 2022/23.	We recommend recognising the revenue for unspent grants held as a liability when the performance obligations are met.	Medium
General ledger	Allocations	February 2023	Accrued income has a balance of \$63,066.	We recommend reviewing accrued income ledger account and allocating accordingly.	Medium
Balance Sheet	Allocations	February 2023	Clearing allocations from 2021/22 has incorrectly allocated \$22,111 from plant and equipment to borrowings opening balance. We have amended this on the face of the statements.	We recommend reviewing clearing accounts and correcting allocations where applicable.	Medium

Approval:  Russell Barnes, Director

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Date of Issue: 17 March 2023

**Shire of Derby/West Kimberley
Management Information Report**

**Period Ending
28 February 2023**

Topic	Item	First Identified	Explanation	Action Required	Priority
Operating Expenditure	Allocations	February 2023	Admin allocations have been under allocated by \$25,080.	We recommend the allocations be reviewed and adjusted (where appropriate) and ensure recoveries administration costs.	Medium
Operating Expenditure	Allocations	February 2023	Salaries and wages accounts have been over allocated by \$206,840.	We recommend the control accounts for salaries and wages be reconciled after finalising each payrun.	Nedium
Operating expenditure	Depreciation	December 2022	Depreciation has not been processed in 2022/23.	When the 2021/22 Annual Financial Statements have been finalised depreciation will be processed.	Low
Funding Surplus	Opening Surplus	February 2023	At the time of preparing the attached Statement of Financial Activity, the Annual Financial Report for 30 June 2022 has not been finalised, therefore the closing surplus may change from the current \$4,729,037 due to year end and audit adjustments.	None required.	Low

Approval:  Russell Barnes, Director

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Date of Issue: 17 March 2023

Management Report

Period Ending 28/02/ 2023

MANAGEMENT COMMENTS

Issue	Priority	Management Comments
Debtors aged trial balance includes invoices totalling \$1,862,383 outstanding for over 90 days and debtors with credit balances totalling \$53,257.	Medium	Outstanding debts have been reviewed and identified: <ol style="list-style-type: none"> 1. Under negotiation 2. In the liquidation process 3. On payment arrangement with the Shire 4. CS Legal for further legal action. Credit balance is currently being reviewed.
Trade in value of disposed vehicle has been fully allocated against the asset account in error. We have amended this on face of the statements.	Medium	Assets and Disposal under review and will be amended in March 2023
Capital expenditure and disposal of asset transactions have occurred without budget allocations.	Medium	Mid -Year Review amended several ambiguities
Contract liabilities have not been adjusted in 2022/23.	Medium	Align with 2021-22 Audit
Accrued income has a balance of \$63,066.	Medium	Align with 2021-22 Audit
Clearing allocations from 2021/22 has incorrectly allocated \$22,111 from plant and equipment to borrowings opening balance.	Medium	Align with 2021-22 Audit
Admin allocations have been under allocated by \$25,080.	Medium	Review
Salaries and wages accounts have been over allocated by \$206,840.	Medium	Review refers to AGRN1044
Depreciation has not been processed in 2022/23.	Low	Pending completion of 2021/22 Annual Financial Report
At the time of preparing the attached Statement of Financial Activity, the Annual Financial Report for 30 June 2022 has not been finalised, therefore the closing surplus may change from the current \$5,396,312 due to year end and audit adjustments.	Low	Pending completion of 2021/22 Annual Financial Report

7.7 ACCOUNTS FOR PAYMENT - FEBRUARY 2023**File Number:** 5110 - Accounts Payable**Author:** Susan Krouzecky, Manager of Finance**Responsible Officer:** Tamara Clarkson, Acting Director of Corporate Services**Authority/Discretion:** Information**SUMMARY**

For the Audit Committee to note the list of accounts paid under delegated authority during the month of February 2023.

DISCLOSURE OF ANY INTEREST

Nil.

BACKGROUND

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's municipal and trust funds. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Office is to be provided to Council.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making

12(1) A payment may only be made from the municipal fund or a trust fund –

- (a) if the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from those funds – by the CEO: or
- (b) otherwise, if the payment is authorised in advance by a resolution of the Council.

The Chief Executive Officer has delegated authority to make payments from the municipal and trust funds.

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –

- (a) the payee's name; and
- (b) the amount of the payment; and

- (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
- (a) for each account which requires Council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
- (a) presented to the council at the next ordinary meeting of the Council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

All expenditure from the municipal fund was included in the annual budget as adopted or revised by Council.

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: In accordance with section 6.8 of <i>the Local Government Act 1995</i> , a local government is not to incur expenditure from its municipal fund for an additional purpose	Rare	Minor	Low	Expenditure to only be incurred in accordance with budget parameters, which have been structured on financial viability and sustainability principles.

except where the expenditure is authorised in advance by an absolute majority of Council.				
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CONSULTATION

Internal consultation within the Corporate Services Department.

COMMENT

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2022-23 Annual Budget as adopted by Council at its meeting held 28 July 2022 (Resolution 94/22) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month. Lists detailing the payments made are appended as an attachment.

REPORT TO COUNCIL**FEBRUARY - 2023**

FUND	DETAILS	AMOUNT
MUNICIPAL ACCOUNT		
EFT Payments	EFT 55228 - 55376	\$1,863,134.17
Municipal Cheques		<i>Nil</i>
Direct Debits	Fees & Charges, Credit Card Payments, Payroll, Payroll Liabilities	\$857,292.41
Manual Cheques		<i>Nil</i>
TRUST ACCOUNT		
EFT Payments		<i>Nil</i>
Trust Cheques		<i>Nil</i>
TOTAL		\$2,720,426.58

Creditors Outstanding as at 28/02/23

\$1,486,399.43

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. ACCOUNTS FOR PAYMENT - FEBRUARY 2023
2. CREDIT CARD RECONCILIATION - FEBRUARY 2023

COMMITTEE RESOLUTION AC31/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council:

1. Notes the List of Accounts for February 2023 paid under Delegated Authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 attached to this report, totalling \$2,720,426.58

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

REPORT TO COUNCIL – FEBRUARY 2023

EFT PAYMENTS – MUNI ACCOUNT

PAYMENT ID	DATE	CREDITOR / INVOICE DETAILS	AMOUNT
EFT55269	10/02/2023	A & B TYRES	\$35.00
45519	12/01/2023	Puncture repair	\$35.00
EFT55309	10/02/2023	AARON GLOOR	\$261.00
INV REIMB3101	31/01/2023	Utility Subsidy	\$261.00
EFT55270	10/02/2023	ALFORD CONTRACTING	\$375.00
0594	01/02/2023	Re-key and adjust door locks	\$375.00
EFT55229	03/02/2023	ALTHAM PLUMBING CONTRACTORS	\$540.60
14832	20/01/2023	Test, clean & clear backflow, submit results to Water Corp	\$253.00
14848	23/01/2023	Repair leaking tap in upstairs bathroom, Materials	\$287.60
EFT55330	17/02/2023	ALTHAM PLUMBING CONTRACTORS	\$165.00
INV 14896	03/02/2023	Repair leak under sink	\$165.00
EFT55271	10/02/2023	AMANDA DEXTER	\$3,062.41
REIMB3101-1	31/01/2023	Staff Reimbursements	\$157.94
REIMB3101-2	31/01/2023	Staff Reimbursements	\$2,528.90
REIMB3101-3	31/01/2023	Staff Reimbursements	\$269.09
REIMB3101-4	31/01/2023	Staff Reimbursements	\$106.48
EFT55324	10/02/2023	ANDREW JAMES TWADDLE	\$1,554.86
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$1,554.86
EFT55329	17/02/2023	ANGELA BOURNE	\$18.40
INV REIMB0602	06/02/2023	Staff Reimbursements	\$18.40
EFT55228	03/02/2023	ARTS HUB AUSTRALIA PTY LTD	\$3,850.00
101	19/01/2023	Advertising campaign for Kimberley Art Prize 2023 EOI & Exhibition	\$3,850.00
EFT55328	17/02/2023	ASHLEE DOUST	\$664.94
INV REIMB1402	14/02/2023	Utility Subsidy	\$664.94
EFT55230	03/02/2023	AUSTRALIAN SERVICES UNION	\$284.90
DEDUCTION	31/01/2023	Payroll Deductions	\$284.90
EFT55331	17/02/2023	AUSTRALIAN SERVICES UNION	\$284.90
INV DEDUCTION	14/02/2023	Payroll Deductions	\$284.90
EFT55333	17/02/2023	BIG BARRA'S ONE STOP SHOP	\$280.00
INV 65	13/01/2023	1x Oz trail All Weather Stretcher	\$280.00
EFT55371	23/02/2023	BONNIE ARCHER	\$4,291.55
INV A106821	06/02/2023	Rates refund	\$2,127.45
INV A106831	06/02/2023	Rates refund	\$2,164.10
EFT55231	03/02/2023	BP COLAC SERVICE STATION	\$3,000.00
354634	27/01/2023	Catering - food platter for Australia Day breakfast	\$3,000.00
EFT55232	03/02/2023	BRAHMAN CONTRACTING PTY LTD	\$4,812.15
1219	14/12/2022	Supply & install overhead cabinets, remove/patch/paint existing vent	\$4,812.15

EFT55274	10/02/2023	BROOME TOYOTA NORTH WEST MOTOR GROUP	\$57,282.90
RI11002114	19/01/2023	2022 Single Cab Hilux Workmate	\$57,282.90
EFT55272	10/02/2023	BUCKLEYS EARTHWORKS & PAVING PTY LTD	\$113,657.50
2678	20/12/2022	C5-2022 Bitumen and Formation Repairs Yurabi Road	\$113,657.50
EFT55334	17/02/2023	BUCKLEYS EARTHWORKS & PAVING PTY LTD	\$598,628.50
INV 2677	20/12/2022	FXVC Redevelopment and Emanuel Way Stabilisation	\$570,358.20
INV 2676	20/12/2022	C1-2021 Maintenance Grading - Area 3	\$31,069.34
INV CRED2676	20/12/2022	Credit Note	-\$2,799.04
EFT55273	10/02/2023	BUILDING AND ENERGY	\$70.35
PERMIT3101	31/01/2023	BSL - January 2023	\$56.65
PERMIT3006	31/01/2023	BSL - June 2022	\$13.70
EFT55233	03/02/2023	BUNNINGS GROUP LIMITED	\$3,228.72
2210-00552155	07/11/2022	6x Pinnacle 4 tier heavy duty shelving unit	\$1,565.04
2210-99829322	07/11/2022	2x Pinnacle 4 tier heavy duty shelving unit	\$521.68
2210-00370030	25/11/2022	Christmas lights and décor	\$1,142.00
EFT55275	10/02/2023	BUNNINGS GROUP LIMITED	\$752.20
2210-99830288	20/12/2022	20 litter pickers for EHU team.	\$752.20
EFT55277	10/02/2023	CATHERINE FEENEY	\$229.84
REIMB0802	08/02/2023	Staff Reimbursements	\$229.84
EFT55235	03/02/2023	CHRIS HAMMER	\$381.17
REIMB2501	25/01/2023	Utility Subsidy	\$381.17
EFT55350	17/02/2023	CITY OF KWINANA	\$250.03
INV 76507	19/01/2023	Secondment Governance Staff - 14 & 15 December 2022	\$250.03
EFT55279	10/02/2023	CIVIC LEGAL	\$4,675.00
510884	31/01/2023	Professional fees: Derby Airport Lease	\$4,675.00
EFT55239	03/02/2023	CLARENDON UNIT TRUST (DERBY LODGE & BACKPACKERS)	\$500.00
2561	27/01/2023	Accommodation for Australia Day Ambassador	\$500.00
EFT55285	10/02/2023	CLARENDON UNIT TRUST (DERBY LODGE & BACKPACKERS)	\$1,000.00
INV 2556	20/01/2023	Accommodation for S McKendrick	\$1,000.00
EFT55265	03/02/2023	CLEANAWAY CO PTY LTD	\$125,584.04
19161751	30/11/2022	Landfill Management - November 2022	\$125,584.04
EFT55323	10/02/2023	CLEANAWAY CO PTY LTD	\$120,915.08
INV 19101695	19/04/2022	Credit for incorrect waste management charges	-\$3,501.73
INV 19170199	31/12/2022	Landfill Management - December 2022	\$125,584.04
INV 19178083	30/01/2023	Credit for Incorrect Landfill charges on Invoice 19119876	-\$1,167.23
EFT55369	17/02/2023	CLEANAWAY CO PTY LTD	\$259,844.06
INV 19161745	30/11/2022	Domestic and commercial Bin collection - November 2022	\$129,107.95
INV 19170198	31/12/2022	Domestic and commercial Bin collection - December 2022	\$131,387.38
INV 19161745-CN	30/11/2022	Domestic and commercial Bin collection - November 2022 Credit Note	-\$350.68
INV 19170198-CN	31/12/2022	Domestic and commercial Bin collection - December 2022 Credit Note	-\$300.59
EFT55278	10/02/2023	CLEANING GARDENING & TREE SERVICES	\$17,338.78
10927	24/01/2023	Cleaning of FX Visitor Centre - November 2022	\$17,338.78
EFT55325	10/02/2023	DAVID RIDLEY	\$413.34

INV REIMB0102	01/02/2023	Utility Subsidy	\$413.34
EFT55236	03/02/2023	DEPUTY CHILD SUPPORT REGISTRAR	\$278.05
DEDUCTION	31/01/2023	Payroll Deductions	\$278.05
EFT55336	17/02/2023	DEPUTY CHILD SUPPORT REGISTRAR	\$278.05
INV DEDUCTION	14/02/2023	Payroll Deductions	\$278.05
EFT55237	03/02/2023	DERBY BUILDING SUPPLIES	\$232.75
529954	05/01/2023	20x Energizer Max D batteries for emergency lighting	\$73.91
530093	09/01/2023	Bremick nuts, bolts, screws, gloss and primer	\$158.84
EFT55280	10/02/2023	DERBY BUILDING SUPPLIES	\$15.45
529478	20/12/2022	Bit Drill Spade34mm Sutton	\$15.45
EFT55337	17/02/2023	DERBY BUS SERVICE PTY LTD	\$1,490.00
INV 20668	24/01/2023	Fitzroy bus run split 50/50 with WACHS 23, 25 & 27 /01/2023	\$1,490.00
EFT55283	10/02/2023	DERBY FIREARM SUPPLIES	\$44.00
INV 1125	15/12/2022	2x trailer mudflaps	\$44.00
EFT55282	10/02/2023	DERBY FUELS	\$236.36
INV 221142	11/01/2023	99.94L unleaded for small plant operations	\$236.36
EFT55242	03/02/2023	DERBY HARDWARE MITRE10	\$631.25
10570551	04/01/2023	13x plastic storage container 50L for Australia Day supplies	\$259.87
10570636	06/01/2023	Slip and slide supplies	\$205.92
10570719	09/01/2023	12mm spade drill bit	\$9.49
10570732	09/01/2023	3x 1.5v watch battery	\$26.97
10570737	09/01/2023	SHS GAL 8mtr	\$129.00
EFT55286	10/02/2023	DERBY HARDWARE MITRE10	\$192.11
INV 10570828	11/01/2023	2pks AA batteries and 3x D batteries	\$110.95
INV 10570859	12/01/2023	1x threaded rod, 10x washers & 12x nuts	\$39.19
INV 10570902	13/01/2023	3x rag bag	\$41.97
EFT55339	17/02/2023	DERBY HARDWARE MITRE10	\$118.23
INV 10571008	16/01/2023	2x brush and pads felt protection	\$21.27
INV 10571166	19/01/2023	4x Ramset Dynabolt Plus 10x75mm	\$7.96
INV 10571211	19/01/2023	55L esky for Fair Game students to go to FX Youth Centre	\$89.00
EFT55241	03/02/2023	DERBY PROGRESSIVE SUPPLIES	\$1,359.26
057617	21/12/2022	Biopak Disposals	\$1,359.26
EFT55338	17/02/2023	DERBY PROGRESSIVE SUPPLIES	\$1,365.83
INV 058752	19/01/2023	Kitchen supplies for Australia Day function	\$1,365.83
EFT55238	03/02/2023	DIJUN HOLDINGS PTY LTD	\$4,296.60
DHIV163	09/01/2023	Daily cleaning of FX Rec ablutions - 9-15 Jan 2023	\$4,296.60
EFT55284	10/02/2023	DIJUN HOLDINGS PTY LTD	\$3,069.00
INV DHIV165	27/01/2023	Daily cleaning of FX Rec ablutions 23 - 27 Jan 2023	\$3,069.00
EFT55281	10/02/2023	DOUGLAS DAVEY	\$355.77
REIMB0802	08/02/2023	Broome to Perth flight reimbursement	\$355.77
EFT55287	10/02/2023	DWA INDUSTRIAL RESOURCES PTY LTD	\$376.20
INV 02022167	30/01/2023	Fabricate flashings as per template provided	\$376.20
EFT55365	17/02/2023	E & MJ ROSHER PTY LTD	\$1,196.79
INV 1453581	06/02/2023	Parts for ride on mower	\$1,196.79
EFT55288	10/02/2023	ELDERS LIMITED (DERBY BRANCH)	\$236.40

INV IY82470	12/01/2023	4x vaccinator quick shot 5ml	\$236.40
EFT55290	10/02/2023	GARRARDS PTY LTD	\$3,241.14
INV PEI-1061935	28/11/2022	Mosquito control chemicals	\$3,241.14
EFT55289	10/02/2023	GEOFFREY ANDREW DAVIS	\$1,554.86
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$1,554.86
EFT55292	10/02/2023	GEOFFREY CHARLES HAEREWA	\$7,274.28
INV ALLOW3101	31/01/2023	JANUARY 2022 PRESIDENT SITTING FEES	\$7,274.28
EFT55234	03/02/2023	GLASS CO KIMBERLEY	\$1,089.00
95694	26/05/2022	Repairs to damaged window located Old Fire Station, Derby	\$306.90
97563	04/01/2023	Replace 2x windows and 1x Diamond Grille screen	\$782.10
EFT55343	17/02/2023	GRAHAM PIPPIN	\$132.03
INV REIMB0302	03/02/2023	Refund overpayment for occupancy payment	\$132.03
EFT55244	03/02/2023	GREENFIELD TECHNICAL SERVICES	\$40,297.14
3074	31/12/2022	Procurement management - reconstruction of FX Aerodrome	\$1,767.15
3076	31/12/2022	Construction Management Package 1 - AGRN951	\$6,370.18
3077	31/12/2022	Construction Management Package 2 - AGRN951	\$7,008.45
3081	10/01/2023	Construction Management Package 1 - AGRN951	\$20,831.36
3083	11/01/2023	Construction Management Package 2 - AGRN951	\$4,320.00
EFT55291	10/02/2023	GREENFIELD TECHNICAL SERVICES	\$8,057.28
INV 3084	11/01/2023	Construction Management Package 2 - AGRN951	\$8,057.28
EFT55245	03/02/2023	HEMPFIELD SMALL MOTORS	\$8,465.00
13291	24/10/2022	11KVA Honda Gentech and mig welder	\$8,465.00
EFT55344	17/02/2023	HIGH RISE PLATFORM RENTALS	\$770.00
INV HR1998	30/11/2022	Shade sail removal	\$770.00
EFT55293	10/02/2023	HORIZON POWER - ACCOUNT PAYMENTS	\$6,726.27
INV 273214	25/01/2023	6 Rowell Court, Derby for 24/11/2022 to 24/01/2023	\$69.81
INV 173364	03/02/2023	40 Ashley St, Derby for 03/12/2022 to 02/02/2023	\$959.97
INV 517343	03/02/2023	Loc 26818 Wharf Rd, Derby for 04/01/2023 to 02/02/2023	\$225.89
INV 551727	03/02/2023	20 Mimosa St, Derby for 03/12/2022 to 02/02/2023	\$97.78
INV 166519	06/02/2023	Ashley St, Derby for 05/01/2023 to 03/02/2023	\$3,449.76
INV 207794	06/02/2023	142 Loch St, Derby for 06/12/2022 to 03/02/2023	\$433.98
INV 172452	06/02/2023	Lot 199 Forrest Rd, FX for 05/01/2023 to 03/02/2023	\$1,328.50
INV 387885	06/02/2023	Lot 1415 Ashley St, Derby for 06/12/2022 to 03/02/2023	\$64.66
INV 551726	06/02/2023	3 Knowsley St East, Derby for 06/12/2023 to 03/02/2023	\$95.92
EFT55345	17/02/2023	HORIZON POWER - ACCOUNT PAYMENTS	\$25,207.40
INV 320398	25/01/2023	Lot 293 Wharf Rd, Derby for 24/11/2022 to 24/01/2023	\$410.59
INV 220780	01/02/2023	1120 Streetlights for the period 01/01/2023 to 31/01/2023	\$21,420.57
INV 333902	03/02/2023	24 Loch St, Derby for 04/01/2023 to 02/02/2023	\$1,033.74
INV 424950	03/02/2023	Lot 26818 Wharf Rd, Derby for 04/01/2023 to 02/02/2023	\$63.62
INV 162691	07/02/2023	Unit 1/636 Loch St, Derby for 07/12/2022 to 06/02/2023	\$833.79
INV 198764	09/02/2023	Lot 128 GN Highway, FX for 10/01/2023 to 08/02/2023	\$1,445.09
EFT55372	23/02/2023	INDIA BORE DIAMOND HOLDINGS PTY LTD	\$400.99
INV A901057	14/02/2023	Rates refund for assessment A901057	\$400.99
EFT55311	10/02/2023	INTERNATIONAL QUADRATICS PTY LTD	\$6,961.31
INV 131080	20/09/2022	Supplies for pool upgrades	\$6,961.31

EFT55247	03/02/2023	IPEC PTY LTD	\$104.10
766110	29/11/2022	Freight for PO 77370 Winc FX order	\$104.10
EFT55294	10/02/2023	IPEC PTY LTD	\$782.77
INV P69063811	22/01/2023	Transport Materials - Toll #8112717410 and #0090S5JMJE	\$782.77
EFT55346	17/02/2023	IPEC PTY LTD	\$53.05
INV 780577	04/01/2023	Freight for PO 77509	\$53.05
EFT55373	23/02/2023	IPEC PTY LTD	\$1,057.65
INV 769152	06/12/2022	Freight for PO 77137	\$133.28
INV 790478	31/01/2023	Pallet from Winc - Toll #2653425339-00	\$391.34
INV P69063872	05/02/2023	Transport Materials - Toll #5751033802	\$123.98
INV 793368	07/02/2023	Toll #2653316880 Winc & #22241960327 Sunny Brushware	\$409.05
EFT55248	03/02/2023	IRENE BROWN	\$457.58
REIMB2401	24/01/2023	Staff Reimbursements	\$30.50
REIMB2701	27/01/2023	Staff Reimbursements	\$202.23
REIMB3001	30/01/2023	Staff Reimbursements	\$224.85
EFT55246	03/02/2023	ISAAC BUCKLE	\$562.72
REIMB2001	20/01/2023	Utility Subsidy	\$562.72
EFT55295	10/02/2023	ITVISION	\$277.20
INV 37818	30/11/2022	Amend Debtors Statement Template	\$277.20
EFT55259	03/02/2023	JACKSON SAINTY	\$93.80
REIMB2901	29/01/2023	Staff Reimbursements	\$93.80
EFT55249	03/02/2023	JANE AUFDERHEIDE	\$169.95
14587	06/01/2023	Supply Indigenous Neoprene Mat to sit on at event	\$169.95
EFT55250	03/02/2023	JEAN KLEPACKI	\$70.00
REIMB2301	23/01/2023	Bond Refund - Cat Trap Hire	\$70.00
EFT55347	17/02/2023	JENAYA COX	\$568.74
INV REIMB0902	09/02/2023	Utility Subsidy	\$568.74
EFT55296	10/02/2023	JOHN CAREY	\$1,282.99
INV REIMB0702	07/02/2023	Utility Subsidy	\$1,282.99
EFT55251	03/02/2023	KATIE BOLAND	\$54.00
REIMB3101	31/01/2023	Staff Reimbursements	\$54.00
EFT55297	10/02/2023	KEITH BEDFORD	\$1,554.86
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$1,554.86
EFT55358	17/02/2023	KIMBERLEY COUNTRY DEPARTMENT STORE	\$1,464.35
INV DB38482	10/01/2023	Staff Uniforms	\$209.85
INV DB38113	10/01/2023	Staff Uniforms	\$124.89
INV DB38171	10/01/2023	Staff Uniforms	\$294.67
INV DB38464	10/01/2023	Staff Uniforms	\$150.00
INV DB38478	10/01/2023	Staff Uniforms	\$200.00
INV DB38776	19/01/2023	Staff Uniforms	\$349.95
INV DB38992	25/01/2023	Staff Uniforms	\$134.99
EFT55298	10/02/2023	KIMBERLEY FIRE SYSTEMS	\$850.21
INV 16731	25/01/2023	Maintenance of fire protection systems - Jan 2023	\$850.21
EFT55348	17/02/2023	KIMBERLEY HOME ELECTRICAL	\$8,487.10
INV 23-00008437	03/02/2023	Furniture for Consultant units	\$7,198.15

INV 23-00008581	03/02/2023	Furniture for Consultant units	\$1,288.95
EFT55332	17/02/2023	KJKO PTY LTD T/A BUNDABERG BAG COMPANY	\$2,530.00
INV SI14386	19/01/2023	1000x recycling bags	\$2,530.00
EFT55300	10/02/2023	KMART AUSTRALIA LIMITED	\$829.50
INV 027955	13/12/2022	Christmas craft and painting supplies 2022	\$829.50
EFT55349	17/02/2023	KMART AUSTRALIA LIMITED	\$548.50
INV 027971	13/12/2022	Tie dye & Christmas supplies for Youth Service Program	\$548.50
EFT55252	03/02/2023	KW REFRIGERATION & A/C	\$416.00
2935	20/01/2023	Clean and flush A/C drain with nitrogen	\$416.00
EFT55301	10/02/2023	KW REFRIGERATION & A/C	\$2,196.59
INV 2957	30/01/2023	Service 5x air cons	\$450.00
INV 2961	30/01/2023	Reset AC system to rectify communication error	\$180.00
INV 2962	30/01/2023	Replace outdoor pcb and fan motor to air con	\$1,326.59
INV 2967	30/01/2023	Inspections and Quote to replace faulty fan motor	\$120.00
INV 2970	30/01/2023	Reset times on controller at Coleman Centre	\$120.00
EFT55240	03/02/2023	LANDGATE (WA LAND INFORMATION AUTHORITY)	\$2,453.00
1244376	03/01/2023	Monthly interim charges	\$2,453.00
EFT55255	03/02/2023	LGISWA - LGIS PROPERTY	\$186,535.36
100-150824	30/09/2022	2022/23 Insurance Port of Derby Property - Instalment 2	\$186,535.36
EFT55352	17/02/2023	LWOY'S CHINESE RESTAURANT	\$200.00
INV 69	22/12/2022	Dinner for Councillors Agenda Briefing - Thursday 14/04/2022	\$200.00
EFT55304	10/02/2023	LYNETTE EVANS	\$1,554.86
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$1,554.86
EFT55354	17/02/2023	MANAGED IT PTY LTD	\$23,942.86
INV 148579	01/01/2023	Managed Licences for January 2023	\$23,447.86
INV 148872	13/01/2023	Starlink setup - satellite antenna hardware for FXVC internet	\$495.00
EFT55353	17/02/2023	MARAMARA (WA) PTY LTD	\$20,267.84
INV 25785	30/11/2022	C2021-01 Maintenance Grading Area 4	\$20,267.84
EFT55367	17/02/2023	MARIA MATTHEWS T/as MR & MRS POTATO HEAD	\$960.00
INV 109	12/02/2023	Catering for Late Night Program 10/02/2023	\$960.00
EFT55254	03/02/2023	MCLEODS BARRISTERS & SOLICITORS	\$187.00
127627	03/01/2023	Annual Audit for Shire of Derby West Kimberley 2022	\$187.00
EFT55355	17/02/2023	MCLEODS BARRISTERS & SOLICITORS	\$597.65
INV 127913	17/01/2023	Lease of Area 3: Fitzroy Crossing Airport	\$597.65
EFT55305	10/02/2023	MEGA CORE CLEANING	\$165.00
INV 00065	01/02/2023	Cleaning services	\$165.00
EFT55243	03/02/2023	MEGAN NESHODA	\$119.00
REIMB2401	24/01/2023	Staff Reimbursements	\$119.00
EFT55341	17/02/2023	MEGAN NESHODA	\$140.00
INV REIMB1302	13/02/2023	Staff Reimbursements	\$140.00
EFT55303	10/02/2023	MENTAL HEALTH COMMISSION	\$480.00
INV REIMB2012	20/12/2022	Refund Facility hire duplicate payment	\$480.00
EFT55306	10/02/2023	MOORE AUSTRALIA (TAX)	\$8,978.20
INV 427851	20/12/2022	Compilation of 2021-22 Annual Financial statements	\$8,978.20
EFT55257	03/02/2023	NORTHERN METALWORK	\$6,600.00

449	26/01/2023	2 x decorative fire pits for dinner tree	\$6,600.00
EFT55258	03/02/2023	NORTHERN RURAL SUPPLIES PTY LTD	\$119.00
YE00393	12/01/2023	Poultry grain and layer crumble for sentinel chickens	\$119.00
EFT55357	17/02/2023	NORWESCOM TELECOMMUNICATIONS	\$396.00
INV 51805	06/01/2023	Alarm Monitoring for Fitzroy Crossing	\$198.00
INV 51806	06/01/2023	Alarm Monitoring for Derby	\$198.00
EFT55260	03/02/2023	OFFICE STAR	\$6,691.02
59811	23/11/2022	Ricoh IM C2000 Photocopier	\$6,691.02
EFT55308	10/02/2023	OFFICE STAR	\$231.00
INV 60194	01/11/2022	Travel charge to Derby for repair to Ricoh 889	\$231.00
EFT55262	03/02/2023	OFFICEWORKS LTD	\$846.95
604476500	12/12/2022	3x Stilford lockers	\$846.95
EFT55359	17/02/2023	OFFICEWORKS LTD	\$579.69
INV 605071038	09/01/2023	IT order - cables	\$579.69
EFT55322	10/02/2023	OPTIC SECURITY GROUP NORWEST	\$7,585.48
INV 220047	31/01/2023	Repairs to Derby street CCTV system	\$7,585.48
EFT55256	03/02/2023	OUTBACK ELECTRICAL & AIRCON SERVICES	\$5,968.50
6644	12/01/2023	Transformer for runway lighting	\$5,968.50
EFT55261	03/02/2023	OUTDOOR FURNITURE NORTHSIDE	\$3,092.00
3568	06/12/2022	4x Slim Sun lounge	\$3,092.00
EFT55312	10/02/2023	PATRICIA LISA RILEY	\$1,554.86
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$1,554.86
EFT55361	17/02/2023	PATRICIA SPENCER	\$117.00
INV REIMB0802	08/02/2023	Refund of payment for Learn to Swim program at Derby Pool	\$117.00
EFT55313	10/02/2023	PAUL LESLIE WHITE	\$1,554.86
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$1,554.86
EFT55310	10/02/2023	PETER JOHN MCCUMSTIE	\$2,861.67
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$2,861.67
EFT55360	17/02/2023	PROMOTIONS WAREHOUSE	\$1,188.00
INV 11480	20/12/2022	400 paper Bags for Australia day	\$1,188.00
EFT55362	17/02/2023	RECHARGE PETROLEUM	\$20,751.50
INV 694215	28/01/2023	10,000L Diesel to Depot	\$20,751.50
EFT55317	10/02/2023	REMOTE AREA PLUMBING	\$10,741.50
INV 0408	04/02/2023	Remove domestic waste adjacent to power station entrance	\$990.00
INV 0409	04/02/2023	Remove waste from curbs in Fitzroy Crossing	\$4,950.00
INV 0407	05/02/2023	Fitzroy Flood Recovery 2023 - Operators Costs	\$4,801.50
EFT55314	10/02/2023	REPCO A DIVISION OF GPC ASIA PACIFIC PTY LTD	\$5,396.50
INV 4510375915	04/11/2022	Mine bar, roof light switch & beacon	\$1,897.24
INV 4540598304	10/11/2022	Assortment of Auto Electrical Components & accessories	\$3,481.38
INV 4540598609	11/11/2022	Assortment of Auto Electrical Components & accessories	\$17.88
EFT55374	23/02/2023	REPCO A DIVISION OF GPC ASIA PACIFIC PTY LTD	\$298.19
INV 4510387537	08/02/2023	4L wash & wax and 12v starter	\$267.39
INV 4510387672	09/02/2023	Serpentine belt 7x1515mm	\$30.80
EFT55315	10/02/2023	RID AUSTRALIA	\$3,018.00
INV 830667	21/12/2022	RID repellent order FTB program	\$3,018.00

EFT55253	03/02/2023	RM SURVEYS PTY LTD (RM MAKJAP)	\$495.00
33927	19/12/2022	Drafting Derby Cemetery drawings	\$495.00
EFT55319	10/02/2023	ROWAN SCOTT	\$412.13
INV REIMB0702	07/02/2023	Utility Subsidy	\$412.13
EFT55316	10/02/2023	ROWENA MOUDA	\$1,554.86
INV ALLOW3101	31/01/2023	JANUARY 2022 COUNCILLOR SITTING FEES	\$1,554.86
EFT55318	10/02/2023	ROYAL LIFE SAVING SOCIETY WA	\$1,215.00
INV 150908	31/01/2023	Pool Lifeguard course 25 & 26 Feb 2023	\$598.00
INV 150910	31/01/2023	Pool Lifeguard Requalification	\$159.00
INV 150911	31/01/2023	Advanced First Aid course	\$299.00
INV 150912	31/01/2023	Advanced Resuscitation class	\$159.00
EFT55363	17/02/2023	RUVIMBO MUKUCHAMANO	\$87.00
INV REIMB0802	08/02/2023	Staff Reimbursements	\$87.00
EFT55263	03/02/2023	SAGE CONSULTING ENGINEERS PTY LTD	\$6,490.00
0459	13/01/2023	Design security flood lighting	\$6,490.00
EFT55364	17/02/2023	SE RENTALS PTY LTD	\$557.70
INV 98061	20/12/2022	Derby Pool Printer - Rental Contract Ricoh IM C2000	\$185.90
INV 94542	31/12/2022	Derby Pool Printer - Rental Contract Ricoh IM C2000	\$185.90
INV 102934	20/01/2023	Derby Pool Printer - Rental Contract Ricoh IM C2000	\$185.90
EFT55366	17/02/2023	SEMINARS AUSTRALIA PTY LTD T/TEE FOR SEMINARS AUSTRALIA SERVICE TRUST	\$390.00
INV RN433-248	05/12/2022	Cars and Motor Vehicles Only 2023 Webinar 08/12/2022	\$390.00
EFT55340	17/02/2023	SHANE EDWARDS	\$195.96
INV REIMB0902	09/02/2023	Staff Reimbursements	\$195.96
EFT55326	10/02/2023	SIMON DEXTER	\$37.00
INV REIMB0102	01/02/2023	Staff Reimbursements	\$37.00
EFT55321	10/02/2023	SKIPPERS CLEANING SERVICES	\$11,044.00
INV 1557	31/01/2023	Cleaning of 8x Counsellor rooms - Jan 2023	\$484.00
INV 1556	31/01/2023	Cleaning of Various Shire buildings - Jan 2023	\$10,560.00
EFT55320	10/02/2023	SMITHFIELD GROUP PTY LTD	\$300.00
INV A01505	11/01/2023	Fault find partial loss of power	\$300.00
EFT55307	10/02/2023	SOMYA CHAUDHARY	\$942.68
INV REIMB3001	30/01/2023	Utility Subsidy	\$942.68
EFT55276	10/02/2023	STACEY DAVIES	\$39.95
REIMB0802	08/02/2023	Staff Reimbursements	\$39.95
EFT55376	23/02/2023	STEVEN TWEEDIE	\$660.00
INV 1-2022/2023	01/02/2023	Consultancy Services for Tender and Procurement Requirements	\$660.00
EFT55375	23/02/2023	STUART E FISHER	\$374.55
INV REIMB0702	07/02/2023	Utility Subsidy	\$374.55
EFT55351	17/02/2023	TAMARA CLARKSON	\$220.31
INV REIMB0702	07/02/2023	Staff Reimbursements	\$220.31
EFT55368	17/02/2023	TELSTRA LIMITED	\$14,908.46
INV 4174249435	04/03/2022	Mobile Phone Bill Credit - March 2022	-\$6,274.99
INV 4174249435	04/04/2022	Mobile Phone Bill - April 2022	\$492.44

INV 4174249435	04/05/2022	Mobile Phone Bill - May 2022	\$523.29
INV 4174249435	04/06/2022	Mobile Phone Bill - June 2022	\$478.93
INV 4174249435	04/07/2022	Mobile Phone Bill - July 2022	\$479.14
INV 4174249435	04/08/2022	Mobile Phone Bill - August 2022	\$479.14
INV 4174249435	04/09/2022	Mobile Phone Bill - September 2022	\$477.64
INV 4174249435	04/10/2022	Mobile Phone Bill - October 2022	\$634.15
INV 4174249435	04/11/2022	Mobile Phone Bill - November 2022	\$617.89
INV 4174249435	04/12/2022	Mobile Phone Bill - December 2022	\$774.54
INV 4174249435	04/01/2023	Mobile Phone Bill - January 2022	\$731.68
INV 1718873800	27/01/2023	Services and equipment rental to 19/02/2023	\$74.94
INV 4275260810	27/01/2023	Satellite Phone Bill - January 2023	\$405.00
INV 4275260919	02/02/2023	Mobile Phone Bill - February 2023	\$38.00
INV 4174249435	04/02/2023	Mobile Phone Bill - February 2023	\$1,274.50
INV 0463459000	12/02/2023	Landline and Internet Bill - February 2023	\$13,702.17
EFT55342	17/02/2023	THE FITZROY RIVER LODGE	\$1,440.00
INV 326918-1	11/11/2022	Catering for International Day of People with Disability Event	\$1,440.00
EFT55302	10/02/2023	THE PIER GROUP PTY LTD T/AS CS LEGAL	\$535.80
INV 031610	31/01/2023	Professional Fees Rates Arrears	\$535.80
EFT55264	03/02/2023	TOURISM COUNCIL WESTERN AUSTRALIA LTD	\$1,430.00
R-01223-575	21/11/2022	2023 Membership Renewal - Golden I Visitor Centre	\$1,430.00
EFT55266	03/02/2023	TRAVELWORLD BROOME	\$2,556.76
I000037017	24/01/2023	Staff Accommodation	\$670.70
I000037061	31/01/2023	Derby-Broome-Perth return flights & accommodation for staff	\$1,886.06
EFT55370	17/02/2023	TRAVELWORLD BROOME	\$3,024.00
INV I000037064	01/02/2023	Staff Flights and Accommodation	\$3,024.00
EFT55268	03/02/2023	WATTNOW ELECTRICAL	\$5,657.63
11313	23/01/2023	Installation of 7x brackets & cabling and 7x Wi-Fi dishes	\$5,657.63
EFT55299	10/02/2023	WESFARMERS KLEENHEAT GAS PTY LTD	\$148.59
INV 64081171	31/12/2022	Yearly equipment service charge for 45kg VAP CYL	\$140.25
INV 1222640	31/01/2023	Reminder Fee	\$8.34
EFT55267	03/02/2023	WILD LIFE WEST INC	\$1,500.00
GRANT2701	27/01/2023	Kimberley Floods Community Recovery Quick Grant	\$1,500.00
EFT55335	17/02/2023	WINC	\$382.80
INV 9041260065	22/12/2022	WINC AMBITION CANTESHIRE EXEC CHAIR	\$382.80
EFT55356	17/02/2023	YAWURU JARNDU ABORIGINAL CORPORATION T/A NAGULA JARNDU DESIGNS	\$575.72
INV 5213	27/09/2022	Retail Stock for Fitzroy Crossing Visitor Centre	\$575.72
EFT55327	10/02/2023	ZARAK BIN RASHID	\$1,193.10
INV REIMB0202	02/02/2023	Utility Subsidy	\$1,193.10
		TOTAL	\$1,863,134.17

FEE PAYMENTS

PAYMENT ID	DATE	CREDITOR / INVOICE DETAILS	AMOUNT
941	03/02/2023	BAS4 - ATO - BAS PAYMENT - PAYG WITHHOLDING	\$160,665.00
941	22/02/2023	BAS4 - ATO - BAS PAYMENT - PAYG WITHHOLDING	\$80,029.00
941	15/02/2023	BEX - BPOINT FEES	\$34.33
941	17/02/2023	BPY - BPAY FEES	\$156.31
941	03/02/2023	CBA - CBA POS FEE	\$79.00
941	03/02/2023	CBA - CBA POS FEE	\$263.77
941	03/02/2023	CBA - CBA POS FEE	\$288.23
941	01/02/2023	CMD - CHEQUE OR MERCHANT DEPOSITS FEE	\$3.60
941	02/02/2023	DOT - DOT PAYMENT	\$901.95
941	03/02/2023	DOT - DOT PAYMENT	\$1,553.00
941	06/02/2023	DOT - DOT PAYMENT	\$4,170.35
941	07/02/2023	DOT - DOT PAYMENT	\$2,138.15
941	08/02/2023	DOT - DOT PAYMENT	\$2,659.65
941	09/02/2023	DOT - DOT PAYMENT	\$1,769.45
941	10/02/2023	DOT - DOT PAYMENT	\$2,654.20
941	13/02/2023	DOT - DOT PAYMENT	\$1,608.45
941	14/02/2023	DOT - DOT PAYMENT	\$502.30
941	15/02/2023	DOT - DOT PAYMENT	\$4,698.10
941	16/02/2023	DOT - DOT PAYMENT	\$436.35
941	17/02/2023	DOT - DOT PAYMENT	\$849.80
941	20/02/2023	DOT - DOT PAYMENT	\$3,313.00
941	21/02/2023	DOT - DOT PAYMENT	\$1,202.55
941	22/02/2023	DOT - DOT PAYMENT	\$1,186.90
941	01/02/2023	DOT - DOT PAYMENT	\$803.80
941	23/02/2023	DOT - DOT PAYMENT	\$931.10
941	24/02/2023	DOT - DOT PAYMENT	\$1,064.50
941	27/02/2023	DOT - DOT PAYMENT	\$979.45
941	28/02/2023	DOT - DOT PAYMENT	\$1,519.50
941	01/02/2023	EXC - EXCESS TRANSACTIONS FEE	\$11.00
941	01/02/2023	EXC - EXCESS TRANSACTIONS FEE	\$1.90
941	17/02/2023	EXC - EXCESS TRANSACTIONS FEE	\$77.00
941	27/02/2023	EXC - EXCESS TRANSACTIONS FEE	\$4.00
941	01/02/2023	EXC - EXCESS TRANSACTIONS FEE	\$39.90
941	01/02/2023	EXC - EXCESS TRANSACTIONS FEE	\$70.40
941	23/02/2023	GHA - GREYHOUND AUSTRALIA	\$1,633.00
941	07/02/2023	IINET - IINET 225211599 (\$109.99)	\$109.99
941	01/02/2023	MER - MERCHANT FEES	\$29.95
941	01/02/2023	MER - MERCHANT FEES	\$32.00
941	01/02/2023	MER - MERCHANT FEES	\$152.37
DD20674.1	06/02/2023	ANZ COMMERCIAL CARD SERVICES CENTRE	\$5,452.59
INV ANZ AOH	06/02/2023	Commercial Credit Card 13/12/2022 - 12/01/2023	\$3,060.50
INV ANZ WNE	06/02/2023	Commercial Credit Card 13/12/2022 - 12/01/2023	\$652.79

INV ANZ CTM	06/02/2023	Commercial Credit Card 13/12/2022 - 12/01/2023	\$1,739.30
DD20701.1	24/02/2023	ANZ COMMERCIAL CARD SERVICES CENTRE	-\$190.40
INV CREDIT	24/02/2023	Aviar Kununurra - Credit 25/01/2023	-\$190.40
DD20639.21	31/01/2023	AUSTRALIAN RETIREMENT TRUST SUPER SAVINGS	\$1,032.62
INV SUPER	31/01/2023	Superannuation	\$1,032.62
DD20666.20	14/02/2023	AUSTRALIAN RETIREMENT TRUST SUPER SAVINGS	\$843.67
INV SUPER	14/02/2023	Superannuation	\$843.67
DD20639.15	31/01/2023	AUSTRALIAN SUPER	\$6,452.83
INV DEDUCTION	31/01/2023	Payroll Deductions	\$1,526.71
INV SUPER	31/01/2023	Superannuation	\$4,926.12
DD20666.14	14/02/2023	AUSTRALIAN SUPER	\$5,177.97
INV DEDUCTION	14/02/2023	Payroll Deductions	\$1,162.69
INV SUPER	14/02/2023	Superannuation	\$4,015.28
DD20639.1	31/01/2023	AWARE SUPER	\$27,941.55
INV SUPER	31/01/2023	Superannuation	\$22,515.00
INV DEDUCTION	31/01/2023	Payroll Deductions	\$5,426.55
DD20666.1	14/02/2023	AWARE SUPER	\$29,006.23
INV SUPER	14/02/2023	Superannuation	\$23,587.45
INV DEDUCTION	14/02/2023	Payroll Deductions	\$5,418.78
DD20639.5	31/01/2023	CBUS SUPERANNUATION	\$982.93
INV SUPER	31/01/2023	Superannuation	\$702.09
INV DEDUCTION	31/01/2023	Payroll Deductions	\$280.84
DD20666.5	14/02/2023	CBUS SUPERANNUATION	\$922.18
INV SUPER	14/02/2023	Superannuation	\$658.70
INV DEDUCTION	14/02/2023	Payroll Deductions	\$263.48
DD20639.14	31/01/2023	CHILD CARE SUPER	\$21.37
INV SUPER	31/01/2023	Superannuation	\$21.37
DD20666.13	14/02/2023	CHILD CARE SUPER	\$45.80
INV SUPER	14/02/2023	Superannuation	\$45.80
DD20639.16	31/01/2023	COLONIAL FIRST STATE INVESTMENTS LIMITED	\$450.80
INV DEDUCTION	31/01/2023	Payroll Deductions	\$109.95
INV SUPER	31/01/2023	Superannuation	\$340.85
DD20666.15	14/02/2023	COLONIAL FIRST STATE INVESTMENTS LIMITED	\$450.80
INV DEDUCTION	14/02/2023	Payroll Deductions	\$109.95
INV SUPER	14/02/2023	Superannuation	\$340.85
DD20639.4	31/01/2023	ESSENTIAL SUPER	\$478.55
INV SUPER	31/01/2023	Superannuation	\$391.54
INV DEDUCTION	31/01/2023	Payroll Deductions	\$87.01
DD20666.4	14/02/2023	ESSENTIAL SUPER	\$478.55
INV SUPER	14/02/2023	Superannuation	\$391.54
INV DEDUCTION	14/02/2023	Payroll Deductions	\$87.01
DD20639.19	31/01/2023	FIRSTWRAP PLUS SUPER AND PENSION	\$1,154.48
INV DEDUCTION	31/01/2023	Payroll Deductions	\$329.85

INV SUPER	31/01/2023	Superannuation	\$824.63
DD20666.17	14/02/2023	FIRSTWRAP PLUS SUPER AND PENSION	\$1,154.48
INV DEDUCTION	14/02/2023	Payroll Deductions	\$329.85
INV SUPER	14/02/2023	Superannuation	\$824.63
DD20639.18	31/01/2023	FORMULAE1 PTY LTD ATF ISAIAH4110 SUPERANNUATION FUND	\$348.46
INV DEDUCTION	31/01/2023	Payroll Deductions	\$99.56
INV SUPER	31/01/2023	Superannuation	\$248.90
DD20666.16	14/02/2023	FORMULAE1 PTY LTD ATF ISAIAH4110 SUPERANNUATION FUND	\$348.39
INV DEDUCTION	14/02/2023	Payroll Deductions	\$99.54
INV SUPER	14/02/2023	Superannuation	\$248.85
DD20639.13	31/01/2023	GUILD SUPER	\$155.96
INV SUPER	31/01/2023	Superannuation	\$155.96
DD20666.11	14/02/2023	GUILD SUPER	\$161.20
INV SUPER	14/02/2023	Superannuation	\$161.20
DD20639.17	31/01/2023	HOST PLUS SUPERANNUATION FUND	\$3,006.91
INV DEDUCTION	31/01/2023	Payroll Deductions	\$800.00
INV SUPER	31/01/2023	Superannuation	\$2,206.91
DD20666.18	14/02/2023	HOST PLUS SUPERANNUATION FUND	\$3,309.91
INV DEDUCTION	14/02/2023	Payroll Deductions	\$708.22
INV SUPER	14/02/2023	Superannuation	\$2,601.69
DD20639.6	31/01/2023	IOOF PORTOFOLIO SERVICE SUPERANNUATION FUND	\$831.39
INV SUPER	31/01/2023	Superannuation	\$593.85
INV DEDUCTION	31/01/2023	Payroll Deductions	\$237.54
DD20666.6	14/02/2023	IOOF PORTOFOLIO SERVICE SUPERANNUATION FUND	\$831.39
INV SUPER	14/02/2023	Superannuation	\$593.85
INV DEDUCTION	14/02/2023	Payroll Deductions	\$237.54
DD20639.2	31/01/2023	MACQUARIE WRAP EMPLOYER SUPERANNUATION	\$287.04
INV SUPER	31/01/2023	Superannuation	\$287.04
DD20666.2	14/02/2023	MACQUARIE WRAP EMPLOYER SUPERANNUATION	\$327.72
INV SUPER	14/02/2023	Superannuation	\$327.72
DD20694.1	28/02/2023	MANAGED IT PTY LTD	\$6,615.18
INV 149735	01/02/2023	Managed services for February 2023	\$6,615.18
DD20639.20	31/01/2023	MLC MASTERKEY SUPER	\$338.40
INV SUPER	31/01/2023	Superannuation	\$338.40
DD20666.19	14/02/2023	MLC MASTERKEY SUPER	\$338.40
INV SUPER	14/02/2023	Superannuation	\$338.40
DD20639.8	31/01/2023	MLC SUPER FUND	\$359.86
INV SUPER	31/01/2023	Superannuation	\$359.86
DD20666.8	14/02/2023	MLC SUPER FUND	\$381.62
INV SUPER	14/02/2023	Superannuation	\$381.62
DD20639.3	31/01/2023	Q SUPER	\$192.57
INV SUPER	31/01/2023	Superannuation	\$192.57
DD20666.3	14/02/2023	Q SUPER	\$252.16

INV SUPER	14/02/2023	Superannuation	\$252.16
DD20639.12	31/01/2023	REST SUPERANNUATION	\$3,544.79
INV SUPER	31/01/2023	Superannuation	\$3,015.76
INV DEDUCTION	31/01/2023	Payroll Deductions	\$529.03
DD20666.12	14/02/2023	REST SUPERANNUATION	\$3,377.24
INV SUPER	14/02/2023	Superannuation	\$2,833.30
INV DEDUCTION	14/02/2023	Payroll Deductions	\$543.94
DD20639.7	31/01/2023	STUDENT SUPER PROFESSIONAL SUPER	\$278.64
INV SUPER	31/01/2023	Superannuation	\$278.64
DD20666.7	14/02/2023	STUDENT SUPER PROFESSIONAL SUPER	\$287.76
INV SUPER	14/02/2023	Superannuation	\$287.76
DD20639.9	31/01/2023	SUPERESTATE	\$102.87
INV SUPER	31/01/2023	Superannuation	\$102.87
DD20673.1	14/02/2023	SUPERESTATE	\$89.42
INV SUPER	14/02/2023	Superannuation	\$89.42
DD20639.10	31/01/2023	THE EQUIPSUPER SUPERANNUATION FUND	\$289.24
INV SUPER	31/01/2023	Superannuation	\$289.24
DD20666.9	14/02/2023	THE EQUIPSUPER SUPERANNUATION FUND	\$466.13
INV SUPER	14/02/2023	Superannuation	\$466.13
DD20683.1	31/01/2023	THE SHELL COMPANY OF AUSTRALIA LIMITED	\$1,388.06
INV FUEL - JAN23	31/01/2023	Shell Fuel - Jan 2023	\$1,388.06
DD20639.11	31/01/2023	THE TRUSTEE FOR SUPER RETIREMENT FUND SELECT SUPER	\$769.27
INV SUPER	31/01/2023	Superannuation	\$549.48
INV DEDUCTION	31/01/2023	Payroll Deductions	\$219.79
DD20666.10	14/02/2023	THE TRUSTEE FOR SUPER RETIREMENT FUND SELECT SUPER	\$769.27
INV SUPER	14/02/2023	Superannuation	\$549.48
INV DEDUCTION	14/02/2023	Payroll Deductions	\$219.79
NET PAY	31/01/2023	PAYROLL	\$231,686.74
NET PAY	14/02/2023	PAYROLL	\$234,850.54
NET PAY	14/02/2023	PAYROLL	\$825.58
		TOTAL	\$707,448.31

**The Shire Of Derby / West Kimberley
ANZ Corporate Credit Card Reconciliation
Period Reporting: 13/12/2022 - 12/01/2023**

Card Holder : Amanda O'Halloran

Date	Transaction Description	GST (V/N)	Amount (GST Excl)	GST	Amount (GST Incl)	Account	Receipt Provided	Comments
11/12/2022	COVER MORE INS AUS V NORTH SYDNEY	Y	\$ 2,599	\$ 234	28.33	09020-297-2100	YES	Flight Insurance - for Sandra McInderick Youth Holiday Program
10/12/2022	AVIAR PTY LTD KUNUNURRA	Y	\$ 216.36	\$ 21.64	238.00	09020-297-2100	YES	Flight for Sandra McInderick Youth Holiday Program
9/12/2022	VIRGIN AUSTRALIA 44026156 BRISBANE	Y	\$ 9.70	\$ 0.97	10.67	09020-297-2100	YES	Flight for Sandra McInderick Youth Holiday Program
9/12/2022	VIRGIN AUSTRALIA 2183029956 BRISBANE	Y	\$ 1,000.00	\$ 100.00	1,100.00	09020-297-2100	YES	Flight for Sandra McInderick Youth Holiday Program
3/12/2022	INSTANT WINDSCREENS CANNINGTON	Y	\$ 1,100.00	\$ 110.00	1,210.00	P26-360-2100	YES	Windscreen for CEO vehicle
28/12/2022	WARRANT 1018 BIRRAPINT	Y	\$ 51.09	\$ 5.11	56.20	09020-298-2100	YES	Printed Bags and Cutting mats for Youth Holiday Program
21/12/2022	WATOL CARLHARVON 55541F CARLHARVON	Y	\$ 225.73	\$ 22.57	248.30	P26-361-2261	YES	WATOL Fuel for CEO vehicle
19/12/2022	Microsoft Store mball info	Y	\$ 153.64	\$ 15.36	169.00	123402190-2100	YES	Microsoft 365 Pro for Laptop SL10 / Managed IT ticket 1309425 refers
15/12/2022	QANTAS AIR NSW	Y	\$ 1,440.01	\$ 144.00	-1,584.01	120401090-2100	YES	Credit - Failed accommodation transaction refund charged on previous statement
15/12/2022	QANTAS AIR NSW	Y	\$ 1,412.74	\$ 141.27	-1,554.01	EX08-297-2100	YES	Credit - Failed accommodation transaction refund charged on previous statement
			TOTAL \$		77.32			

Card Holder : Wayne Neate

Date	Transaction Description	GST (V/N)	Amount (GST Excl)	GST	Amount (GST Incl)	Account	Receipt Provided	Comments
9/12/2022	St Anne's Restaurant Perth	Y	\$ 75.00	\$ 7.50	82.5	09025-298-2100	YES	Balloon Bouquet 1. Narabara
28/12/2022	Melidimp 6789990141	N	\$ 52.94	0	52.94	123403430-2100	YES	Subscription (consideration exchange rate)
21/12/2022	SEK AU 50822041 MELBOURNE	Y	\$ 295.00	\$ 29.50	324.5	PC07-302-2100	YES	Advertisement for BKO
19/12/2022	Unleash 7745919466 1692687555	Y	\$ 125.00	\$ 12.50	137.5	PC07-302-2100	YES	Advertisements Finance Manager and Director Corporate Services
19/12/2022	SHIRE OF DERBY WEST K1 DERBY	Y	\$ 54.03	\$ 1.32	55.35	P2102-266-2266	YES	Rail Register trailer K62308 (Now has new plate #)
			TOTAL \$		652.79			

Card Holder : Christie Mildenhall

Date	Transaction Description	GST (V/N)	Amount (GST Excl)	GST	Amount (GST Incl)	Account	Receipt Provided	Comments
26/12/2022	WADON MARKET PLACE AU SYDNEY SOUTH	N	\$ 279.96	0	279.96	09019-298-2100	YES	Reusable Water Bottles for FY Youth Program
19/12/2022	DISCOUNT PARTY WORK Taren Point	Y	\$ 417.58	\$ 41.76	459.34	09013-298-2100	YES	Australia Day Celebration items
19/12/2022	HARVEY NORMAN AVIT BROOME	N	\$ 500.00	0	500.00	09015-298-2100	YES	Gift Cards for SDAW Christmas Light Competition
19/12/2022	HARVEY NORMAN AVIT BROOME	N	\$ 500.00	0	500.00	09015-298-2100	YES	Gift Cards for SDAW Christmas Light Competition
			TOTAL \$		1,739.30			

TOTAL PURCHASES FOR ABOVE STATED PERIOD \$ 2,314.57

PAYMENTS AND OTHER CREDITS \$ 3,138.02 *The credits were reported and processed in the previous DO*

INTEREST CHARGES \$ -

CLOSING BALANCE \$ 5,452.59

Australia and New Zealand Banking Group Limited (ANZ) ABN 11 005 357 522. Australian Credit Licence No. 234527.

**ANZ BUSINESS ONE**

STATEMENT PERIOD: 13/12/22 to 12/01/23

ACCOUNT NUMBER:

Cards Enquiries: 13 10 06 Lost/Stolen Cards: 1800 033 844

SHIRE OF DERBY WEST KIMBERLEY
SHIRE OF DERBY
THE DIRECTOR
C/O SHIRE OF DERBY
PO BOX 94
DERBY WA 6728

YOUR ANZ ACCOUNT SUMMARY

Opening Balance	\$47,291.98
Purchases, Cash Advances & Other Debits	\$5,452.59
Interest Charges	\$0.00
Payments & Other Credits	\$47,291.98
Closing balance	\$5,452.59

PAYMENT SUMMARY	
Monthly Payment	\$110.00
Due Date	06/02/2023
Minimum Amount Due	\$110.00

Account Credit Limit	\$50,000.00
Available Account Credit at Statement Date	\$44,547.41

YOUR PAYMENT OPTIONS**ANZ Internet Banking**

www.anz.com Payments made after 10pm (EST) will be processed the next business day.

**BPAY Payments - Biller Code 6007**

BPAY payments from ANZ accounts made after 6pm (EST) will be processed the next business day. Check with your institution for cut-off times. Your bill reference number is your ANZ account number.

**ANZ Phone Banking**

13 22 73 Payments made after 10pm (EST) will be processed the next business day.

**By Mail**

Tear off this slip and mail to GPO BOX 607, Melbourne, VIC 3001

**CardPay Direct**

To ask about setting up a convenient direct debit payment please call 13 22 73.

**Direct Credit via EFT**

Payments to your Account can be made via Electronic Funds Transfer (EFT) from your nominated account.

Account Number

Account Name SHIRE OF DERBY

Amount Paid

Due Date 06/02/2023

ID00001-5082499007
XPR/P/10004-2301130141

ANZ BUSINESS ONE

ACCOUNT NUMBER:

Interest Rates

Purchases	Interest Rate 17.74% p.a (0.0486% daily)
Cash Advances	Interest Rate 19.24% p.a (0.0527% daily)

Opening Account Balance**\$47,291.98**

Cardholder Name: WAYNE NEATE

Cardholder Number:

Spend Cap: \$5,000.00

Date	Description	Amount	Default GST*
15/12/2022	SHIRE OF DERBY WEST KI DERBY	55.35	5.03
16/12/2022	LINKEDIN 7745994866 16506873555	137.50	12.50
19/12/2022	SEEK AU 50852041 MELBOURNE	324.50	29.50
23/12/2022	MAILCHIMP 678-9990141	52.94	4.81
	INCL OVERSEAS TXN FEE 1.54 AUD		
05/01/2023	ST ANNE'S FLORIST AND PERTH	82.50	7.50
Sub-total		652.79	59.34

Cardholder Name: C MILDENHALL

Cardholder Number:

Spend Cap: \$5,000.00

Date	Description	Amount	Default GST*
15/12/2022	HARVEY NORMAN AV/IT BROOME	500.00	45.45
15/12/2022	HARVEY NORMAN AV/IT BROOME	500.00	45.45
16/12/2022	SQ *DISCOUNT PARTY WOR TAREN POINT	459.34	41.75
22/12/2022	AMAZON MARKETPLACE AU SYDNEY SOUTH	279.96	25.45
Sub-total		1,739.30	158.10

* The calculation is an estimate amount only and is not to be relied upon as an actual GST calculation.

Cheque Particulars: Proceeds not available until cleared. Please make cheques payable to ANZ. Do not staple, pin or fold your payment.

Drawer	Bank	Branch	Amount
			\$
			\$
			\$
Teller Stamp	Signature	Subtotal	\$
		Notes	\$
		Coins	\$
		Total	\$

ANZ BUSINESS ONE**ACCOUNT NUMBER:**

Cardholder Name: AMANDA O'HALLORAN

Cardholder Number:

Spend Cap: \$50,000.00

Date	Description	Amount	Default GST*
13/12/2022	QANTAS AIR NSW	1,554.01CR	
13/12/2022	QANTAS AIR NSW	1,584.01CR	
16/12/2022	MICROSOFT*STORE MSBILL.INFO	169.00	15.36
17/12/2022	AMPOL CARNARVON 55549F CARNARVON	248.30	22.57
26/12/2022	KMART 1018 BELMONT	56.20	5.10
28/12/2022	INSTANT WINDSCREENS CANNINGTON	1,210.00	110.00
07/01/2023	AVIAIR PTY LTD KUNUNURRA	238.00	21.63
07/01/2023	COVER MORE INS AUS V NORTH SYDNEY	28.33	2.57
08/01/2023	VIRGIN AUSTR7952183029916 BRISBANE	1,100.00	100.00
08/01/2023	VIRGIN AUSTR7954402611618 BRISBANE	10.67	0.97
Sub-total		77.52CR	278.20

Account Number:

Date	Description	Amount	Default GST*
06/01/2023	AUTOREPAYMENT - THANK YOU	44,153.96CR	
Sub-total		44,153.96CR	

Total GST payable this statement* \$495.64

Closing Account Balance \$5,452.59**IMPORTANT MESSAGES**

YOUR AGREED PAYMENT WILL BE DEBITED FROM YOUR ACCOUNT ON 06/02/23
 ENSURE THAT YOUR ACCOUNT HAS SUFFICIENT FUNDS AT START OF BUSINESS ON YOUR DUE DATE AS SHOWN ON YOUR STATEMENT.
 FOR ADVICE ON YOUR TAX AFFAIRS, INCLUDING PREVIOUS REWARDS FEES CHARGED TO YOUR ACCOUNT, PLEASE CONSULT YOUR TAX ADVISER.
 ANY QUESTIONS: PLEASE CALL 1800 032 481, MONDAY TO FRIDAY, 8AM TO 8PM(AET)

* The calculation is an estimate amount only and is not to be relied upon as an actual GST calculation.

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8 NEW BUSINESS OF AN URGENT NATURE

- Nil

9 NEW AND EMERGING ITEMS FOR DISCUSSION

- Nil

10 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)**COMMITTEE RESOLUTION AC32/23****Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie**

That Council considers 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.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0**10.1 Rates Write-Off - 20 Baobab Street**

This matter is considered to be confidential under Section 5.23(2) - e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

COMMITTEE RESOLUTION AC33/23**Moved: Cr Geoff Haerewa****Seconded: Cr Peter McCumstie****That the Audit Committee Recommends that Council by Absolute Majority:**

1. Writes off the outstanding rates and charges on the property totalling \$8,956.93.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED BY ABSOLUTE MAJORITY

10.2 RATES OUTSTANDING FEBRUARY 2023

This matter is considered to be confidential under Section 5.23(2) - b, e(ii) and e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person, a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government and a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

COMMITTEE RESOLUTION AC34/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council:

1. RECEIVES the report on outstanding rates and service charge debts by financial year to the end of February 2023.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0

10.3 SUNDRY DEBTORS FEBRUARY 2023

This matter is considered to be confidential under Section 5.23(2) - b, e(ii) and e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person, a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government and a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

COMMITTEE RESOLUTION AC35/23

Moved: Cr Geoff Haerewa

Seconded: Cr Peter McCumstie

That the Audit Committee recommends that Council:

1. RECEIVES the information contained in the report detailing Sundry Debtors as at 28th February 2023.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew Twaddle

Against: Nil

CARRIED 4/0 BY ABSOLUTE MAJORITY

COMMITTEE RESOLUTION AC36/23**Moved: Cr Geoff Haerewa****Seconded: Cr Pat Riley**

That Council moves out of Closed Council into Open Council.

In Favour: Crs Geoff Haerewa, Peter McCumstie, Pat Riley and Andrew TwaddleAgainst: Nil**CARRIED 4/0**

11 DATE OF NEXT MEETING

The next meeting of Audit Committee will be held Thursday, 20 April 2023 in the Council Chambers, Clarendon Street, Derby.

12 CLOSURE OF MEETING

The Presiding Member closed the meeting at 4:21pm.

These minutes were confirmed at a meeting on

.....

Signed:

Presiding Person at the meeting at which these minutes were confirmed.

Date:

REPORTS

11 EXECUTIVE SERVICES

11.1 DERBY PORT - HEAD LEASE MANAGEMENT BY KIMBERLEY PORTS AUTHORITY

File Number: 9010.13.2

Author: Neil Hartley, Director - Strategic Business

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Executive

SUMMARY

The Shire operates the Derby Port under a Head Lease and a Management Agreement with the State Government, with the Kimberley Port Authority (KPA) taking on the responsibilities of the Lessor, on the State's behalf.

The Shire is responsible for operating the port in accordance with these two agreements and the KPA's Board monitors those requirements.

A Port of Derby Obligation List (attached) was established by the KPA which lists the requirements it wishes to specifically monitor at the present time. The Shire has provided responses to those obligations but there is also a strong link to the Masterplan outcomes.

The purpose of this report is to appraise Council of progress with the Shire's obligations under its port agreements, and to confirm that the Masterplan will provide the final position in due course.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

The Shire operates the Derby Port through a Head Lease and a Management Agreement, both overseen by the KPA and monitored by its Board. The Head lease has been in operation since 30 June 1998 and is due to conclude on 29 June 2040. The Shire is responsible for operating the port in accordance with these two agreements and its respective requirements.

The lessor has historically been the WA Department of Transport, but the responsibility for that oversight was passed on to the Kimberley Ports Authority on 1 July 2021. Since then and in light of the closer geographic access of the two parties, there has been a more comprehensive engagement between the representatives of the Lessor and the Lessee, including the establishment of an operational advisory group, to address the day-to-day activities at the port (which is itself a requirement of the Management Agreement).

As part of the KPA's obligation to oversee the agreements in place, it has developed a *Port of Derby Obligation List* (attached) which lists the requirements its Board wished to specifically monitor at the present time. The Shire has provided responses to those obligations but there is also a strong link to the Masterplan outcomes, which have not as yet been finalised (but likely to be May or June 2023).

STATUTORY ENVIRONMENT

Local Government Act 1995 S3.1 (General function) outlines that the general function of a local government is to provide for the good government of persons in its district and that a liberal approach is to be taken to the construction of the scope of that general function consideration.

Head Lease and a Management Agreement - The Shire operates the Derby Port under these agreements (with the State Government, through the Kimberley Port Authority (KPA) taking on the responsibilities of the Lessor). The Kimberley Port Authority's last communication included that notation that *"can you please provide an update on the attached obligations list as reported to the KPA Board in March. Considering we are approaching 2 years since the port amalgamation was completed and we are yet to meet any requirements under the agreements despite numerous requests, it is becoming very concerning from a KPA governance position."*

Estoppel (vis. the principle which legally precludes a person from asserting something contrary to what is implied by a previous action or statement of that person or by a previous pertinent judicial determination) may be relevant, but it is not considered appropriate to test that in this instance.

POLICY IMPLICATIONS

Nil applicable.

FINANCIAL IMPLICATIONS

The Port is a considerable piece of infrastructure, and its operations are complex and risky. The Shire has opted in the past due to its limited financial resources, to operate the port at the "lowest practical cost", not to the "highest practical standard". It has been successful in keeping costs low, and fortunate that its higher exposure to risks has been well managed and therefore not converted to added costs.

A summary of the annual ratepayer cost for the last several years is outlined below and highlights that the deliberate "lowest practical cost" strategy has been successful in progressively eliminating the requirement for any ratepayer subsidy of the Port's costs, with the Port operating in a surplus position for the last three financial years:

Financial Year	Income	Expenditure (including depreciation)	Capital Expenditure	Profit/Loss	Depreciation
2021/22	\$1,452,848	\$992,172	\$303,452	\$157,224	\$705,515
2020/21	\$1,499,002	\$577,548	\$173,553	\$747,901	\$244,415
2019/20	\$1,416,424	\$951,505	\$78,030	\$386,888	\$245,828
2018/19	\$1,423,444	\$1,024,501	\$463,324	\$64,381	\$244,803
2017/18	\$975,743	\$684,175	\$907,901	\$616,334	\$184,885

Whilst a welcome change to annual deficits, a \$200-500,000 surplus on what would be a \$50-100m asset, is only a return on investment of at best, 1%. If Kimberley Mineral Sands (a current Port lessee) was to utilise the service for exporting its products, ongoing surpluses would be almost certain to occur and the 1% return on the port would double or triple (providing ample financial capacity to improve port operations and to also undertake the backlog asset management that requires attending to).

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: Allowing the Shire to remain in breach of the port's various agreements could result in the lease being withdrawn.	Possible	Major	High	Make every reasonable effort to gain full compliance, technically, and/or in principle.
Reputation: Non-compliance would be seen by the Shire's own lessee's as the Shire being inequitable.	Almost Certain	Moderate	High	Make every reasonable effort to gain full compliance, technically, and/or in principle. Keep the community informed where compliance is not possible.

CONSULTATION

No community consultation is considered required at this point in time.

Consultation has occurred with the Kimberley Ports Authority on this matter through the port's Operational Advisory Group. KPA is keen to work with the Shire on gaining compliance with the agreements in place, including providing some minor funding assistance for port maintenance from its normal annual funding capacities.

COMMENT

The port agreements have been in place for over 20 years and the state's Department of Transport (the Lessor) has not played an active role overseeing them. That is often the case with leases, including those that the Shire is the lessor of.

Many of the requirements now being pursued by KPA could therefore be questioned via *estoppel* (see statutory environment section for its definition) and Council might recall it suffered a direct impact of this legal right when the Royal Flying Doctor escaped a portion of the lease payments for its Derby Airport lease. That said, it is not suggested that the Shire should explore that avenue on this occasion as it would be far better to prove to KPA that the Shire is willing to undertake its lease/management agreement responsibilities as originally committed to in 1998.

The challenge is to address the requirements of the KPA, with the competing needs of the Council to undertake a review of the Derby Port through the development of a Masterplan. It is suggested

that the Shire ought to do all it reasonably can to be compliant, but to formally advise KPA that until the Masterplan is completed and confirmed (May/June 2023) some positions sought by KPA are not able to be finalised by Council.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **Derby Port Head Lease Obligation List**  

RECOMMENDATION

That Council:

1. **Notes the progress made with the Shire's compliance requirements of the Derby Port's Head Lease and Management Agreement and requires the Chief Executive Officer to continue, wherever possible, to make progress on those matters moving forward;**
2. **Notes the relatively modest but continuously improving financial position the Shire has in more recent years managed to achieve for the Derby Port, and advises the Kimberley Ports Authority that in those instances where funds limit the ability of the Shire to make progress, that these will be considered as part of the adoption of the Derby Port Masterplan (anticipated by June 2023) and the Council's 2023/24 budget.**

Port of Derby Obligation List

Head Lease Requirements


Requirement	Clause	Timing	Compliance	Comments / Actions
Preparation of an Asset Management Plan as set out in the Head Lease	<p>6.4 Asset management plan</p> <p>(a) The Lessee must, in consultation with KPA, prepare and maintain an up to date asset register of the Lessor Improvements, Lessee Improvements and any other plant, equipment or structures on the Premises (Asset Management Plan) which includes the following:</p> <ul style="list-style-type: none"> (i) a detailed description of the item including make, model and any serial numbers (if any); (ii) date of purchase, the purchase prices and any inclusions in the purchase price; (iii) the warranty terms and expiration date; (iv) whether the item is fixed or not and its location; (v) details of the maintenance requirements for each item; (vi) life expectancy of each item and any recommended replacement date; (vii) the party responsible for the maintenance or replacement of each item; and (viii) the maintenance and replacement history of each item. <p>(b)</p> <p>The Lessee must:</p> <ul style="list-style-type: none"> (i) provide KPA with the Asset Management Plan promptly after the preparation of the Asset Management Plan for approval; (ii) incorporate all reasonable changes to the Asset Management Plan proposed by KPA; and (iii) if revisions or alterations are made to the Asset Management Plan, provide a revised copy of the Asset Management Plan to KPA within 7 	Once off and reviewed and updated on a 2 yearly basis	X	<p>No plan received during amalgamation process. KPA requested the Asset Management Plan via the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November 2022.</p> <p>Added Shire Comment: Unfortunately our Corporate Services Director has left the Shire. Shire will endeavour to have the relevant parts of the Shire's Asset Register and Asset Management Plan for the Derby Port Precinct provided to KPA. A more detailed plan (addressing such detail as for example, warranty terms, and life expectancy, etc.) will need to be prepared.</p>

	<p>days of the revision being made.</p> <p>(c) The Lessee must promptly implement and commence the monitoring of all systems, practices, procedures and protocols set out in the Asset Management Plan as soon as it is finalised.</p> <p>(d) The Lessee must conduct a review of the Asset Management Plan when required by KPA (but no more frequently than once a year) and provide KPA with a copy of the review as soon as practicable. The Lessee shall use its best endeavours to revise, improve and keep the Asset Management Plan up to date in accordance with Good Industry Practices.</p>			
Maintain / repair / replace / clean all assets and facilities	<p>7.6 Maintenance</p> <p>Maintain the Premises, KPA's Improvements, the Facilities and the Lessee's Improvements in good condition to the satisfaction of KPA and will replace any damaged items except in the event of:</p> <p>(a) fair wear and tear;</p> <p>(b) structural damage not caused by an act or omission of the Lessee or of the Lessee's Employees, Agents and Customers except where:</p> <p>(i) the damage is caused by a third party using the Port and the Lessee has received compensation or reimbursement for that damage. The Lessee must use its reasonable endeavours to pursue third parties responsible for structural damage for the cost of repair or replacement as the case requires;</p> <p>(ii) the damage is covered by insurance taken out by the Lessee in compliance with clause 8; or</p> <p>(iii) the damage would have been covered by insurance if the Lessee had complied with its obligations under clause 8;</p>	Ongoing	○	<p>Minimal maintenance undertaken on-site by SDWK.</p> <p>Added Shire Comment: The Shire has in past years, allocated several hundred thousand dollars each year of ratepayer funds to assist with the operations of the Port and the maintenance of its assets. In more recent times, the port has generally "broken even" on average, and not required a ratepayer subsidy, with funds for maintenance and refurbishments continuing to be allocated each year via the Council Budget process.</p> <p>The improved financial results recently achieved have been through better port management and cost cutting, plus Kimberley Mineral</p>

	<p>(c) damage caused by an event which is the subject of a risk against which the Lessee has insured, but if payment of the insurance money under the Lessee's insurance policy in respect of that damage is refused or reduced by reason of an act or default of the Lessee, the Lessee must, in respect of that damage, maintain the Premises in good condition to the extent that the insurance money is refused or reduced, but the Lessee's obligation under this clause is diminished to the extent that payment of insurance money under the Lessee's insurance policy in respect of that obligation is:</p> <p>(d) received by KPA; or</p> <p>(e) refused or reduced by reason of an act or default of KPA's, and the Lessee must replace all broken or damaged glass in the doors, walls or windows of, or to, the Premises irrespective of the cause of breakage or damage. Nothing in this clause or elsewhere in this Lease obliges KPA to repair or replace anything in the Port unless it is an item that is damaged or destroyed by a wrongful act or omission on the part of KPA or any KPA's employee or the damage or destruction is covered by insurances held by KPA that the Lessee does not hold and is not obliged to hold under clause 8.</p> <p>7.7 Replacement If the Lessee is liable to replace any of KPA's Improvements, the Facilities or the Lessee's Improvements:</p> <p>(a) replace that KPA's Improvement, Facility or Lessee's Improvement with an item of similar quality, colour and design; and</p> <p>(b) carry out the replacement to the standard referred to in clause 7.6.</p> <p>7.8 Repair Promptly repair any damage to the Premises for which the Lessee is liable.</p>			<p>Sands funding from the recent review of its Lease. These will assist the Shire to catch up on any overdue maintenance, but the amount of that allocation is a Council budget decision.</p> <p>In additional to the above, the Shire asks that KPA when next communicating with the State Government (which collects Royalties from mining operations supported by the Derby Port) asks the State to also offer its financial support from those royalties, to assist with port maintenance.</p>
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	<p>7.9 Cleanliness</p> <p>Keep the Premises and immediate surroundings in a reasonable state of cleanliness and:</p> <p>(a) will not allow the accumulation of any rubbish, trade wastes, containers or useless property within the Premises;</p> <p>(b) will not allow, and will do all reasonable things to prevent, any pollution or contamination of the Premises or any Leased Area, water or air surrounding the Premises which emanates from the Premises (whether by run-off or arising from the Permitted Use of the Premises or otherwise) and, will do, and pay for, all things required to fulfil its obligations under this clause.</p>			
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Management Agreement Requirements

Requirement	Clause	Timing	Compliance	Comments / Actions
Provide KPA a copy of the SDWK audited financial reports for the management of the Port	<p>3.3 Records, accounts, queries and requests</p> <p>The Shire must:</p> <p>(a) keep complete, accurate and current books, records (including detailed records of all Expenses and Revenue), inventories and accounts (prepared in accordance with the Australian Accounting Standards) in relation to the Port Management Business and all other activities of the Shire under this Agreement and the Lease;</p> <p>(b) make the Shire's books, records, inventories and accounts available to KPA, upon request, for inspection by KPA and/or KPA's auditors;</p> <p>(c) provide the KPA with prompt and accurate answers to any queries or requests for information that the KPA has from time to time in relation to the books, records accounts,</p>	By 31 st October annually		<p>KPA has requested the audited financial reports via the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November 2022. Not received.</p> <p>Added Shire Comment: Audited Financial Statements for the Shire can be provided, but these are overall district financials, of which the port is only a part. Our finance staff are currently working with the KPA finance team and this should result in KPA securing the information it is seeking.</p>

	<p>Expenses, Revenue or any activities of the Shire under this Agreement and the Lease;</p> <p>(d) have the Shire's accounts (including trade figures) in relation to the conduct of its business at the Port audited annually by a qualified and competent company auditor in accordance with the Australian Accounting Standards;</p> <p>(e) by no later than 31 October in each year, provide a complete copy of the audited accounts and auditor's report described in clause 3.3(d) to KPA together with a detailed itemisation of the Expenses and Revenue claimed by the Shire for the relevant Financial Year for the purposes of determining the Port Profits and the Designated Fee for that Financial Year;</p> <p>(f) act in good faith and use its best endeavours to agree upon the Port Profits and the Designated Fee for each Financial Year as soon as practicable (the KPA being obliged to do the same);</p> <p>(g) retain all records maintained by the Shire in relation to this Agreement for a period of 7 years after which they must be delivered to KPA;</p>			
Provide monthly revenue and cost reporting reports	<p>3.3 Records, accounts, queries and requests (see above)</p>	By the 15 th of each month	○	<p>KPA formally requested the monthly reports 18 May 2023 with a planned commencement for the FY22/23. Followed up with the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November 2022. Yet to receive a monthly financial report.</p> <p>Added Shire Comment: Our finance staff are currently working with the</p>

				KPA finance team and this should result in KPA securing the information it is seeking.
Provide an annual summary on the operation of the port the preceding year and plans for the succeeding year	3.3 Records, accounts, queries and requests (see above)	By 31 st October annually	○	KPA has requested the annual summary via the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November 2022. Not received. Added Shire Comment: A report will be provided for the 2022/23 financial year, by 31 October 2023.

Provide budget estimates for trade, revenue and expenses for the following financial year		By 30 th September annually	○	<p>KPA requested the budget estimates via the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November 2022. Not yet received.</p> <p>Added Shire Comment: Shire finance staff are currently working with the KPA finance team and this should result in KPA securing the information it is seeking.</p>
Produce a Safety Plan as per the requirements set out in the Operating Agreement	<p>8.5 Safety Plan</p> <p>Within 3 months of KPA requesting a Safety Plan the Shire will, at the Shire's cost, deliver to KPA an draft Safety Plan covering all aspects of the Port as covered and limited by Federal and State statutory requirements but including:</p> <p>(a) <u>Promulgation of Channel, Berths and Mooring Area Depths</u>. Implementation of an auditable system to regularly monitor the depths promulgated for shipping channels, berths and mooring areas. The channels, berths and mooring areas must be maintained at the promulgated depths, however any variation showing a lesser depth than that promulgated must be repromulgated at the shallower depth.</p> <p>(b) <u>Safety and Emergency Response Plan</u>. A plan whose objectives include the following:</p> <p>(i) to contain and control emergency incidents;</p> <p>(ii) to safeguard the public in the port and neighbouring area;</p> <p>(iii) to mitigate the effects and minimise economic loss, damage to property and to the environment; and</p>	Within 3 months of KPA requesting a plan and reviewed on a 2 yearly basis	○	<p>KPA has requested the Safety Plan during the Port Advisory Meetings. KPA requested the safety plan via the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November 2022. Not yet received although a consultant has been engaged by the SDWK to prepare the plan.</p> <p>Added Shire Comment: Upon receipt of plan (from consultant) it will be provided to KPA. Plan is currently being developed.</p>

	<p>(iv) the safe handling, storage metering and movement of cargo in the Port; and which reflects factors including: (v) the hazard, nature and extent of the possible event; (vi) the risk and the probability of occurrence; and (vii) the consequences and the possible effect on people, property and the environment. The plan will be published and regularly revised and should clearly specify the following: (viii) role and responsibilities of essential personnel; (ix) integration with the WA Marine Oil Pollution Emergency Management Plan; (x) training; (xi) emergency control centre; (xii) testing and familiarisation; and (xiii) reassessment and updating.</p> <p>(c) <u>Dust Management</u> A detailed dust management plan that sets out the systems, practices and procedures that the Shire must apply to govern: (i) the works proposed to control dust on the Leased Area; and (ii) the compliance monitoring and reporting protocols for the Shire's dust management works, systems, practices and procedures in areas on the Leased Area.</p> <p>(d) <u>Traffic Management</u> A detailed traffic management plan that sets out the systems, practices and procedures that the Shire must apply to govern the movement of pedestrians and vehicles on the Leased Area and in the Port.</p> <p>(e) <u>Security</u> A detailed security management plan that sets out the systems, practices and procedures that</p>			
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	<p>the Shire must apply to govern:</p> <ul style="list-style-type: none"> (i) the surveillance and security of the Port and all plant, equipment, improvements and infrastructure owned, operated or controlled by the Shire within the Port; (ii) the compliance monitoring and reporting protocols for the Shire's surveillance and security systems, practices and procedures in areas within the Port; and (iii) compliance with the requirements of the Maritime Transport and Offshore Facilities Safety Act 2003 (Cth) and the Customs Act 1901 (Cth). <p>(f) <u>Storm Water Management</u> A detailed storm water management plan that sets out:</p> <ul style="list-style-type: none"> (i) a comprehensive outline of the drainage management and water run-off controls for the Port; (ii) the systems, practices and procedures that the Shire will apply to: <ul style="list-style-type: none"> A. govern the drainage and water run-off from within or through the Port; and B. ensure the water run-off from within or through the Port is not polluted, contaminated or carrying waste, rubbish or other excess debris. <p>(g) <u>Environmental management plan</u> An environmental management plan to manage the environmental aspects of the Shire's use of the Port that is:</p> <ul style="list-style-type: none"> (i) consistent with KPA's environment management plan and any heritage plans applying to the Port from time to time; and (ii) consistent with and complies with any Authority requirements and any governmental permits and approvals in KPA's name that apply to the Port from time to time and notified 			
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	<p>to the Shire. The Shire must prepare and implement environmental management practices that are of no lesser standard than those contained in AS/NZ ISO 14001 :2004.</p> <p>(h) <u>Navigational Aids</u> The requirements for navigational aids as determined by the parameters of operation of the Port including the need for night time navigation. A documented system to be employed to ensure regular inspection and to monitor the effectiveness of the navigational aids and provide preventative maintenance procedures. Notification to shipping of the navigational aid system or any variation caused by the malfunctioning of any light or lead to be undertaken by an effective process of promulgation.</p> <p>The provision and maintenance of navigational aids in the shipping channels and the associated approaches must conform to International Association Lighthouse Authorities (IALA) specifications and performance standards.</p> <p>(i) <u>Radio Communications</u> An effective licensed system to be implemented to meet the operational requirements of the Port.</p> <p>(j) <u>Vessel Movement Control Not Used.</u></p> <p>(k) <u>Safe Wharf Loading Requirements</u> The documented modus operandi of any loading procedures to be provided including details and methods of barge loading and subsequent discharge of product to export vessels. These procedures for barge/ship loading to be provided to the Master of the vessel and agreed prior to the commencement of loading operation. The procedures will make all necessary allowances for vessel stability,</p>			
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	<p>trim, draft and, where applicable, underkeel clearance during the loading operation.</p> <p>(l) <u>Provision of Facilities/Services</u> Details of the Facilities and Services including power, bunkers, water and waste disposal must be made available to Port users. Safe axle loads must be specified for the Jetty structure.</p> <p>(m) <u>Maintenance of Facilities and Services</u> Preventative maintenance plan to be observed in respect of all Facilities and appropriate Services.</p> <p>(n) <u>Auditing and Reporting</u> Each requirement of this clause must be capable of being subject to a periodic and systematic review and audit to verify that the required procedures are in place and operating effectively and, if they are not, to ensure that any required procedures are prepared, implemented and maintained. A copy of the report detailing each review and audit carried out by the Shire must be given to KPA as soon as practicable after the review or audit is carried out. KPA may, in its discretion, arrange to carry out an audit of any or all of the port safety functions and risk management processes. The Shire must afford all reasonable access, on reasonable notice, and assistance, to enable an audit to be carried out, including access to, documents, facilities and personnel.</p> <p>(o) <u>Marine Safety Plan</u> An effective Marine Safety Plan to be implemented to meet the operational requirements of the Port.</p> <p>(p) <u>Whole of Port Risk Management Plan</u> A risk management plan that:</p> <p>(i) complies with Section 5 of AS/NZS ISO 31000:2009 Risk Management - Principles and</p>			
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	Guidelines published by Standards Australia; (ii) accurately documents the risk management plan for the Port; and (iii) implements and maintains an accurate and up to date risk register at all times during the Term. The Safety Plan must reflect Good Industry Practices and observance of all elements of the Safety Plan will constitute a term of this Agreement and an obligation upon the Shire pursuant to this Agreement.			
Insurances as setout in the Operating Agreement	9.7 Disclosing insurance coverage The Shire must: (a) notify KPA of the details of the Insurances as and when requested by KPA; (b) at each time an insurance policy is renewed or varied, and upon the request of KPA, provide KPA with certificates of currency or other evidence that KPA may require to demonstrate compliance by the Shire with clause 9.1, 9.2 and 9.5; and (c) provide KPA with 15 days' notice of any material change in or cancellation or expiration of coverage.		✓	KPA requested the insurances via the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November 2022. Not yet received. Added Shire Comment: Insurance policies forwarded to KPA on 8 December 2022. Recent (March 2023) request for a letter of endorsement from LGIS that insurance levels comply with lease conditions, has been sought and will be provided upon its receipt.
Produce a Berth Allocation Procedure	21.2 No priority berthing (a) Except to the extent that priorities are created and apply equally to all users of the berths under the Berth Allocation Procedures, the Shire must not without KPA's prior consent enter into arrangements with any user of the Port that have the effect of giving another user priority use of any berth over any other user. (b) Clause 21.2(a) does not preclude the Shire from giving priority to another user of a berth or a vessel:	One off and reviewed on a 2 yearly basis	○	Not yet requested. Focus on other requirements at this stage. Added Shire Comment: Noted.

	(i) in circumstances involving requirements for a safe haven; (ii) where the Shire is directed to do so by KPA or the Harbour Master; (iii) in circumstances involving any Emergency or matters of security; (iv) in circumstances involving berth repairs and maintenance; or (v) in circumstances involving dredging of the mooring or swing basins associated with any berth.			
Maintain records on vessel visits and tonnage records	22.2 Tonnage Records The Shire must keep all documents and details necessary to determine the Tonnage in each Year (Tonnage Records).	Ongoing	○	SDWK provide the vessel manifests only. KPA has provided an approved format to report in. Not yet received. Added Shire Comment: Updated report style implemented and will be provided on a monthly basis. This is provided as part of the financial report.
Establish a Port Advisory Committee to discuss and resolve items as setout in the Operating Agreement	23.1 Establishment KPA and the Shire must promptly form and then maintain a committee to consider, monitor and review all costs, procedures, systems, plans, budgets and practices connected with the Services and the Port (Port Advisory Committee).	Meet on a 3 monthly basis	✓	Port Advisory Committee established and meet on a regular basis. Added Shire Comment: Noted.
Issue a monthly report on the performance, HSE, financial and environmental management of the Port	24.1 Performance reporting (a) The Shire must provide KPA with a Monthly Report within fourteen days after the end of each month during the Term. (b) The Monthly Report must: (i) address the information and requirements set out in clause 24.1 (c): (ii) contain sufficiently complete and accurate information (in a form satisfactory to KPA) so	By the 15 th of each month	○	KPA formally requested the monthly reports 18 May 2023 with a planned commencement for the FY22/23. An approved format was issued by KPA for the SDWK to utilise. Followed up with the SDWK CEO on 18 August 2022, 21 September 2022, 1 November 2022 and 24 November

	<p>as to enable KPA to monitor and review the Shire's performance in delivering the Services against the Shire KPIs; and (iii) expressly state whether the Shire KP Is have been met by the Shire for the period covered by the report and, if not, the reasons for the non-compliance. (c) KPA may: (i) publish information and statistics about the Services, based on information provided by the Shire. except where such publication would reveal the Shire's confidential information; and (ii) provide information and statistics about the Services to the Minister or a Government Agency.</p>			<p>2022. Yet to receive a monthly report.</p> <p>Added Shire Comment: Monthly reports to commence as soon as possible, but timelines for all Shire works are being severely hampered by the impacts of ex-Tropical Cyclone Ellie.</p>
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11.2 FITZROY CROSSING AIRPORT FEES - EX TROPICAL CYCLONE ELLIE**File Number: 5145****Author: Neil Hartley, Director - Strategic Business****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Legislative****SUMMARY**

Ex Tropical Cyclone Ellie caused major flooding within the Shire of Derby/West Kimberley, particularly in the vicinity of Fitzroy Crossing. Many local people contributed to the immediate efforts of rescue and wellbeing checks, including those with aircrafts that could travel to places not otherwise accessible by normal land based transport vehicles.

This report proposes consideration of a refund of airport charges, for those that volunteered their time and that of their aircraft.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

Ex Tropical Cyclone Ellie caused major flooding within the Shire of Derby/West Kimberley, primarily over January 2023, but with impacts still continuing at the time of this report. Flooding particularly impacted the Fitzroy Crossing community, but also impacted were pastoralists in the Fitzroy River catchment areas, and other community members affected by road damage and closures across the district (and beyond in to the wider Kimberley areas).

Many local people contributed to the immediate efforts of rescue and community member wellbeing checks, including those with aircrafts that could travel to places not otherwise accessible by normal land based transport vehicles.

The Shire's airports are subject to fees and charges for their use, including lease fees for hangar space, the recovery of water and electricity supply costs, aircraft parking charges, and aircraft landing fees, to highlights the most significant of them.

Aircraft landing fees are charged and collected through a third party contract (Avdata) and the mechanism for charging is automated. Essentially, when the pilot radio signals their landing, the software records the aircraft's arrival, its registration and aircraft specifications, and calculates the relevant fee based on the Shires Fees & Charges set for the relevant airport's users.

Landing fees are collected for the purpose of maintaining the airport and in particular, the airstrip and apron areas. None of the Shire's airports collect sufficient funds to achieve that need, but that is mostly due to the low aircraft landing numbers associated with the district's aircraft need.

Whilst the Shire would benefit from the additional revenue gained for January/February 2023 (albeit not sufficient to result in costs being recovered for the entire financial year) airport users were invited to submit applications for airport landing fee refunds/credits via a recent email from the Shire (see below):

For those of you that have utilised the Derby and/or Fitzroy Crossing Airports in January 2023, you will shortly be receiving your landing fee accounts through the Shire's airport

accounts managers, Avdata. As many of you would be aware, the community of Derby and Fitzroy Crossing has recently endured a major flood event and some of you may have assisted in the associated response/recover efforts. The Shire of Derby/West Kimberley and its community appreciates the support it has received and it has been suggested that it should consider offering credits/refunds of airport landing fees for private and commercial aircraft were those aircraft were directly assisting with the response/recovery efforts of Cyclone Ellie, and the aircraft was provided free of charge. In instances where these conditions can be met and you wish to seek a credit, please contact me at neil.hartley@SDWK.wa.gov.au directly, providing sufficient information so that I can prepare a report to Council, to enable a credit to be considered by it.

Two aircraft owners have thus far responded (see confidential attachment) and essentially, this report proposes that consideration of a refund of airport landing fees, for those that volunteered their time and that of their aircraft, be given.

STATUTORY ENVIRONMENT

The Local Government Act S6.12 (Power to defer, grant discounts, waive or write off debts) provides the capacity for a local government may* to waive or grant concessions in relation to any amount of money; or write off any amount of money, which is owed to the local government.

(* Absolute majority required).

The Local Government (Finance Management) Regulation 42 (Discounts for early payment etc., information about in annual financial report) outlines the reporting requirement for waivers and write-offs, namely:

The annual financial report is to include for waiver ... in relation to any money —

- a) a brief description of the waiver or concession; and
- b) a statement of the circumstances in which it was granted; and
- c) details of the persons or class of persons to whom it was available; and
- d) the objects of, and reasons for, the waiver or concession, cost, or reduction of revenue, to the local government of a waiver or grant of a concession; and
- e) the total amount of money to be written off.

POLICY IMPLICATIONS

Whilst the Council's Sundry Debtors Collection Policy (F4) is relevant, there are no implications from a policy perspective.

FINANCIAL IMPLICATIONS

Waiving the charges for January and February will mean that the Shire will lose a few thousand dollars of revenue. Whilst somewhat ironically, Ex Tropical Cyclone Ellie and the need for many aircraft to be on site may have resulted in sufficient fees being collected in January/February 2023 to meet expenses for that period, all of Derby's three airports will continue to require ratepayer financial support following that short period of higher use.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.3 Effective Communication	1.3.2 Listen to and respond to the needs of our communities
2. Community	2.1 Safe Communities	2.1.4 Manage and respond to emergency situations

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial: Providing a refund for this charge may result in other requests for refunds in other charge areas.	Likely	Minor	Medium	Consider all applications on their merits.

CONSULTATION

An email communication was forwarded to all known district airport users, inviting them to consider applying for a refund if they assisted with Ex Tropical Cyclone Ellie's impacts, and volunteered their time and aircraft for that purpose.

COMMENT

Notwithstanding that the Shire itself desperately needs all the funds it can muster for the recovery efforts of Ex Tropical Cyclone Ellie, as well as managing its normal local government responsibilities, under the unique circumstances of Ex Tropical Cyclone Ellie and the fact that refunds are only being suggested for volunteers, a waiver of the fees on this occasion is considered justifiable. It is a relatively small sum for the Shire, and whilst it only reflects a small percentage of the operating costs of a helicopter, it will no doubt be welcomed all the same by applicants who volunteered their time to assist.

It is suggested that the same refund be applied to aircraft parking (vis. a charge that applies for parking longer than 24 continuous hours) and that the refund be applicable for the months of January and February 2023.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS

1. Landing Fee Rebate Requests - Confidential
2. Table of Potential Refund Details - Confidential

RECOMMENDATION

That Council by Absolute Majority:

- 1. authorises a waiver/refund of airport fees (aircraft landing and aircraft parking) at its Fitzroy Crossing and Derby Airports for the months of January and February 2023, for private and commercial aircraft, conditional on those aircraft being used to directly assisting with the response/recovery efforts of Ex Tropical Cyclone Ellie, and that the use of those aircraft were provided within the district on a “free of all charges” basis;**
- 2. notes that whilst only two aircraft owners have indicated a possibility of seeking a fee refund thus far, there is no restriction on applicant or aircraft numbers, but Council does require that the Chief Executive Officer manage the waiver/refund authority outlined in (1) through a process which can suitably authenticate aircraft that meet the conditions of a waiver/refund, and that applications for refunds/rebates are received by the Shire before 30 April 2023 so they can be processed within the 2022/23 financial year; and**
- 3. requires that the details of the refunds/wavers (as required by regulation 42 of the Local Government (Finance Management) Regulations) be suitably included in the Shire’s 2022/23 annual financial report.**

11.3 ELECTED MEMBER ELECTION FOR SHIRE OF DERBY/WEST KIMBERLEY - APPOINTMENT OF ELECTORAL COMMISSIONER AS RETURNING OFFICER**File Number:** 2001**Author:** Neil Hartley, Director - Strategic Business**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Executive**SUMMARY**

The electoral process requires local governments to consider what voting format its elections should adopt, and who should be appointed as the Returning Officer.

It is recommended, and encouraged by the Minister for Local Government, that the WA Electoral Commissioner be appointed to conduct the 2023 ordinary election (together with any other elections or polls which may also be required) for the Shire of Derby/West Kimberley.

Notwithstanding the Minister's encouragement to WA local governments in the attached Memorandum, this is the same arrangement for the district as has occurred in previous years.

Further, the method of conducting the election needs to be "in person", as this is the only voting option that allows the Returning Officer to invite and collect votes at the numerous individual isolated communities within the district.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

All Western Australian Local Government Ordinary Elections are conducted on the third Saturday in October, in every second year. The next ordinary election day for all Western Australian local governments, is therefore Saturday 21 October 2023.

The electoral process is comprehensively regulated by the Local Government Act and its associated Electoral Regulations. One of the first election processes requires the local government to decide on what voting format the election should use ("in person" or "postal") and who should be the Returning Officer (and therefore be responsible for the conduct of an election).

The 2021 Shire of Derby/West Kimberley elections were conducted by the WA Electoral Commissioner and the method of conducting the voting was "in person". This protocol has been consistently applied in previous election years also.

Based on its 2021 involvement at our district, the Minister for Local Government's recent Memorandum to all WA local governments, and to assist in budget preparations, the Western Australian Electoral Commission has provided the Shire with an estimate for conducting the 2021 ordinary elections (see attached). That estimated cost is \$26,000.

The current procedure required by the Local Government Act 1995 is that the Western Australia Electoral Commissioner's written agreement is to be obtained before a vote is taken on who should be responsible for the local government's elections. The attached letter received by the Shire from the Western Australia Electoral Commissioner can be taken as agreement for it (should

Council agree) to be responsible for the conduct of the 2021 Shire ordinary elections, together with any other elections or polls that may also be required.

Whilst the most popular form of election across Western Australian local government districts is by postal vote, the Shires of Derby/West Kimberley, Broome, Halls Creek, and Menzies in 2021 all had the Western Australia Electoral Commissioner conduct their elections as “in-person elections”. This in the main is because:

1. all of these local governments have remote communities;
2. the Electoral Commission as part of its contract, undertakes visits to selected remote communities to accept on-site, elector votes (as opposed to requiring those community members to travel to Derby or Fitzroy Crossing to lodge their vote); and
3. the Local Government Act forbids the casting of early votes as outlined in (2) unless the election is conducted as an in-person style of voting.

STATUTORY ENVIRONMENT

Local Government Act s 4.7 (Ordinary elections day usually third Saturday in October) states that the ordinary elections day is the third Saturday in October (making the next ordinary election for all Western Australian local governments, 21 October 2023).

Local Government Act s 4.20 (CEO to be returning officer unless other arrangements made) outlines that the CEO is the returning officer unless the local government chooses to appoint an alternative person to be the returning officer for its elections. The local government may alternatively (conditional on the decision being by absolute majority and on having first obtained the written agreement of the Electoral Commissioner) declare the WA within a particular period of time. To be effective, the appointment must be made prior to the 80th day before Election Day (vis. before 26 July 2021).

Local Government Act s 4.61 (Choice of methods of conducting election) outlines that local government elections are to be conducted as voting in person elections, unless Council otherwise decides by absolute majority, to undertake a postal election (which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day).

Local Government Act 4.67 (Where to vote in person) allows the Returning Officer to invite electors to cast a vote (vis. an early vote) before election day at the local government’s offices, or at a place notified for that purpose in the election notice (like a remote district community).

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer’s recommendation.

FINANCIAL IMPLICATIONS

The estimated cost for the Western Australian Electoral Commission to conduct the 2023 Election is \$26,000 (including GST) which has been based on the following assumptions:

- 4,450 electors
- response rate of approximately 30%
- 5 vacancies
- count to be conducted at the offices of the Shire of Derby/West Kimberley

- appointment of a local Returning Officer.

It should be noted that costs not incorporated in this estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission incurred as part of an invalidity complaint lodged with the Court of Disputed Returns;
- the cost of any casual staff to assist the Returning Officer on election day or night; and
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

A \$26,000 allocation will be included in the Shire's 2023/24 draft budget.

Several of the Shire's staff members are likely to be invited to work in the polling places and for the vote count on Election Day and these costs are included in the Electoral Commission's \$30,000 estimate. Outside of this amount there will be some additional staff and operational costs incurred throughout the election process (like taking early votes at the Shire Offices, count room set up, telephone calls, etc). These additional costs (estimated to be in the order of \$2 – 3,000) will be funded from existing salary/administrative budget allocations.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.1 Engage with our communities
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
Financial: Electoral Commission costs could exceed the estimated \$26,000.	Possible	Insignificant	Low	Maintain communication with Electoral Commission to monitor costs. Budget for a 10% variation.
Reputation: Process of elections might be disrupted by third parties or inadequately conducted by the Electoral Commissioner.	Possible	Moderate	Medium	Maintain communications with Electoral Commission (and the Returning Officer) to monitor process, progress and any potential for third party intrusions.

CONSULTATION

As the process is largely a statutory one, no community consultation is suggested for this decision of the appointment of the Electoral Commissioner to undertake the election and appoint the Returning Officer.

There has been consultation with the Western Australian Electoral Commission.

There will as part of the election process, be public advertising to attract electors to cast their votes, including travelling to selected aboriginal communities in person to enable electors to cast early votes, in person.

COMMENT

As the biennial elections are a vital part of the governance process, the historic separation of roles between the Council, and the Administration, is recommended to be maintained. The appointment of the Electoral Commissioner to undertake the election and to appoint the Returning Officer (and particularly where there is remote community in-person early-voting included within the electoral program) reinforces a strong level of governance separation and enables a public visibility of the historic high levels of electoral accountability being maintained. It also reinforces within the local government, that there is a genuine differentiation between the Local Government Act roles of the CEO and the organisation, and that of the role of the Councillors and the Council.

There is an alternative however, in that the Council could very likely save funds by opting for a postal style election. If however there is any Councillor concern for the community's capacity and/or keen-ness to understand the written information or to otherwise participate in the elections, and that as a consequence voter turnout or participation in the Shire's elections might be diminished; or the security of votes or voters might be questioned; then it would seem best for the option of in-person elections to be retained.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS

1. Minister's Memorandum  
2. WA Electoral Commission Cost Proposal  

RECOMMENDATION

That Council by **ABSOLUTE MAJORITY**:

1. Declare in accordance with Section 4.20 of the Local Government Act 1995, the WA Electoral Commissioner to be responsible for the conduct of the 2023 Shire of Derby/West Kimberley ordinary election, together with any other elections or polls which may also be required;
2. Confirm, consistent with Section 4.61 of the Local Government Act 1995, that the method of conducting the election continue to be by *in-person voting*, and include the requirement for the Electoral Commissioner to undertake on-site early voting at the district's remote communities, where that is reasonable to do so; and
3. Requires the CEO to include for Council's future consideration, a \$29,000 (\$26,000 +

≈10%) allocation in the Shire's draft 2023/24 budget for Electoral Commission costs to undertake the Council's 2023 election, plus a suitable allocation to accommodate other normally budgeted elections costs.



Hon John Carey MLA
Minister for Housing; Lands; Homelessness; Local Government

Our ref: 78-11008

3 February 2023

Dear Local Government Chief Executive Officers

MEMORANDUM TO CHIEF EXECUTIVE OFFICERS
ARRANGEMENTS FOR THE UPCOMING OCTOBER 2023 ORDINARY ELECTIONS

As you know, the State Government is continuing to work with the local government sector to deliver the most significant package of local government reforms in more than 25 years. These reforms include several measures to strengthen local democracy and increase community engagement, including new requirements for:

- the introduction of optional preferential voting for all local government elections;
- directly-elected Mayors and Presidents for all Band 1 and 2 local governments;
- the abolition of wards for all Band 3 and 4 local governments; and
- aligning the size of councils with the size of the population of each district.

In September 2022, I wrote to all local governments to outline the implications of the reforms for each council, and pathways for implementing required changes. Since then, the majority of impacted councils have been working to consider how best to transition in changes. Many councils have since completed Ward and Representation Reviews, while others will have more substantial changes implemented through reform elections, or minor changes made to apply by default.

I would like to acknowledge and thank local governments for the constructive and proactive way they have approached this forward planning.

Further to my previous letter, the State Government is continuing to work to implement election reforms ahead of the October 2023 Ordinary Elections. The reforms will introduce Optional Preferential Voting (OPV) for all local government elections. OPV is similar to preferential voting used in State and Federal Elections, and for local government elections in every other Australian state. OPV provides that electors can preference as many or as few candidates as they decide, and there will be no transfer of preferences other than the preferences electors mark on their ballot paper.

The reforms will also include related new changes for the backfilling of vacancies, including:

- in the event that a member of the council is directly elected as the Mayor or President, the consequent vacancy can be filled by the next highest-polling candidate through the relevant district or ward council election held on the same day;
- if a vacancy arises within one year of a council member being elected at an ordinary election, that vacancy may be filled by the next highest-polling candidate; and
- the timeframes for which certain vacancies can remain unfilled ahead of an upcoming ordinary election will also be extended.

Together, these reforms will greatly reduce the need for extraordinary elections, saving costs for ratepayers and administrative burden for local governments in the longer term.

Level 11, Dumas House, 2 Havelock Street, West Perth, WA, 6005
Telephone: +61 8 6552 5300 Facsimile: +61 8 6552 5301 Email: minister.carey@dpc.wa.gov.au

However, these changes will require specific attention on election night, and returning officers will need to identify the candidates who are next in line to fill further vacancies for inclusion on the declaration of results. Accordingly, I am writing to encourage all local governments to commence early planning for the practical arrangements for the conduct of the October 2023 Ordinary Elections.

As you would know, the council may declare the Electoral Commissioner as responsible to conduct postal elections under sections 4.20 and 4.61 of the *Local Government Act 1995* (the Act). Section 4.28 of the Act further provides that the local government is to meet the costs incurred by the Western Australian Electoral Commission (WAEC) in conducting such elections.

Alternatively, if council decides that the CEO (or other appointee) is to be the returning officer, local governments will have the option to purchase a licence for access to the WAEC's CountWA software to facilitate the counting of votes. CountWA software is used to count votes in State Elections, and involves data entry of preferences indicated on ballot papers. This provides for preferences to be counted and re-counted using the software.

If a local government decides to license the software instead of appointing the Electoral Commissioner to conduct the election, the CEO (or other appointee) will remain wholly responsible for the conduct of the count, the use of the software, the introduction of the new OPV counting and backfilling provisions, and dealing with any disputes or complaints. The WAEC will only be able to provide general assistance on accessing and using the software.

The WAEC will shortly be writing to all local governments to provide information for each council. The WAEC can also provide further information on each of these options. Please contact Phil Richards, Manager Election Events on 9214 0443 or at Phillip.Richards@waec.wa.gov.au if you have any queries.


It is strongly recommended that the decision for whether to declare the Electoral Commissioner as responsible for your Ordinary Elections is put to Council at its March meeting. This will allow sufficient time for the WAEC to work with you to deliver the election, or provide you with a software licence, if preferred.

In considering potential arrangements, local governments should be mindful that the WAEC will require sufficient lead time to plan ahead. Accordingly, I strongly urge all local governments to make arrangements as early as possible, and consider the appointment of the WAEC to conduct the elections.

The Department of Local Government, Sport and Cultural Industries (DLGSC) is working closely with the WAEC to prepare further materials to assist local governments with the implementation of reforms. The DLGSC will provide further updates through LG Alerts to the sector and on the DLGSC's website. The DLGSC is also available to assist with any queries, including by email at lghotline@dlgsc.wa.gov.au or by phone on 1300 762 511.

I have also written a letter to the Mayor or President of your local government, which contains the same information as this memorandum. That letter should be received shortly.

Yours sincerely



HON JOHN CAREY MLA
MINISTER FOR LOCAL GOVERNMENT

LGE 028

Ms Amanda Dexter
Chief Executive Officer
Shire of Derby/West Kimberley
PO Box 94
DERBY WA 6728

Dear Ms Dexter

Local Government Ordinary Election: 2023

The next local government ordinary elections will be held on 21 October 2023. While this is still some distance in the future, I have enclosed an estimate for your next ordinary election to assist in your 2023/2024 budget preparations.

The estimated cost for a 2023 voting in person election is \$26,000 inc GST which has been based on the following assumptions:

- 4,450 electors
- response rate of approximately 30%
- 5 vacancies
- count to be conducted at the offices of the Shire of Derby/West Kimberley
- appointment of a local Returning Officer.

The Commission is required by the *Local Government Act 1995* to conduct local government elections on a full cost recovery basis. The price you have been quoted is an estimate only, and the final cost incurred may vary depending on a range of factors.

Costs not incorporated in this estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission incurred as part of an invalidity complaint lodged with the Court of Disputed Returns
- the cost of any casual staff to assist the Returning Officer on election day or night
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

179918

As you are aware, the Government is currently considering reforms to the *Local Government Act 1995*, which include how elections are to be conducted. In order to assist with your local government's budget planning, we have included, to the best of our knowledge, costs that will arise from the changes proposed in legislation. For example, if under the amendments your local government will be required to conduct a mayoral/presidential election this has been included.

Some local governments may also note an increase in costs from their 2021 ordinary costs. These include increases arising from inflation in recent years affecting salaries for Returning Officers and other staff, printing and packaging costs as well as the increase in postage announced by Australia Post. Additional costs from the Commission have been included arising from improved processing procedures and additional resources to supplement the Commission's education, complaints management, investigation and legal efforts.

In order for the Commission to be responsible for the conduct of your election, the first step required by the *Local Government Act 1995* is my written agreement to undertake the election.

As such, you may take this letter as my agreement to be responsible for the conduct of the ordinary elections in 2023 for the Shire of Derby/West Kimberley in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required.

In order to have the 2023 ordinary election conducted by the Commission as a voting in person election, the next step will be for your council to pass the following motion by absolute majority:

- 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 2023 ordinary election together with any other elections or polls which may also be required.

It would be greatly appreciated if this item was considered at your March council meeting, to enable the Commission to have sufficient time to work with you to effectively conduct the election.

I look forward to conducting this election for the Shire of Derby/West Kimberley in anticipation of an affirmative vote by Council. If you have any further queries please contact Shani Wood Director, Election Operations on 9214 0400.

Yours sincerely



Robert Kennedy
ELECTORAL COMMISSIONER

9 February 2023

11.4 DERBY PORT - LEASING OF JETTY AREAS 2 AND 3 TO MPA FISH FARMS PTY LTD**File Number: 9010.13****Author: Neil Hartley, Director - Strategic Business****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

MPA/Barramundi Group has a current leases for Derby Jetty Areas 2 and 3 (both expiring on 30 June 2023). MPA has been invited to take up a new leases and has agreed to the lease fee proposed through the recent valuation. Public advertising has occurred and no submissions were received, however the existing lessee has advised that the company (vis. the Lessee) MPA Fish Farms Pty Ltd, is to be sold to new owners.

This report recommends that the actions to enable to sale of MPA be endorsed, and that a new leases be negotiated for a 1 July 2023 commencement.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

At the 28 July 2022 Council, it agreed to invite MPA Fish Farms Pty Ltd to register its interest in new leases post the current expiry date of 30 June 2023, on the following conditions:

1. payment of \$9,000 as a deposit on the estimated fees and charges involved in developing a new lease; and
2. access will not be provided to Jetty Areas 2 and 3 post 1 July 2023 unless a new lease is in place and execute prior to that date by MPA Fish Farms Pty Ltd.

Council at its 24 November 2022 meeting endorsed proposed leases to MPA Fish Farms Pty Ltd and commenced the process of disposition of property in accordance with Section 3.58 of the Local Government Act (see attached advertisement). Two lease areas were applicable (Jetty Areas 2 and 3 - within the Goods Shed) with lease terms being from 1 July 2023 for a two year term, but to be extendible in two year increments at the Shire's sole discretion, with the ultimate term being no longer than to the period to 29 June 2040 when the Head Lease expires (noting that the Lessee may wish to propose an end term earlier than 29 June 2040).

MPA Fish Farms Pty Ltd undertake the production of Barramundi in Cone Bay and use the Derby Port and Jetty as a logistics hub to load feed on boats and store frozen Barramundi to be shipped off to their various markets. MPA began operations in 2008 and it has leased the areas of the Goods Shed known as Area's 2 and 3 for its operations from 1 July 2009. Lease area 2 is used as a storage facility for the whole fish product and ice, but has also been used, in some instances, for limited handling operations for the whole fish product. Lease Area 3 has been used solely to store fish feed, which is transported for use in ocean fish pens at the Cone Bay.

The Lessee has recently advised that on 22 December 2022, Barramundi Group Ltd, the sole shareholder of Marine Produce Australia Pty Ltd ACN 091 805 480 (MPA), which is the holding company of the Sublessee, entered into an agreement for the sale of 75% of its shareholding, to Wild Ocean Australia Pty Ltd (Buyer). This sale was conditional on the Lessor (and Kimberley Ports

Authority) having no objection to the sale. The Shire has advised it has no objections to the lease assignment.

STATUTORY ENVIRONMENT

Local Government Act S3.58 (Disposing of property) outlines the requirements of a local government to undertake a disposal of land (vis. sell, lease, etc.). A local government can dispose of property by private treaty if it meets prescribed conditions, like accessing a current valuation, giving public notice, inviting submissions, and reviewing submission received.

The land transaction is not significant enough to require the Shire to progress through the alternative **S. 3.59 (Commercial enterprises by local governments)** requirements, which additional to extended public advertising, also requires a Business Plan.

Derby Port Head Lease outlines a range of requirements that sub-lessees need to comply with. The Head Lessor (via the Kimberley Port's Authority) is also required to endorse any port subleases.

Kimberley Mineral Sands Lease entitles it to some operational priority access rights. The Kimberley Mineral Sands Lease needs therefore to be referenced in the MPA lease to ensure mutual understandings prevail.

POLICY IMPLICATIONS

(ES2) Establishment of Commercial Leases – sets out the primary terms and conditions of commercial leases. One policy condition is that the term of the Lease shall be five years with a five year option, unless otherwise determined. This particular lease has in the past been for various relatively short periods of just a few years, but the proposed lease is for two year terms up to a maximum date of 29 June 2040 (the date the Head Lease expires).

FINANCIAL IMPLICATIONS

It is proposed that the lease payments for Area 2 be \$32,130pa(+GST) and for Area 3 \$16,300 pa(+GST) per annum, as per the licensed valuation assessment. These amounts are considerably more, at least in percentage terms than the existing lease fees (of \$21,420+GST and \$10,595+GST respectively). The maximum lease income that could be earned if the term goes out to 2040 would be \$823,310 (exclusive of rent reviews).

Disbursements incurred for estimated valuations and legal costs etc. were also required, with MPA submitting the requested \$9,000 deposit on those estimated costs.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.2 Maximise local opportunities
3. Economy	3.1 Industry and business development and growth	3.1.2 Value and support small to medium-sized businesses

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: That a legal lease document is not established before the current expiry date.	Unlikely	Moderate	Medium	Have lease prepared by the Shire's legal advisors and insist on it being executed prior to tenure being made available.

CONSULTATION

S. 3.58 of the Local Government Act requires that community consultation is undertaken. This was achieved through a public advertisement in the Broome Advertiser and placing the notice in various other locations (e.g. Shire's Facebook Page; Shire's Web Page; local libraries and notice boards etc).

Officers have also been in contact with MPA Fish Farms and the Kimberley Ports Authority, to progress the matter.

The Derby Port Masterplan is progressing through its public consultation period and won't be finalised until very close to, or likely after this current lease expires. It is possible that there may be conflicts arise between the lease area and the Masterplan's direction (e.g. the potential of an alternative use for the jetty's Goods Shed).

COMMENT

The term of the lease has not been decided by MPA, so it was suggested that the advertising include the term available under the Head Lease (vis. to 29 June 2040) as the maximum. It is possible that MPA might wish to have a lesser term, but in any event the starting rental will not alter and future annual reviews are a combination of CPI and/or market reviews. Any extensions of the two year terms will be at the Shire's sole discretion.

The sale of MPA Fish Farms Pty Ltd was conditional on there being no legitimate reason for the Lessor's objection (and the Shire has confirmed that it does not object) but a formal legal Deed of Assignment is still required as a lease condition. Under normal circumstances, a change of company ownership would not be objected to, unless there was some concerns raised about the new Lessee's ability to honour the commitments outlined within the lease. Similar assignments have recently occurred with leases at the Derby Airport.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **Public Notice - MPA**  

RECOMMENDATION**That Council:**

- 1. Notes that no submissions were received in response to the recent local public notice of Council's intention to lease Areas 2 and 3 of the Derby Jetty Goods Shed at the Derby Port, to MPA Fish Farms Pty Ltd;**
- 2. Notes the new ownership arrangements of MPA Fish Farms Pty Ltd and endorses the CEO's and President's recent actions in regard to the current lease's assignment. Also, notes that a formal Deed of Assignment will be executed between the Shire and MPA Fish Farms Pty Ltd for the remainder of the current lease (expiring 30 June 2023);**
- 3. Requires the CEO to negotiate a new Lease with MPA Fish Farms Pty Ltd, to commence on 1 July 2023, and for it to be generally consistent with Council's resolution of 24 November 2022; and**
- 4. Notes that the lease will be executed and the common seal affixed in accordance with Delegation 1.1.33 (Applying Common Seal).**



Shire of Derby / West Kimberley

Local Public Notice

Proposed Lease - "Areas 2 and 3 Derby Jetty"

The Shire of Derby/West Kimberley is considering a lease proposal involving two locations situated on the western end of the Derby Jetty (designated as "Areas 2 and 3")

The Shire is providing notice of the proposal and inviting submissions (as per Section 3.58 of the Local Government Act 1995).

Lessee:

MPA Fish Farms/Barramundi Group.

Property:

Lease Area 2 (357m²) and Lease Area 3 (163m²) of the Goods Shed on the Derby Jetty at the Derby Port Precinct

Lease Term:

Up to 17 years (to 29 June 2040).

Market Value:

Area 2 - 357m² @ \$90.00/sqm (based on an independent market valuation of 16 September 2022)
Area 3 - 163m² @ \$100.00/sqm (based on an independent market valuation of 16 September 2022)
\$32,130pa + GST and \$16,300pa + GST for area 2 and 3 respectively

Consideration:

Potential transaction value of \$823,310.00 (exclusive of rent reviews).

For more information please contact Mr Neil Hartley, Director Strategic Business at
Neil.Hartley@sdwk.wa.gov.au or on 9191 0999.

Submissions can be **made by prior to Friday 13 January 2023**

to the Chief Executive Officer,
Shire of Derby/West Kimberley,
PO Box 94 Derby WA 6728,
or by email to Neil.Hartley@sdwk.wa.gov.au

Amanda Dexter
Chief Executive Officer

11.5 MINUTES OF THE JOINT MEETING OF THE KIMBERLEY ZONE AND KIMBERLEY REGIONAL GROUP HELD 17 FEBRUARY 2023**File Number: 4221****Author: Amanda Dexter, Chief Executive Officer****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Advocacy****SUMMARY**

This report presents for Council endorsement the Minutes from the Joint Meeting of the Kimberley Zone of the Western Australian Local Government Association (WALGA) and the Kimberley Regional Group held on 17 February 2023.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

A copy of the minutes from the joint meeting held 17 February 2023 between members of the Kimberley Zone of WALGA (Zone) and Kimberley Regional Group (KRG) is attached for Council consideration.

As a result of a past decision of the group, both the Kimberley Zone and KRG meetings are joined.

It should be remembered that the Kimberley Zone of WALGA is a group established to represent regional issues to the State Council of WALGA. This group includes the four Kimberley Shires in addition to the Shires of Christmas Island and Cocos Keeling Islands.

The KRG is a group defined through a deed of agreement between the four Kimberley local governments with the Minister for Local Government.

The Shire of Wyndham East Kimberley accepted the Secretariat role for the Kimberley Zone / KRG late in 2021, with the formal transition to the Secretariat underway. WALGA is also supporting the Zone/ Group with a level of secretariat provided through them as well.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
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
Community: That the Shire's interests and contribution to the zone are represented and reflect the views of the community	Unlikely	Minor	Low	Minutes received and endorsed by Council to allow for transparency and assist zone attendees with clear direction

CONSULTATION

Nil.

COMMENT

The August meeting was and in person and Teams hybrid – The Shire Presidents where in Perth and met at WALGA's conference rooms along with other Perth based industry representatives.

Key Presentations:

Hon. Stephen Dawson MLC & Divina D'Anna MLA – Minister for Emergency Services; Innovation & ICT; Medical Research and Volunteering – Addressed the group and provided an update on response matters, role of the Kimberley Regional Group in the State Recovery.
General discussion on Kimberley wide impacts.

Christine Comer: NEMA – Assistant Director of WA & SA – WA Disaster Relief Funding Arrangements.

Key Areas to Note:

The Kimberley Regional Group progressed the Kimberley Project Prospectus (Advocacy document). The prospectus helps drive advocacy for investment into agreed priority projects.

KRG Shires confirmed amounts and projects.

The prospectus is being updated and graphically designed to assist with the March 2023 Canberra trip.

KRG Website – the KRG signed off on the development of the website by Eclipse Design Solutions. For \$8,000.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Minutes - Kimberley Regional Zone and Group - 17 February 2023  

RECOMMENDATION

That Council:

- 1. Receives and endorses the resolutions of the Kimberley Zone of WALGA and Kimberley Regional Group as attached in the minutes from the Joint Meeting held 17 February 2023.**



THE
KIMBERLEY
REGIONAL GROUP

Meeting Minutes

17 February 2023

Zoom

<https://us02web.zoom.us/j/84478816286?pwd=LzhYYlIZSG5yZk1PQURqSk5pOXIJUT09>

Kimberley Regional Group: Minutes 17th February 2023

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Kimberley Regional Group: Minutes 17th February 2023



Meeting Open: 11:48

1. Chair acknowledged the Traditional Custodians of the different lands on which people are meeting today, and paid respect to all the Elders past, present and emerging.

2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
Members		
Cr Chris Mitchell	Shire of Broome	Zoom
Cr Geoff Haerewa	President, Shire of Derby West Kimberley	Zoom
Cr Malcolm Edwards	President, Shire of Halls Creek	Zoom
Cr Tony Chafer	Deputy Shire President, SWEK	Zoom
Observers		
Sam Mastrolembo	CEO, Shire of Broome	Zoom
James Watt	Director Corporate Services, Shire of Broome	Zoom
Peter McCumstie	Deputy President, Shire of Derby West Kimberley	Zoom
Phillip Cassell	CEO, Shire of Halls Creek	Zoom
Nick Kearns	Director of Planning / Community SWEK	Zoom
Alfred Nagaiya	Senior Economic Development Officer SWEK	Zoom
Executive Support Team		
Paul Rosair	Principal, NAJA Business Consulting	Zoom
Michelle Mackenzie	Principal, Mira Consulting	Zoom
Jane Lewis	Principal, Redit Research	Zoom
Apologies		
Cr Harold Tracey	President, Shire of Broome	
Amanda Dexter	CEO, Shire of Derby West Kimberley	
Cr David Menzel	President, Shire of Wyndham East Kimberley	
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	
Ashley Randell Thomas Della Vedova	Director Regional Planning Policy Coordination Principal Planning Officer, DPLH	

Kimberley Regional Group: Minutes 17th February 2023

Name	Shire / Council / Organisation	Method
Guests		
Hon. Stephen Dawson MLC	Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering	Zoom: 10:45 – 11:15 am
Ms Divina D'Anna MLA	Member for the Kimberley	
Mathew Dixon	Senior Policy Adviser – Emergency Services	
Christine Comer	Assistant Director, WA and SA Engagement Branch, National Emergency Management Agency	Zoom

3. Disclosures, Conflicts and Declarations of Interest:

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

4. Minutes of the last meeting

Item for Decision

Submitted by: Secretariat

Attachment 1: Matters Arising and Outstanding Business

Confirmation of Previous Minutes

Resolution(s)		Action(s) / Budget Implications	
That the Minutes of the Kimberley Regional Group held on 21 November 2022, as published and circulated, be confirmed as a true and accurate record of that meeting.		See Attachment 1 – Matters Arising and Outstanding Business	
Moved:	Shire of Broome	Responsible:	See Attachment
Seconded:	Shire of Halls Creek	Due date:	As appropriate
Carried: 4/0			

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Kimberley Regional Group: Minutes 17th February 2023

Attachment 1 Matters Arising and Outstanding Business

Date / Item	Action / Progress	Responsible
Government Services in the Kimberley		
24/8/2022 Item 11.2	<p>Action: Development of an advocacy paper, utilising past inquiries, research and reports, highlighting the inadequacy of the centralisation of government services to the Kimberley region, and particularly the impact on the Aboriginal population, to be a priority once the new secretariat service is established.</p> <p>Progress: After the strategic planning session workshop, it was decided to provide a position paper that can be used for advocacy purposes with external stakeholders. Tabled in meeting agenda, Item 12</p>	Members and Executive Officer
North West Defence Alliance (NWDA) Funding Request		
24/8/2022 Item 11.4	<p>Action: The KRG approves, in principle, a contribution up to \$40,000 from the KRG surplus for the 2022-23 financial year, towards the lobbying and advocacy efforts of the North West Defence Alliance, subject to the development of a formal budget to be considered by circular resolution.</p> <p>Progress: An allocation of \$40k will be funded from the 2022/23 budget. Awaiting further action</p>	Members and Executive Officer
State Government Funding to Address Juvenile Crime in the Kimberley		
21/6/2022 Item 9.1	<p>Action: Updates to be received from the relevant working groups Funding initiatives implementation and outcomes to be monitored</p> <p>Progress: This matter was considered at the Priority Planning Workshop. Raised by Executive Officer with the new Minister for Regional Development, Don Punch – who has been invited to the KRG meeting.</p>	Members and Executive Officer
Kimberley Regional Group Memorandum of Understanding		
21/6/2022 Item 9.4	<p>Action: MOU to be finalised prior to 31st August</p> <p>Progress: Received some feedback regarding complexity of the document, to be discussed at the February meeting.</p>	Members and Executive Officer

Kimberley Regional Group: Minutes 17th February 2023



Date / Item	Action / Progress	Responsible
Banned Drinking Register		
21/11/2022 Items 5 and 8	<p>Action: EO to follow up with Nicola Perry re Covid State Emergency Powers Removal - Rescinding of Section 31 additional powers under the Liquor Act</p> <p>Progress: Liquor Licencing sent directive to licensees reinforcing Section 31 for West Kimberley. Email sent re Section 64 submission: Resolved</p> <p>Action: EO to follow up with the Department on the outcome of the BDR evaluation. Progress: emailed: Watching Brief</p>	Executive Team
Western Australian Development Index (WADI)		
21/11/2022 Item 9	<p>Action: EO to Write to WALGA to express their support for the progression of the WA Development Index; and write to the Minister for Local Government expressing support for the development of the WADI. Progress: Letters, signed by Cr Menzel sent. Resolved: Watching Brief</p>	Executive Team
Strategic Operational Planning		
21/11/2022 Item 10	<p>Action: EO team to formulate an action plan, based on the results of the planning workshop; to be submitted for ratification at the February meeting.</p> <p>Progress: Draft complete and tabled for discussion and ratification, Item 12.</p> <p>Six policy priorities:</p> <ol style="list-style-type: none"> 1. Housing 2. Community safety and crime prevention 3. Juvenile Justice 4. Prosperous diverse economy 5. Management of alcohol and other drugs 6. Provision of Government services: housing, emergency management, health, education and training, justice and public safety <p>Priority Action Plan Stakeholder Engagement Strategy</p>	Executive Team

Kimberley Regional Group: Minutes 17th February 2023

Date / Item	Action / Progress	Responsible
Service Level Agreement		
21/11/2022 Item 11	Action: EO and Secretariat to finalise the SLA and set a date for assessment. Progress: Secretariat and EO signed the final agreement and agreed a review date at the October in-person meeting: Resolved	Executive Team and Secretariat
Kimberly Zone and Kimberley Regional Group Calendar and Proposed Meeting Dates		
21/11/2022 Item 12	Action: EO team to circulate audited statements as soon as they are released for ratification and so that KRG funds can be transferred from SOB to SWEK Progress: Dates agreed, calendars booked for members and Zone attendees for 2023: Resolved	Executive Team
Kimberley Regional Group Annual Financial Report 2021-22 and Kimberley Regional Group Financial Activity Statements		
21/11/2022 Item 13	Action: EO team to circulate audited statements as soon as they are released for ratification and so that KRG funds can be transferred from SOB to SWEK Progress: Audited statements included in Feb agenda, Item 6	Secretariat and EO team
Other Business and Incidentals		
16/12/2022	Action: Send letters of congratulations (signed by Chair) to new state ministers: <ul style="list-style-type: none"> • Hon Jackie Jarvis MLC; Minister for Agriculture and Food, Forestry, and Small Business • Hon Don Punch, MLA; Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing • Hon Sabine Winton, MLA; Minister for Early Childhood Education; Child Protection; Prevention of Family and Domestic Violence; Community Services Progress: Letters sent: Resolved	Executive Team

Kimberley Regional Group: Minutes 17th February 2023



Date / Item	Action / Progress	Responsible
21/11/2022 Strategic Workshop	Action: Develop a stakeholder engagement plan Progress: Draft strategy and stakeholder list included in agenda, Item 12	Executive Team
21/11/2022 Strategic Workshop	Action: Invite Executive Staff to next in-person meeting Progress: CEOs to share invite for April meeting with relevant staff	CEOs
As at 10/2/2023 Aboriginal Heritage Act	Action: Watching brief on Aboriginal Heritage Act third round approx. Feb 2023. EO spoke to Anthony Kannis, DG DPLH	Executive Team
As at 10/2/2023 Minister McBain – Kimberley Tour arrangements	Action: Watching brief on sitting dates for Parliament	Executive Team
As at 10/2/2023 Federal Grant (Growing regions)	Action: Watching brief on grant announcements	Executive Team
Regional Planning Infrastructure Framework	Action: EO to liaise with Thomas Della Vedova, DPLH regarding Kimberley workshop.	Executive Team

Kimberley Regional Group: Minutes 17th February 2023

5. Correspondence

Item for Noting

Submitted by: Secretariat

Attachment 2: Correspondence In: Nicola Perry; BDR Evaluation and Review
 Attachment 3: Correspondence Out: Nicola Perry; BDR Evaluation and Review
 Attachment 4: Correspondence Out: Hon Jackie Jarvis MLC; Congratulations
 Attachment 5: Correspondence Out: Hon Don Punch, MLA; Congratulations
 Attachment 6: Correspondence Out: Hon Sabine Winton, MLA; Congratulations
 Attachment 7: Correspondence Out: Hon John Carey, MLA; Support for WADI
 Attachment 8: Correspondence Out: Nic Sloan, CEO WALGA; Support for WADI

Note: Correspondence considered of an administrative nature, will not be tabled.

Correspondence In	
Date	23/12/22
From	Nicola Perry, DLGSC
Topic	BDR Evaluation and Review
Attachment	2
Correspondence Out	
Date	23/12/22
From	Paul Rosair, on behalf of the KRG
To	Nicola Perry, DLGSC
Topic	BDR Evaluation and Review
Attachment	3
Date	4/1/2023
From	CR David Menzel, KRG Chair
To	Hon Jackie Jarvis MLC; Minister for Agriculture and Food, Forestry, and Small Business
Topic	Congratulations on your appointment
Attachment	4
Date	4/1/2023
From	CR David Menzel, KRG Chair
To	Hon Don Punch, MLA; Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing
Topic	Congratulations on your appointment
Attachment	5

Kimberley Regional Group: Minutes 17th February 2023



Correspondence Out	
Date	4/1/2023
From	CR David Menzel, KRG Chair
To	Hon Sabine Winton, MLA; Minister for Early Childhood Education; Child Protection; Prevention of Family and Domestic Violence; Community Services.
Topic	Congratulations on your appointment
Attachment	6
Date	12/1/2023
From	CR David Menzel, KRG Chair
To	Hon John Carey, MLA; Minister for Housing; Lands; Homelessness; Local Government
Topic	Kimberley Regional Group - Support for the WA Development Index
Attachment	7
Date	4/1/2023
From	CR David Menzel, KRG Chair
To	Nic Sloan, CEO WALGA
Topic	Kimberley Regional Group - Support for the WA Development Index
Attachment	8

Resolution(s)		Action(s) / Budget Implications	
That the Correspondence be received and noted, and that the Executive Officer be directed on a response, if required.		Nil	
Moved:	Shire of Wyndham East Kimberley	Responsible:	N/A
Seconded:	Shire of Halls Creek	Due date:	N/A
Carried: 4/0			

Kimberley Regional Group: Minutes 17th February 2023**Attachment 2 Correspondence Out: BDR Evaluation and Review****From Nicola Perry 23/12/2022**

Hi Paul

Thank you for your email.

In respect of the Section 64 inquiry, the following link www.dlgsc.wa.gov.au/departments/news/news-article/2022/12/15/inquiries-into-kimberley-and-pilbara-packaged-liquor-availability will take you to the Department of Local Government, Sport and Cultural Industries website which provides additional information.

However, in summary, the Director of Liquor Licensing has written to affected licensees in the Kimberley to notify them that it is the intent to impose conditions on their liquor licence consistent with those conditions prescribed in the Liquor Control (Section 31) (Kimberley) Notice 2021 and to afford them an opportunity to provide submissions. An excerpt from the website is below:

The Director of Liquor Licensing is expecting to make a final decision in late February 2023. In respect of the BDR, I acknowledge your requests and a response will be provided in the new year.

Kind regards

Nicola

Nicola Perry
A/Executive Director – Racing, Gaming and Liquor
Department of Local Government, Sport and Cultural Industries
Gordon Stephenson House, Level 2, 140 William Street, Perth WA 6000
PO Box 8349, Perth Business Centre WA 6849
Tel (08) 6551 4872
Email nicola.perry@dlgsc.wa.gov.au

Kimberley Regional Group: Minutes 17th February 2023**Attachment 3 Correspondence Out: BDR Evaluation and Review****From Executive Officer 23/12/2022**

Hi Nicola

Thank you again for the information you provided on the Section 64 review and the BDR.

The Kimberley Regional Group, comprised of the four Kimberley Shires, met on the 21st of November. The Group expressed the critical need for:

A briefing from the Department on the outcomes of the Kimberley BDR evaluation and how the Shires can be further engaged with the BDR review to inform the government's policy response
A regionally consistent approach to the management of alcohol in the Kimberley with the removal of the Covid State Emergency Powers - the best way for the Shires to progress this with the Department. For example, given the focus on local Liquor Accords is there a greater opportunity to develop some foundational principles and to share knowledge to support more consistent and better Kimberley-wide outcomes.

It would be appreciated if you could advise when the Kimberley BDR evaluation will be received, if the Kimberley Regional Group is able to get a copy of the evaluation, and how this work will inform the BDR review. Also, if you could advise of the time frame for the Section 64 review, and how we can work with your Department to drive some consistency to deliver better outcomes across the Kimberley.

If you have any questions regarding the above, please let me know

Kind Regards,

Paul

Paul Rosair

Kimberley Regional Group: Minutes 17th February 2023**Attachment 4 Correspondence Out: Congratulations on your appointment****From KRG Chair, Cr David Menzel 4/1/2023**

Hon Jackie Jarvis MLC
Minister for Agriculture and Food, Forestry, and Small Business
Level 7 Dumas House
2 Havelock Street
WEST PERTH WA 6005

Via Email – Minister.jarvis@dpc.wa.gov.au

4th January 2023

Dear Minister

Congratulations on your appointment

The Kimberley Regional Group would like to congratulate you on your Ministerial appointment.

The Kimberley Regional Group (KRG) is an alliance of the four Shires in the Kimberley, being the Shires of Broome, Derby West-Kimberley, Halls Creek and Wyndham East-Kimberley. Our vision is to maintain and enhance the rich diversity and liveability of the Kimberley for its people and the world. Collectively we support positive outcomes across the Kimberley through improved social, economic and cultural development.

The KRG can only achieve our vision through strong partnerships and the WA Government is a key partner in driving our vision. The work of the Department of Primary Industries and Regional Development is a critical in unlocking the economic and social opportunities that agriculture affords across the Kimberley region. This not only contributes to Western Australia's overall prosperity, but to the support and the growth of small businesses in our region.

The Kimberley Regional Group would welcome the opportunity to meet with you, to discuss your policy priorities and how we can work in partnership with your office to deliver great outcomes across the Kimberley and WA. Our executive team will be in touch to progress a time to meet.

Congratulations again on your appointment. We look forward to working with you.

Yours sincerely

A handwritten signature in black ink that reads 'David Menzel'.

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naia.com.au

Kimberley Regional Group: Minutes 17th February 2023**Attachment 5 Correspondence Out: Congratulations on your appointment****From KRG Chair, Cr David Menzel 4/1/2023**

Hon Don Punch, MLA
Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing
7th Floor Dumas House
2 Havelock Street
WEST PERTH WA 6005

Via Email – Minister.punch@dpc.wa.gov.au

4th January 2023

Dear Minister

Congratulations on your appointment

The Kimberley Regional Group would like to congratulate you on your appointment as Minister for regional development.

The Kimberley Regional Group (KRG) is an alliance of the four Shires in the Kimberley, being the Shires of Broome, Derby West-Kimberley, Halls Creek and Wyndham East-Kimberley. Our vision is to maintain and enhance the rich diversity and liveability of the Kimberley for its people and the world. Collectively we support positive outcomes across the Kimberley through improved social, economic and cultural development.

The KRG can only achieve our vision through strong partnerships. The Department of Primary Industries and Regional Development, and the Kimberley Development Commission, are key partners in driving our vision. This partnership with government is a critical if we are to harness and to build on the regional development opportunities across the Kimberley region.

The Kimberley Regional Group would welcome the opportunity to meet with you, to discuss your policy priorities and how we can work in partnership with your office to deliver great outcomes across the Kimberley region. Our executive team will be in touch to progress a time to meet.

Congratulations again on your appointment. We look forward to working with you.

Yours sincerely

A handwritten signature in black ink that reads 'David Menzel'.

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@krga.com.au

Kimberley Regional Group: Minutes 17th February 2023**Attachment 6 Correspondence Out: Congratulations on your appointment****From KRG Chair, Cr David Menzel 4/1/2023**

Hon Sabine Winton, MLA
Minister for Early Childhood Education; Child Protection;
Prevention of Family and Domestic Violence; Community Services.
7th Floor Dumas House
2 Havelock Street
WEST PERTH WA 6005

Via Email – Minister.winton@dpc.wa.gov.au

4th January 2023

Dear Minister

Congratulations on your appointment

The Kimberley Regional Group would like to congratulate you on your Ministerial appointment.

The Kimberley Regional Group (KRG) is an alliance of the four Shires in the Kimberley, being the Shires of Broome, Derby West-Kimberley, Halls Creek and Wyndham East-Kimberley. Our vision is to maintain and enhance the rich diversity and liveability of the Kimberley for its people and the world. Collectively we support positive outcomes across the Kimberley through improved social, economic and cultural development.

The KRG can only achieve our vision through strong partnerships. The WA Government is a key partner in driving our vision. The work of the Department of Communities is a critical given the systemic disadvantage faced by many Kimberley towns and remote communities, and the opportunity to drive economic and social opportunity through the provision of targeted community services.

The Kimberley Regional Group would welcome the opportunity to meet with you, to discuss your policy priorities and how we can work in partnership with your office to deliver great outcomes across the Kimberley region. Our executive team will be in touch to progress a time to meet.

Congratulations again on your appointment. We look forward to working with you.

Yours sincerely

A handwritten signature in black ink that reads 'David Menzel'.

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naja.com.au

Kimberley Regional Group: Minutes 17th February 2023

Attachment 7 Correspondence Out: KRG Support for WADI

From KRG Chair, Cr David Menzel 4/1/2023



Hon John Carey, MLA
Minister for Housing; Lands; Homelessness; Local Government
7th Floor Dumas House 2 Havelock Street
WEST PERTH WA 6005

Via Email – Minister.Carey@dpc.wa.gov.au4th January 2023

Dear Minister

Kimberley Regional Group - Support for the WA Development Index

I write to express the Kimberley Regional Group's support for the work being undertaken by the WA Government to progress the WA Development Index (WADI).

Wellbeing indexes are becoming common across progressive jurisdictions to present a broader view of the ways in which societies are progressing, or regressing, that goes beyond traditional economic indicators. These indexes enable all spheres of government, in partnership with their communities, to better plan and measure the effectiveness of public policy and programmes.

The Kimberley Regional Group supports the progression of the Western Australian Development Index as a significant state project. We are pleased that agencies such as the WA Local Government Association, the University of Western Australia, the Telethon Kids Institute and the WA Council of Social Service are working to progress the WADI, in partnership with the Department of Local Government, Sport and Cultural Industries.

We believe that the WADI will improve the capability of State and Local Governments, and the non-government sector, to measure the wellbeing of their communities and to implement effective evidence-based responses. This is critical in the Kimberley region, where data from WADI will facilitate greater alignment of effort, delivering more targeted and better outcomes for our communities.

This Index could also inform and be incorporated into calculation formulae of the Financial Assistance Grants and other State and Federal funding programs to Local Government.

We look forward to further development of the WA Development Index and of its progression to the next stage.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Menzel'.

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naja.com.au

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Kimberley Regional Group: Minutes 17th February 2023**Attachment 8 Correspondence Out: KRG Support for WADI****From KRG Chair, Cr David Menzel 4/1/2023**

Nick Sloan
Chief Executive Officer
WALGA
PO Box 1544,
West Perth WA 6872

Via Email – nsloan@walga.asn.au

4th January 2023

Dear Nick

Kimberley Region Support for the WA Development Index

I write to express the Kimberley Regional Group's support for the work being undertaken by WALGA to progress the WA Development Index.

Wellbeing indexes are becoming common across progressive jurisdictions to present a broader view of the ways in which societies are progressing, or regressing, that goes beyond traditional economic indicators. These indexes enable all spheres of government, in partnership with their communities, to better plan and to measure the effectiveness of public policy and programs.

The Kimberley Regional Group supports the progression of the Western Australian Development Index (WADI) by WALGA as a significant state project. We believe that the WADI will improve the capacity of State and Local governments, and the non-government sector, to measure the wellbeing of communities and to implement effective evidence-based policy, program and funding responses.

The Kimberley Regional Group would appreciate the opportunity for representation on the WALGA WADI Sector Reference Group and input into its development through zone meetings and elected member forums. Also, engagement with WALGA on how the WADI data may link in with, inform and be incorporated into calculation formulae of the Financial Assistance Grants and other State and Federal funding programs to Local Government.

We wish you all the best in progressing this important initiative and look forward to our involvement in WADI as it progresses.

Yours sincerely

A handwritten signature in black ink that reads 'David Menzel'.

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naja.com.au

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Kimberley Regional Group: Minutes 17th February 2023

6. Financial Report

Item for Decision

Submitted by: Vernon Lawrence, KRG Secretariat and James Watt

Attachment 9: Kimberley Zone Financials 2021-22 Signed Final

Purpose

To update the KRG members on the financial position of the Group.

Details

The 2021-22 finalised Audit Report (attached) indicates a final surplus position of \$298,453 and is in line with budget.

Current year to date figures will be reported on at the April meeting – Nick Kearns to discuss.

Resolution(s)		Action(s) / Budget Implications	
That the Kimberley Zone Financials 2021-22 Signed Final, as published and circulated, be confirmed as a true and accurate record.		Secretariat to provide a standard financial reporting item commencing at the April meeting. Executive Officer to follow up Item 11.4 from 24 th August 2022 pertaining to the following action: <i>"The KRG approves, in principle, a contribution up to \$40,000 from the KRG surplus for the 2022-23 financial year, towards the lobbying and advocacy efforts of the North West Defence Alliance, subject to the development of a formal budget to be considered by circular resolution."</i> Peter Long and Nick Kearns to be contacted.	
Moved:	Shire of Broome	Responsible:	Secretariat and Executive Officer
Seconded:	Shire of Wyndham East Kimberley	Due date:	As appropriate
Carried: 4/0			

Kimberley Regional Group: Minutes 17th February 2023

Attachment 9 Kimberley Zone Financials 2021-22 Signed Final

**KIMBERLEY ZONE OF WALGA
AND KIMBERLEY REGIONAL GROUP****FINANCIAL REPORT****FOR THE YEAR ENDED 30TH JUNE 2022****TABLE OF CONTENTS**

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Summary of Accounting Policies	8
Independent Audit Report	9
Principal place of business: Address 27 Weld Street Broome WA 6725	



Kimberley Regional Group: Minutes 17th February 2023

**KIMBERLEY ZONE OF WALGA AND KIMBERLEY REGIONAL GROUP
FINANCIAL REPORT
FOR THE YEAR ENDED 30TH JUNE 2022**

STATEMENT BY CHIEF EXECUTIVE OFFICER

In the opinion of the Chief Executive Officer, the financial report set out in this document:

- (i) presents fairly the results of its operations for the year ended 30 June 2022.
- (ii) confirms the projects of the Kimberley Zone of Walga and Kimberley Regional Group have been carried out in accordance with respective funding agreements.

This statement is made and signed by the Chief Executive Officer on behalf of the Shire of Broome.

Signed as authorisation of issue on the 18th day of NOVEMBER 2022

Sam Mastrolemba
Chief Executive Officer



Kimberley Regional Group: Minutes 17th February 2023

**Kimberley Zone of WALGA and Kimberley Regional Group
Statement of Surplus/(Deficit)
for the year ended 30 June 2022**

	2022	2021
	\$	\$
Opening Balance as at 1 July Surplus/(Deficit)	278,365	327,907
Kimberley Zone Secretariat	23,650	78,113
Kimberley Zone Interest on Reserves	1,293	2,345
Adjustment related to the Shire of Broome Interest	(4,855)	
Kimberley Zone - Alcohol Management Initiatives	-	(130,000)
Kimberley Zone - Volunteer Strategy	-	-
Closing Balance as at 30 June Surplus/(Deficit)	298,453	278,365



Kimberley Regional Group: Minutes 17th February 2023

Kimberley Zone of WALGA and Kimberley Regional Group
Kimberley Zone Secretariat
Statement of Income and Expenditure
for the year ended 30 June 2022

	2022	2021
	\$	\$
Operating Income		
Kimberley Zone - Reimbursement Zone & RCG Meetings Expenses	3,809	731
Kimberley Zone - Members Contribution Secretariat Costs	164,320	200,000
Operating Income Total	168,129	200,731
Operating Expenditure		
Kimberley Zone - Executive Consultancy	(132,724)	(89,441)
Kimberley Zone - Administrative Consultancy	-	(21,150)
Kimberley Zone - Zone & RCG Meeting Expenses	(6,755)	(4,196)
Kimberley Zone - Annual Financial Audit	(5,000)	(4,050)
Kimberley Zone - IT Support	-	(2,774)
Kimberley Zone - Sundry Expenses	-	(1,007)
Operating Expenditure Total	(144,479)	(122,618)
Net Operating Surplus/(Deficit)	23,650	78,113



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Kimberley Zone of WALGA and Kimberley Regional Group
Alcohol Management Project
Statement of Income and Expenditure
for the year ended 30 June 2022

	2022	2021
	\$	\$
Opening Balance as at 1 July Surplus/(Deficit)	-	-
Operating Income		
Kimberley Zone - Alcohol Management Initiatives Grant	-	-
Operating Income Total	<u>-</u>	<u>-</u>
Operating Expenditure		
Kimberley Zone - Alcohol Management Initiatives	-	(130,000)
Operating Expenditure Total	<u>-</u>	<u>(130,000)</u>
Kimberley Regional Group Volunteer Strategy Surplus/(Deficit)	<u>-</u>	<u>(130,000)</u>

Kimberley Regional Group: Minutes 17th February 2023



Kimberley Zone of WALGA and Kimberley Regional Group
Volunteer Strategy
Statement of Income and Expenditure
for the year ended 30 June 2022

	2022 \$	2021 \$
Opening Balance as at 1 July Surplus/(Deficit)	650	650
Operating Income		
Kimberley Zone - Kimberley Volunteer Strategy DLGC Grant		
Operating Income Total	<u>-</u>	<u>-</u>
Operating Expenditure		
Kimberley Zone - Volunteer Strategy	-	-
Operating Expenditure Total	<u>-</u>	<u>-</u>
Kimberley Regional Group Volunteer Strategy Surplus/(Deficit)	<u>650</u>	<u>650</u>

Kimberley Regional Group: Minutes 17th February 2023

**Kimberley Zone of WALGA and Kimberley Regional Group
DLGC Youth Strategy
Statement of Income and Expenditure
for the year ended 30 June 2022**

	2022	2021
	\$	\$
Opening Balance as at 1 July Surplus/(Deficit)	2,636	2,636
Operating Income		
Kimberley Zone - Youth Strategy DLGC Grant	-	-
Operating Income Total	-	-
Operating Expenditure		
Kimberley Zone - Youth Strategy - Op Exp	-	-
Operating Expenditure Total	-	-
Kimberley Regional Group DLGC Youth Strategy Surplus/(Deficit)	2,636	2,636

Kimberley Regional Group: Minutes 17th February 2023

**Kimberley Zone of WALGA and Kimberley Regional Group
Notes to the Financial Statements
for the year ended 30 June 2022**

1. Summary of Accounting Policies

The accounting policies adopted by the Group are stated in order to assist in a general understanding of the financial statements. These policies have been consistently applied except as otherwise indicated.

Reporting Entity

The group is not a reporting entity because in the committee's opinion there are unlikely to exist users who are unable to command the preparation of reports tailored so as to satisfy all of their information needs, and these accounts are therefore "special purpose accounts" that have been prepared solely to meet the requirements of the Accounting Standards.

Accounting Policies

The financial report has been prepared under the historical cost and cash basis of accounting conventions and does not take into account changing money values except to the extent that they are reflected in the revaluation of certain assets.

In order for the financial report to present fairly the state of affairs of the Association and the results of the Association for the year, Australian Accounting Standards have been adopted to the extent disclosed in this note.

Income Tax

The Group is of the opinion that it is not subject to income tax.

Kimberley Regional Group: Minutes 17th February 2023

Moore Australia Audit (WA)

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**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
KIMBERLEY ZONE OF WALGA AND REGIONAL COLLABORATIVE GROUP
AND THE SHIRE OF BROOME**

Report on The Financial Report**Opinion**

We have audited the accompanying financial report of Kimberley Zone of WALGA and Regional Collaborative Group ("the Group") comprising the statement of income and expenditure of the Secretariat and the statements of income and expenditure for each individual project being undertaken by the Group for the year ended 30 June 2022, a summary of significant accounting policies and statement by chief executive officer. The financial report has been prepared by the Shire of Broome (the Shire) for the purpose of reporting on the income and expenditure by the Secretariat to the Group.

In our opinion, the financial report presents fairly in all material respects, the income and expenditure of the Secretariat and each project of the Group for the year ended 30 June 2022.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the Secretariat, the Group and the Shire in accordance with the ethical requirements of the Accounting Professional & Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to our audit of the financial report in Australia, and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter – Basis of Accounting and Restriction on Distribution

The financial report is prepared to assist the Shire of Broome (the Shire) in reporting to the Group on the income and expenditure of the Secretariat and each individual project. As a result, the financial report may not be suitable for another purpose. Our report is intended solely for the Shire and members of the Group and should not be distributed to or used by parties other than the Shire and members of the Group.

Responsibilities of the Shire of Broome for the Financial Report

The Shire, on behalf of the Group, is responsible for the preparation of the financial report in accordance with the accrual basis of accounting; this includes determining that the accrual basis of accounting is an acceptable basis for the preparation of the financial statement and for such internal control as the Shire determined is necessary, to enable the preparation of the financial statement that is free from material misstatement, whether due to fraud or error.

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INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
KIMBERLEY ZONE OF WALGA AND REGIONAL COLLABORATIVE GROUP
AND THE SHIRE OF BROOME (CONTINUED)

Auditor's Responsibility for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standard Board website at http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our audit report.

A handwritten signature in blue ink, appearing to read 'Wen-Shien Chai'.

WEN-SHIEN CHAI
PARTNER

A handwritten signature in blue ink, appearing to read 'Moore Australia'.

MOORE AUSTRALIA AUDIT (WA)
CHARTERED ACCOUNTANTS

Signed at Perth this 23rd day of November 2022.

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7. Formal Presentations

Submitted by: Executive Officer

Purpose

To receive presentations from key stakeholders.

Background:

In accordance with the priorities of the KRG, stakeholders have been secured to present and discuss relevant topics with the members.

Details:

Due to the recent flooding event in the Kimberley, Hon. Stephen Dawson MLC, Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering was invited to address the Kimberley Regional Group on the following items:

1. Update on the status of the government's response and recovery effort and future plans.
2. Role for the Kimberley Regional Group in the state recovery plan.
3. WA Disaster Relief Funding Arrangements
4. Kimberley wide impact on the floods

Due to diary commitments, the Minister's attendance fell within the Zone meeting time. The Zone meeting was suspended between 10:45 and 11:30 during which time the KRG convened; with all Zone representatives apart from Nic Sloan and Tim Lane suspending their attendance until the conclusion of this item.

Time	Name	Position	Topics for discussion
10:45 11:30	Hon. Stephen Dawson MLC Ms Divina D'Anna MLA Mathew Dixon	Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering Member for the Kimberley Senior Policy Adviser – Emergency Services	See notes above
11.30 11.50	Christine Comer	Assistant Director, WA and SA Engagement Branch, National Emergency Management Agency	

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Last minute apology	Ashley Randell	Director Regional Planning Policy Coordination	DPLH Strategic Planning information
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Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	Nil
Resolution(s)		Action(s)	
For information only		Executive Team to: <ul style="list-style-type: none"> • contact Rob Cossart, State Recovery Coordinator • look at opportunities to be involved with the review of DRFAWA • Send thankyou letter to guests 	
Moved:	N/A	Responsible:	Executive Team
Seconded:	N/A	Due date:	As appropriate
Carried:	N/A		

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8. Around the Grounds

Matter for Discussion – Impact of the floods on the Kimberley.

Submitted by: Secretariat

Purpose:

This session provides an opportunity for Group members to discuss the recent floods; the impact on communities and Local Government Infrastructure and any actions required by the KRG as a group going forward.

The

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Facilitate Partner Fund Promote Monitor	Nil	
Resolution(s)		Action(s)	
For Information Only		As required	
Moved:	N/A	Responsible:	As required
Seconded:	N/A	Due date:	As required
Carried:	N/A		



9. Investment Prospectus 2022/23 Review

Item for Decision

Submitted by: KRG Executive Team

Attachment 10: 2022/23 Kimberley Investment Prospectus (separately attached)

Purpose

That Kimberley Regional Group's Investment Prospectus 2022/23 is updated with projects and costs reviewed by Shires, to drive advocacy for investment into agreed priority projects.

In summary

- The Kimberley Investment Prospectus 2022/23 contains projects that will generate jobs and investment growth as the region recovers from the impact of COVID-19.
- A number of the projects in the prospectus have received funding.
- With a new Federal government and regional development priorities, and new State and Federal Minister's for regional development, it is timely to update investment projects, and the document's framing, to facilitate government interest and investment in projects.
- The prospectus review was identified as a priority at the KRG's November 2022 planning workshop.
- With government's focus on the region as a result of the floods, and the KRG is planning to visit key stakeholders in Canberra, updating this document is time critical.
- KRG members are asked to review their projects and costs to inform an updated prospectus.
- Once reviewed an updated prospectus will be presented to the KRG for endorsement.
- Projects should deliver jobs and business opportunities, be shovel ready and relate to local government, leverage partnerships and facilitate resilience.
- With new State and Federal funding pools for social and affordable housing, it is recommended that Shires consider housing opportunities in the prospectus.

Background:

- The KRG is a powerful voice for the Kimberley region taking a whole of region perspective on social and economic issues.
- The language in the 2022/23 prospectus is not contemporary i.e. it refers to the May 2022 State Budget. Also, it contains projects that have received funding. With a new Federal Government there is the opportunity to update the document's framing to speak more strongly to Federal (and State) policy priorities, showing how project investment will drive government objectives. This will make investment more attractive to government.
- KRG members are asked to review their projects, and costs, so the prospectus can be updated; this will inform discussions with Government and other key stakeholders.
- With the focus on the region due to the floods, and as the KRG is planning to visit Canberra this should be done as a priority as agreed at the November 2022 KRG planning workshop.

Kimberley Regional Group: Minutes 17th February 2023**Details:**

The following projects are in the 2022/23 Investment Prospectus and need to be reviewed by Shires:

Economic

- Tanami Road Upgrade
- East Kimberley Regional Airport Runway Extension
- Derby Wharf Precinct Masterplan and Redevelopment
- Sanctuary Road Housing Project
- Cable Beach Foreshore Redevelopment

Social

- Broome Boating Facility
 - Wyndham Foreshore Redevelopment And Boating Facility
 - Ewin Early Learning Centre Expansion
 - Fitzroy Crossing Recreation Centre Rebuild And Precinct Masterplan
 - Halls Creek Town Development Masterplan
 - Great Northern Highway to Looma Road Reconstruction & Seal
- Regional Resource Recovery Park

Risk:

Reputational – the prospectus is not contemporary or reflective of need.

Financial - lack of agreement on projects, and alignment with government priorities, may reduce government's confidence to invest.

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Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People</div> <div>Place</div> <div>Prosperity</div> <div>Performance</div> </div>	<div> <div>Advocate</div> <div>Partner</div> <div>Promote</div> </div> <div> <div>Facilitate</div> <div>Fund</div> <div>Monitor</div> </div>	Funding for graphic design work and printing. Consideration for additional hours for Executive Team beyond standard contract.	
Resolution(s)		Action(s)	
<ul style="list-style-type: none"> That the Kimberley Regional Group members as a priority review and update their projects and costs for the investment prospectus That a budget of up to \$6k plus printing costs be allocated for work to update the prospectus. This is to include a refresh of content and graphic design. 		<p>Executive Team to contact individual Shires with requirements.</p> <ol style="list-style-type: none"> Confirmation of projects to be included and those to be deleted from original Prospectus Updates for any projects already included Provision of information for new projects to be included Information to be received by Friday 3rd March at the latest New layout and copy to be integrated and graphically designed by 18th March 2022 so that it is ready for the KRG trip to Canberra. 	
Moved:	Shire of Broome	Responsible:	Executive Team and Shire Officers
Seconded:	Shire of Wyndham East Kimberley	Due date:	As above
Carried:	4/0		



10. Communication and media policy

Item for Decision

Submitted by: KRG Executive Team

Attachment 11: Draft Communication and media policy

Purpose

That Kimberley Regional Group communications are proactive, timely, professional and accurately represent the KRG's policy and advocacy agenda.

In summary

- Communications and media are critical components of KRG policy and advocacy.
- A communications and media policy has been developed using a WA Local Government Association (WALGA) template.
- This policy outlines protocols on who can speak on behalf of the KRG.
- The policy recommends a KRG website, and LinkedIn as the group's digital and social media platforms to target key stakeholders.
- It recommends the Executive provide key messages to spokespeople engaging with media, to support them to drive the KRG policy and advocacy agenda.

Background:

The KRG is a powerful voice for the Kimberley region taking a whole of region perspective on social and economic issues. To maximize opportunities to drive the KRG agenda, a communications and media policy has been developed based on a WALGA template.

Details:

As above.

Risk:

Reputational - Without a policy, there is the potential to lose media opportunities, and lack of alignment with KRG policy and advocacy agenda when engaging with media.

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Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Facilitate Partner Fund Promote Monitor	Funding to establish a website, See Item 11	
Resolution(s)		Action(s)	
The Draft Communications and media policy (with a modification to “<i>Speaking on behalf of the Kimberley Regional Group</i>” to include the Secretariat.) is endorsed by the Kimberley Regional Group.		Executive Team to update the Draft Communication and media policy.	
Moved:	Shire of Broome	Responsible:	Executive Team
Seconded:	Shire of Halls Creek	Due date:	As appropriate
Carried:	4/0		

Kimberley Regional Group: Minutes 17th February 2023**Attachment 11 Draft Kimberley Communication and Media Policy****Communications and Media Policy****Policy Objective**

This policy establishes protocols for the Kimberley Zone and Kimberley Regional Group's official communications to ensure the Kimberley Regional Group is professionally and accurately represented and to maximise a positive public profile and maintain relationships with key stakeholders.

Policy Scope

This policy applies to:

1. Communications initiated or responded to by the Kimberley Regional Group; and
2. Elected Members when making comment in either their Kimberley Regional Group role or in a personal capacity.

Policy Statement**Official Communications**

The purposes of the Kimberley Regional Group's official communications include:

- Sharing information that is of interest and benefit to key stakeholders
- Driving the Kimberley Regional Group's policy and advocacy agenda
- Answering questions and responding to requests for information relevant to the role of the Kimberley Regional Group
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Kimberley Regional Group's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Group. The aim of official communications is to raise awareness and endorsement of Kimberley Regional Group's policy and advocacy positions and activities.

Communications will take a Kimberley-wide perspective and be respectful, professional, solution focussed, and ensure that our positions are appropriately represented, building understanding and endorsement of our strategic objectives. The Kimberley Regional Group will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the specific audience, including:

- Letters / Emails;
- Website;
- Advertising and promotional materials;
- Media releases;
- Opinion pieces;

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- Speeches and presentations;
- Social media; and
- Newsletters or other modes of communications undertaken as approved by the Kimberley Regional Group.

Speaking on behalf of the Kimberley Regional Group

The Chair is the official spokesperson for the Kimberley Regional Group and may represent the Group in official communications, including speeches, comment, print, electronic and social media. Where the Chair is unavailable, the Deputy or another Elected Member of the Group may act as the spokesperson. The Executive Officer may speak on behalf of the Kimberley Regional Group where authorised to do so by the Chair.

Communications by Kimberley Regional Group members, whether undertaken in an authorised official capacity or as a personal communication, must not:

- Bring the Kimberley Regional Group into disrepute;
- Compromise the person's effectiveness in their role with the Kimberley Regional Group;
- Imply the Kimberley Regional Groups' endorsement of personal views; or
- Disclose, without authorisation, confidential information.

Initiating and Responding to Media Enquiries

All enquiries from the Media for an official Kimberley Regional Group comment, whether made to an individual Elected Member, Employee, or Contractor, must be directed to the Chair or a person authorised by the Chair. Information will be coordinated to support the Chair, Elected Member, Executive Officer or a CEO (where authorised) to make an official response on behalf of the Kimberley Regional Group. This support may include key messages and speaking points.

Media commentary will be relevant, objective, balanced, accurate, informative and timely. All four Kimberley Shire Presidents will be listed at the end of media statements to show Kimberley-wide solidarity.

Website

The Kimberley Regional Group will maintain an official website, as a key resource to access to the Kimberley Regional Group's official communications.

Social Media - LinkedIn

The Kimberley Regional Group will use LinkedIn as the professional social media platform to facilitate interactive information sharing. LinkedIn will not however, be used by the Kimberley Regional Group to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

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The Kimberley Regional Group expect participants to behave in a respectful manner and will moderate its LinkedIn account to address and where necessary delete content which is deemed as:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- Promotional, soliciting or commercial in nature;
- Unlawful or incites others to break the law;
- Information which may compromise individual or community safety or security;
- Repetitive material copied and pasted or duplicated;
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
- Content that violates intellectual property rights or the legal ownership of interests or another party; and
- Any other inappropriate content or comments at the discretion of the Kimberley Regional Group.

Where a third-party contributor to the Kimberley Regional Group's social media account is identified as posting content which is deleted in accordance with the above, the Kimberley Regional Group may at its complete discretion block that contributor for a specific period of time or permanently.

The Kimberley Regional Group may also post and contribute to social media hosted by others, so as to ensure that the Kimberley Regional Group's views are presented. Consideration must be given to when commenting on or reposting information, if the original poster is an individual or organisation that the Kimberley Regional Group would be happy to associate itself with.

Personal Communications

Personal communications and statements made privately in conversation, written, recorded email or posted in personal social media have the potential to be made public, whether it was intended to be made public or not. Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Kimberley Regional Group Members must ensure that their personal or private communications do not bring the Kimberley Regional Group into disrepute.

Document date -



11.KRG Website

Item for Decision

Submitted by: KRG Executive Team

Attachment 12: Website Quote – Total Web Solutions

Attachment 13: Website Quote – Eclipse Design Solutions

Purpose

That a website is developed for the Kimberley Regional Group as a tool to raise the profile of the KRG and to drive the KRG's policy and advocacy agenda.

In summary

- Communications and media are critical components of KRG policy and advocacy.
- A website will assist key stakeholders and media better understand the role of the KRG and policy priorities.
- A website will facilitate a greater profile for the KRG and be a place to upload KRG documents including the strategic plan and media statements and include links to member websites.
- Quotes have been sought for the cost of developing a website for the KRG.
- It is recommended that the KRG endorse the development of a website.

Background:

The KRG is a powerful voice for the Kimberley region taking a whole of region perspective on social and economic issues. To maximize opportunities to drive the KRG agenda, a communications and media policy has been developed for KRG endorsement. This policy recommends a website as a tool to raise the profile of the KRG and the KRG's policy and advocacy agenda.

Details:

The benefit of website is to tell the KRG story, establish KRG authority by becoming an information source, boost awareness of the role of the KRG. The recent floods showed that there was media interest in a whole of Kimberley perspective. A website would have been a good tool to link to KRG media, and link to media from KRG members.

Quotes have been sourced from two reputable companies, both of whom have completed website work for the Executive Team and for the Regional Capitals Alliance WA. The same scope was provided to both companies. A comparison of services and costs is provided in the table below.

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Service	Total Web Solutions	Eclipse Design Solutions
Concepts Design main theme in HOME PAGE, within client branding and all features	\$5,100 (includes upload of 50 documents)	\$2,898
Website Development & Coding		
Upload and Test Site to Live		
Hosting Costs	\$450 per annum	\$660 per annum
Domain Name Purchase	Variable depending on supplier	\$39 (variable)
Document Control Plugin	Not specified	\$78 (plus updates if required)
Licences	\$339 per annum	Not specified
Quarterly software updates to theme, core, plugins, backups	\$340	Not specified
Training to input information (if required)	\$85 standard \$150 travel and on-client-site work	\$103.50 per hour

Risk:

Reputational - Without a website, the profile of the KRG is diminished

Financial – the operational cost to keep the website contemporary is addressed by having a website that can be updated by the Executive.

Link to Key Pillar/s and Strategies:			Budget Implications	
<div> <div>People</div> <div>Place</div> <div>Prosperity</div> <div>Performance</div> </div>	<div> <div>Advocate</div> <div>Partner</div> <div>Promote</div> </div>	<div> <div>Facilitate</div> <div>Fund</div> <div>Monitor</div> </div>	Up to \$8,000 to establish a website, including licensing and updates for the first year, and then ongoing costs of approximately \$1,000 - \$2,000 per year for licenses and software updates if required.	
Resolution(s)			Action(s)	
The Kimberley Regional Group endorses up to \$8,000 for Eclipse Design Solutions, as the preferred supplier, to develop a KRG website, including the cost of licencing and updates for the first year			Executive Team and Secretariat to negotiate a contract and purchase order with the chosen web developer.	
Moved:	Shire of Wyndham	East Kimberley	Responsible:	Executive Team and Secretariat
Seconded:	Shire of Broome		Due date:	As required
Carried:	4/0			

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Attachment 12 Website Design – Total Web Solutions



Quotation

Date: 09/02/2023
 QUOTATION # 106191
 Expiration Date:
 09/06/2023

TO: Kimberley Regional Group

Attn KRG,

Please find the quotation as requested.

Item #1 – Main website

Creation of a website for the Kimberley Regional Group. The website will have the following characteristics and functionality:

Be styled in a way typical of a local regional government grouping websites with main theme colours taken from the logo unless a style sheet or graphic design information is supplied.

Have document download areas based on document type. Document download areas can be lists or be article style images with associated text. Which is used can depend on the context – for example media releases may have an image associated with the file, whereas meeting agendas may simply be in a list with document descriptions and dates.

Here is an example of a list of documents:

Policies

Document Tag

Reset

Search:

Title	Summary	Categories	Size	Type	Link
Diversity Policy	Read about our commitment to equality and diversity.	Policies , Staff	9 KB	PDF	Download Close
Employee Handbook (Database)	The handbook contains everything you need to know.	Staff	0.5GB	PDF	Download
Presentation - Employee Dress Code	All employees are expected to look professional and well presented at all times.	Staff	33 KB	pptx	Download Close
Sales Leads	A list of current sales leads for the sales team to process.	Staff	85 B	txt	Download Close
Sales Pitch Template	You can upload PowerPoint and other presentations to the document library.	Sales	460 KB	key	Download Close

8 documents (16 in total)

12

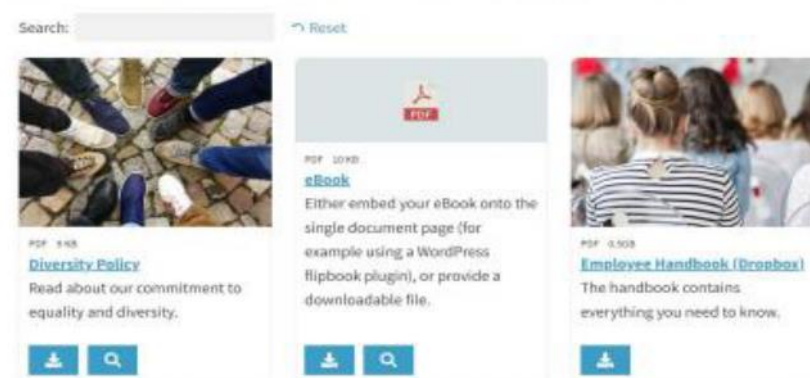
Download Selected Documents

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Here is an example of an article style document display such as a media release:



It's not necessary to use both – either can be used.

The website will have the following pages with downloadable documents being on these pages:

- Strategic planning and other documents
- Meeting agendas
- Government submissions and media releases

Content will be supplied to aid in the creation of a home page with description text detailing the 'what, why and where' typical of an 'about' page.

The website will have a contact page with a contact form utilising Google reCAPTCHA v3 to assist in eliminating spam from the website form whilst being invisible to the user.

Up to 50 documents will be uploaded including images where appropriate for up to 10 of the documents. A name and short description will need to be supplied for each document where appropriate, along with the document category/type.

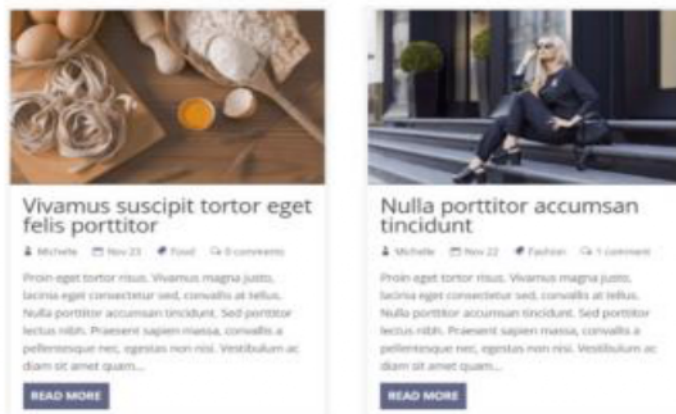
Item #2 – Board or members

Optional page for the board to be listed. This area can be titled as required with a description area and photo/title/name for each member such as the Chair, CEO, Mayor and so on.

Item #3 – Projects or news

Optional page for a projects/news area. Each project or news item will have its own page, and all pages will be summarised with excerpt text and the article image which will display similar to this:

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Item #4 – Recurring costs

Yearly recurring costs necessary for ongoing use of the website and its software, due up front, then yearly.

Item #5 – Training, tuition, and initial support

Training, tuition, and initial support can be purchased up front in multiples of hourly rates, or purchased as required at a later date. Costs are currently \$85/hr for remote work, or \$150/hr for travel and on-site work.

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Item	Description	Unit price	Qty	Total
#1	Main website including document uploads	5,100.00	1	5,100.00
#2	Board or members	680.00	1	680.00
#3	Projects or news	680.00	1	680.00
#4	Recurring costs due up front and every 12 months thereafter			
	Hosting - Medium traffic SSD website hosting, 12 months	450.00	1	450.00
	License - Theme, Elegant Themes builder per 12 months	89.00	1	89.00
	License - Document library per 12 months	250.00	1	250.00
	Quarterly software updates to Theme, Core, Plugins, Backups	340.00	1	340.00
#5	Training, tuition, and initial support			
	Currently \$85/hr for standard work	85.00	n	tbd
	Currently \$150/hr for travel and on-client-site work	150.00	n	tbd

NOTE: It has not yet been confirmed whether the domain name will be supplied or will require purchasing, so has not been included in the quotation.

Thank you for your consideration. Please do not hesitate to contact me on 0433 408 644 if you have any questions.

Matthew Ford

Total Web Solutions Perth

Phone 0433 408 644

ABN 62185636870

1/24 Frederick Street, Belmont, WA 6104

matthew@totalwebsolutions.com.au

www.totalwebsolutions.com.au

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Attachment 13 Website Design – Eclipse Design Solutions



Jacqueline Limb
 GRAPHIC DESIGN & DIGITAL MEDIA MARKETING
 m: 0488 080 779
jacque@eclipsedesigns.com.au | www.eclipsedesigns.com.au
 ABN: 7227 0420 010

QUOTE

Attention: Jane Lewis
 RCAWA
 Perth, Western Australia

Quote Number
 Q2076

Job Number

Date
 7 February 2023

Website Development | Kimberley Regional Group - Responsive Wordpress

Provide a modern and fully responsive website, as per client specifications to include document control and upload/download.

Site will be developed using best practice, to allow for further SEO marketing and Google ranking (prepped for search engine optimisation - further costs do apply for getting the site to rank on google).

SCOPE

- Built on Wordpress CMS - Customised Layout and Easy Admin Functionality
- Social media links active
- Images included - also to be provided by the client if required
- Coverage: Up to 5 pages included

INVESTMENT - Project Essentials

- Client consult to build initial sitemap
- Optimise for user experience and user interface
- Develop working HTML/CSS website to best practice web standards
- Develop responsive breakpoints for tablet and mobile/iphone experience
- Integrate website into WordPress content management system
- Test site against all browsers
- Launch live website

* IMPORTANT NOTES: Once client has signed off on initial wire-frame/menu and page layouts, further charges will apply for further changes once site is under development @ 85 per/hour. ** When the website is made live, further costs are expected to begin to rank on Google, this is called SEO (search engine optimisation) and is a different industry skill set. Preferred SEO partners contact details can be shared upon request.

Tasks	Amount
Concepts Design main theme in HOME PAGE, within client branding and all features from the latest wordpress updates, We require copy/content, logo, specialised images and colour scheme.	621.00
Website Development & Coding Includes customised coding and styling within the Wordpress interface, utilising all digital features and clients specific branding.	1,863.00
** Includes adding in specialised document control pugin.	
Upload and Test Site to Live Ensure site is active and live across all platforms.	414.00

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Subtotal	2,898.00
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10 % Rate	289.80
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Total	3,187.80
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Options	Quantity	Rate	Amount
TRAINING IN ELEMENTOR - 2 Hours If required for a new interface, we can use a similar plugin to RCAWA	2.00	103.50	207.00
Hosting Costs - PER MONTH 12 MONTHS - Ongoing cost for hosting, again you can get cheaper but this allows for SSL Security with WP-Engine and auto updates. I recommend this option for longevity of the website.	1.00	55.00	55.00
Purchase Domain Name - Ongoing Cost of Approx Yearly Cost - Varies depending of provider	1.00	39.00	39.00
Document Control Plugin - One Off Payment One-off purchase then occasional updates required	1.00	78.00	78.00

Valid To: 7 March 2023



12. Strategic Operational Planning – Workshop Outcomes and Actions

Matter for Noting

Submitted by: Executive Officer

Attachment 14: Draft Priority Action List (attached separately)

Attachment 15: Draft Policy Position - Management of Alcohol and other Drugs (attached separately)

Attachment 16: Draft Policy Position – Community Safety and Crime Prevention (attached separately)

Attachment 17: Draft Policy Position – Housing (attached separately)

Attachment 18: Draft Policy Position – Juvenile Justice (attached separately)

Attachment 19: Draft Policy Position – Prosperous Diverse Economy (attached separately)

Attachment 20: Draft Policy Position – Provision of Government Services (attached separately)

Attachment 21: Draft Stakeholder Engagement Strategy (attached separately)

Purpose:

That the Kimberley Regional Group notes the outcomes from the planning workshop. The Action List and Policy Priorities that came from this workshop will be presented as items for endorsement at the April 2023 KRG meeting. Prior to seeking endorsement, the Executive will seek feedback from KRG members and Shire CEOs on the action list, policy positions, stakeholder engagement strategy and key stakeholders and incorporate feedback into the documents.

Summary:

- In November 2022 the KRG held a workshop to determine its priority focus areas
- Based on the workshop, a draft action plan has been developed
- Draft policy positions have been developed for each priority focus area identified at the workshop and in the Action Plan. These are;
 1. Management of alcohol and other drugs;
 2. Community safety and crime prevention;
 3. Housing;
 4. Juvenile Justice;
 5. Prosperous diverse economy; and
 6. Provision of government services.
- These draft policy positions are informed by the KRG workshop, Strategic Community Plan and Business Plan, along with contemporary research and ALGA and WALGA policy positions and will form the basis of advocacy.
- Engagement with stakeholders is critical to the KRG's policy and advocacy agenda - a draft Stakeholder Engagement Strategy has been developed to frame engagement.
- There are Kimberley wide non-government organisations whose policy and advocacy agendas align with the KRG. Also, Kimberley wide committees who work with government and other stakeholders to develop a collaborate response to social and economic issues.

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- It is recommended that a stakeholder analysis session is undertaken to understand the KRG's current relationship with key stakeholders, where the KRG would like this relationship to sit and tactics to work with key stakeholders.
- The Executive will work out of session with the CEOs on a stakeholder analysis exercise to identify key stakeholders, relationship status and tactics to influence them.

Background:

As above

Details

As above

Risk:

Reputational – lack of alignment on key policy positions

Reputational – engagement is not informed by strategy.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div> People Place Prosperity Performance </div> <div> Advocate Partner Promote </div> <div> Facilitate Fund Monitor </div> </div>		Publishing costs of up to \$5,000	
Resolution(s)		Action(s)	
<ol style="list-style-type: none"> The KRG noted the draft action plan, policy positions and stakeholder engagement strategy and that these will be endorsed by the KRG out of session in time for publication for Canberra visit scheduled for the end of March 2023. The KRG allocated a budget of up to \$5,000 for the graphic design and publishing (including printing) of the Policy Positions. 		<p>Members to provide feedback on the Policy Position Papers by 25th February.</p> <p>Executive Team to incorporate feedback and have the papers graphically designed and printed ready to take to Canberra at the end of March.</p> <p>Members are to advise the Executive Officer if they represent the KRG on any external committees or working groups.</p>	
Moved:	Shire of Broome	Responsible:	KRG members and Executive Team
Seconded:	Shire of Wynham East Kimberley	Due date:	As required
Carried:	4/0		

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13. Executive Officer Report

Item for Noting

Submitted by: Executive Officer

Attachment 23: EO Report November, December and January

Purpose:

To update the KRG on the Executive Officer services provided for the period November 2022 – January 2023 inclusive.

Background:

The attached report provides information about the services provided, activities undertaken and time allocation over the past three months.

Details:

As in included attachment.

Risk:

Nil

Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People Place Prosperity Performance</div> <div> <div>Advocate Partner Promote</div> <div>Facilitate Fund Monitor</div> </div> </div>		As per 2022/23 approved KRG budget.	
Resolution(s)		Action(s)	
That the Executive Officers Report be received and endorsed		As per Outstanding Actions	
Moved:	Shire of Broome	Responsible:	Executive Officer
Seconded:	Shire of Wynham East Kimberley	Due date:	As required
Carried:	4/0		

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Attachment 23: EO Report –September - October 2022

Project Work / Activity

Project / Activity	Status	Item
Administrative Matters and Meetings	Continuing	-
Banned Drinker Register	Followed up with Nicola Perry – now watching brief	-
WA Development Index	Letter written to the Minister and WALGA – now watching brief	-
Strategic Planning	<p>Workshop held 21/11/2022. Resultant papers to be presented at 17/2/2023 meeting:</p> <ul style="list-style-type: none"> • Workshop summary • Strategic Operational Planning • Policy Positions - Draft • Stakeholder List -Draft 	<ul style="list-style-type: none"> • 12 • 12 • 12 • 12

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Stakeholder Engagement

Date	Stakeholders	Purpose
9/11/2022	Christine Comer, Director Western Australia, National Emergency Management Authority	Understanding the funding opportunities for disaster preparedness, response and recovery. Invited Christine to attend November meeting in Kununurra.
14/11/2022	David Menzel, Chair of the KRG	General KRG discussion and draft Agenda overview.
14/11/2022	KRG CEO's	KRG CEO Ringaround – Finalising November Agenda
15/11/2022	Kim, RDA Kimberley	General Executive Officer introduction and KRG Overview.
16/11/2022	Prue Jenkins, CEO Wunan	General Executive Officer introduction and KRG Overview.
19/11/2022	Vernon Lawrence, CEO SWEK and KRG Secretary	KRG Secretariat Arrangements.
20/11/2022	Prue Jenkins, CEO Wunan	Catch up in Kununurra.
21/11/2022	KRG Members, Executive & Presenters	Strategic Workshop in Kununurra KRG and Zone Meeting.
23/11/2022	Michelle Pucci, Director, KDC	General Executive Officer introduction and KRG Overview.
26/11/2022	Phillip Cassell, CEO Shire of Halls Creek	General discussion around Halls Creek priorities and expectations of KRG.
16/12/2022	Vernon Lawrence, CEO SWEK and KRG Secretary	Financial matters.
11/01/2023	Thomas Della Vedova, Executive Director, DPLH	Discussed KRG role in the development of the Kimberley Regional Planning Infrastructure Framework (RPIF).
25/01/2023	Hannah, ABC Kimberley	Flood discussion and coordinating speaking notes.
30/01/2023	Samantha Rowe, Parliamentary Secretary to Minister Culture and the Arts and Sport and Recreation	General Executive Officer introduction and KRG Overview. Invitation for Minister to attend future meeting. 1/02/2023.

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Date	Stakeholders	Purpose
27/10/2023	Frank Mills, CEO, Cocos Island	General discussion around Cocos Island priorities and expectations of KRG.
3/02/2023	Phillip Cassell, CEO Shire of Halls Creek	Discussion re WALGA agenda items for Zone Meeting.
6/02/2023	Vernon Lawrence, CEO SWEK and Secretary KRG Alfred Nagaiya, Program Manager, SWEK	General discussion around KRG financial and agenda matters for February meeting. Discussion around KRG Canberra visit in March 2023.

Time Allocation September 2022 – August 2023

Total Yearly Contract: 864 Hours: Monthly from 8th of the month to 7th of the next month

	Paul Rosair		Michelle Mackenzie		Jane Lewis		Joshua Turner	
	Contract	Actual	Contract	Actual	Contract	Actual	Contract	Actual
Sept 22	32	34	20	18	23	29	4	2
Oct 22	32	22	20	8	23	24	4	1
Nov 22	32	40	20	36	23	28	4	0
Dec 22	10	12.5	10	26.25	10	1.5	2	0
Jan 23	10	19	10	11	10	36	2	0
Feb 23	32		20		23		4	
Mar 23	32		20		23		4	
Apr 23	32		20		23		4	
May 23	32		20		23		4	
June 23	32		20		23		4	
July 23	32		20		23		4	
Aug 23	32		20		23		4	
TOTALS	116/350	128/116	80/220	99.25/80	89/250	118.5/89	16/44	3/16
OVERALL CONTRACT: 301 / 864 ACTUALS: 348.75/ 301								

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14. General Business

Item	Responsible	Actions Arising
KRG MOU	Executive Officer	Executive Team to rewrite the KRG MOU in a succinct fashion, referencing the KRG Governance Manual and Communications Plan
Insurance Costs	Executive Officer	EO to discuss with CEO Broome and talk to Jonathan Seth, CEO LGIS regarding relief on Insurances as a result of impact of the floods.
Canberra Visit	Members and Alfred Nagaiya	Members to contact Alfred Nagaiya regarding arrangements
Meeting Dates – calendar invites sent for entire year – see dates below	Executive Team	April meeting to be changed to a Perth venue. Executive Team to organise
Lord Mayors Distress Relief Fund	Executive Team	Letter to be sent on behalf of the KRG to request that funding from the Lord Mayors Distress Relief Fund be directed to evacuation centres across the Kimberley.



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Date	Time	KRG	Notes
17/2/2023	10-1pm	KRG and Zone Meeting - ZOOM	Canberra visit 27 - 29 March 2023
6/4/2023	9-9.30 am	CEO Ringaround	
13/4/2023	1-5 pm then dinner	KRG and Zone Meeting – Derby	Derby meeting to be rescheduled to a venue in Perth
8/6/2023	9-9.30 am	CEO Ringaround	
15/6/2023	9-12 noon	KRG and Zone Meeting – Zoom	
9/8/2023	9-9.30 am	CEO Ringaround	
16/8/2023	1-5 pm then dinner	KRG and Zone Meeting – Halls Creek	
27/9/2023	9-9.30 am	CEO Ringaround	
To coincide with the WALGA AGM – date to be determined. 4/10/23?	TBD	KRG and Zone Meeting – Metropolitan Venue TBD	
17/11/2023	9-9.30 am	CEO Ringaround	
24/11/2023	9-12 noon	KRG and Zone Meeting – Zoom	

15. Meeting Closure: 1:38

12 CORPORATE SERVICES

12.1 CONDUCTING ELECTRONIC COUNCIL AND COMMITTEE MEETINGS, AND ATTENDANCE BY ELECTRONIC MEANS POLICY

File Number: 4160

Author: Neil Hartley, Director - Strategic Business

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Administrative

SUMMARY

New Regulations outlining how local governments can now hold electronic Council and Committee meetings were promulgated on 9 November 2022. These new rules expand on the historically more restrictive remote meeting capacities of local governments, and supersede the COVID19 systems that had been in place for over two years.

This report outlines the regulation requirements, and proposes that a Policy be adopted to ensure that consistency, good records keeping, and legislative compliance prevails, whilst also maximising the flexibility of the Council and its Councillors to utilise this system of meeting attendance.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

Regulations 14C to 14E (inclusive) of the Local Government (Administration) Regulations (1996) were promulgated on 9 November 2022. These new regulations outline how local governments can now hold electronic Council and Committee meetings (see *Statutory Environment* section below for a summary). This includes the potential of having a Council Meeting completely “on-line” and without a physical Chamber being required.

The Guidelines provided by the Department of Local Government suggest that the best way for Councils across Western Australia to meet these new requirements, is by establishing positions and procedures to address each component of the Regulations. For example, how it will permit electronic meetings (Council and Committee) to occur, how to deal with requests for electronic attendance at meetings, and what the expectations are of Council in relation to Councillor equipment and the remote location used by Councillors for the meeting’s “attendance”.

The purpose of the Policy is to ensure legislative compliance, but also to find the most appropriate way to facilitate maximum Councillor meeting attendance so that quorums can be maintained, but also to best accommodate Council’s strategic responsibilities across each 12 months period (e.g. adopting the budget).

This Policy is not applicable for meetings using electronic means in the instance of a public health emergency, or where a state of emergency exists in the whole or a part of the district of the Shire of Derby/West Kimberley. Different legislative conditions apply in those instances, with the key difference being that Council is responsible and must by resolution, authorise and set protocols for meetings that are conducted outside of an emergency.

The current list of remaining 2023 meeting dates is:

1. OCM – Thursday, 30 March (5.30pm) Fitzroy Crossing*

2. Audit – Thursday, 20 April (4.00pm) Council Chambers, Derby
3. OCM – Thursday, 27 April (5.30pm) Council Chambers, Derby
4. Audit – Thursday, 18 May (4.00pm) Council Chambers, Derby
5. OCM – Thursday, 25 May (5.30pm) Fitzroy Crossing*
6. Audit – Thursday, 22 June (4.00pm) Council Chambers, Derby
7. OCM – Thursday, 29 June (5.30pm) Council Chambers, Derby
8. Audit – Thursday, 20 July (4.00pm) Council Chambers, Derby
9. OCM – Thursday, 27 July (11.00am) On Country – Remote Aboriginal Community*
10. Audit – Thursday, 24 August (4.00pm) Council Chambers, Derby
11. OCM – Thursday, 31 August (5.30pm) Council Chambers, Derby
12. Audit – Thursday, 21 September (4.00pm) Council Chambers, Derby
13. OCM – Thursday, 28 September (5.30pm) Fitzroy Crossing*
14. Audit – Thursday, 19 October (4.00pm) Council Chambers, Derby
15. OCM – Thursday, 26 October (5.30pm) Council Chambers, Derby
16. Audit – Thursday, 23 November (4.00pm) Council Chambers, Derby
17. OCM – Thursday, 30 November (5.30pm) Fitzroy Crossing*
18. Audit – Thursday, 14 December (4.00pm) Council Chambers, Derby
19. OCM – Thursday, 14 December (5.30pm) Council Chambers, Derby

STATUTORY ENVIRONMENT

Local Government Act 1995 S. 5.105(3) (Breaches by council members) outlines that a Councillor who commits any offence under a written law, commits a serious breach*.

() The Department of Local Government has advised that a breach of Regulations 14C-14E would not constitute a serious breach of the Act, but would be a non-compliance.*

Local Government (Administration) Regulations (1996) Reg. 14C to 14E (inclusive) outlines the new requirements for local governments that wish to hold electronic meetings. The regulations address for example, the capacities and limitations imposed on Councils and Councillors for these type of meetings, and the need to accommodate public participation and questions.

A brief summary of the new position on electronic meetings is outlined below:

20. Council may approve the holding of any Ordinary or Special Council or Committee* Meeting by electronic means (vis. telephone, video conference or other means of instantaneous communication). Notices types and notice periods as for non-electronic means meetings apply to meetings by electronic means.
()Neither a Committee, nor the Presiding Person of a Committee has a role to play in this area, or in the authorising of a Councillor to attend a Committee Meeting electronically.*
21. The Council (or Committee) must determine how its notice papers, agendas, reports or other documents are to be presented at the meeting, and how they will be made available to Councillors and members of the public.
22. For meetings to meet the legislative requirements of being “open to members of the public”, the meeting must be (1) accessible to the public; or (2) publicly

broadcasts the on a website; or (3) a broadcast of the meeting must be otherwise accessible to the public.

23. Time must be allocated for raising questions by members of the public, including the opportunity to (1) submit questions prior to the meeting; and (2) submit questions at the meeting. The council (or the committee) must develop a procedure to determine how it intends to respond to questions submitted.
24. Council* cannot authorise more than half of its Council, or its Committee meetings, to be held electronically, in any rolling 12 months period (calculated for the prior 12 months period). Council cannot authorise any meetings to be held by electronic means unless (1) the location and the equipment to be used by Councillors attending are suitable to enable them to effectively engagement in the meeting's deliberations and communications; and (2) the CEO has been consulted. *(*)Whilst the Council has a primary role in authorising a Council or Committee Meeting to be held by electronic means, the President can also authorise a Councillors attendance by electronic means. The Council Policy will clarify how this dual authorisation process will be managed.*
25. A Councillor may attend a council or committee meeting by electronic means if the member is authorised to do so by the Council or the President. The Committee Presiding Person has no role to play in this matter. Authorisation can only be provided if the location* and the equipment to be used by the Councillor are suitable to enable effectively engagement in the meeting's deliberations and communications. *(*)The location is not limited to being within the district.*
26. A Council/President cannot authorise it to occur, and no Councillor is permitted to attend a closed meeting, or the closed portion of a meeting, unless the Councillor declares* they and their location can maintain confidentiality. If confidentiality cannot be maintained, the Councillor must leave the meeting or the closed part of the meeting. *(*)The declaration must be recorded in the minutes of the meeting.*
27. In addition to attending the Council authorised electronic meetings by electronic means referred to above, a Councillor* may also attend additional council or committee meetings by electronic means if the member is authorised to do so by the President or the Council. Electronic means attendance can only be authorised for up to half of the Shire's remaining in person meetings (Council or Committee, calculated separately) they have attended in total, in any rolling 12 months prior period. *(*)Excluding a Councillor with a disability as defined in the Disability Services Act 1993. Neither the Committee nor the Committee Presiding Person has a role to play in this matter. Authorisation can only be provided if the location* and the equipment to be used by the Councillor are suitable to enable effectively engagement in the meeting's deliberations and communications. (*)The location is not limited to being within the district.*

POLICY IMPLICATIONS

New Policy suggested, to ensure legislative compliance and good records keeping protocols prevail, but also to find the most appropriate way to facilitate maximum Councillor meeting attendance so that quorums can be maintained, and simultaneously best accommodate Council's strategic responsibilities across each 12 months period.

FINANCIAL IMPLICATIONS

Only minimal if any costs are expected to accommodate direct hardware requirements of the Council Chamber and individual Councillors, but there could be costs to accommodate a suitable internet software control system that allows community member access to Question Time of meetings, but otherwise restricts access to other sections of the meeting, like *confidential “behind closed doors” items*.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.1 Engage with our communities
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: Not having a policy may lead to confusions and legislative non-compliances.	Possible	Moderate	Medium	Adopt policy to provide clarity.

CONSULTATION

No community consultation is considered to be required on this occasion.

COMMENT

Kimberley and other remote local governments are regular users of the electronic meetings capacity provided through the Administration Regulations. These new rules expand on the historically more restrictive remote meeting capacities of local governments, and supersede the more flexible COVID19 systems that Councils in remote areas have become very used to, having been in place for over two years until early November 2022 as a result of the state of emergency that has been in place for that period of time.

The policy does not contemplate the need for having a Council Meeting completely “on-line” and without and physical Chamber being required, but that could be a direction Council might wished to explore in the future.

In accordance with the draft policy, Council could consider setting at least some of the next year’s meetings that are likely to be best designated as electronic meetings (say 30%, or three meetings). For example, meetings during the wet season when Councillors are at more risk of having roads closed, the budget meeting, and the “on-country” meeting (subject to digital communications capacity), might be a few of those designated electronic, to ensure maximum Councillor attendance. Leaving 20% (or two meetings) “spare” might be a good position to take for the first year, and then review this position in year two. This 20% allowance should provide for those

occasions when the Council needs to accommodate special circumstances so it can designate those meetings to be electronic.

If Council was to choose to not have any meetings designated as electronic, the Regulations allow for individual Councillors to seek permission to attend by electronic means, up to 50% of those designated “in-person” meetings. This capacity might by itself provide suitably attendance flexibility for Council and Councillors.

As outlined earlier, whilst most local governments in Western Australia will either not use these provisions at all, or only minimally, the Kimberley Region’s local governments and its Councillors are likely to use this option extensively in light of the seasonal weather events specific to this region, and other obvious distance and isolation issues.

A draft policy was prepared in late 2022 for presentation at a Councillors’ Workshop. This policy has been modified to accommodate Department of Local Government clarity around the 50% cap interpretation (see attached). WALGA has since provided an industry draft for consideration (also attached). The WALGA draft is purposely “concise” to enable it to be widely used across the industry, but by intention does not attempt to address the needs of every WA local government. Council can choose to adopt the WALGA draft if it wishes to be less prescriptive on the issue at hand.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **WALGA Electronic Meetings Policy Template Document**  
2. **(C11) CONDUCTING ELECTRONIC COUNCIL AND COMMITTEE MEETINGS**  

RECOMMENDATION

That Council:

1. **Adopt the attached policy titled “(C11) Conducting Electronic Council and Committee Meetings, and Attendance by Electronic Means”;**
2. **Designate future 2023 Council and Committee meetings as electronic on an “as needed” basis by specific Council resolution; and**
3. **Consider at the time of setting the 2024 Council/Committee Meeting Schedule, whether to allocate any of those meetings (up to the 50% cap) as “electronic meetings”.**



Conducting Electronic Meetings and Attendance by Electronic Means Policy

Policy Objective

To establish the Local Government's decision making framework enabling electronic attendance at in-person meetings and for the conduct of meetings by electronic means.

This policy is to be read in conjunction with the *Local Government Act 1995* ('the Act') and Regulations 14C, 14CA, 14D and 14E of the *Local Government (Administration) Regulations 1996*.

Definitions

- **Electronic Means** refers to the approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication [Admin.r.14CA(3)]. The electronic means must be determined before the suitability of a location and equipment can be assessed as part of a request to attend electronically to an in-person meeting or to an electronic meeting.
- **Members** refers to a council member and any other person appointed as a member of a committee under Section 5.10 of the Act.

Policy Statement

1. Electronic Attendance at an In-Person Meeting [Administration Regulations 14C and 14CA]

- (1) For efficiency and the avoidance of unnecessary inconvenience, Members are to submit requests for electronic attendance at the earliest opportunity, but in any case, requests must be received so that there is sufficient time for the request to be considered and the necessary technology and meeting protocols to be implemented.
- (2) A request for electronic attendance at an in-person meeting:
 - a. Is to be provided to the President;
 - b. Where the President is unavailable to approve a request, the request is to be considered by Council (the request is to be moved, seconded and approved);
 - c. Where the President rejects a request, the requester may ask Council to re-consider the request; and
 - d. The President may refer their own request to the Deputy President, [acting under Section 5.34 of the Act]; or alternatively, may refer the request to Council for decision.

Note: for committees, a request for electronic attendance to an in-person committee meeting can only be approved by the President or Council (not the relevant committee). Similarly, a request for a committee to be held as an electronic meeting (outside of a declared emergency) must first be approved by Council.

- (3) Where a request **meets** the following criteria, approval will not be unreasonably withheld:



- a. The electronic means of instantaneous communication, and the location and equipment from which the Member seeks to attend the meeting, are determined as suitable for the Member to effectively engage in deliberations and communications throughout the meeting [Admin.r.14C(5)];
 - b. The Member has made a declaration prior to the meeting, or that part of the meeting, that will be closed, that confidentially can be maintained. In the absence of such a declaration, the Member is prohibited from participation in the meeting, or that part of the meeting, that is closed [Admin.r.14CA(5)]; and
 - c. The approval does not exceed prescribed limitations for the number of meetings attended by that Member by electronic means [Admin.r.14C(3) and r.14C(4)].
- (4) Records of requests and decisions about requests must be retained:
- a. Where the President makes the decision, the record is retained as a Local Government record (e.g. email communication) in accordance with the Local Government's Record Keeping Plan and protocols established by the CEO; and
 - b. Where Council makes the decision, the decision must be recorded in the minutes [Admin.r.11(d)].
- (5) The CEO shall ensure that necessary administrative and technological support is readily available to facilitate attendance by electronic means at any meeting, on the basis that approvals may be given at any reasonable time prior to commencement of the meeting by the President or during the meeting itself by Council for a Council meeting.

2. Conducting a Meeting by Electronic Means [Administration Regulation 14D and 14E]

- (1) Ordinary meetings will primarily be held as in-person meetings.
- (2) Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the President or the Council can approve a meeting to be held by electronic means:
- Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means [Admin.r.14D(2)(a)(b)].
- (3) Where it is otherwise considered expedient or necessary (and there is no declared emergency), the Council may resolve to authorise the meeting to be held by electronic means [Admin.r.14D(2)(c)], subject to:
- a. The prescribed limitation is not exceeded on the number of electronic meetings allowed [Admin.r.14D(2A)];
 - b. The CEO has been consulted, before the electronic means by which the meeting is to be held is determined by the President or Council resolution [Admin.r.14D(3)(4)];
 - c. The decision has given due regard to whether the location from which each Member seeks to attend the meeting and the equipment each Member intends to use, are suitable to ensure each Member is able to effectively engage in deliberations and communications throughout the meeting; and
 - d. Each Member has made a declaration prior to the meeting, or that part of the meeting, that is closed, that confidentially can be maintained [Admin.r.14D(6)]. In the absence of such a declaration, a Member is prohibited from participation in the meeting, or that part of the meeting, that is closed.



- (4) Where a meeting is authorised to be held as an electronic meeting, the CEO must ensure details are:
 - a. published on the Local Government's Official webpage [Admin.r.12];
 - b. provided in the Notice of Meeting/Agenda; and
 - c. broadly promoted to ensure community awareness, such as through social media, newsletters, on noticeboards, etc.

Note: In the case of a Band 1 or 2 council or committee, where the meeting must be 'open to members of the public', then the council or committee must *'publicly broadcast the meeting on a website or the meeting or a broadcast of the meeting is otherwise accessible to the public'* [Admin.r.14E(3A)(b)].

3. Participating in Meetings by Electronic Means

- (1) **Presiding at Meeting** – Where the President is approved to attend an in-person meeting by electronic means, the /President may choose to defer to the Deputy President [acting under Section 5.34 of the Act] for the purpose of presiding at the meeting.
- (2) **Conduct** – Members are to be familiar with their Meeting Procedure/Standing Orders and Code of Conduct requirements, in particular, protecting confidential information and appropriate communication practices, when participating in a meeting by electronic means.
- (3) **Meeting Procedures** – Where provisions of a Meeting Procedures/Standing Orders are not applicable to an electronic meeting environment, the Presiding Member may need to consider modification or suspension of the inconsistent subject provisions.
- (4) **External Parties Participating in Closed Meetings** – Where external parties are invited to participate in a closed part of an electronic meeting (such as auditor attending an Audit Committee electronic meeting), before being approved to attend by a resolution of the meeting, they are to first confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.



Electronic Means – Regulation 14CA and 14D

<<Local Governments may insert policy provisions that establish their preferred electronic means, technology and protocols>>.

ADVISORY NOTE: Determining ‘electronic means’:

- Local Governments may already have implemented technologies to facilitate electronic attendance at in-person meetings and / or electronic meetings.
- Local Governments may review existing technologies, or any proposed new technologies, to facilitate electronic attendance at in-person meetings and / or electronic meetings to confirm that the systems and operational protocols and practices align with the provisions of Admin. Regulations 14C, 14CA, 14D and 14E.
- Local Governments may then draft policy provisions that specify the ‘approved’ electronic means.
- The policy provisions, adopted by Council as part of their eMeeting policy, fulfils the decision making requirements under Admin.r14C(2)(b), 14CA(2) and 14D(3), suitable for most circumstances:
 - Policy provisions may also address criteria by which any additional or alternative electronic means technology would be assessed and approved by the President or Council.
- The Local Government may also establish protocols that are necessary to enable an authorisation for attendance by, or holding a meeting by, electronic means, which may include:
 - **Location** – Members must confirm that the location from which they attend is safe, quiet, private, devoid of distractions, and where a meeting is closed to the public, a place where confidentiality can be maintained. Location requirements must be satisfied before authorisation is given to a Member to attend any meeting by electronic means;
 - **Equipment** – Policy provisions may specify the requirement to use Local Government provided equipment; and/or if they are not using equipment supplied by the Local Government, the minimum technical and security requirements that must be evidenced by the Member. Equipment requirements should be satisfied before authorisation is given to a Member to attend any meeting by electronic means;
 - **Public Question Time** – Policy provisions may establish Public Question Time Procedures applicable to an electronic meeting [Admin. Regs. 5 and 7] and require the procedures to be publicised concurrent with meeting details as per policy clause 2(4) above; and
 - **External Parties Participating in Closed Meetings** – Approval for an external party to attend by electronic means a closed part of a meeting will be subject to policy provisions relevant to: approved electronic means, location and confidentiality. For clarity, these provisions do not apply to participation in public question time.

(C11) CONDUCTING ELECTRONIC COUNCIL AND COMMITTEE MEETINGS, AND ATTENDANCE BY ELECTRONIC MEANS POLICY

POLICY OBJECTIVE

The purpose of this Policy is to (1) enable Council and Committee meetings to be conducted electronic, and (2) enable and manage Councillor attendance of Council and Committee meetings by electronic means.

These meeting protocols will facilitate Councillor meeting attendance when Councillors cannot reasonably attend meetings due for example, to wet season flooding, the need to travel for their work, or to care for loved ones when they are unwell. The intent of this electronic meeting attendance capacity, is to increase flexibility for Councillors in meeting their obligations to attend meetings, and to also assist in achieving meeting quorums.

Council must also meet the requirements of Regulations 14C to 14E (inclusive) of the Local Government (Administration) Regulations (1996), by establishing positions and procedures on how it will for example, permit electronic meetings (Council and Committee) to occur, including how to deal with requests for electronic attendance at meetings and the expectations of Council in relation to Councillor equipment and the remote location used for the meeting's attendance.

It is not proposed presently, that Council or Committee Meetings will be held completely "on-line" and without any physical attendance (e.g. Derby Council Chamber) being in place.

This Policy has no applicability for meetings using electronic means in the instance of a public health emergency, or where a state of emergency exists in the whole or a part of the district of the Shire of Derby/West Kimberley (SDWK). Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the President or the Council can approve a meeting to be held by electronic means. Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means [Admin.r. 14D(2)(a)(b)].

POLICY BACKGROUND

Electronic Meetings:

In accordance with regulation 14D of the Local Government (Administration) Regulations 1996 Council may approve the holding of any Ordinary or Special Council or Committee* Meeting by electronic means*. Notices types and notice periods as for non-electronic means meetings apply to meetings by electronic means. (*)Neither a Committee, nor the Presiding Person of a Committee has a role to play in this area, or in the authorising of a Councillor to attend a Committee Meeting electronically.

*The definition of *electronic means*, refers to the approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication [Admin.r. 14CA(3)]. The electronic means must be determined before the suitability of a location and equipment can be assessed as part of a request to attend electronically to an in-person meeting or to an electronic meeting.

The Council (or Committee) must determine how its notice papers, agendas, reports or other documents are to be presented at the meeting, and how they will be made available to Councillors and members of the public. To ensure adequate public notice of a meeting that is authorised to be held as an electronic meeting, the CEO must ensure details are:

1. published on the Local Government's Official webpage [Admin.r.12];
2. provided in the Notice of Meeting/Agenda; and
3. broadly promoted to ensure community awareness, such as through social media, newsletters, on noticeboards, etc.

For meetings to meet the legislative requirements of being open to members of the public, the meeting must be (1) accessible to the public; or (2) as the Shire of Derby/West Kimberley is a Band 2 local government, where a meeting must be 'open to members of the public', then the Council or Committee must publicly broadcast the meeting on a website; or (3) a broadcast of the meeting must be otherwise accessible to the public.

Time must be allocated for raising questions by members of the public, including the opportunity to (1) submit questions prior to the meeting; and (2) submit questions at the meeting. The council (or the committee) must develop a procedure to determine how it intends to respond to questions submitted.

Council* cannot authorise more than half of its Council, or its Committee meetings, to be held electronically, in any rolling 12 months period (calculated for the prior 12 months period). Council cannot authorise any meetings to be held by electronic means unless (1) the location and the equipment to be used by Councillors attending are suitable to enable them to effectively engagement in the meeting's deliberations and communications; and (2) the CEO has been consulted. *(*)Whilst the Council has a primary role in authorising a Council or Committee Meeting to be held by electronic means, the President can also authorise a Councillors attendance by electronic means should that be considered warranted. This Council Policy clarifies how this dual authorisation process will be managed.*

Councillor Meeting Attendance by Electronic Means:

In addition to attending the Council authorised electronic meetings by electronic means referred to above, a Councillor may also attend additional council or committee meetings by electronic means if the member is authorised to do so by the President or the Council. Electronic means attendance can only be authorised for up to half of the Shire's person meetings (Council or Committee, calculated separately) they have attended in total, in any rolling 12 months prior period. *(*)Excluding a Councillor with a disability as defined in the Disability Services Act 1993. Neither the Committee nor the Committee Presiding Person has a role to play in this matter. Authorisation can only be provided if the location* and the equipment to be used by the Councillor are suitable to enable effectively engagement in the meeting's deliberations and communications. (*)The location is not limited to being within the district.*

A Council/President cannot authorise it to occur, and no Councillor is permitted to attend a closed meeting, or the closed portion of a meeting, unless the Councillor declares* they and their location can maintain confidentiality. If confidentiality cannot be maintained, the Councillor must leave the meeting or the closed part of the meeting. *(*)The declaration must be recorded in the minutes of the meeting.*

POLICY STATEMENT

Authorising the holding of meetings conducted by electronic means: The Council can as part of its annual Council Meeting decision making process of setting meeting days/times (to comply with Regulation 12 (Publication of meeting details)) consider

setting some, or even up to the 50% maximum, of those meetings it believes ought to be held electronically at the time that decision is made. This will be the primary decision making time for which and how many meetings the Council wishes to set as electronic meetings.

Outside of the above, urgent requests for a meeting to be held electronically can be considered by Council directly, where circumstances require that level of urgency, but the preference is for these applications to be made by (1) the President or individual Councillors in writing to the CEO, outlining reasons for the request; or (2) by the CEO directly. In both cases, the applications should progress to Council through the normal officer report process to the Council Agenda, inclusive of a CEO's acknowledgment of the application, and a recommendation. This will ensure that the logistics of the meeting process is accommodated, like electronic meeting invites being forwarded, records keeping occurs, and that the 50% cap is monitored and not exceeded.

The Kimberley is a region where meetings conducted by electronic means are considered to be "normal practice" rather than being the "exception to the rule" (which would be the case for most other local governments in WA). Distance, isolation, and annual seasonal weather conditions make it challenging for all SDWK Councillors to attend all meetings, all of the time. As such, the legislated 50% annual limit on meetings being held electronically, needs to form an important part of the authorisation process. This policy requires that the Council, in considering whether a meeting should be held by electronic means, must:

1. Firstly, consider the outcome that best provides for the overall needs of the district, the Council, and the Shire; then
2. Secondly, take into account the overall needs of the Council in order that the 50% cap on electronic meetings can still provide for optimal meeting attendance and accommodate key decision making requirements; and then
3. Thirdly, ensure that the maximum number of Councillors can be in attendance at its meetings (and particularly at key meetings like the budget meeting).

Distribution of notice papers, agendas, reports or other documents: The Council (or Committee) must determine how its notice papers, agendas, reports or other documents are to be presented at the meeting, and how they will be made available to Councillors and members of the public. This Policy determines that:

1. meeting notice papers will be distributed similarly to non-electronic means meetings (vis. as a minimum, to Councillors in a digital format, and currently via the *Teams* software package, and to the general public in accordance with Regulation 12 of the Local Government (Administration) Regulations (1996);
2. agendas will be distributed similarly to non-electronic means meetings (vis. as a minimum, to Councillors in a digital format, and currently via the *Teams* software package, and to the general public in accordance with Regulation 14 of the Local Government (Administration) Regulations (1996);
3. reports or other documents to be presented at the meeting will be distributed similarly to non-electronic means meetings (vis. as a minimum, to Councillors in a digital format, and currently via the *Teams* software package, and to the general public in accordance with Regulation 14 of the Local Government (Administration) Regulations (1996); and
4. In the event that Council elects to change an in-person meeting to an electronic meeting, and no in-person general public access to any meeting venue is to be provided, the CEO must undertake appropriate public notice of this fact. In

particular, how the public might be able to view the meeting electronically, and submit any questions.

Public Questions: Time must be allocated for raising questions by members of the public (1) submitted prior to the meeting; and (2) submit at the meeting. Council determines that the following procedures will apply:

1. **Council** – written questions can be submitted prior to the meeting through all of the normal business channels (e.g. post, email). Responses will either be provided at the meeting, or taken on notice and responded to directly back to the person that submitted the question, with a summary of the question and the answer included in the next available Council meeting minutes; and
2. **Committees** – written questions can be submitted prior to the meeting through all of the normal business channels (e.g. post, email). Responses will either be provided at the meeting, or taken on notice and responded to directly back to the person that submitted it, with a summary of the question and the answer included in the next available Committee meeting minutes.

Unless exceptional circumstances prevail, the opportunity for physical attendance (e.g. Derby Council Chamber) will always be in place for community members to participate.

Electronic means for Councillor and General Public attendance: Electronic attendance at meetings will be conducted through the Shire's *Microsoft Teams* software capacity as a preference (or an alternative digital capacity as determined by the CEO). In the event of technical difficulties being encountered, telephone access will be provided.

Electronic attendance by the general public will also be through the *Teams* program, on a view only basis. The ability to ask questions at the Question Time section of the meeting will be provided if the technology can accommodate such access in a suitably controlled manner.

Unless exceptional circumstances prevail, the opportunity for physical attendance (e.g. Derby Council Chamber) will be in place for Councillors and the community.

Authorisation of Councillor attendance: A Councillor may only attend a previously declared in-person meeting, by electronic means, if they have the prior authorisation to do so by either the Council, or the President. Where possible a Councillor is required to provide their request to attend electronically, direct to Council. However, where this may not be possible, because the request has to be made at short notice, the Councillor may provide a request to attend a meeting electronically, to the President.

This Policy promotes a preference for "in person" attendance where that is practical for individual Councillors, but acknowledges the legislative right of each Councillor to apply to attend electronically, up to 50% of these previously decided to be "in-person/non-electronic" Council or a Committee meetings using electronic means during any rolling 12 months period. This Policy also acknowledges the legislative right of the President to unilaterally decide if a Councillor can attend a previously decided to be "in-person/non-electronic" Council or a Committee meeting using electronic means, but requires the President to only utilise that power using similar considerations outlined in this policy as for any other urgent request considered directly by Council. The President is permitted to authorise their own electronic means meeting attendance, but they are encouraged as a preference, to either apply for a Council authorisation if circumstances permit, or

alternatively to refer their request to the Deputy President [acting under Section 5.34 of the Act] for consideration.

This policy requires that the President, in considering whether an individual Councillor may attend a meeting electronically, must make their decision based on the priority needs of the Council, before providing for the convenience of individual Councillors, so that consideration must follow the below process:

1. Firstly, consider the outcome that best provides for the overall needs of the district, the Council, and the Shire; then
2. Secondly, take into account any likely future conflicts relevant to the 50% cap on either Councillor requested or Council endorsed electronic meetings (so meeting decision making capacity is optimised); and then
3. Thirdly, ensure that the maximum number of Councillors can be in attendance at its meetings (and particularly at key meetings like the budget meeting), and then
4. Fourthly, consider the individual needs of the applicant Councillor.

Authorisation of Councillor's meeting attendance location: The Council/President is required to consider the location from which a person intends to attend the meeting with respect to their ability to effectively engage in deliberations and communications during the meeting.

The Shire has two sites with good quality digital access facilities, the Derby Council Chamber, and the Fitzroy Crossing Administration Centre's Meeting Room. Councillors are encouraged to use these facilities for those occasions where the meeting is held electronically. In instances where a Councillor cannot reasonably attend either of those two locations, the following should be established by the Councillor for the period of the electronic meeting:

1. the location is quiet and private (e.g. a private room in their house); and
2. if there will be other people at the location at the time of the meeting, there must be a door that can be closed during the meeting that maintains suitable levels of confidentiality, and preferably, the Councillor also wears headphones.

If the Council/President is not satisfied that the location can suitably provide (1) and (2) above without compromising the needs of Council, or that for any other reason the Councillor cannot effectively engage in meeting's deliberations and communications, then authorisation cannot be granted.

Equipment to enable Councillor attendance: In deciding whether to authorise a Councillors remote attendance, the Council, or the President, must also consider whether the Councillor's equipment will support Council's preferred choice of electronic communication. The Council takes responsibility for providing individual Councillors with the necessary hardware for internet access to *Microsoft Teams*. Also, to have sufficient resources and capacity to coordinate the meeting's digital requirements from the meeting's primary location (vis. generally the Derby Council Chamber).

Councillor declaration of a suitable meeting location for the purposes of

Confidential Items using remote electronic attendance: A Council cannot authorise it to occur, and no Councillor is permitted to attend a closed meeting, or the closed portion of a meeting, unless the Councillor declares (and the declaration must be recorded in the minutes of the meeting) they and their location can maintain confidentiality. If confidentiality cannot be maintained, the Councillor must leave the meeting (if its only consideration is confidential items closed to the public) or the closed part of the meeting.

External Parties Participating in Closed Meetings/Closed Portion of a Meeting:

Where external parties are invited to participate in a closed part of an electronic meeting (such as auditor attending an Audit Committee electronic meeting), before being

approved to attend by a resolution of the meeting, they are to first confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.

Electronic Meetings Register and Schedule/Control Table: To monitor electronic meetings, and attendances, and for appropriate records keeping purposes, this policy requires that the CEO maintain a Register and a meeting agenda schedule/control table. The Register must suitably record Council, Committee, Councillor, and CEO considerations, and record attendances at electronic meetings. A suitable schedule/control table must also be incorporated into in the relevant Council/Committee agendas/minutes, so that a record over the past “rolling 12 months” period can be easily considered during deliberations on electronic meeting applications. The purpose of the Register and the schedule/control table, is to ensure that both the 50% limit of Council endorsed electronic meetings, and the “additional” 50% limit of Councillors’ electronic means attendance of in-person meetings, is not exceeded over the past “rolling 12 months” period.

Where the President makes the decision on Councillor attendance by electronic means, the President is to advise the CEO of that decision so that a record (e.g. email communication) is established and the Electronic Meetings Register and Schedule/Control Table can be updated.

Policy Details			
Original Adoption date:	30 March 2023	Review Frequency (Annual/Bi-ennial):	Bi-ennial (or earlier if there is a change to legislation)
Policy Implementing Officer or Team:	Executive Services Coordinator	Policy Reviewer:	Director – Corporate & Community Services
Legislative Head of Power (Act, Regulation, or Local Law):	Regulations14C to 14E (inclusive) of the Local Government (Administration) Regulations (1996),		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Electronic Meeting Register; and Council Agenda Schedule.		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.			

13 TECHNICAL SERVICES

13.1 AWARD OF TENDER T8-2022 FOR THE RECONSTRUCTION OF ALFONSAS STREET, DERBY

File Number: 0481

Author: Ron Delvin, Engineering Technical Officer

Responsible Officer: Wayne Neate, Director Technical and Development Services

Authority/Discretion: Executive

SUMMARY

This item is for Council to consider the awarding of Tender T8-2022 being the contract works required for the Reconstruction of Alfonsas Street, Derby. It is proposed that the Tender be awarded to Buckley's Earthmoving and Paving (BEP).

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

As proposed in Council's 2022-2023 budget, funding has been allocated for the reconstruction works on Alfonsas Street, Derby. The road is being reconstructed due to its deteriorated condition and to lower the profile of the road to provide improved drainage.

STATUTORY ENVIRONMENT

Local Government Act 1995 – 3.57 Tenders for the providing goods or services and Local Government (Functions and General) Regulations 1996 Part 4 Tenders for providing goods or services.

POLICY IMPLICATIONS

- Section 8 - Purchase of Goods and Services
- Regional Price preference Policy AF33

FINANCIAL IMPLICATIONS

Funds for the undertaking of this contract are contained within the 2022-2023 budget for the Derby town site reseals. The current allocated funds include Shire contribution and grant funding, such as Roads to Recovery and Federal Assistance Grants.

It has been noted within BEP's submission that there are a number of items such as the lowering of services that have not been included in the submitted pricing schedule and therefore it must be assumed that there will be an increase in price to complete the works. It will be proposed that a reallocation of \$150,000 occur from account Road Maintenance – Gravel outside BUA 121202130 to allow for the reconstruction works be completed. This account has had minimal expenditure to date.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
4. Environment	4.2 Liveable Communities	4.2.3 Encourage and facilitate the maintenance and development of infrastructure that connects our communities

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Community: Ongoing road surface deterioration causing disruption to nearby residents	Possible	Minor	Medium	Undertake reconstruction works to improve road surface and drainage

CONSULTATION

Tender T8-2022 – Reconstruction of Alfonsas Street, Derby.

The advertised Tender allowed for a minimum of fourteen days for individuals or companies to submit tenders, which included the opportunity to view and inspect the construction site. Council officers have carried out several inspections and prepared working drawings for the projects.

Following the tender advertisement, one request was made for the applicable tender documents.

At the close of tenders on 8 March 2023, submitted tender documents were received from:

- Buckley's Earthworks and Paving

Please note that the tender submission period was extended by one month as a result of the extreme flooding that occurred to allow contractors access to the various roads of the Shire.

COMMENT

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by the only Tenderer.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	25
Key Personnel and Experience	20
Tenderer's Resources	15
Demonstrated Understanding	10
Local Supplier Details	10

Quality Management Systems	10
Risk	10

A score summary is shown below:

Buckley's Earthworks and Paving	C1
---------------------------------	-----------

		C1
Relevant Experience 25%	Weighted Score	22.0
Key Personnel Skills & Experience 20%	Weighted Score	16.7
Tender Resources 15%	Weighted Score	14.3
Demonstrated Understanding 10%	Weighted Score	8.7
Local Supplier Details 10%	Weighted Score	8
Quality Management System 10%	Weighted Score	8.3
Risk 10%	Weighted Score	8.7
Totals	100%	86.7

As seen in the table above, the total criteria scores are similar in the Assessment Criteria for T8-2022 Reconstruction of Alfonsas Street. BEP are capable of undertaking the work and using the best value for money approach it is therefore recommended that this contract be awarded to Buckley's Earthworks and Paving.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS

1. Confidential Price Scoring Sheet - Confidential

RECOMMENDATION

That Council;

- Award Tender T8-2022 Alfonsas Street, Derby Reconstruction and Drainage improvements to Buckley's Earthmoving and Paving (BEP); and**
- Reallocate \$150,000 from Road Maintenance – Gravel outside BUA 121202130 to allow the work to be completed.**

13.2 PROPOSED PURCHASE OF LIGHT VEHICLES**File Number: 5120****Author: Steve Ross, Asset Coordinator****Responsible Officer: Wayne Neate, Director Technical and Development Services****Authority/Discretion: Executive****SUMMARY**

This report is for Council to consider the ordering of vehicles prior to the end of the financial year due to the long lead in time for the delivery of new vehicles. This will ensure that the shire receives the ordered vehicles in the financial year they are actually required.

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer

BACKGROUND

Currently there are extensive delivery delays on most new vehicles ordered, due to supply issues of various components and also, due to the high demand for new vehicles. The Shire has numerous vehicles due for upgrading over the next couple of years and this process is part of the normal fleet renewal program that the Shire undertakes each year. To ensure that the vehicles are received in the budgeted financial year they are actually required, the Shire will need to be proactive in ordering the new vehicles, to allow for these delivery constraints.

The delay in delivery time for new vehicles is currently up to twelve months and this will increase at the end of the financial year and into the beginning of the new financial year due to the increased orders placed for new vehicles. It is unknown what the exact time delay from order to delivery could be as it is dependent on the vehicle model, however the delays in delivery time are expected to increase and could extend up to 24 months. An example of vehicles that have experienced long lead in times are the VDJ – Toyota Land cruiser utility which will currently take beyond four and a half years from order to delivery in the current environment.

It has been confirmed that when placing an order for vehicles it is based on a “no deposit purchasing model”, which means if the Shire decides at any point prior to the fit-out of a vehicle that it no longer requires the vehicle, the Shire can cancel the order at no cost, noting that the vehicle can be on-sold without any financial implications for the Dealer, due to the current high demand.

STATUTORY ENVIRONMENT

Local Government Act 1995 – 3.57 Tenders for the providing goods or services and Local Government (Functions and General) Regulations 1996 Part 4 Tenders for providing goods or services.

POLICY IMPLICATIONS

- Section 8 - Purchase of Goods and Services
- Regional Price preference Policy AF33

FINANCIAL IMPLICATIONS

It will be recommended that the shire place orders for five new vehicles in the 2022/23 financial year, noting that funds will not actually be expended until the 2023/24 financial year. It will then also be proposed to order the next financial year's changeover of vehicles (being five in total) in July 2023, which will be budgeted for in the 2023/24 budget but with the actual expenditure will not occur until the 2024/25 financial year (again due to the lengthy delays of vehicle deliveries).

It is proposed to order the vehicles as per the attached spreadsheet, noting that the additional budget cost in this financial year will be \$225,000 (and will require a budget amendment). Also, to include a commitment \$290,000 in the 2023/24 budget for vehicle replacement, to allow the timely arrival of those vehicles.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
3. Economy	3.2 Strong economy	3.2.1 Recognise and promote the economic potential of the district

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Organisation's Operations: Increased costs associated with aged vehicles	Likely	Moderate	High	Regular replacement of vehicles to avoid high maintenance costs

CONSULTATION

Staff have consulted with Broome Toyota who provided advice on timeframes included within this report. Appropriate procurement framework processes will be followed when purchasing proceeds.

COMMENT

To accommodate unprecedented delivery delays, and to allow for the best outcome for Council in regards to the replacement of vehicles, the ordering timeline of new vehicles is proposed to be bought forward.

There are two main reasons for trying to get vehicles in a timely manner for the operations of the Council are to increase the trade in value of the current vehicle and to decrease the maintenance costs of the same vehicle (as respectively the value decreases and maintenance increase over time). It is therefore desirable to get appropriate changeovers for vehicles to occur in a timely manner.

The staff are trying to reduce the various manufacturers of fleet and move to a light vehicle fleet predominately made up of Toyota's. There are a few reasons why this is occurring and these are listed below;

- Reduce the parts kept on stock as Toyota's generally run common parts on the various models;
- Excellent resale value;
- Proven and trusted in this environment; and
- Availability of parts within the region should issues occur.

In summary it will be recommended that to allow the best replacement value and timely replacement of vehicles that the ordering of new vehicles be bought forward. This will require an amendment to the current budget and a commitment in the forthcoming budget.

VOTING REQUIREMENT

Absolute majority

ATTACHMENTS

1. Proposed Plant Replacement

RECOMMENDATION

That Council;

- 1. Approves an amendment to the 2022/23 budget with an increase of \$225,000 for the replacement of light vehicles;**
- 2. Agrees to include \$290,000 in the 2023/24 budget for the replacement of light vehicles; and**
- 3. Instructs the Chief Executive Officer to immediately order the replacement of vehicles due in 2023/24, and for those vehicle due for replacement in 2024/25, to order those in July/August 2023 as per the attached "Proposed Plant Replacement"**

Proposed vehicle replacement 2022/23 Budget																		
Program	Account	Job	Light Vehicle		Proposed													
			Rego #	Plant#	Dept	Year	Make	Model	Odomete	Auto/Man	Fuel Typ	Model	Auto/N	Fuel Ty	Seating	Replacement cost	Net Cost	Comments
ORDERED	4120130	PE002	3 KW	P124	Shire President	2014	Toyota	Prado GX	134511	Auto	Diesel	Prado GX	Auto	Diesel	5	\$63,000	\$ 34,000.00	High use high milage vehicle, over due for changeover - Maintenance Costs will increase with increase in kms
			6 KW	P123	Director of Finance - Pool Vehicle	2014	Toyota	Prado GX	112639	Manual	Diesel	Prado GX	Auto	Diesel	5	\$63,000	\$ 36,000.00	Water damaged, gear box issues
			8 KW	P58	Manager of Assets and Projects	2012	Toyota	Prado GX	198206	Auto	Diesel	Prado GX	Auto	Diesel	5	\$63,000	\$ 36,000.00	High use high milage vehicle, over due for changeover - Maintenance Costs will increase with increase in kms
ORDERED	4120130	PE004	9 KW	P140	FX Youth Services - Pool Vehicle	2014	Holden	Commodore	81006	Auto	Petrol	Commodore	Auto	Petrol	5	\$33,000	\$ 24,000.00	Damaged vehicle, ongoing electrical issues with aged commodore vehicles ???do we need this
			10 KW	P171	EHO	2014	Toyota	Hilux SR	164932	Manual	Diesel	Hilux SR	Auto	Diesel	5	\$54,000	\$ 32,000.00	High use high milage vehicle, over due for changeover - Maintenance Costs will increase with increase in kms
			11 KW	P56	FX Depot	2012	Toyota	Hilux SR	171179	Manual	Diesel	Hilux SR	Auto	Diesel	5	\$54,000	\$ 32,000.00	High use high milage vehicle, over due for changeover - Maintenance Costs will increase with increase in kms
ORDERED	4120130	PE005	13 KW	P49	FX Youth Services	2012	Toyota	Kluger KX-F	112297	Auto	Petrol	Prado GX	Auto	Diesel	5	\$63,000	\$ 49,000.00	Older vehicle with some panel damage and sun damaged paint - becoming high Maintenance
			20 KW	P53	Derby Depot	2012	Ford	Ranger XL	120921	Auto	Diesel	Hilux SR	Auto	Diesel	5	\$54,000	\$ 46,000.00	Old vehicle , deteriorating conditon to body and interior
																	\$ 289,000.00	
			Light Vehicle		2023/2024													
			Rego #	Plant#		Year	Make	Model	Odomete	Auto/Man	Fuel Typ	Model	Auto/N	Fuel Ty	Seating	Replacement cost	Net Cost	Comments
			9 KW	P140	Derby Pool	2014	Holden	Commodore	98000	Auto	Petrol	Hilux Dual Cab	Auto	Diesel	5	\$65,000	\$ 45,000.00	Damaged vehicle, ongoing electrical issues with aged commodore vehicles ???do we need this
			10 KW	P171	EHO	2014	Toyota	Hilux SR	186000	Manual	Diesel	Hilux SR	Auto	Diesel	5	\$70,000	\$ 50,000.00	High use high milage vehicle, over due for changeover - Maintenance Costs will increase with increase in kms
			11 KW	P56	FX Depot	2012	Toyota	Hilux SR	192000	Manual	Diesel	Hilux SR	Auto	Diesel	5	\$65,000	\$ 45,000.00	High use high milage vehicle, over due for changeover - Maintenance Costs will increase with increase in kms
			13 KW	P49	FX Youth Services	2012	Toyota	Kluger KX-F	135000	Auto	Petrol	Fortuna	Auto	Diesel	5	\$65,000	\$ 45,000.00	Older vehicle with some panel damage and sun damaged paint - becoming high Maintenance
			15KW	P117	Trade Vehicle	2012	Toyota	Hilux SR	130000	Manual	Diesel	Hilux SR Extracab	Auto	Diesel	5	\$60,000	\$ 40,000.00	Older Vehicle. Require Extra Cab for trade use and movement of materials
																	\$ 225,000.00	
			2024/2025															
			2KW	P129	DTDS	2014	Toyota	Prado	115000	Auto	Diesel	Prado	Auto	Diesel	5	\$85,000	\$ 55,000.00	Older Prado, over due for replacement
			4KW	P51	Infrastructure	2017	Toyota	Prado	160000	Auto	Diesel	Prado	Auto	Diesel	5	\$85,000	\$ 55,000.00	Older Prado, over due for replacement
			1EAD	P106	Dev. Pool car	2013	Toyota	Hilux	207000	Man	Diesel	Hilux Dual Cab	Auto	Diesel	5	\$70,000	\$ 50,000.00	Older vehicle high milage
			16KW	P57	Ranger	2012	Toyota	Hilux	128000	Man	Diesel	Hilux Dual Cab	Auto	Diesel	5	\$95,000	\$ 75,000.00	Older vehicle high milage. New vehicle including Ranger pod
			1DMN	P52	Nissan	2010	Nissan	Navara	100000	Man	Diesel	Hilux Dual Cab	Auto	Diesel	5	\$65,000	\$ 55,000.00	Older age vehicle due for replacement
																	\$ 290,000.00	

13.3 AWARD OF TENDER T9-2022 FOR CAMBALLIN ROAD RESHAPING AND RE-SHEETING**File Number:** 0481**Author:** Ron Delvin, Engineering Technical Officer**Responsible Officer:** Wayne Neate, Director Technical and Development Services**Authority/Discretion:** Executive**SUMMARY**

This item is for Council to consider the awarding of Tender T9-2022 being the contract works required for the Gravel Reshaping and Re-sheeting of Camballin Road. It is proposed that the Tender be awarded to Buckley's Earthworks and Paving (BEP).

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

In Council's 2022-2023 budget, funding has been allocated for improvement works to reshape and re-sheet Camballin Road. The works are proposed to be carried out between Straight Line Kilometre (SLK) SLK 16 to SLK 22.22 and SLK 24.56 to 26.15.

It is recognised that the Camballin Road is one of the most used roads outside of the town sites and therefore does require extensive works on a continual basis. Shire officers have carried out several inspections on the section of road concerned to ascertain the most appropriate locations for treatment.

STATUTORY ENVIRONMENT

Local Government Act 1995 – 3.57 Tenders for the providing goods or services and Local Government (Functions and General) Regulations 1996 Part 4 Tenders for providing goods or services.

POLICY IMPLICATIONS

- Section 8 - Purchase of Goods and Services
- Regional Price preference Policy AF33

FINANCIAL IMPLICATIONS

Funds for the undertaking of this contract are contained within the 2022-2023 budget for the Camballin Road works, submitted prices as per the confidential attachment. The funds are made up of Road Project Grant (RPG) from Main Roads Western Australia and Roads to Recovery (R2R) Commonwealth funding programme.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
4. Environment	4.2 Liveable Communities	4.2.3 Encourage and facilitate the maintenance and development of infrastructure that connects our

		communities
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RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Business Interruption: Pastoralists unable to import fuel/fodder and export cattle.	Almost Certain	Severe	Extreme	Maintain roads to industry standards
Community: Access to communities restricted.	Likely	Moderate	High	Maintain roads to industry standards

CONSULTATION

Tender T9-2022 – Gravel Reshaping and Re-Sheeting of the Camballin Road.

The advertised Tender allowed for a minimum of fourteen days for individuals or companies to submit tenders, which included the opportunity to view and inspect the construction site. Council officers have carried out several inspections and prepared working drawings for the projects.

Following the tender advertisement, one request was made for the applicable tender documents.

At the close of tenders on 8th March 2023, submitted tender documents were received from:

- Buckley's Earthworks and Paving

Please note that the tender submission period was extended by one month as a result of the extreme Flooding that occurred to allow contractors access to the various roads of the Shire.

COMMENT

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by the only Tenderer.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	15
Demonstrated Understanding	15
Local Supplier Details	10
Quality Management Systems	20
Risk	10

A score summary is shown below:

Buckley's Earthworks and Paving	C1
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		C1
Relevant Experience 15%	Weighted Score	13.7
Key Personnel Skills & Experience 15%	Weighted Score	13.0
Tender Resources 15%	Weighted Score	14.3
Demonstrated Understanding 15%	Weighted Score	12.3
Local Supplier Details 10%	Weighted Score	8.7
Quality Management System 20%	Weighted Score	17.7
Risk 10%	Weighted Score	9.3
Totals	100%	89.0

As seen in the table above, the total criteria scores are very similar in the Assessment Criteria for T9-2022 Camballin Reshape and Re-sheet. BEP are capable of undertaking the work and using the best value for money approach it is therefore recommended that this contract be awarded to Buckley's Earthworks and Paving.

It should be noted that the SLK's for this work may be adjusted to perform work outside of Flood damage restoration works to maximise the outcomes for road users and the shire.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Confidential Pricing information - Confidential

RECOMMENDATION

That Council:

- Award Tender T9-2022 Camballin Road Reshape and Re-sheet works to Buckley's Earthmoving and Paving (BEP); and**
- Authorise the CEO to negotiate a reduced scope of work with BEP in order to keep the cost of the project within the available budget amount.**

13.4 AWARD OF TENDER T10-2022 FOR FAIRFIELD LEOPOLD ROAD RESHAPING AND RE-SHEETING**File Number:** 0481**Author:** Ron Delvin, Engineering Technical Officer**Responsible Officer:** Wayne Neate, Director Technical and Development Services**Authority/Discretion:** Executive**SUMMARY**

This item is for Council to consider the awarding of Tender T10-2022 being the contract works required for the Gravel Reshaping and Re-sheeting of the Fairfield-Leopold Road. It is proposed that the Tender be awarded to Buckley's Earthworks and Paving (BEP).

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

Reshape/Re-sheet shoulders, batters, table drains and road pavement SLK 24.00 to 29.00, SLK 44.94 to 46.94 and SLK 57.00 to 60.00 on Fairfield-Leopold Downs road

STATUTORY ENVIRONMENT

Local Government Act 1995 – 3.57 Tenders for the providing goods or services and Local Government (Functions and General) Regulations 1996 Part 4 Tenders for providing goods or services.

POLICY IMPLICATIONS

- Section 8 - Purchase of Goods and Services
- Regional Price preference Policy AF33

FINANCIAL IMPLICATIONS

Funds for the undertaking of this contract are contained within the 2022-2023 budget for the Fairfield-Leopold Downs Road works, submitted prices as per the confidential attachment. The funds are made up of Road Project Grant (RPG) from Main Roads Western Australia and Roads to Recovery (R2R) Commonwealth funding programme.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
4. Environment	4.2 Liveable Communities	4.2.3 Encourage and facilitate the maintenance and development of infrastructure that connects our communities

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Business Interruption: Impact to tourism businesses using this route.	Almost Certain	Severe	Extreme	Maintain roads to industry standard
Community: Access to communities restricted.	Likely	Moderate	High	Maintain roads to industry standard

CONSULTATION

Tender T10-2022 – Gravel Reshaping and Re-Sheeting of the Fairfield-Leopold Road.

The advertised Tender allowed for a minimum of fourteen days for individuals or companies to submit tenders, which included the opportunity to view and inspect the construction site. Council officers have carried out several inspections and prepared working drawings for the projects.

Following the tender advertisement, one request was made for the applicable tender documents.

At the close of tenders on 8th March 2023, submitted tender documents were received from:

- Buckley's Earthworks and Paving

Please note that the tender submission period was extended by one month as a result of the extreme Flooding that occurred to allow contractors access to the various roads of the Shire.

COMMENT

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by the only Tenderer.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	15
Demonstrated Understanding	15
Local Supplier Details	10
Quality Management Systems	20
Risk	10

A score summary is shown below:

Buckley's Earthworks and Paving	C1
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		C1
Relevant Experience 15%	Weighted Score	13.7
Key Personnel Skills & Experience 15%	Weighted Score	13.0
Tender Resources 15%	Weighted Score	14.0
Demonstrated Understanding 15%	Weighted Score	13.3
Local Supplier Details 10%	Weighted Score	9.0
Quality Management System 20%	Weighted Score	17.3
Risk 10%	Weighted Score	8.7
Totals	100%	89.0

As seen in the table above, the total criteria scores are similar in the Assessment Criteria for T10-2022 the Gravel Reshaping and Re-sheeting of the Fairfield-Leopold Road. BEP are capable of undertaking the work and using the best value for money approach it is therefore recommended that this contract be awarded to Buckley's Earthworks and Paving.

It should be noted that the SLK's for this work may be adjusted to perform work outside of Flood damage restoration works to maximise the outcomes for road users and the shire.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. Scoring Sheet T2022-10 Fairfield-Leopold Road Reshape and Re-sheeting - Confidential

RECOMMENDATION

That Council

- Award Tender T10-2021 Fairfield –Leopold Road Reshape and Re-sheet works to Buckley's Earthmoving and Paving (BEP); and**
- Authorise the CEO to negotiate a reduced scope of work with BEP in order to keep the cost of the project within the available budget amount.**

13.5 AWARD OF TENDER T11-2022 FOR THE CALWYNYARDAH-NOONKANBAH ROAD RESHAPING AND RE-SHEETING**File Number:** 0481**Author:** Ron Delvin, Engineering Technical Officer**Responsible Officer:** Wayne Neate, Director Technical and Development Services**Authority/Discretion:** Executive**SUMMARY**

This item is for Council to consider the awarding of Tender T11-2022 being the contract works required for the Gravel Reshaping and Re-sheeting of Calwynyardah-Noonkanbah Road. It is proposed that the Tender be awarded to Buckley's Earthworks and Paving (BEP).

DISCLOSURE OF ANY INTEREST

Nil by Author and Responsible Officer.

BACKGROUND

In Council's 2022-2023 budget, funding has been allocated for improvement works to reshape and re-sheet Calwynyardah-Noonkanbah road. The works are proposed to be carried out between Straight Line Kilometre (SLK) SLK 43.60 to SLK 46.10, SLK 23.80 to 26.80 and SLK 62.90 to 63.70.

It is recognised that the Calwynyardah-Noonkanbah Road services many communities and pastoral leases and require extensive works on a continual basis. Shire officers have carried out several inspections on the section of road concerned to ascertain the most appropriate locations for treatment.

STATUTORY ENVIRONMENT

Local Government Act 1995 – 3.57 Tenders for the providing goods or services and Local Government (Functions and General) Regulations 1996 Part 4 Tenders for providing goods or services.

POLICY IMPLICATIONS

- Section 8 - Purchase of Goods and Services
- Regional Price preference Policy AF33

FINANCIAL IMPLICATIONS

Funds for the undertaking of this contract are contained within the 2022-2023 budget for the Calwynyardah-Noonkanbah Road works, submitted prices as per the confidential attachment. The funds are made up of Remote Aboriginal Access Roads (RAAR) from a combination of State and Commonwealth funding programmes.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
4. Environment	4.2 Liveable Communities	4.2.3 Encourage and facilitate the maintenance and development of

		infrastructure that connects our communities
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RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Business Interruption: Pastoralists unable to import fuel/fodder and export cattle.	Almost Certain	Severe	Extreme	Maintain roads to industry standard
Community: Access to communities restricted.	Likely	Moderate	High	Maintain roads to industry standard

CONSULTATION

Tender T11-2022 – Gravel Reshaping and Re-Sheeting of the Calwynyardah-Noonkanbah Road.

The advertised Tender allowed for a minimum of fourteen days for individuals or companies to submit tenders, which included the opportunity to view and inspect the construction site. Council officers have carried out several inspections and prepared working drawings for the projects.

Following the tender advertisement, one request was made for the applicable tender documents.

At the close of tenders on 8th March 2023, submitted tender documents were received from:

- Buckley's Earthworks and Paving
- Robbro Road Construction

Please note that the tender submission period was extended by one month as a result of the extreme Flooding that occurred to allow contractors access to the various roads of the Shire.

COMMENT

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by both Tenderer's.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	15
Demonstrated Understanding	15
Local Supplier Details	10
Quality Management Systems	20
Risk	10

A score summary is shown below:

Buckley's Earthworks and Paving	C1
Robbro Road Construction	C2

		C1	C2
Relevant Experience 15%	Weighted Score	14.0	12.3
Key Personnel Skills & Experience 15%	Weighted Score	13.0	11.7
Tender Resources 15%	Weighted Score	14.3	12.0
Demonstrated Understanding 15%	Weighted Score	12.3	10.3
Local Supplier Details 10%	Weighted Score	9.0	7.3
Quality Management System 20%	Weighted Score	18.0	13.7
Risk 10%	Weighted Score	9.0	7.3
Totals	100%	89.7	74.7

As seen in the table above, the total criteria scores are similar in the Assessment Criteria for T11-2022 the Gravel Reshaping and Re-sheeting of Calwynyardah-Noonkanbah Road. BEP are capable of undertaking the work and using the best value for money approach it is therefore recommended that this contract be awarded to Buckley's Earthworks and Paving.

It should be noted that the SLK's for this work may be adjusted to perform work outside of Flood damage restoration works to maximise the outcomes for road users and the shire.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. T2022-11 Confidential price scoring sheet - Confidential

RECOMMENDATION

That Council

- Award Tender T11-2022 Calwynyardah-Noonkanbah Road Reshape and Re-sheet works to Buckley's Earthmoving and Paving (BEP); and**
- Authorise the CEO to negotiate a reduced scope of work with BEP in order to keep the cost of the project within the available budget amount.**

14 DEVELOPMENT SERVICES

14.1 FINAL ADOPTION OF THE 2022 LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS

File Number: 4212

Author: Wayne Neate, Director Technical and Development Services

Responsible Officer: Amanda Dexter, Chief Executive Officer

Authority/Discretion: Executive

SUMMARY

Council is to consider the final adoption of the 2022 Local Emergency Management Arrangements following some minor amendments and re-endorsement at the Local Emergency Management Committee.

DISCLOSURE OF ANY INTEREST

Nil for Author and Responsible Officer.

BACKGROUND

Local governments have a legislated responsibility under s.36(a) of *the Local Government Act 2005* to “ensure that effective local emergency management arrangements are prepared and maintained for its district”.

The aim of the Shire of Derby/West Kimberley (SDWK) Local Emergency Management Arrangements (LEMA) is to document the emergency management arrangements that are in place and ensure a common understanding between agencies and stakeholders involved in managing emergencies within the Shire, which will facilitate a coordinated and consistent approach to managing emergencies.

The SDWK Local Emergency Management Committee (LEMC) has developed the Local Emergency Management Arrangements (LEMA) in accordance with the requirements of Section 41 of the Emergency Management Act 2005, and State Emergency Policy 2.5 – Local Arrangements.

The LEMA has been prepared in accordance with the State Emergency Management procedures and endorsed by the SDWK LEMC at its meeting held on 7 June 2022 where they were adopted and put before Council on the 29th June 2022 Minute no 80/22 it resolved as follows:

RESOLUTION 80/22

Moved: Cr Andrew Twaddle

Seconded: Cr Keith Bedford

That Council:

- 1. Adopt the Local Emergency Management Arrangements (LEMA), in accordance with the requirement of the *Emergency Management Act 2005*.**
- 2. Request the Chief Executive Officer to forward a copy of the LEMA to the State Emergency Management Committee.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

There were some minor changes suggested by the Department of Fire and Emergency Services regional State Emergency Management officer which have now been made and again endorsed by the LEMC which is as per minutes of the 14th December 2022 meeting which have been attached. It is now returning to Council for Final endorsement.

STATUTORY ENVIRONMENT

Local Government Act 2005

Emergency Management Act 2005

POLICY IMPLICATIONS

None known

FINANCIAL IMPLICATIONS

The responsibilities for funding of emergency response activities is outlined in the State Emergency Management Policy 5.12 – Funding for Emergency Response and State Emergency Management Plan 5.4 - Funding for Emergency Response.

The LEMA states that the Shire is committed to expending such necessary funds within its current budgetary constraints as required to ensure the safety of its residents and visitors.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.2 Maximise local opportunities
	1.2 Capable, inclusive and	1.2.4 Attract and effectively use

	effective organisation	resources to meet community needs
	1.3 Effective Communication	1.3.3 Use multiple channels to distribute information about services, programs, places and spaces

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Council does not have effective LEMA in place they are in breach of s.36 of the Emergency Management Act 2005	Possible	Moderate	Medium	Council to adopt the Arrangements to ensure a common understanding between agencies and stakeholders involved in managing emergencies within the Shire, which will facilitate a coordinated and consistent approach to managing emergencies

CONSULTATION

Consultation has now occurred through the SDWK LEMC

COMMENT





Local governments have an obligation under State legislation and policy to ensure LEMA's are in place as part of the State emergency management framework. Approval by Council is required as part of the State emergency Management Committee (SEMC) approval process. For privacy reasons, Attachment 1 does not include those LEMA appendices that refer to persons and/or operations of specified organisations the appendices have been attached as confidential items. A complete draft LEMA may be requested under separate cover.

The Plans have now been formally adopted by the LEMC which then allows formal adoption by Council prior to providing the documents to the SEMC.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. LEMC - 2022 December Minutes  
2. Version 3 Draft LEMA  
3. Appendix 1 - Confidential
4. Appendix 2 - Confidential
5. Appendix 3 - Confidential
6. Appendix 4,5,6,7 and 8 - Confidential

RECOMMENDATION**That Council:**

- 1. Adopt the Local Emergency Management Arrangements (LEMA), in accordance with the requirement of the *Emergency Management Act 2005* as it has now been approved by the Local Emergency Management Committee following minor amendments.**
- 2. Request the Chief Executive Officer to forward a copy of the LEMA to the State Emergency Management Committee.**



**Shire of Derby /
West Kimberley**

**SHIRE OF WEST KIMBERLEY DERBY
LOCAL EMERGENCY MANAGEMENT
COMMITTEE MEETING**

Minutes – Wednesday 14th December, 2022

Council Chambers, Derby

Commenced at 10.33am

 www.sdwk.wa.gov.au

LEMC MINUTES: 14 DECEMBER 2022

1.0 DECLARATION OF OPENING

The meeting opened by Andrew Twaddle at 10.31am

2.0 RECORD OF ATTENDANCE

2.1 Attendance

Name	Agency
Wayne Neate	Shire of Derby/West Kimberley
Andrew Twaddle	Shire of Derby/West Kimberley
Mark Chadwick	Shire of Derby/West Kimberley
Colleen Boldison	Shire of Derby/West Kimberley
Rowan Scott	Shire of Derby/West Kimberley
Gareth Cornish	DFES
Matt Reimer	DFES
Eliot Money	Derby District High School
Chris Manu	Juniper
Nazir Ahmed Muddi	Horizon Power

2.2 Apologies

Name	Agency
Adam Cornish	Defence
Jane Salt	Looma Remote School
Katherine Yu	NIAA
Megan Spence	Dept of Communities
Kate Matthews	
Lana Warren	
Mitchell Kirk	
David Keating	Horizon Power
Kelly Brierty	DVFRS
Gerry Zoetelief	MRDWA
Shelley Kneebone	DAHS
Leon Gardner	DFES
Heather Murchie	Dept of Justice
Amanda Dexter	SDWK

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

LEMC MINUTES: 14 DECEMBER 2022

COMMITTEE DECISION:

Moved: Eliot Money **Seconded:** Wayne Neate

That the Minutes of the Local Emergency Management Committee Meeting held on 11th October 2022 be confirmed.

Carried

4.0 BUSINESS ARISING FROM LAST MEETING

- ☐ NIL.

5.0 STANDING ITEMS**5.1 Incident Review**

- ☐ NIL.

5.2 Review of LEMC Contact List

- ☐ Contact list moving around – please update
- ☐ Any further updates please send through to
- ☐ colleen.boldison@sdwk.wa.gov.au

5.3 Review of Resource List

- ☐ Resources list attached to be updated.
- ☐ Please send updated through to colleen.boldison@sdwk.wa.gov.au

5.4 Shire of Derby West Kimberley Local Emergency Management Arrangements (LEMA and Local Recovery Plan (LRP))

Final plan to be endorsed.

COMMITTEE DECISION:

Moved: Christie Mildenhall **Seconded:** Eliot Money

That the plan of the Shire of Derby West Kimberley Local Emergency Management Arrangements (LEMA and Local Recovery Plan (LRP)) be endorsed by the Committee.

CARRIED

6.0 REPORTS FROM MEMBERS

LEMC MINUTES: 14 DECEMBER 2022

- 6.1 SES**
 - ☐ Training and Seasonal preparation for the Wet season continues.
- 6.2 WAPOL**
 - ☐ Nil.
- 6.3 WACHS**
 - ☐ Nil
- 6.4 Dept. of Communities**
 - ☐ Nil
- 6.5 Horizon Power**
 - ☐ Nil
- 6.6 RAAF**
 - ☐ Norforce – Derby & Broome are on stand down until 15/01/2023. All contact numbers are still the same
- 6.7 Main Roads**
 - ☐ Nil.
- 6.8 DVFS**
 - ☐ On Christmas break but do still have minimum members for callouts.
- 6.9 DFES**
 - ☐ Matt Reimer - Preparing for the Wet Season. Have already conducted Community re-supply to the East & Central areas from the previous rainfall we had.
- 6.10 SDWK**
 - ☐ Wayne Neate – Nothing unusual. Road Reports – training staff where to direct public for road reports. We have lost a couple of cars already and thankfully no loss of life. Reminder to all – don't drive in floods and to monitor road reports.
- 6.11 DDHS**
 - ☐ ACM removal plan for the old Library 19/01/2023. Letter sent out to surrounding residents tomorrow (15/12/2022). Low
- 6.12 Winun Ngari**
 - ☐ Nil
- 6.13 DAHS**
 - ☐ Nil
- 6.14 Other Agencies**
 - ☐ Nil.

LEMC MINUTES: 14 DECEMBER 2022

7.0 GENERAL BUSINESS**7.1 Any other Business**

☐ Nil

8.0 CLOSURE**8.1 Date of Next Meeting**

The next meeting is 10th December 2022 at 10.30am at the Shire Chambers, Derby.

9.2 Closure of Meeting

The Chair closed the meeting at 10.47am

Attachment 7.1**2022 MEETING DATES**

Unless determined otherwise by the Committee Chairman, the following meeting dates will apply for 2022:

Tuesday	8 th November 2022	10.30am	Council Chambers, Derby
Tuesday	6 th December 2022	10.30am	Council Chambers, Derby
Tuesday	10 th January 2023	10.30am	Council Chambers, Derby
Tuesday	7 th February 2023	10.30am	Council Chambers, Derby



Shire of Derby / West Kimberley

Shire of Derby/West Kimberley Local Emergency Management Arrangements 2022

Endorsed by Local Emergency Management Group (LEMC):
Endorsed by the Council of the Shire of Derby/West Kimberley:
Noted by the District Emergency Management Committee (DEMC):
Noted by the State Emergency Management Committee (SEMC):

☐
☐

Public Version

Restricted Version

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The Shire of Derby/West Kimberley Emergency Management Arrangements have been prepared pursuant to Section 41(1) of the Emergency Management Act 2005 and endorsed by the Local Emergency Management Committee.

A copy of the arrangements has been submitted to the Kimberley District Emergency Management Committee (DEMC) for noting in accordance with State Emergency Management Preparedness Procedure 8: Local Emergency Management Arrangements and then for noting with the State Emergency Management Committee (SEMC) pursuant to Section 41(5) of the Emergency Management Act 2005.

1. ENDORSEMENT

These Local Emergency Management Arrangements have been produced and issued under the authority of S. 41(1) of the [Emergency Management Act 2005](#), endorsed by the Derby/West Kimberley Local Emergency Management Committee and the Council of the Shire of Derby/West Kimberley. The Arrangements have been tabled for noting with the Kimberley District Emergency Management Committee and State Emergency Management Committee.

_____ Date: _____

Shire President
Shire of Derby/West Kimberley
Chair Derby/West Kimberley Local Emergency Management Committee

_____ Date: _____

Officer In Charge
Fitzroy Crossing
Derby/West Kimberley Local Emergency Management Committee

_____ Date: _____

Officer In Charge
Derby
Derby/West Kimberley Local Emergency Management Committee

_____ Date: _____

Chief Executive Officer
Shire Derby/West Kimberley

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3. DISTRIBUTION LIST

3.1 Full Unrestricted Version

Official copies of this document are distributed in pdf format only and are provided electronically to the organisations and individuals named below. Members of the public wishing to obtain a copy of this document can do so by application to the Shire of Derby/West Kimberley through the following email address: sdwk@sdwk.wa.gov.au.

Hard copy versions of this document may not be accurate.

Table 1 Distribution List

Organisation	Copies
Shire of Derby/West Kimberley Administration	1
Shire of Derby/West Kimberley Chief Executive Officer	1
Kimberley District Emergency Management Committee (Executive Officer to distribute to members)	1
District Emergency Management Advisor – Department Fire and Emergency Services	1
WA Police – Derby Police Station	1
WA Police – Fitzroy Crossing Police Station	1
WA Police – Looma Police Station	1
Department of Fire & Emergency Services – Shire of Derby/West Kimberley	1
Shire of Wyndham/East Kimberley, Shire of Broome, Shire of East Pilbara and Shire of Halls Creek	1ea
Derby Hospital	1
Fitzroy Crossing Hospital	1

3.2 Restricted Version – Public Access

Table 2 Public Access List

Public Access	Copies
Shire of Derby/West Kimberley Administration Office – Reception 30 Loch Street Derby	1
Fitzroy Crossing Administration Office - Front Reception - Flynn Drive Fitzroy Crossing	1
Derby Public Library	1
Fitzroy Crossing Public Library	1
Shire of Derby/West Kimberley website: https://www.sdwk.wa.gov	

3.3 Amendment Record

Suggestions and comments from the community and stakeholders can help improve the arrangements and subsequent amendments.

Feedback can include:

- ☐ What you do or do not like about the arrangements;
- ☐ Unclear or incorrect expression;
- ☐ Out of date information or practices; Inadequacies;
- ☐ Errors, omissions or suggested improvements.

To forward feedback, copy the relevant section, mark the proposed changes and forward it to:

The Chairperson
Local Emergency Management Committee
Shire of Derby/West Kimberley
PO Box 94
DERBY WA 6728
Alternatively email – sdwk@sdwk.wa.gov.au

*The Chairperson will refer any correspondence to the LEMC for consideration and or approval.
Amendments promulgated are to be certified in the below table when updated.*

Table 3 Versions

Version No.	Amendment Date	Details of Amendment	Author
1	31/10/2012	Draft LEMA 2012	Greg Cook
2	29/12/2015	Review	Wayne Neate
3	May 2021	Complete review and re-write of LEMA 2022	Lewis Winter
4	March 2022	Review/Update	Robert Paull

3.4 Glossary of Terms and Acronyms

Terminology used throughout this document shall have the meaning as prescribed in either section 3 of the Emergency Management Act 2005 or as defined in the [State EM Glossary](#) or the [WA Emergency Risk Management procedure](#).

District: means an area of the State that is declared to be a district under section 2.1 Local Government Act 1995.

Municipality: Means the district of the local government.

3.5 General acronyms used in these arrangements

BFS	Bush Fire Service
CEO	Chief Executive Officer
Communities	Department of Communities
DBCA	Department of Biodiversity, Conservation and Attractions
DEMC	District Emergency Management Committee
ECC	Emergency Coordination Centre
EM	Emergency Management
DFES	Department of Fire and Emergency Services
HMA	Hazard Management Agency
ISG	Incident Support Group

<i>LEC</i>	<i>Local Emergency Coordinator</i>
<i>LEMA</i>	<i>Local Emergency Management Arrangements</i>
<i>LEMC</i>	<i>Local Emergency Management Committee</i>
<i>LRC</i>	<i>Local Recovery Coordinator</i>
<i>LRCC</i>	<i>Local Recovery Coordination Group</i>
<i>SEC</i>	<i>State Emergency Coordinator</i>
<i>SEMC</i>	<i>State Emergency Management Committee</i>
<i>SES</i>	<i>State Emergency Service</i>
<i>SEWS</i>	<i>Standard Emergency Warning Signal</i>
<i>Shire</i>	<i>Shire of Derby/West Kimberley</i>
<i>SOP</i>	<i>Standard Operating Procedures</i>

4. OVERVIEW - SHIRE OF DERBY/WEST KIMBERLEY

4.1 Community consultation

The Shire of Derby/West Kimberley Local Emergency Management Committee sought community consultation through the Local Emergency Management Committee, District Emergency Management Committee and public comment in regard to the Local Emergency Management Arrangements for a period of three weeks, having published a draft copy on the Shire website inviting public comment.

4.2 Document Availability

Restricted copies of these arrangements are available free of charge and can be found as follows:

Hardcopy: Shire Administration Centre – Derby
30 Lock Street Derby – during normal business hours

Online: Shire website: <https://www.sdwk.wa.gov>

4.3 Area Covered

The Shire encompasses an area of about 104,080 square kilometres. It is 2,375 kilometres north of Perth (Note 4.9 Geographic Location Map (page 4)). Local Governments adjoining the Shire:

- ☐ Shire of East Pilbara to the south,
- ☐ Shire of Wyndham East Kimberley to the north,
- ☐ Shire of Halls Creek to the east.
- ☐ Shire of Broome to the south west.

The Shire maintains coastal positioning to the west. The Derby town-site is located in the west in the King Sound coastal area. There are three townsites in the Shire comprising **Derby, Camballin** and **Fitzroy Crossing**. The two main towns are Derby and Fitzroy Crossing

4.1.1 Derby

Located on the King Sound, Derby has the highest tides in Australia with peak tide differential of 11.8 metres. Derby supports a population of approximately 3,325 people (2016 census). Derby is rich in cultural diversity with some 47% of the population of Aboriginal and Torres Strait Islander descent. The Mowanjum Community is 10km south of Derby with a seasonal population that varies between 300 to 500 people (2016 census).

4.1.2 Fitzroy Crossing

The town of Fitzroy Crossing is located 400 kilometres east of Shire of Derby/West Kimberley and 300 kilometres west of Halls Creek and is approximately 2,524 kilometres from Perth. Fitzroy Crossing is 114 metres above sea level and is situated on a low rise surrounded by the vast floodplains of the Fitzroy River and its tributary Margaret River. This gives rise to susceptibility to flooding as experienced in February 2022.

4.1.3 Camballin

The town of Camballin is located on the Camballin Station approximately 110km south of Derby and Fitzroy Crossing. The population at last census (2016) was 729. The Department of Water, Environment and Regulation has prepared this Drinking Water Source Protection Plan to report on the activities and risks to water quality within the Camballin Water Reserve and to recommend management strategies to minimise the identified risks.

4.2 Topography of the Shire

Yampi Peninsula lies in a transitional area between the high-rainfall of tropical north Kimberley and the drier conditions characteristic of central Western Australia. These different environments meet in a complex landscape of plains, dissected sandstone plateaus and rugged mountains. The central Kimberley, which includes the periphery of north Kimberley plateau country and the King Leopold Ranges, are very rugged physical structures. This coastline is subject to one of the highest tidal ranges anywhere in the world.

4.3 Climate

Derby is 8m above sea level. The climate here is considered a local steppe climate. During the year, there is little rainfall in Derby. The average annual temperature is 28.2°C. The rainfall is around 655 mm per year.

The driest month is August, often with 0 mm of rain. Most precipitation falls in January, with an average of 204 mm. November is the warmest month of the year where temperature averages 31.3°C. In July, the average temperature is 23.5°C and is the lowest average temperature of the whole year. Fitzroy Crossing has a prevailing semi-arid climate. It is warm to hot all year round stifling tree growth because of drought like conditions. It consists mainly of sand with grasses and sometimes shrubs. The average annual temperature for Fitzroy Crossing is 18°C and there is about 330 mm of rain in a year. It is dry for 199 days a year with an average humidity of 75%.

4.4 Power Supply

Electricity in Derby and Fitzroy Crossing is supplied by Horizon Power and is distributed through a mixture of overhead and underground assets. The outlying communities have their own diesel power generation and distribution systems.

4.5 Transport

The area is accessible by road and air and Derby is accessible by sea.

4.5.1 Road

Access to the Derby town site is by the Derby Highway carrying on from the Great Northern Highway, which then leads to Fitzroy Crossing and further east to Halls Creek and Kununurra. The Gibb River Road also provides access to part of the Shire.

4.5.2 Air

Derby Airport is an all-weather airport servicing the towns and district area. Whilst the Shire owned Airport the runway length is 1736m and has a PCN of 24 no larger carrier currently operates out of this airport but numerous smaller private and commercial aircraft use this airport and a limited Cessna Caravan based passenger service operates between Derby and Broome (Aviair).

RAAF Base Curtin, is a joint use Royal Australian Air Force (RAAF) military air base and civil airport located 35 km southeast of the town of Derby. No RAAF units are permanently based at Curtin and a small caretaker staff maintains it during peacetime. Runway length is 3049m and has a PCN of 41.

Fitzroy Crossing Airport is located 3.7 km northwest of Fitzroy crossing. The Shire owned Airport has basic amenities including an undercover waiting area, water fountain and toilet facility for passengers. The airport has a number of private hangars and helipads for light aircraft and small regional air services. Runway length is 1300m and has a PCN of 10.

4.5.3 Sea

The townsite of Derby is serviced via the Derby Harbour and wharf where a variety of light shipping enters and utilises wharf facilities.

4.6 Water Supply

The all three towns are entirely dependent on groundwater for its water supply. For Derby, its groundwater is sourced from the Lower Erskine Sandstone Formation, which is considered a confined aquifer system, situated at a minimum depth of approximately 200 metres from the surface. The same applies for Camballin, Fitzroy Crossing and communities which all rely on ground water being extracted.

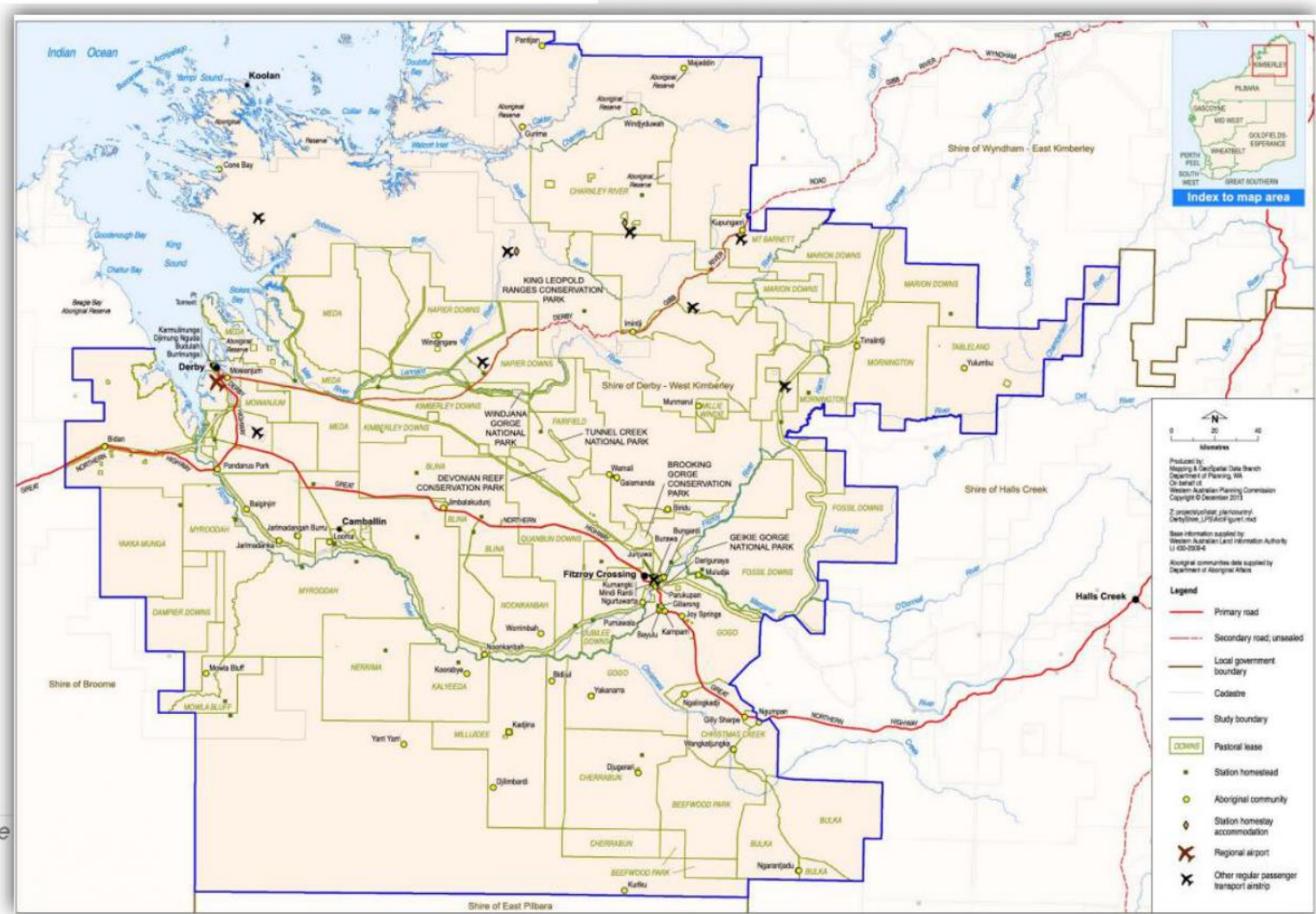
4.7 Sewerage

Wastewater is the used water from households and business that is disposed of through the sewerage network (or into septic tanks in some areas). Wastewater is 99.97 per cent water as the majority is sourced from showers, baths and washing machines. The remainder is dissolved and suspended matter.

4.8 Communications

The Shire has an extensive Telstra network with associated support facilities for cable, microwave, digital and analogue phones. The Royal Flying Doctor Service operates a radio network that takes in Derby and Fitzroy Crossing and all remote communities.

4.9 Geographic Location Map



5. EMERGENCY MANAGEMENT PLANNING

5.1 Aim

The aim of these arrangements is to provide an understanding of the emergency management arrangements for the district and ensure collaboration and a consistent approach to emergency management between agencies and stakeholders in the event of an emergency within the Shire boundaries.

5.2 Purpose

The purpose of these emergency management arrangements is to set out:

- a) the Shire's policies for emergency management;
- b) the roles and responsibilities of public authorities and other persons involved in emergency management in the Shire;
- c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph b);
- d) a description of emergencies that are likely to occur in the Shire;
- e) strategies and priorities for emergency management in the Shire;
- f) other matters about emergency management in the Shire prescribed by the regulations; and
- g) other matters about emergency management in the Shire that the local government considers appropriate (s.41(2) of the Emergency Management Act 2005 (EM Act)).

5.3 Scope

These arrangements are to ensure the community is prepared to deal with the identified emergencies should they arise. It is not the intent of this document to detail the procedures for Hazard Management Agencies (HMA) in dealing with an emergency. These should be detailed in the HMAs' individual plans. Furthermore:

- ☐ This document applies to the local government district of the Shire;
- ☐ This document covers areas where the Shire provides support to HMAs in the event of an incident;
- ☐ This document details the Shire capacity to provide resources in support of an emergency, while still maintaining business continuity; and
- ☐ The Shire's responsibilities in relation to recovery management.

These arrangements are to serve as a guideline to be used at the local level. Incidents may arise that require action or assistance from district, state or federal level.

6. RELATED DOCUMENTS AND ARRANGEMENTS

6.1 Local Emergency Management Policies

The Shire does not currently have any formal local emergency management policies.

6.2 Existing Plans and Arrangements

To enable integrated and coordinated delivery of emergency management within the Shire, these arrangements are consistent with State Emergency Management Policies and State Emergency Management Plans. Copies of relevant state plans including State Hazard Plans (WESTPLANS) are available on the SEMC website. Reference is made to local plans and documents throughout these arrangements and hard copies can be found in the 'Local Emergency Management Arrangements' file.

6.2.1 State:

- ☐ SEMC Arrangements
- ☐ State Hazard Plans (WESTPLAN) and Support Plans
- ☐ State Emergency Welfare Plan

6.2.2 Local Plans

Table 4 Local Plans

Document	Owner	Location	Date
Derby Cyclone Plan	Shire of Derby/West Kimberley	Shire Office Derby	Undated
Derby Airport	Shire of Derby/West Kimberley	Shire Office Derby	Undated
Derby Port Cyclone Response Plan	Shire of Derby/West Kimberley	Shire Office Derby	Undated

Document	Owner	Location	Date
Shire of Derby/West Kimberley Community Disaster Recovery Plan	Shire of Derby/West Kimberley	Shire Office Derby	Undated
Shire of Derby/West Kimberley Waste Management Facility Fire Management Plan	Shire of Derby/West Kimberley	Shire Office Derby	2012
Local Emergency Welfare Plan (Derby) Local Emergency Welfare Plan (Fitzroy Crossing)	Department of Communities -	Shire of Derby/West Kimberley Website	May 2022

6.3 Agreements, Understanding and Commitments

Table 5: Agreements, Understanding and Commitments

Parties to the Agreement	Summary of the Agreement
Shire of Shire of Derby/West Kimberley, Shire of Broome, Shire of Wyndham East Kimberley and Shire of Halls Creek	Memorandum of Understanding for the provision of mutual aid during emergencies and post incident recovery
DFES, Shire of Shire of Derby/West Kimberley, Shire of Broome, Shire of Wyndham East Kimberley and Shire of Halls Creek	Memorandum of Understanding for ongoing management and control of bush fire brigades and bush fire and emergency services in the Kimberley Region of Western Australia

6.4 Special Considerations

The Shire has a number of special considerations, which may contribute to the likelihood or severity of an emergency event.

Table 6: Special Considerations

Description	Time of Year	Potential Impact / No of People
Cyclone Season	November – April	Severe damage throughout Shire.
Wet Season	November - April	Flooding from cyclonic activity
Dry Season	May – October	Bushfire
Bushfire Season – ‘permits to burn’ required all year round	All year round	Bushfire
Dry Season	May – October	Large numbers of tourists throughout the Shire
The Gibb Challenge	Mid May	Large number of competitors. Bush fire risk
Mowanjum Festival	Late July	Large numbers – several hundred people at any one time Bushfire risk.
Boab Festival (Derby including Mardi Gras)	First Friday of July Scholl holidays for 2 weeks)	Large numbers – several hundred people at any one time
Rodeo (Derby Rodeo Fitzroy Crossing)		Large numbers – several hundred people at any one time
Picnic Races (Derby)		

6.5 Resources

The Hazard Management Agency (HMA) or its Control Agency (CA) is responsible for the determination of resources required for their specific hazards and operations.

Resources within the community and Shire have been identified in the Shire’s ‘Welfare Centres Facilities and Assets Directory’ (Refer **Appendix 1**) and within the Shire’s ‘Contacts Directory’ (**Appendix 2**) and ‘Resources Directory’ (**Appendix 3**).

Where possible the Shire’s resources will be made available upon request.

6.6 Roles & Responsibilities

6.6.1 Local roles and responsibilities

Table 7: Local roles and responsibilities

Local role	Description of responsibilities
Local government	The responsibilities of the Shire are defined in section 36 of the EM Act .
Local emergency coordinator	The responsibilities of the LEC are defined in section 37 of the EM Act .
Local recovery coordinator	To ensure the development and maintenance of effective recovery management arrangements for the local government. In conjunction with the local recovery committee to implement a post incident recovery action plan and manage the recovery phase of the incident. The Shire has designated the Director Technical and Development Services to perform the duties of the Local Recovery Coordinator. Should the Director Technical and Development Services not be available, the role will be performed by the Manager Development Services or another senior staff member at the direction of the CEO.
LG welfare liaison officer	During an evacuation where a local government facility is utilised by the Department of Communities provide advice, information and resources regarding the operation of the facility in accordance with the Shire of Derby/West Kimberley Emergency Welfare Shelter Procedures.
LG welfare liaison officer (con't)	The Shire has designated the Director Community Services to perform the duties of the Local Government welfare liaison officer. In the event the Director Community Services is not available the role will be performed by another senior staff member at the direction of the CEO.

<i>Local role</i>	<i>Description of responsibilities</i>
<i>LG liaison officer (to the ISG/IMT)</i>	<p><i>During a major emergency, the liaison officer attends ISG meetings to represent the Shire and provide local knowledge input and details in the LEMA. The Shire has designated the Senior Environmental Health Officer to perform the duties of the Local Government liaison officer.</i></p> <p><i>Where an ISG has not been formed, the liaison officer may be called upon to represent the local government directly to the Incident Controller. The LG liaison officer has authority to offer Shire resources and services to support the emergency response.</i></p>
<i>Local government – Incident management</i>	<ul style="list-style-type: none"> <input type="checkbox"/> <i>Ensure planning and preparation for emergencies is undertaken.</i> <input type="checkbox"/> <i>Implement procedures that assist the community and emergency services deal with incidents.</i> <input type="checkbox"/> <i>Ensure all personnel with emergency planning and preparation, response and recovery responsibilities are properly trained in their role.</i> <input type="checkbox"/> <i>Keep appropriate records of incidents that have occurred to ensure continual improvement of the Shires emergency response capability.</i> <input type="checkbox"/> <i>Liaise with the incident controller (provide liaison officer).</i> <input type="checkbox"/> <i>Participate in the ISG and provide local support.</i> <input type="checkbox"/> <i>Where an identified evacuation centre is a building owned and operated by local government, provide a liaison officer to support the Department of Communities.</i>

6.6.2 LEMC roles and responsibilities

The Shire has established a Local Emergency Management Committee (LEMC) under section 38(1) of [the EM Act](#) to oversee, plan and test the local emergency management arrangements.

The LEMC includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the community.

The LEMC plays a vital role in assisting our communities become more prepared for major emergencies by:

- ❑ Developing, enhancing and testing preparedness planning from a multi-agency perspective having local knowledge of hazards, demographic and geographic issues; they provide advice to Hazard Management Agencies to develop effective localised hazard plans;
- ❑ providing a multi-agency forum to analyse and treat local risk;
- ❑ providing a forum for multi-agency stakeholders to share issues and learnings to ensure continuous improvement.

The LEMC has the following functions under section 39 of [the EM Act](#):

- ❑ To advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- ❑ To liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- ❑ To carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

The LEMC membership must include at least one local government representative and the Local Emergency Coordinator.

Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC. The term of appointment of LEMC members shall be determined by the local government in consultation with the parent organisation of the members.

Table 8: Local Emergency Management Committee executive roles and responsibilities

Local role	Description of responsibilities
LEMC Chair	The Chairperson of the LEMC is appointed by the local government (s. 38 of the Emergency Management Act 2005). Responsibilities of the Chair include, provide leadership and support to the LEMC to ensure effective meetings and high levels of emergency management planning and preparedness for the local government district is undertaken.

Local role	Description of responsibilities
LEMC Executive Officer	<p>Provide executive support to the LEMC by:</p> <ul style="list-style-type: none"> □ Providing secretariat support including: <ul style="list-style-type: none"> ○ Meeting agenda; ○ Minutes and action lists; ○ Correspondence; ○ Committee membership contact register; □ Coordinate the development and submission of committee documents in accordance with legislative and policy requirements including: <ul style="list-style-type: none"> ○ Annual Report; ○ Annual Business Plan; ○ Local Emergency Management Arrangements; □ Facilitate the provision of relevant emergency management advice to the Chair and committee as required.

6.7 LEMC administration

The Shire LEMC is comprised of and is reflective of the community:

- A Chairperson, as appointed by the Shire;
- The Local Emergency Coordinator (LEC), as appointed by the State Emergency Coordinator (SEC);
- Local Recovery Coordinator;
- At least one Local Government representative;
- Representatives from local emergency management agencies located in the Shire;
- Welfare support agencies;
- State Government agencies;
- Local Industry representatives;
- Local Indigenous representatives;
- Special needs group representatives;
- Any other representatives as determined by the Shire (e.g. community champions); and
- Secretarial and administration support provided by the Shire.

6.8 Agency roles and responsibilities

In the event of an emergency, the local government will need to liaise with a range of state agencies who will be involved in the operational aspects of the emergency. Table 9 summarises the key roles:

Table 9: Agency roles and responsibilities

Controlling agency	<p><i>The Controlling Agency as defined by the State Emergency Management Policy section 5.2.1 as the agency with responsibility, either through legislation other than the Emergency Management Act 2005, or by agreement between a Hazard Management Agency (HMA) and one or more agencies, to control the response activities to an incident, as specified in the appropriate State Hazard Plan (formerly WESTPLAN).</i></p> <p><i>In most instances, when an incident escalates to become an emergency, the Controlling Agency and the HMA are the same agency. In response to an incident the Controlling Agency must appoint an Incident Controller (IC). The Incident Controller is responsible for:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>The overall control of an incident within a defined incident area, which may include the whole State in some incidents;</i> <input type="checkbox"/> <i>Leading an incident management team;</i> <input type="checkbox"/> <i>Assessing the incident level - if an incident is assessed as a Level 2 or Level 3 incident, the IC must make an incident level declaration in accordance with State EM Response Procedure 2;</i> <input type="checkbox"/> <i>Ensuring the accuracy of the 'emergency public information', approving its release in coordination with all relevant agencies and terminating its broadcast;</i> <input type="checkbox"/> <i>In consultation with the HMA, ensuring effective strategies for evacuation are implemented; and</i> <input type="checkbox"/> <i>Management of traffic during an emergency response. Where the Controlling Agency is not also the Hazard Management Agency, they shall conduct the above duties in consultation with the HMA.</i> <p><i>In the instance of an event requiring an emergency response where it is not clear who the Controlling Agency should be under existing statutory law or agency responsibilities, and a satisfactory agreement cannot be reached, then the WA Police shall assume control of the incident until such time as the appropriate Controlling Agency can be determined.</i></p>
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<p><i>Hazard management agency</i></p>	<p><i>A Hazard Management Agency (HMA) is 'to be a public authority or other person who or which, because of that agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for emergency management, or the prescribed emergency management aspect, in the area prescribed of the hazard for which it is prescribed.' (S.4 of the Emergency Management Act 2005).</i></p> <p><i>The HMA is prescribed in the Emergency Management Regulations 2006.</i></p> <p><i>The function of the HMA is to:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>Undertake responsibilities where prescribed in the Emergency Management Regulations 2006 for these aspects;</i> <input type="checkbox"/> <i>Appointment of Hazard Management Officers (s.55 of the Emergency Management Act 2005);</i> <input type="checkbox"/> <i>Dedare/ Revoke Emergency Situation (s.50 and s.53 of the Emergency Management Act 2005);</i> <input type="checkbox"/> <i>Coordinate the development of the WESTPLAN for that hazard SEMP No 1.5 Development and Review of State Emergency Management Plans; and</i> <p><i>Ensure effective transition to recovery by local government.</i></p>
<p><i>Combat agencies</i></p>	<p><i>A combat agency is defined by the State Emergency Management Policy section 5.3.3 as being responsible for response tasks at the request of the Controlling Agency/HMA in accordance with their legislative responsibilities or specialised knowledge.</i></p> <p><i>An example of this is the Fire and Rescue Service undertaking extrication of casualties at a motor vehicle accident where WA Police is the HMA and Controlling Agency.</i></p>
<p><i>Support organisation</i></p>	<p><i>A Support Organisation is responsible for specific activities in support of the Controlling Agency/HMA and may also support Combat Agencies and other Support Organisations upon request. An example may be the Salvation Army providing meals to a welfare centre.</i></p>

6.9 Special Threats/Risks Considerations

Description	Impacts
Culturally and Linguistically Diverse (CaLD)	The Shire has a multi-cultural population with a variety of languages being spoken in the home. During an emergency event, language may become a communication barrier. Local Agencies will be engaged to provide specific communications to our indigenous communities.
West Kimberley Industries	The area within the Shire of Derby/West Kimberley is host to a number of potential hazard facilities and industries. These may also trigger additional recovery requirements to be considered where an emergency event has resulted in a catastrophic failure of infrastructure in the area. A transient workforce is based in this area, which can fluctuate.
Transport	A substantial number of dangerous goods and heavy haulage vehicles enter and exit the Derby/West Kimberley area and rely on certain routes authorised for transportation. Any road closure affecting these roads will need to be communicated as a priority to the industries within the area, Main Roads WA and the WA Police.
Cultural and Environmental Values	The area is subject to strict cultural and environmental values. There are many locations identified as culturally sensitive, declared rare flora, threatened and priority ecological colonies.

6.10 Financial Arrangements

The principle of funding for emergencies is to ensure accountability for the expenditure incurred. The organisation with operational control of any resource shall be responsible for the payment for all related expenses associated with its operation during emergencies, unless other arrangements are established.

[State EM Policy Section 5.12](#), [State EM Plan Section 5.4 and 6.10](#) and [State EM Recovery Procedures 1-2](#) outlines the responsibilities for funding during multi-agency emergencies. While recognising the above, the Shire is committed to expending such necessary funds within its current budgetary constraints as required to ensure the safety of its residents and visitors.

6.10.1 Authority to Incur Expense

The Chief Executive Officer, or delegate authority (e.g. Local Recovery Coordinator), should be approached immediately where an emergency event occurs that requires resourcing by the Shire, to ensure the desired level of support is achieved.

6.10.2 Response

All Shire resources are registered and identified in **Appendix 3** 'Contacts and Resources Directory'. Staff and resources are available for response to emergencies in accordance with section 38 and section 42 of the *Emergency Management Act 2005*.

7. LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

7.1 Introduction

The Shire has established a Local Emergency Management Committee/s (LEMC) under section 38(1) of the [Emergency Management Act \(2005\)](#) to oversee, plan and test the local emergency management arrangements. The LEMC is not an operational committee but a working group, which includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the Shire of Derby/West Kimberley area. LEMC/s will assist in developing local emergency management arrangements and planning, and coordinating its emergency management partners/stakeholders within its district.

7.2 LEMC Role

Performs a vital role in assisting the Shire of Derby/West Kimberley and its community become aware and prepared for major emergencies by:

- ☐ *Developing, enhancing and testing preparedness planning from a multi-agency perspective having local knowledge of hazards, demographic and geographic issues.*
- ☐ *Providing advice to HMA/CAs so localised hazard plans can be developed.*
- ☐ *Providing a multi-agency forum to analyse and treat local risk.*
- ☐ *Providing a forum for multi-agency stakeholders to share issues and learnings to ensure continuous improvement.*

7.3 LEMC Procedures

The LEMC shall meet quarterly or as required (minimum of four (4) meetings per annum). Each meeting of the LEMC shall consider, but not be restricted to:

- ☐ **Confirming local emergency management contact details of key stakeholders.**
- ☐ **Reviewing any post-incident reports and post-exercise reports generated since last meeting.**
- ☐ **Assessing progress of emergency risk management processes.**
- ☐ **Assessing progress of treatment strategies arising from emergency risk management process.**
- ☐ **Assessing progress of development or review of local emergency management arrangements.**

7.4 Other matters determined by the local government and SEMC direction

LEMC will also consider other issues including annual reporting, training, grant funding applications, special projects and other matters as necessary.

7.5 Membership

LEMC membership includes the Shire of Derby/West Kimberley representatives and the Local Emergency Coordinator (OIC WAPOL Derby & Fitzroy Crossing). Relevant government agencies, industries and other statutory authorities will nominate their representatives to be members of the LEMC.

Shire's LEMC Role	Description of Responsibilities
LEMC Chair	Chair - Shire appointed elected member
	Provide leadership and support to the LEMC to ensure effective meetings and high levels of emergency management planning and preparedness for the local government district is undertaken
	Deputy Chair - Local Emergency Coordinator – OIC, Derby, and Fitzroy Crossing Police Station/s
LEMC Executive Officer	Executive Officer - Shire – Emergency Services Coordinator/or staff position as determined
	Provides secretariat support including:
	Meeting agenda
	Minutes and action lists
	Correspondence
	Committee membership contact register
	Coordinate development and submission of committee documents in accordance with legislative and policy requirements including:
	Annual Report
	LEMC Business Plan (Note Appendix 4)
	Local Emergency Management Arrangements
	Facilitate the provision of relevant emergency management advice to the Chair and committee as required
	Participate as a member of sub-committees and working groups as required

Council in consultation with the parent organisation members determines the appointment term of LEMC members.

Representatives from community and community groups will be invited to attend as required. All LEMC secretarial and admin support is to be provided by the Shire.

7.6 Core Members

Agency	Position
Delegate – Elected member - Councillor	Chair
Shire of Derby/West Kimberley	Deputy Chair
	Councillor
	Local Recovery Coordinators
	Local Welfare Liaison Officer
	Executive Officer
	Chief Bush Fire Control Officer
	Animal Welfare Liaison
	Environmental Health Services
WA Police	Local Emergency Coordinator
Dept. of Communities	Local Welfare Coordinator
Industry Reps.	Industry Representative
SES	Agency Representative
DFES	Agency Representative
Community Members – as appropriate	Representatives

7.7 Support Members

Agency	Position
Indigenous Communities reps	Agency Representative
Utilities Representatives	Agency Representatives
Main Roads Authority	Agency Representative
Dept. Biodiversity Conservation & Attractions	Agency Representative
Dept. of Regional Development and Industries	Agency Representative
Dept. of Health	Agency Representative
Dept. of Education	Agency Representative
District Emergency Management Advisor	Agency Representative

The list above is not limited, with members co-opted as and when required.

8. MANAGING RISK

8.1 Emergency Risk Management

The Emergency Risk Management (ERM) process forms the foundation of local emergency management arrangements. The ERM process supports the negotiation and development of shared responsibilities necessary for the establishment of effective arrangements within local government.

Emergencies cause great damage to property and cause even greater economic loss through damage to infrastructure and livestock. ERM is an essential part of a community's ability to identify what risks exist within the community and how these risks should be dealt with to minimise future harm to the community.

As part of the ERM process it is essential that community stakeholders are consulted when developing measures that reflect the ERM project being conducted. Through the development of related mitigation initiatives, the community is then able to work towards reducing the likelihood and/or consequence of further emergencies order to develop a more sustainable community.

One of the ERM outputs should be to identify critical infrastructure in the community and its vulnerability to hazards. The Shire's 'Emergency Risk Management Statement' can be accessed at **Appendix 5**.

The Shire and its LEMC recognise the critical component of risk management to the EM process. A sound risk management process paves the way for the Shire and its LEMC partner agencies to work together to implement treatments to mitigate risks to the community.

The Shire, over coming months, will endeavour to undertake a risk analysis within its district using the current models based on AS/NZS ISO 31000 2018 standards and utilising the National Emergency Risk Assessment Guidelines (NERAG 2018).

8.2 Description of emergencies likely to occur

The following is a table of emergencies that are likely to occur within the Shire area which have been derived through the Emergency Risk Management process:

Table 9: Description of emergencies likely to occur in local area

Hazard	Controlling Agency	HMA	Local Combat Role	Local Support Role	WESTPLAN/ State Hazard Plans	Local Plan (Date)
Air Crash	WAPOL	WAPOL	Derby VFRS, Fitzroy Crossing VFES	DC	Air Crash	TBD
Bushfire	DCBA/DFES	DCBA/DFES	Derby VFRS, Fitzroy Crossing VFES	DC	Fire	TBD
Cyclone	DFES	DFES	SES	DC	Severe Weather	TBD
Flood	DFES	DFES	SES	DC	Severe Weather	TBD
Hazmat	DFES	DFES	DFES	DC	Hazardous Materials Emergencies [HAZMAT]	TBD
Human epidemic	Dept. of Health	Dept. of Health	Dept. of Health	WA Country Health Services	Human Biosecurity	State Plan 2020
Land Search	WAPOL	WAPOL	SES	CPFS	Land Search	TBD
Road Transport Emergency	WAPOL	WAPOL	Derby VFRS, Fitzroy Crossing VFES	DC	Road Crash	TBD

These arrangements are based on the premise that the Controlling Agency is responsible for the above risks and will develop; test and review appropriate emergency management plans for their hazard. It is recognised that the HMA's and Combat agencies may require Shire resources and assistance in emergency management. The Shire is committed to providing assistance/support if the required resources are available through the Incident Support Group when and if formed.

8.3 Local Emergency Management Strategies and Priorities

The Shire's emergency management strategies and priorities are as follows:

Table 10: Local Emergency Management Strategies and Priorities

Priority	Strategy
LEMA endorsed by LEMC, Council, then noted by DEMC and SEMC	Review and development of compliant LEMA and LRP which is compliant with legislation; LEMA to then be exercised
Current compliant Emergency Risk Management process	Completion of Emergency Risk Management Process which complies with State EM Policy 1 and the National Emergency Risk Assessment Guidelines 2018; prioritisation and implementation of treatments
LEMCs to comply with legislation and policy	The two Shire of Derby/West Kimberley LEMCs to meet quarterly and submit annual report in accordance with State EM Policies and procedures

9. RESPONSE AND COORDINATION EMERGENCY OPERATIONS

9.1 Activation of Local Arrangements

On becoming aware of, or on advice from the HMA Incident Controller (IC), the Local Recovery Coordinator (LRC) will assess the need for activating the recovery plan and advise the Chairman of the need to convene the Shire appropriate Recovery Group if necessary.

Upon deciding not to convene and activate the appropriate Shire's Recovery Group and Shire's Recovery Plan, due to statutory and/or other agencies adequately addressing the situation, the Shire Local Recovery Coordinator will continue to monitor the situation and keep the Shire President and CEO briefed accordingly.

9.2 Incident Support Group

Incident Support Group (ISG) provides support to the incident management team (IMT). ISG is a group of people represented by different agencies that may/are involved in the incident. ISG is convened by the Controlling Agency (CA) appointed Incident Controller (IC) to assist in overall coordination of services and information during a major incident.

Coordination achieved through clear identification of priorities by agencies sharing information and resources. HMAs and combat agencies may require the Shire resources and assistance in emergency management. The Shire is committed to providing assistance/support, if required resources are available, through the ISG if, and when formed.

9.2.1 Triggers for the Incident Support Group

Defined in the State Emergency Management Policy statement 5.2.2 and State Emergency Management Plan section 5.1 being:

- ☐ **Where an incident is designated as a Level 2 or higher;**
- ☐ **Multiple agencies need to be coordinated; or**
- ☐ **Community interests need to be represented.**

9.2.2 Incident Support Group membership

Made up of agency representatives that provide support to the CA. Emergency management agencies may be called on to provide liaison officers for the ISG.

The Shire Local Recovery Coordinator (LRC) should be a member of the ISG from the onset, ensuring consistency of information flow, situational awareness and efficacious transition handover to recovery. Representation on ISG may change regularly depending upon the incident, agencies involved and consequences caused by emergency. Agencies supplying staff for ISG must ensure that the representative(s) have authority to commit resources and/or direct tasks within their organisation/agency.

9.2.3 ISG Meeting Location and Frequency

The IC determines the frequency of meetings depending on the nature and complexity of incident. As a minimum, there should be at least one meeting per incident. Coordination is achieved through clear identification of priorities and objectives by agencies sharing information and resources.

The IC is responsible for the location of meetings and given its part in the ISG, the meetings are generally convened in close proximity to, or within the Incident Control Centre (ICC).

9.3 Emergency Coordination Centre

The Shire has identified a primary and secondary emergency coordination centre and the locations detailed below have been identified as suitable ECCs:

Locality	Possible Locations	Contact
Derby	Shire Administration Offices.	91910999
Derby	SES HQ	Lot 550 Sutherland & Derby Highway, Derby derbyes@bigpond.com
Fitzroy Crossing	Council Administration Office	91910999

10. MEDIA MANAGEMENT AND PUBLIC INFORMATION

Communities threatened or impacted by emergencies have an urgent and vital need for information and direction.

Communities require adequate, timely information and instruction to be aware of the emergency and take appropriate actions to safeguard life and property.

In the response phase of an incident, information dissemination is the responsibility of the HMA/CA.

State Support Plan – Public Information, provides that the HMA is responsible ‘for the provision and management of public information during emergencies’.

Media and Public Information management is to reflect multi-agency involvement and authorised by the IC/Manager and the following principles will apply:

- ***HMA is to manage all media releases under State Support Plan – Public Information.***
- ***All media releases and public information alerts for the incident are to be authorised by Incident Controller/Manager after consultation with the Emergency Coordinator and other CA’s.***
- ***All media releases are to reflect Multi-Agency Incident Management and detail all agencies’ involvement.***
- ***Must relate to incident only, not to operational protocols, procedures or administration. These issues will be referred to the relevant agency.***
- ***All media releases are to carry the agencies’ identification.***
- ***Copies of multi-agency incident media releases are to be provided to each agency as soon as possible before release.***
- ***All Media releases issued by any agency at State level will reflect multi- agency involvement.***

10.1 Shire of Derby/West Kimberley Media Release

Any information for release to media or public must be forwarded to and approved by the Chief Executive Officer. The coordinating officer for the Shire is the Director Technical and Development Services or a CEO delegated officer. The Shire President or the CEO shall only make statements to the press on behalf of the Shire.

10.2 Public Warning Systems

10.2.1 Local Systems

The Shire presently uses the local ABC radio station, Shire website, the Shire Facebook page and other electronic mediums, and relevant HMA media outlets. Where lives and property are directly threatened, as a result of an emergency, information may be disseminated via Emergency Alert and/or using the State Emergency Warning Signal (SEWS).

10.2.2 Standard Emergency Warning System

SEWS is a distinctive sound broadcast used immediately before an urgent safety message over radio or television. SEWS should only be used when critical, urgent information is required to be delivered to the public via a radio or television broadcast.

10.2.3 DFES Public Information Line

DFES recorded information line	1300 657 209
Emergency WA website	www.emergency.wa.gov.au
DFES website	www.dfes.wa.gov.au
SES assistance	132 500

10.2.4 ABC Radio

Local ABC Radio ABC Kimberley (08) 9191 3011
Derby – 873 AM
Fitzroy Crossing – 106.1FM

10.3 Emergency Alert System

Emergency Alert automatically delivers emergency warnings direct to an area when lives may be in danger in that area. It does not replace current public information tools or the need for community to remain vigilant and look after their own safety. It is an additional tool used to alert people in a specific location in immediate danger.

All home phones (landlines), including silent numbers, are automatically registered on Emergency Alert. Mobile phones are automatically registered to the billing address.

Messages broadcast by Emergency Alert are made with authority of HMA in emergencies. (Refer to DFES Standard Operating Procedure 70 for activation).

10.4 Local Communication Channels and Tools

Description	Contact Person	Contact Number
Public notice boards in Derby and Fitzroy Crossing	Shire Offices	9175 8029
Website https://www.sdwk.wa.gov	Shire Offices	9175 8029
Facebook	Shire Offices	9175 8029

ACTIONS

- ☐ Public information and media management is critical in times of emergency.
- ☐ HMA/CA IC responsible for information/media releases in response phase of incident.
- ☐ The Shire's media releases coordinated by the Shire's delegated Officer and approved by CEO.
- ☐ Public statements to media only by Shire CEO or President (or delegate).
- ☐ Public warning systems shall be used when necessary under HMA/CA IC authority.

11. EVACUATION

11.1 Evacuation Management

11.1.1 Decision

Decision to evacuate is made by Incident Controller (IC) appointed by designated HMA/CA or an authorised officer when the members of community at risk do not have the capability to make an informed decision when loss of life or injury is imminent.

11.1.2 Timeliness

Alternatives as, '**shelter in place**' or, "**prepare, stay and defend**", should be considered.

Decision to evacuate or recommend evacuation made as early as is practical, as late evacuation may compound risk by potentially exposing communities to greater levels of risk.

11.1.3 Combat Agency for Evacuation

Evacuation will occur in a planned and safe manner, coordinated by WAPOL. Determining risk, need for long or short-term evacuation and immediate or planned evacuation may be necessary

11.1.4 Evacuation Centres

WAPOL will be requested to effect and control evacuations of persons to a location predetermined by the HMA. The HMA will liaise with the Shire or appropriate neighbouring LGs and Department of Communities (DC) to ensure appropriate arrangements for welfare support for evacuees are in place.

It is the Shire's responsibility (in partnership with the HMA/CA) to ensure adequate arrangements are in place to support evacuation. This includes the provision of evacuation centres and applicable support functions.

11.1.5 Evacuation Considerations

Shire and LEMC partners are aware of roads becoming impassable due to cyclonic and flooding activities.

11.2 At-Risk Persons and Groups

The Shire of Derby/West Kimberley relies on agencies responsible for At-Risk persons and groups to ensure suitable planning, and response capabilities are supporting those special needs clients.

Appendix 6 'At-Risk Persons and Groups Plan' provides guidance around working with and actions in evacuation with these persons and groups.

11.3 Evacuation Routes and Maps

Owing to the varying complexity within different emergencies, the IC HMA/CA and WAPOL will determine strategic evacuation routes at the time, particularly concerning timeliness of the evacuation. Extensive mapping information can be sourced from the Shire's website, Google Maps and agencies such as Dept. of Biodiversity Conservation and Attractions.

11.4 Return

Responsibility for decisions relating to return of evacuated residents, rests with HMA/CA. Return of evacuated residents will be conducted in consultation with affected community and relevant health and welfare agencies including DC and the Department of Health and Shires Environmental Health Officers.

Evacuations will be carried out in the Shire of Derby/West Kimberley as per [Western Australian Community Evacuation in Emergencies Guideline](#).

ACTIONS

- ☐ *Decision to evacuate made by HMA/CA IC*
- ☐ *LEMC and the Shire assist by pre-planning for evacuation*
- ☐ *All alternatives to be considered*
- ☐ *Decision to evacuate made as soon as possible*
- ☐ *At-Risk Persons and Groups to be considered (refer Appendix 5)*
- ☐ *Routes and maps sourced via internet or partner agencies*
- ☐ *Ensure Welfare Centre protocols and procedures are enacted.*

12. WELFARE

The Department of Community Services (DC) has the role of managing welfare described as, “the provision of both physical and psychological needs of a community affected by an emergency”. This includes the functional areas of:

Personal services	Financial assistance	Personal requisites
Emergency accommodation	Registration and inquiry services	Emergency catering

12.1 Department of Communities - Local Welfare Coordinator

DC shall appoint a Local Welfare Coordinator Officer (refer 6.6.1 Local roles and responsibilities– Welfare).

12.2 Shire of Derby/West Kimberley – Local Welfare Coordinator

The Shire’s Manager Community Development is the designated local Welfare Liaison Officer (refer 6.6.1 Local roles and responsibilities– Welfare).

12.3 Register Find Reunite

DC is responsible for recording displaced persons on the National Register allowing friend and relatives to locate each other. DC has reciprocal arrangements with Australian Red Cross (ARC) to undertake this process.

12.4 Welfare Centres

The Shire in conjunction with DC has identified suitable facilities within different localities. These centres have been assessed providing extensive information within the ‘Emergency Evacuation/ Welfare Centres Register’ available for activation as required by the HMA IC. See **Appendix 8**.

12.5 Animals (including assistance animals)

The Shire’s Senior Ranger in close consultation with other stakeholders on animal welfare matters arising from evacuation emergency and welfare centres and shall agree on the distribution of duties, depending on resources available in each instance. The Shire may use its animal impoundment facilities during emergencies for the purposes of accommodating domestic animals.

ACTIONS

- ☐ DC responsible for managing welfare.
- ☐ DC develops and maintains and enacts the Shires Local Emergency Welfare Support Plan.
- ☐ The Shire's Manager Community Development is the Local Welfare Liaison Officer.
- ☐ Register Unite Find responsibility actioned by DC. ARC undertakes process.
- ☐ Identified Welfare Centres refer Appendix 7 – 'Emergency Evacuation/ Welfare Centres Register'.
- ☐ Emergency Animal Welfare is coordinated by Senior Ranger Service.

13. RECOVERY

Managing recovery is a legislated function of local government and the Local Recovery Management Plan is a compulsory sub-plan of the LEMA. The Shire has prepared a Local Recovery Plan.

14. EXERCISING REVIEW AND REPORTING

14.1 Exercising

The aim of conducting an exercise is:

- ☐ *Test effectiveness of local arrangements and provide a pathway for improvement.*
- ☐ *Bring together members of emergency management agencies and give them knowledge of, and confidence in, their roles and responsibilities.*
- ☐ *Help educate community about local arrangements and programs.*
- ☐ *Allow participating agencies the opportunity to test their operational procedures and skills in simulated emergency conditions.*
- ☐ *Test the ability of separate agencies to work together on common tasks, and to assess effectiveness of co-ordination between them.*

14.2 Exercise Frequency

In accordance with State EM Policy, Plans and Procedures, which outline arrangements for exercising, the LEMC is required to **conduct at least one exercise annually**.

14.3 Exercise Reporting

Exercise schedule and post exercise reports will be forwarded to the Kimberly District Emergency Management Committee as part of LEMC's annual report.

14.4 Review of Local Emergency Management Arrangements (LEMA)

The LEMA are to be reviewed in accordance with State EM Policy section 2.5 and amended or replaced whenever the local government considers it appropriate (s.42 of the EM Act). Reviewed and amended will be:

- ☐ *Contact lists are reviewed and updated quarterly (Refer Appendix 2).*
- ☐ *A review is conducted after training that exercises the arrangements.*
- ☐ *An entire review will be undertaken every five (5) years, as risks may vary due to climate, environment and population changes.*
- ☐ *Circumstances may require more frequent reviews.*

15. REPORTING

Exercises are to be reported to the DEMC via the LEMC Annual Report using the format as detailed in SEMP 2.5 – Annual Reporting.

16. APPENDICES

Appendix No.	Appendix Title
1	Welfare Centres Facilities and Assets Directory
2	Contacts Directory
3	Resources Directory
4	LEMC Business Plans
5	Emergency Risk Management Statement
6	At-Risk Persons and Groups
7	Emergency Evacuation/ Welfare Centres Register

14.2 FINAL ADOPTION OF THE 2022 LOCAL RECOVERY PLAN**File Number: 4212****Author: Wayne Neate, Director Technical and Development Services****Responsible Officer: Amanda Dexter, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

Council is requested to adopt the 2022 Local Recovery Plan following some minor amendments and re-endorsement at the Local Emergency Management Committee.

DISCLOSURE OF ANY INTEREST

Nil for Author and Responsible Officer.

BACKGROUND

Local governments have a legislated responsibility under s.36(a) of the Local Government Act 2005 to *“ensure that effective local emergency management arrangements are prepared and maintained for its district”*.

The Shire of Derby/West Kimberley (SDWK) Local Emergency Management Committee (LEMC) is an advisory committee to Council in response to the obligations placed upon local government arising from the proclamation of the *Emergency Management Act 2005*. Part of the function of the LEMC is to review the Local Emergency Management Arrangements which also includes a Local Recovery Plan (LRP) to guide the management of community driven recovery following an emergency incident. An LRP has been prepared by the Shire (Attachment 1) in accordance with the State Emergency Management procedures and endorsed by the SDWK LEMC at its meeting held on 7 June 2022 before being adopted at the Council Meeting on the 29th June 2022 Minute No 81/22 as follows:

RESOLUTION 81/22**Moved: Cr Paul White****Seconded: Cr Andrew Twaddle****That Council:**

- 1. Adopt the Local Recovery Plan (LRP), in accordance with the requirement of the Emergency Management Act 2005; and**
- 2. Request the Chief Executive Officer to forward a copy of the LRP to the State Emergency Management Committee.**

In Favour: Crs Geoff Haerewa, Paul White, Andrew Twaddle, Keith Bedford and Peter McCumstie

Against: Nil

CARRIED 5/0

There were some minor changes suggested by the Department of Fire and Emergency Services regional State Emergency Management officer which have now been made and again endorsed by the LEMC which is as per minutes of the 14th December 2022 meeting which have been attached. This is the final endorsement required by Council.

STATUTORY ENVIRONMENT

Local Government Act 2005

Emergency Management Act 2005

POLICY IMPLICATIONS

None known

FINANCIAL IMPLICATIONS

There are no known financial implications associated with this item.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.2 Maximise local opportunities
	1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
	1.3 Effective Communication	1.3.2 Listen to and respond to the needs of our communities

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Council does not have effective LRP in place they are in breach of s.41 of the Emergency Management Act 2005	Possible	Moderate	Medium	Council to adopt the SDWK LRP provide a process for effectively managing recovery operations following an emergency, along with suggested methods to engage the affected community in facilitating its own recovery.

CONSULTATION

Consultation has occurred through the SDWK LEMC.

COMMENT

Local Community Recovery, driven by the local government, is recognised as the most important role for local governments as part of the emergency management process.

The SDWK LRP has been developed as part of the Local Emergency Management Arrangements in accordance with the requirements of Section 41(4) of the Emergency Management Act 2005 as a subsidiary plan to the Local Emergency Management Arrangements. The SDWK LRP is subject to formal adoption by Council.

The purpose of these arrangements is to provide a process for effectively managing recovery operations following an emergency, along with suggested methods to engage the affected community in facilitating its own recovery.

The objectives set out within this plan as part of the LEMA are to:

- Clearly set out the roles, responsibilities, available resources and procedures for the effective management of recovery from emergencies within the district;
- Establish a basis for the coordination of recovery activities at the local level;
- Promote effective liaison between all involved Hazard Management Agencies (HMA's), Emergency Services, Supporting Agencies and Shire staff who may become involved in the recovery management process.

The overall scope of this Recovery Plan includes:





- the geographical boundaries of the Shire;
- the relationship to the Local Emergency Management Arrangements;
- existing legislation, plans and Local Laws;
- statutory or agreed responsibilities;
- relevant supporting documents and plans; and
- involvement of the affected community in recovery management.

The LRP also provide substantial information to an external Incident Controller/HMA in a significant emergency regarding the make-up/communications within our community, prior to the responsibility for recovery being handed over to the Shire.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. LEMC Minutes December 2022  
2. Local Recovery Plan - Final Draft  
3. LRP - Consolidated Appendices 2022  

RECOMMENDATION

That Council:

- 1. Adopt the Local Recovery Plan (LRP), in accordance with the requirement of the Emergency Management Act 2005 as it has now been approved by the Local Emergency Management Committee following minor amendments.**
- 2. Request the Chief Executive Officer to forward a copy of the LRP to the State Emergency Management Committee.**



Shire of Derby / West Kimberley

SHIRE OF WEST KIMBERLEY DERBY LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

Minutes – Wednesday 14th December, 2022

Council Chambers, Derby

Commenced at 10.33am

 www.sdwk.wa.gov.au

LEMC MINUTES: 14 DECEMBER 2022

1.0 DECLARATION OF OPENING

The meeting opened by Andrew Twaddle at 10.31am

2.0 RECORD OF ATTENDANCE

2.1 Attendance

Name	Agency
Wayne Neate	Shire of Derby/West Kimberley
Andrew Twaddle	Shire of Derby/West Kimberley
Mark Chadwick	Shire of Derby/West Kimberley
Colleen Boldison	Shire of Derby/West Kimberley
Rowan Scott	Shire of Derby/West Kimberley
Gareth Cornish	DFES
Matt Reimer	DFES
Eliot Money	Derby District High School
Chris Manu	Juniper
Nazir Ahmed Muddi	Horizon Power

2.2 Apologies

Name	Agency
Adam Cornish	Defence
Jane Salt	Looma Remote School
Katherine Yu	NIAA
Megan Spence	Dept of Communities
Kate Matthews	
Lana Warren	
Mitchell Kirk	
David Keating	Horizon Power
Kelly Brierty	DVFRS
Gerry Zoetelief	MRDWA
Shelley Kneebone	DAHS
Leon Gardner	DFES
Heather Murchie	Dept of Justice
Amanda Dexter	SDWK

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

LEMC MINUTES: 14 DECEMBER 2022

COMMITTEE DECISION:

Moved: Eliot Money **Seconded:** Wayne Neate

That the Minutes of the Local Emergency Management Committee Meeting held on 11th October 2022 be confirmed.

Carried

4.0 BUSINESS ARISING FROM LAST MEETING

- ☐ NIL.

5.0 STANDING ITEMS**5.1 Incident Review**

- ☐ NIL.

5.2 Review of LEMC Contact List

- ☐ Contact list moving around – please update
- ☐ Any further updates please send through to
- ☐ colleen.boldison@sdwk.wa.gov.au

5.3 Review of Resource List

- ☐ Resources list attached to be updated.
- ☐ Please send updated through to colleen.boldison@sdwk.wa.gov.au

5.4 Shire of Derby West Kimberley Local Emergency Management Arrangements (LEMA and Local Recovery Plan (LRP))

Final plan to be endorsed.

COMMITTEE DECISION:

Moved: Christie Mildenhall **Seconded:** Eliot Money

That the plan of the Shire of Derby West Kimberley Local Emergency Management Arrangements (LEMA and Local Recovery Plan (LRP)) be endorsed by the Committee.

CARRIED

6.0 REPORTS FROM MEMBERS

LEMC MINUTES: 14 DECEMBER 2022

- 6.1 SES**
 - ☐ Training and Seasonal preparation for the Wet season continues.
- 6.2 WAPOL**
 - ☐ Nil.
- 6.3 WACHS**
 - ☐ Nil
- 6.4 Dept. of Communities**
 - ☐ Nil
- 6.5 Horizon Power**
 - ☐ Nil
- 6.6 RAAF**
 - ☐ Norforce – Derby & Broome are on stand down until 15/01/2023. All contact numbers are still the same
- 6.7 Main Roads**
 - ☐ Nil.
- 6.8 DVFS**
 - ☐ On Christmas break but do still have minimum members for callouts.
- 6.9 DFES**
 - ☐ Matt Reimer - Preparing for the Wet Season. Have already conducted Community re-supply to the East & Central areas from the previous rainfall we had.
- 6.10 SDWK**
 - ☐ Wayne Neate – Nothing unusual. Road Reports – training staff where to direct public for road reports. We have lost a couple of cars already and thankfully no loss of life. Reminder to all – don't drive in floods and to monitor road reports.
- 6.11 DDHS**
 - ☐ ACM removal plan for the old Library 19/01/2023. Letter sent out to surrounding residents tomorrow (15/12/2022). Low
- 6.12 Winun Ngari**
 - ☐ Nil
- 6.13 DAHS**
 - ☐ Nil
- 6.14 Other Agencies**
 - ☐ Nil.

LEMC MINUTES: 14 DECEMBER 2022

7.0 GENERAL BUSINESS**7.1 Any other Business**

☐ Nil

8.0 CLOSURE**8.1 Date of Next Meeting**

The next meeting is 10th December 2022 at 10.30am at the Shire Chambers, Derby.

9.2 Closure of Meeting

The Chair closed the meeting at 10.47am

Attachment 7.1**2022 MEETING DATES**

Unless determined otherwise by the Committee Chairman, the following meeting dates will apply for 2022:

Tuesday	8 th November 2022	10.30am	Council Chambers, Derby
Tuesday	6 th December 2022	10.30am	Council Chambers, Derby
Tuesday	10 th January 2023	10.30am	Council Chambers, Derby
Tuesday	7 th February 2023	10.30am	Council Chambers, Derby



**Shire of Derby /
West Kimberley**

LOCAL RECOVERY PLAN

2022

Endorsed by LEMC: 2022

Endorsed by the Shire of Derby/West Kimberley:

Full Review Date: 2027

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Disclaimer

The Shire of Derby/West Kimberley makes no representations about the suitability of the information contained in this document or any material related to this document for any purpose. The document is provided without warranty of any kind to the extent permitted by law. The Shire Derby/West Kimberley hereby disclaims all warranties and conditions of merchantability, fitness for particular purpose, title and non-infringement. In no event shall the Shire of Derby/West Kimberley be liable for any special, indirect or consequential damages resulting from the loss of use, data or profits, whether in an action of contract, negligence or other tortious action, arising out of or in connection with the use of information available in this document. The document or material related to this document could include technical inaccuracies or typographical errors.

The Shire of Derby/West Kimberley Local Recovery Plan has been prepared pursuant to Section 41(1) of the Emergency Management Act 2005 and endorsed by the Local Emergency Management Committee (LEMC). A copy of the Local Recovery Plan has been submitted to the Kimberley District Emergency Management Committee (DEMC) for noting in accordance with State Emergency Management Preparedness Procedure 8: Emergency Management for Local Government and then for noting with the State Emergency Management Committee (SEMC) pursuant to Section 41(5) of the Emergency Management Act 2005.



1. CERTIFICATE OF ENDORSEMENT

The Shire of Derby/West Kimberley Local Recovery Plan (LRP) has been developed in accordance with Section 41(4) of the *Emergency Management Act 2005 (WA)* (the Act) and forms part of the Emergency Management Plans and Arrangements for the Shire of Derby West Kimberley (the Shire). The LRP has been submitted to the LEMC and Council for endorsement. A copy has been forward to the District Emergency Management Committee for endorsement and State Emergency Management Committee for noting.

Chair: _____ Date: _____
Shire of Derby/West Kimberley LEMC (Derby)

Chair: _____ Date: _____
Shire of Derby/West Kimberley LEMC (Fitzroy Crossing)

_____ Date: _____
Shire of Derby/West Kimberley President
Endorsed by Council

_____ Date: _____
Shire of Derby/West Kimberley CEO

_____ Date: _____
Endorsed by DEMC:

_____ Date: _____
Noted SEMC:



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3. DISTRIBUTION LIST

3.1 Full Unrestricted Version

Official copies of this document are distributed in pdf format only and are provided electronically to the organisations and individuals named below. Members of the public wishing to obtain a copy of this document can do so by application to the Shire of Derby/West Kimberley through the following email address: sdwk@sdwk.wa.gov.au.

Hard copy versions of this document may not be accurate.

Table 1 Distribution List

Organisation	Copies
Shire of Derby/West Kimberley Administration	1
Shire of Derby/West Kimberley Chief Executive Officer	1
Kimberley District Emergency Management Committee (Executive Officer to distribute to members)	1
District Emergency Management Advisor – Department Fire and Emergency Services	1
Fitzroy Crossing LEMC (Executive Officer to distribute to members)	1
WA Police – Derby Police Station	1
WA Police – Fitzroy Crossing Police Station	1
WA Police – Looma Police Station	1
Department of Fire & Emergency Services – Shire of Derby/West Kimberley	1
Shire of Wyndham/East Kimberley, Shire of Broome and Shire of Halls Creek	1
Derby Hospital	1
Fitzroy Crossing Medical Campus	1
St. John Ambulance Derby	1



3.2 Restricted Version – Public Access

Table 2 Public Access List

Public Access	Copies
Shire of Derby/West Kimberley Administration Office – Reception 30 Loch Street Derby	1
Fitzroy Crossing Administration Office - Front Reception - Flynn Drive Fitzroy Crossing	1
Derby Public Library, Clarendon Street, Derby	1
Fitzroy Crossing Public Library, Flynn Drive Fitzroy Crossing	1
Shire of Derby/West Kimberley website: https://www.sdwk.wa.gov	

3.3 Amendment Record

Suggestions and comments from the community and stakeholders can help improve the arrangements and subsequent amendments. Feedback can include:

- What you do or do not like about the arrangements;
- Unclear or incorrect expression;
- Out of date information or practices; Inadequacies;
- Errors, omissions or suggested improvements.

To forward feedback, copy the relevant section, mark the proposed changes and forward it to:

The Chairperson
Local Emergency Management Committee
Shire of Derby/West Kimberley
PO Box 94
DERBY WA 6728
Alternatively email – sdwk@sdwk.wa.gov.au

*The Chairperson will refer any correspondence to the LEMC for consideration and or approval.
Amendments promulgated are to be certified in the below table when updated.*



Table 3 Versions

Version No.	Amendment Date	Details of Amendment	Author
1	31/10/2012	Draft LEMA 2012	Greg Cook
2	29/12/2015	Review	Wayne Neate
3	May 2021	Complete review and re-write of LEMA 2022	Lewis Winter
4	March 2022	Review/Update	Robert Paull

3.4 Glossary of Terms and Acronyms

Terminology used throughout this document shall have the meaning as prescribed in either section 3 of the Emergency Management Act 2005 or as defined in the [State EM Glossary](#) or the [WA Emergency Risk Management procedure](#).

- *District: means an area of the State that is declared to be a district under section 2.1 Local Government Act 1995.*
- *Municipality: Means the district of the local government.*

3.5 General acronyms used in these arrangements

BFS	Bush Fire Service
CEO	Chief Executive Officer
Communities	Department of Communities
DBCA	Department of Biodiversity, Conservation and Attractions
DEMC	District Emergency Management Committee
ECC	Emergency Coordination Centre
EM	Emergency Management
DFES	Department of Fire and Emergency Services
HMA	Hazard Management Agency
ISG	Incident Support Group
LEC	Local Emergency Coordinator
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee

Shire of Derby West Kimberley Local Recovery Plan 2022



<i>LRC</i>	<i>Local Recovery Coordinator</i>
<i>LRCC</i>	<i>Local Recovery Coordination Group</i>
<i>SEC</i>	<i>State Emergency Coordinator</i>
<i>SEMC</i>	<i>State Emergency Management Committee</i>
<i>SES</i>	<i>State Emergency Service</i>
<i>SEWS</i>	<i>Standard Emergency Warning Signal</i>
<i>Shire</i>	<i>Shire of Derby/West Kimberley</i>
<i>SOP</i>	<i>Standard Operating Procedures</i>

3.6 Agreements and Understanding

The following agreements (Memorandums of Understanding) are currently in place:

Table 4: Agreements, understandings and commitments

Parties to the Agreement	Summary of the Agreement
Shire of Derby/West Kimberley, Shire of Derby/West Kimberley, Shire East Pilbara and Shire of Halls Creek	Memorandum of Understanding for the provision of mutual aid during emergencies and post incident recovery
DFES, Shire of Derby/West Kimberley, Shire of Derby/West Kimberley, Shire East Pilbara and Shire of Halls Creek	Memorandum of Understanding for ongoing management and control of bush fire brigades and bush fire and emergency services in the Kimberley Region of Western Australia



4. RECOVERY

4.1 Overview

The *Emergency Management Act 2005 (WA)* (the Act) defines recovery as ‘the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community psychosocial and economic wellbeing’. During, and following, an emergency event, the Shire is the closest form of government to the local community and is in the best position to lead, manage and coordinate community recovery. State Government departments, supporting agencies, community members, community groups and community service organisations cooperate with or directly support the Shire.

The Shire recognises disaster recovery is more than simply replacing what has been destroyed and the rehabilitation of those affected. **Disaster recovery** is a complex, dynamic and potentially protracted process, rather than just a remedial process. For this reason, the Shire and its LRG adopt the national principles of disaster recovery while also aligning these to strong recovery values when engaged in recovery activities.

4.2 Authority

This LRP is prepared in accordance with the Act and endorsed by the Shire’s LEMC and Shire’s Council. The Plan is tabled for noting with the District Emergency Management Committee (DEMC) and State Emergency Management Committee (SEMC).

4.3 Purpose

To detail planning, arrangements and processes established to restore, as quickly as possible, the quality of life in an affected community so it can continue to function as part of the wider community.

4.4 Our Recovery Principles

The Shire’s LRP and its LRG will be aligned to all aspects of recovery, incorporating the Australian National Disaster Recovery Principles that are considered central to successful recovery, being:

Understanding the CONTEXT

The Shire recognises that successful recovery hinges on an understanding of its diverse and rich community heritage within its local government area, having its own history, values and dynamics and will always consider them.



Recognising COMPLEXITY

The Shire acknowledges the complex and dynamic nature of both emergencies and the diverse nature of its communities.

Using COMMUNITY-LED approaches

The Shire recognises that successful recovery is based on involving the community and commits to being responsive, flexible and engaging to support communities into the future.

COORDINATING all activities

The Shire acknowledges that it will need to be the hub for a successful recovery ensuring a planned, coordinated and adaptive approach between communities, partner agencies and industry, based on continuing assessment of impacts and needs.

COMMUNICATING effectively

The Shire understands the imperative of effective communication for successful recovery and will ensure the Recovery Communication Plan (located as **Appendix 1**) is activated to ensure community and partners are always informed and heard.

Building CAPACITY

The Shire acknowledges that successful recovery recognises, supports and builds on individual community and organisational capacity and resilience and, at every opportunity, will allow programs and processes to do this.

4.5 Our Recovery Values

The Shire will apply sound disaster recovery **Values** to all activities by:

1.	Considering consequences of actions ensuring NO HARM to disaster affected communities
2.	Providing LEADERSHIP for the Shire's communities
3.	Recognising the Shire's key role is to foster COLLABORATION between partner agencies, community and Council
4.	EMPOWERING individuals and groups to effectively carry out recovery activities
5.	ACTING as quickly as possible, however, planning for LONG-TERM (Value 1)
6.	TRANSITION to normal services will be part of the Recovery Long-Term Strategy
7.	CAPTURING lessons learnt for providing capacity building and resilience

Shire of Derby West Kimberley Local recovery Plan 2022



4.6 Threats

As the Shire is diverse, several impacts need to be considered that may affect how the Plan is implemented in times of emergency:

Description	Time of Year	Impact / No of People
Cyclone Season	November – April	Severe damage throughout shire.
Wet Season	November - April	Flooding from cyclonic activity
Dry Season	May – October	Bushfire
Bushfire Season – ‘permits to burn’ required all year round	All year round	Bushfire
Dry Season	May – October	Large numbers of tourists throughout the Shire

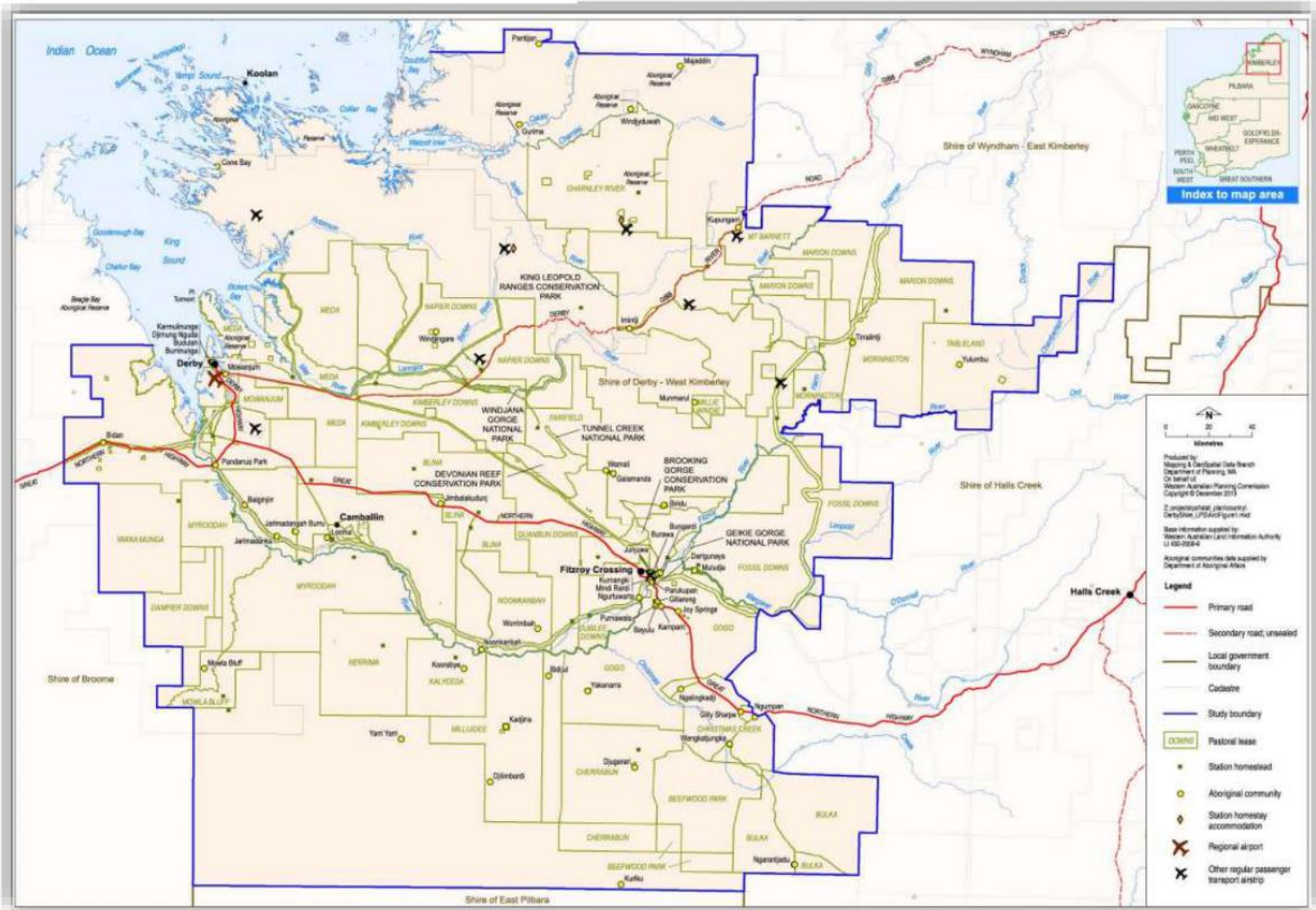
4.6 Scope

This LRP is limited to the boundaries of the Shire of Derby West Kimberley. It details the recovery plan for the community and will not detail how individual organisations will conduct recovery activities within their core business areas.

The LRP is a support plan to the Shire’s Local Emergency Management Plans and Arrangements. The Plan is a guide to managing recovery at a local level.



4.7 Geographic Location Map



Shire of Derby West Kimberley Local Recovery Plan 2022



5. ACTIVATION AND ACTIONS

5.1 Activation of Recovery

The Shire's CEO will activate the LRP on advice from the Local Recovery Coordinator (LRC). Assistance required for recovery will be assessed by:

- The Incident Support Group (ISG)
- Consultation between Hazard Management Agency (HMA)/ Controlling Agency (CA), Incident Controller (IC) and Local Emergency Coordinator (LEC), and
- The Shire of Derby West Kimberley's Chief Executive Officer (CEO) and Local Recovery Coordinator (LRC).

The LRG Chairman, together with the LRC, is responsible for implementing the recovery processes of the LRP, once it is activated.

5.1.1 Emergency Management Phases

The Australian approach to managing emergencies recognises four phases of emergency management known as Preparedness, Prevention, Response and Recovery (PPRR). These are not distinct linear segments independent of each other, but can overlap and run concurrently.

As illustrated in Figure 1, recovery starts at response and is the process of adjusting to the new normal after an emergency incident.

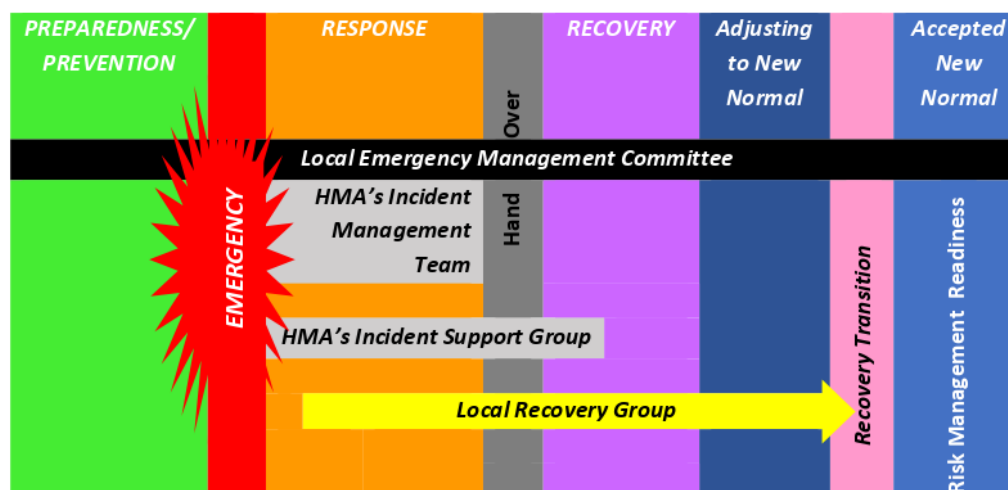


Figure 1: Groups, teams and committees through preparedness, response and recovery

**ACTION**

- LRC consults and advises Shire's CEO of recovery activation.
- Assessment of assistance determined.
- Local Recovery Plan is activated.

5.2 Response to Recovery Event Responsibilities

Initiate the LRP while response activities are still in progress, as key decisions during the response phase are likely to directly influence and shape recovery. Regardless of response engagement, as soon as possible assemble the LRG so it can be briefed on the emergency incident and to detail contingencies. This will allow for a smooth transition from response to recovery. The LRG also represents the community (advocates) to advise on priorities and impacts. The LRG will:

- Align response and transitional recovery priorities
- Connect with key agencies and community
- Understand key impacts and tasks
- Identify recovery requirements and priorities as early as possible, and
- Include the LRC in ISG meetings from onset

Transfer of management from response to recovery handover to Shire shall be formalised in line with HMA/CA responsibilities and procedures. An Impact Statement (IS) is a key element of the handover process, and the HMA/CA is responsible for delivering this to the Shire's CEO. The CEO has discretion regarding accepting this handover of responsibility and can take advice from LRC and LRG, in consultation with HMA/CA.

The acceptance of this handover is to occur at the discretion of the Shire CEO on advisement from LRC and LRG, in consultation with HMA/CA. Acceptance of this Impact statement and its responsibilities should not occur unless the CEO and the Local Recovery Coordinator and Group are satisfied with its content and are willing to take on that responsibility.

ACTION

- Recovery initiated while response still in progress.
- LRC to attend ISG meetings and liaise with Incident Controller.
- LRG convened and briefed on incident ensuring coordinated recovery recommendations.
- CEO to sign off response to recovery handover with HMA/CA on completion of Impact Statement providing an acceptable and agreeable standard.
- CEO to sign off response to recovery handover with HMA/CA Impact Statement completed.



5.3 Impact Statement and Needs Assessment

5.3.1 Impact Statement

The event CA will complete an IS in consultation with the ISG. It will contain a detailed description of the impact on the affected community and provides the LRC and the LRG with a starting point for recovery of individuals, community and infrastructure. The IS will be completed as recommended in the [State Emergency Management Procedure](#).

5.3.2 Outreach Needs Assessment

An Outreach Needs Assessment should be completed as soon as possible to the affected area. The requirements of the impacted community will change over time and therefore it is necessary to determine the **NEEDS** of the community periodically and broadly be defined as:

Physical Needs:	Food, water, shelter, clean breathable air
Psychological needs:	Psychological first aid/support, bonding
Societal needs:	Community infrastructure, power, drainage, shops, telephone, schools, industry, transport

Outreach involves visiting people in their homes or temporary accommodation to provide access to core recovery information and services. Trained volunteers from Australian Red Cross could partner with the local government and other identifiable volunteers who speak directly to affected individuals to determine their requirements:

What has been affected?	Wish to be contacted for further information?
What information is needed?	Their best contact details?
What assistance is required?	Information on assistance for neighbours

Conducting an Outreach Needs Assessment establishes contact ASAP with the affected community and is an effective way to capture data to assist the LRG in prioritising the allocation of resources. It also provides the opportunity to share critical information directly to the affected community. A form for Outreach Needs Assessment can be found in **Appendix 1** within the Recovery Communication Plan listed as **Form 3**.

5.3.3 Sources of Information – Impact and Needs Assessment

The IS and Needs Assessment (NA) process must be undertaken as soon as possible after the emergency event. Sources that may assist in the collection of this data may include:

- HMA/CA;
- Welfare agencies – identifying persons in need of immediate assistance;
- Shire Building Surveyors, Engineers and Environmental Health Officers and Rangers
- Insurance assessors;
- Business associations (e.g. Chamber of Commerce, Kimberley Development Commission);



- Recovery Outreach Needs Assessment form (Recovery Comm. Plan **Appendix 1**); and
- Australian Red Cross (ARC) have systems to register individuals presenting at Welfare Centre's and resources to assist in outreach activities and will be activated by HMA/CA.

ACTION

- Recovery initiated while response still in progress.
- LRC to attend ISG meetings and liaise with Incident Controller.
- LRG gathered and briefed ensuring recovery commencement.
- CEO to sign off response to recovery handover with HMA/CA Impact Statement provided.
- Recovery initiated while response still in progress.
- LRG Outreach Needs Assessment will be carried out ASAP, when safe, after event.
- Aust. Red Cross contacted ASAP to establish partnership in recovery activities.

5.4 Operational Recovery Plan

Where significant reconstruction and restoration is required, the LRC/LRG should prepare an Operational Recovery Plan (ORP). The ORP shall provide a full description and extent of damage, both physical and human, and detail plans for restoration and reconstruction of the affected community including community activities and community development activities. A template of an ORP is offered in **Appendix 2**.

ACTION

- LRG/LRC to prepare Operational Recovery Plan where significant reconstruction and restoration is required.

5.5 Long-Term Recovery Strategy

Recovery must evolve, change and assist the affected community towards management of its own recovery. This transition from recovery to ongoing community activities and services, requires a comprehensive strategy (Long Term Recovery Strategy) that gradually integrates the recovery services into mainstream services, which existed prior to the emergency or have emerged since and require minimal support to continue.

The Long-Term Recovery Strategy process will need to be considered and developed to achieve holistic, enduring recovery for individuals, families, and communities, taking into consideration the economic environment, infrastructure and natural environment affects an emergency has had and to build resilience for future emergencies.

The Shire, where appropriate, will develop a collaborative, comprehensive recovery strategy with the community and for the community. This will also incorporate how community's needs have changed over time. A further outreach program may be instigated to check on the community's wellbeing and changes in its needs.

Shire of Derby West Kimberley Local recovery Plan 2022

**ACTION**

- Shire to develop a collaborative, comprehensive and inclusive long-term community recovery strategy which may include any changes in community needs and further outreach activities.
- Shire to identify potential partnerships with existing community organisations and services and ascertain their capacity to support recovery process in the medium and long term.

5.6 Managed Withdrawal

The Shire and its LRG will provide a clear path in the transition of recovery activities, programs, services and communications to mainstream service provisions and ongoing community development, while working towards maintaining the community's health and wellbeing.

ACTION

- Shire will communicate via the LRG sub-committees when relevant service providers and agencies will be withdrawing services from the affected area.
- LRG to identify recovery programs that will 'phase down', 'phase out' or be 'handed over' to community to continue.



6. OPERATIONAL RECOVERY MANAGEMENT

6.1 Management Structure

Full details of the Management Structures and Sub-Committee functions is displayed in **Appendix 3**.

6.2 Local Recovery Group (LRG)

The LRG will coordinate and support local management of the recovery processes within the community, subsequent to a major emergency, in accordance with State Emergency Management Policy and Local Recovery Plan. LRG membership will expand or contract depending on recovery and community needs and requirements.

6.2.2 Membership

Chairperson	Shire President or CEO
Local Recovery Coordinator	LG Representative, as appointed by the CEO
Executive Officer	Shire CEO or nominated Senior Officer
Local Government	Shire Local Emergency Management Committee – members are required
State Government	<p>Relevant government agencies and other statutory authorities will nominate their representatives to be members depending on incident type. Recommended:</p> <ul style="list-style-type: none"> ➤ HMA/CA (initially) ➤ Dept. of Fire and Emergency Services (initially) ➤ WA Police (initially) ➤ Dept. Biodiversity Conservation & Attractions ➤ Department of Communities ➤ Lifelines ➤ Main Roads WA ➤ St John Ambulance Service (initially) ➤ Dept. of Health ➤ Dept. Primary Industries and Regional Development ➤ Insurance Council of Australia
Non-Government Organisations	Australian Red Cross, local service clubs, aged care providers, schools, etc. and others as required
Key Identified Community Members	To be identified depending on event and location

Shire of Derby West Kimberley Local recovery Plan 2022



6.2.3 Functions

Appoints key positions within the LRG
Establishes sub-committees as required
Assesses requirements for recovery activities relating to physical/psychological/social wellbeing of the community, along with economic, infrastructure and natural environment with assistance from partnering agencies
Develops an Operational Recovery Plan to coordinate a recovery process that considers:
➤ Long-term planning and goals for the Shire
➤ Assessing recovery needs and determining recovery functions still required
➤ Developing a timetable, identifying responsibilities for completing major functions
➤ Considering needs of youth, aged, disabled, culturally linguistically diverse (CaLD)
➤ Allowing full community participation and access
➤ Allowing monitoring and reporting of the recovery process
Facilitates provision of services, exchange of public information and acquisition of resources
Negotiates effective use of available resources and support from State and Commonwealth
Monitors progress of recovery, receives periodic reports from recovery agencies
Ensures a coordinated multi-agency approach to community recovery
Makes appropriate recommendations, based on lessons learnt, to the LEMC to improve the community's recovery readiness and planning

6.3 Community Involvement – Cultural and Diversity Inclusiveness

Diversity is an integral part of the Shire's history, culture and identity. Inclusion is the way the Shire treats and perceives all differences. During the Shire's recovery activities, it will endeavour to create an inclusive culture, within the affected communities, by striving to involve all cultures and diversity within the recovery priorities, strategies and decision-making.

Key stakeholders and representatives will be sought from the community while acknowledging the significance of cultural and diversity makeup. These representatives will be considered for inclusion on relevant LRG sub-committees, depending on the nature and impact of the emergency. When threatened or affected by an emergency, everyone within that community is encouraged to be actively involved in their own and collaborative recovery. It is the role of formal recovery agencies to provide structured support, communications and coordination to assist the community's efforts.



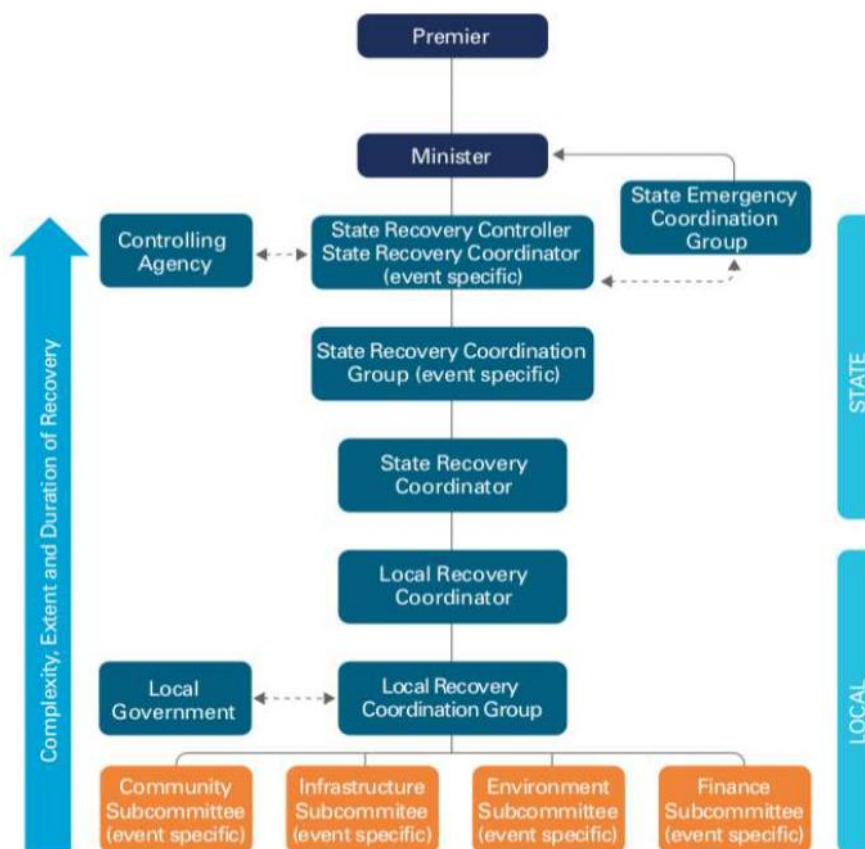
6.4 Local Recovery Group Sub Committees

Depending on the size of an emergency event, sub-committees may be established to assist LRC by addressing a specific component of the recovery process. Each sub-committee will report its activities, through its nominated Chair, to the LRG. A full list of functions of various sub-committees can be viewed in **Appendix 4**.

6.5 State Government Involvement

During the recovery process, the State government may provide support and assistance to the Shire. The structure of the State Recovery Coordination is shown below.

Figure 1: State Government Coordination Structure





6.5.1 State Recovery Coordinator/State Recovery Controller

The **State Recovery Coordinator** supports a whole of government approach and coordinates the maintenance of the State recovery arrangements and plans, through the SEMC recovery sub-committee. The State Recovery Coordinator supports the operation of State level recovery coordination through the State Recovery Coordination Group (SRCG).

The Premier appoints the **State Recovery Controller**. The Controller will usually be appointed when an emergency affects several communities, is ongoing, requires State level assistance to resolve issues and needs a regional coordination approach.

6.5.2 State Recovery Coordination Group

The SRCG is responsible for coordinating State level recovery in complex or prolonged recovery operations and develops a State level operational recovery plan. Its effectiveness must be evaluated after the State-level recovery coordination process has occurred.

ACTION

- The Shire will establish an LRG management structure relevant to event size and complexity.
- LRG will establish membership from Shire staff, supporting agencies and community members.
- LRG will operate within recognised functions and relevant sub-committee structure.
- LRG will actively encourage and invite community participation within the LRG.
- LRG will actively engage with State Government to maximise recovery resources and synergies between Local and State recovery activities.



7. FINANCIAL MANAGEMENT

7.1 Financial Management

7.1.1 Insurance

The owner has primary responsibility for safeguarding and restoring public and private assets affected by an emergency. The Shire's assets are registered for insurance and financial reporting in line with the Department of Local Government, Sport and Cultural Industries Integrated Planning and Reporting Asset Management Guidelines. Shire assets are insured through policies with the Local Government Insurance Scheme (LGIS).

7.1.2 Financial Records

Records/invoices of costs associated to an emergency event are to be assigned to specific emergency cost centres by Local Government. To ensure accurate records associated with recovery process, are easily identifiable and accessible at any time.

7.1.3 Internal Finance

In an emergency, the Local Government Act 1995, Section 6.8(c) allows expenditure from municipal funds, not included in the annual budget, to be authorised by the Mayor/President at the time of an emergency. Within this section 6.8(1) of the same act, tenders do not have to be publicly invited if goods and services are obtained from this expenditure.

7.1.4 Responsibilities for expending Shire funds

Where possible, expenditure of funds should be discussed with the CEO or nominated senior officer. The nominated senior officer must have an appropriate authorisation level required to enable funds expenditure.

ACTION

- All invoicing and costs associated with the emergency event to be allocated against emergency cost centre.
- CEO and/or nominated senior officer have authority to expend funds on emergency event.



7.2 Financial Assistance

7.2.1 The State Emergency Management Policy (SEMP)

SEMP Policy Section 5.12 outlines the responsibility of the Hazard Management Agency/Control Agency to meet costs associated with an emergency.

7.2.2 Financial Assistance in Recovery

The owner has primary responsibility for safeguarding and restoring public and private assets affected by an emergency. Government recognises that communities and individuals do not always have resources to provide for their own recovery and financial assistance is available in some circumstances.

Information on these relief arrangements can be found in the State Emergency Management Plan for State Level Recovery Coordination ([SEMC EM Plan Section 6.10](#)).

7.2.3 Disaster Recovery Funding Arrangements-Western Australia (DRFAWA)

DRFAWA is an arrangement between the State and Commonwealth. It provides certain measures to support relief and recovery efforts following a disaster deemed 'eligible'. To be eligible, it must be a natural disaster or terrorist act for which:

- A coordinated multi-agency response is required;
- State expenditure exceeds the small disaster criterion (\$240,000 not including insurance related expenditure); and
- It must be a terrorist event or one of 10 specific natural disasters.

Once it has been determined that the emergency is a large-scale costly event, the Shire shall immediately contact the WA State Administrator of DRFAWA.

DRFAWA Officers can be contacted via:

Email: drfawa@dfes.wa.gov.au

Phone: 9395 9341 or 9395 9973 or 9395 9374

Website: <https://www.dfes.wa.gov.au/recovery/Pages/DRFA-WA.aspx>

7.2.4 Centrelink

When a major disaster has significantly affected individuals and families, the Australian Government may provide the Disaster Recovery Payments which may vary from time to time. For more information, visit <https://www.humanservices.gov.au/individuals/help-emergency>



ACTION

- On advice an emergency is an eligible event and significant resources have been expended LRC will direct Shire to contact with DRFAWA Officers for advice and guidance.
- In an eligible major disaster LRC will assist affected individuals connect with Centrelink for assistance payments.
- For significant emergency events, immediately begin to track costs in case claims can be presented to DRFAWA.



8. APPEALS, DONATIONS AND VOLUNTEERS

8.1 Appeals and Donations

8.1.1 Lord Mayor's Distress Relief Fund (LMDRF)

The Shire will advise and direct the distribution of monetary donations through the LMDRF, which operates under specific guidelines and policy. LMDRF will provide aid to Western Australian victims of disastrous events. The Fund will primarily focus on the relief of individuals' distress and hardship of individuals.

LMDRF should work closely with the LRG, ensuring local issues are considered before deciding on a disbursement plan. LRG authenticates applications and provides recommendations to LMDRF for financial assistance to be disbursed. For more information see: <http://www.appealswa.org.au>

8.1.2 Donations of goods

At every opportunity, donations of physical goods should be discouraged due to significant difficulties when managing physical items. Cash donations are easier to manage and provide the opportunity to use local services, which in turn assists with the recovery of local businesses.

View the [National Guidelines for Managing Donated Goods](#) for best strategy management.

8.1.3 Donations of Cash

LRG will encourage the use of the LMDRF for cash donations and if deemed necessary, a separate account will be opened. ([State EM Procedures](#) Pg. 176, Management of Public Fundraising and Donations)

8.1.4 Non-Government Organisations (NGO) Assistance

NGOs may offer assistance by way of emergency relief funds, shelter or supplies. Where possible all offers or requests should be coordinated through the LRG to avoid duplication of effort and confusion.

8.1.5 Donations of Service and Labour

The Shire or its LRG should coordinate donations of services/labour to assist with recovery.

**ACTION**

- On advice of eligibility following a disaster LRC will direct Shire Officers to contact LMDRF for advice and guidance.
- Spokesperson to advise that the Shire will not accept donations of goods.
- All financial donations will be direct through the LMDRF.
- Offers of assistance will be directed to LRG.

8.1.6 Spontaneous Volunteers

Spontaneous volunteers may emerge offering support and assistance to the affected community. In the first instance, the Shire and its LRG will determine the process to deal with this situation and if support agencies are required to assist with managing these volunteers. The likely sources of volunteers are:

- Clubs
- Community groups
- Non-government organisations, and
- Members of the public.

ACTION

- LRG will refer the management of volunteers to local service clubs and support organisations.



9. FACILITIES AND RESOURCES

9.1 Hazard Management Agency Response Resources

The Hazard Management Agency (HMA) is responsible for certain resources and should determine which are required to combat the hazards.

9.2 Shire of Derby West Kimberley Contacts, Resources and Assets Directory

The Shire has conducted a broad analysis of resources it has available and collated these in the 'Shire Emergency Contacts and Resources Directory' and the 'Shire Welfare Centre Assets Directory' found in the Shire's Local Emergency Management Plan. Both documents shall be reviewed and updated quarterly at each LEMC meeting. The Shire Emergency Contacts and Resource Directory contains:

- Contact Names
- Contact Details (Business/After Hours), and
- Resources and Service Providers.

9.3 Australian Red Cross

The Australian Red Cross has over `100 years' experience of dealing with people in crisis. A wide range of helpful resources can be found on the [Australian Red Cross](#) website to help communities prepare for, respond to and recover from disasters.

9.4 Recovery Facilities and Staff

9.4.1 Recovery Centre and One-Stop-Shop

The purpose of a **Recovery Centre** (RC) and a **One-Stop-Shop** (OSS) is to bring together all agencies involved in the recovery process to ensure effective communication and coordination of resources, information and tasks.

The LRC will decide where to establish the RC (which could be on-going for a significant length of time) and the OSS (usually immediate and shorter length of time), which will depend upon the location, extent and severity of the emergency. Alternative centres will be explored as required on availability of premises following an event.



The following locations have been identified as suitable RCs:

Location One - Shire of Derby West Kimberley Council Chambers – 24 Loch Street, Derby

Contact	Name	Phone	Mobile
1 st Contact	Chief Executive Officer	0891910999	
2 nd Contact	Executive Manager Technical & Development Services	0891910999	0418922415
3 rd Contact	Manager Community Development	0891910999	

Location Two - Derby Recreation Centre, Ashley Street Derby

Contact	Name	Phone	Mobile
1 st Contact	Chief Executive Officer	0891910999	
2 nd Contact	Executive Manager Technical & Development Services	0891910999	0418922415
3 rd Contact	Manager Community Development	0891910999	

Location Three –Fitzroy Crossing Visitors Centre, Crn., Flynn Dv. /Forrest Rd. Fitzroy Crossing

Contact	Name	Phone	Mobile
1 st Contact	Senior Customer Service Officer	0891915116	
2 nd Contact	Ken McLeod - Ranger-Works Supervisor	0891915201	0427915201

Depending on the incident's severity, the OSS may be established to provide a central location for the public to receive assistance from all the relevant agencies in the short term. The OSS is to be located as close as possible to the affected community area.

Often the nominated evacuation centre may make a natural transition into the OSS. Where this option is not viable, other facilities should be considered in consultation with the Department of Communities and other relevant stakeholders.

ACTIONS

- LRC/LRG to determine location for RC and establish as soon as possible.
- OSS to be established immediately following event and located appropriately.



9.4.2 Shire of Derby West Kimberley Staff

9.4.2.1 Staff considerations

To ensure the continuity of regular business processes, the demands of recovery operations on staff should be considered. It may be necessary to employ additional staff to ensure the Shire continues to fulfil critical service obligations to the community.

The extent of the recovery operations should not be underestimated, as recovery can be a complex and lengthy process. Depending on the nature of the event, some recovery services may be required for months or even years after.

9.4.2.2 Staffing levels

In the event of a large-scale emergency, the Shire's management should assess staffing needs, as soon as possible, to ensure adequate resourcing is available. If appropriate, a request for assistance may be forwarded to the LRG for consideration.

9.4.2.3 Stress and fatigue

Senior staff are responsible for considering and monitoring the effects of fatigue, stress, and pressure on staff throughout the recovery process. Additionally, there may be situations where some staff members live in the affected community and have been personally affected by the disaster. Dependent on the nature and impact of the disaster, Council and Human Resources Officers should consider additional support for staff. The Shire's current Employee Assistance Programs (EAP) should be used as necessary.

9.4.2.4 Staff communication

It is imperative that all staff be regularly briefed and kept up-to-date with all activities and progress of recovery. Every day staff communicate with a broad range of community members so can confidently understand and relate the extensive activities and actions the Shire and its LRG are currently engaged in. Situation Reports should be posted prominently within the workplace.

The Shire will instigate a formal debriefing arrangement for all staff as they transition from recovery back to their normal duties.

ACTION

- Shire staff to be regularly briefed on current situation and activities within recovery.
- Stress and fatigue of Shire staff to be monitored and assistance provided where appropriate.
- As soon as possible determine increase in staffing level to meet demands (refer 1.7.3.).



10. ROLES AND RESPONSIBILITIES

10.1 Local Emergency Management Committee

The Shire's LEMC is a planning committee with the role of developing local emergency management plans (arrangements) for its district. To assist the Shire manage its recovery activities, during the response phase, some members may be part of the ISG while also forming part of the LRG.

10.2 Local Recovery Coordinator

The Shire's LRC has been appointed in accordance with the [Emergency Management Act 2005](#), Section 41(4). A deputy has also been appointed and trained to undertake the role in case the primary appointee is unavailable when an emergency occurs.

10.3 Local Recovery Group

The Shire's LRG is the strategic decision-making body that oversees the recovery process. The LRG has a key role in coordinating recovery activities to rebuild, restore and rehabilitate the social, built, economic and natural environments of the affected community. LRG is formed from LEMC members responsible for specific recovery and restoration tasks, Support organisations, Non-Government Organisations and significant community representatives.

10.4 Shire Recovery Roles and Responsibilities

A comprehensive list of all roles and responsibilities for disaster recovery duties of the LRC and identified Shire staff can be viewed at **Appendix 5**.

10.5 External Agencies Recovery Roles and Responsibilities

The WA State Government along with Non-Government Organisations should provide a range of services and resources to the recovery effort and should be used wherever possible. A complete list of agencies and their roles and responsibilities can be viewed in the [State Emergency Management Plan](#) at [Appendix E](#).

ACTION

- All Shire staff could be engaged in various stages of disaster recovery.
- Specific Shire staff identified in this plan should be familiar with the roles and responsibilities involved with disaster recovery.
- External agencies should be engaged and used wherever possible.



11. COMMUNICATIONS

Recovery communication is the practice of sending, gathering, managing, evaluating and disseminating information. In an emergency and during the response phase, the HMA/CA manages communications. The CA officially hands responsibility for communication to the local government leading the recovery complete with the Impact Statement, as the transfer of event management to recovery is conducted. The local government coordinates the recovery of the affected community, including communications.

Communities threatened by, or experiencing, an emergency have an urgent and vital need for information and direction. They need to know what is likely to happen (or has happened), what to do and what to expect. They also need to know what the authorities are doing.

11.1 Recovery Communication Plan

A template for the Recovery Communication Plan has been developed to guide recovery communications. It details a vision, mission and direction for communication to the affected community and is provided to the LRG. The Recovery Communication Plan can be found at **Appendix 1**.

11.2 Spokesperson/s

During recovery, the Shire's spokesperson will be the Shire's President and/or the CEO. The CEO may delegate authority for specific person/s to act as a spokesperson.

11.3 Provisions for Non-English Speaking Communities

The Shire's current strategy for communicating with Non-English speaking areas of the Derby West Kimberley communities will be utilised within recovery communications.

ACTION

- The Recovery Communications Plan will be used to provide guidance in public information and communications.
- For further guidance refer Communication in Recovery Guidelines
<https://semc.wa.gov.au/emergency-management/em-tools/Documents/CommunicatingInRecoveryGuidelines.pdf>



12. STAND DOWN

Recovery doesn't have a definite end date; however, the Shire will consult with all interested parties to decide when it will resume normal service delivery. This decision will be made depending on the severity and nature of the emergency, and the impact on the Shire and the community.

12.1 Debriefing

A representative from the Shire's People & Culture section will instigate a formal debriefing arrangement for all staff through the Employee Assistance Program (EAP) as required, while the Shire transits from recovery back to normal duties.

12.2 Evaluation

Under State emergency management guidelines, the one-year anniversary of the emergency marks the time when the local government must provide an evaluation report of its activities in recovery. ([State EM Policy](#) 6.10 - Review of Recovery Activities).

The LRC will provide the State Recovery Coordinator with a formal report that reflects on the recovery process undertaken by the Shire and its LRG. See **Appendix 6** Post Recovery Analysis, and **Appendix 7** Reporting template.

ACTION

- A formal Post Recovery Analysis will be held for LRG for evaluation and application of lessons learnt. (see Appendix 11)
- A formal debrief will be held for Shire staff for evaluation and application of lessons learnt.
- Assistance will be made available through EAP for any staff working in the recovery process.
- Formal report compiled by LRC for council and State Recovery Coordinator.

Appendix 1



**Shire of Derby /
West Kimberley**



(Insert disaster/emergency event name)

Disaster Recovery Communication Plan



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DOCUMENT CONTROL

Issue	Rev.	Date	Author	Reviewed
Draft for comment		April 2021	LRW	2021
Final Draft		May 2022	RP	2022



1. Vision

- ☐ The Shire of Derby West Kimberley's (herein referred to as "the Shire") vision during an emergency and subsequent recovery is to empower and support the community so it feels an active partner in its recovery.
- ☐ To have a strategy in place to manage and/or avoid any adverse public actions and/or reactions which relate to the recent emergency.

2. Mission

- ☐ The Shire's mission is to provide widespread regular high quality information to disaster affected community members and the greater community.
- ☐ To acknowledge the psychological challenges and complexities of communicating with a community that has been affected by the disaster.
- ☐ To encourage and promote two-way communication to better understand the community's needs and concerns.

3. Communication Objectives

The objectives of communication during recovery are to:

1. Provide direction for communication activities.
2. Ensure communications are appropriate for the audience (To and From).
3. Be flexible to incorporate changes as the situation develops.
4. Ensure feedback to the Shire, stakeholders and community is comprehensive, meaningful and timely.
5. Identify the appropriate delegations, information release authority arrangements and protocols.



4. Key Target Audience

The following have been identified as the primary target audience for communications.

Primary Target Audience	Description	Actions When/Where
Disaster affected community members	Reach those who have been directly affected and may be seeking assistance. Consider outreach and using this data base.	Provide recovery contacts and key information to aid decisions via outreach. Shire' s website to be kept updated with recovery information.
Displaced persons	Displaced persons need to remain contactable. Use a variety of networks to reach people.	Maintain master database of affected persons. Agencies to share information to build a clear picture of where people are and their contacts.
Community of the Shire of Derby West Kimberley	Reach those who like to be kept up-to-date on local news and happenings. Use existing community networks so all requests for support and assistance can be provided.	Shire' s Website Recovery Newsletter Local Paper Community Radio TV interviews Community Events LRG gatekeeper networks
Recovery agency partners	Ensure a coordinated effort and that all messages	All messages coordinated through Local Recovery Coordinator' s office.



Primary Target Audience	Description	Actions When/Where
	provided to the community are consistent.	
Rural/Special Sub-division community	Reach any rural community that may not have visited recovery centres or attended community meetings and may not know help is available.	<p>Outreach conducted at interval:</p> <p>Immediately after impact</p> <p>6 monthly follow up</p> <p>12 monthly follow up.</p> <p>Ensure special issue of Recovery News attached to rates notices.</p> <p>Consider phone outreach.</p>
Identified vulnerable community members (families, children, socially isolated, elderly, youth, bereaved)	Communicate with a range of other vulnerable community members through service providers (e.g. Schools, Communities).	Coordination and support of key stakeholder agencies involved in supporting the wellbeing of vulnerable community. Ensure information is exchanged between different agencies.



Affected businesses and their employees	Maintain communication with affected businesses. Provide information and assistance so businesses can continue to operate and employ staff.	Liaise with affected businesses. Engage key support agencies that aid the business community and ensure communication is encouraged.
Shire' s Communities	Reach those who like to be kept up-to-date on local news and happenings. Reach those who may want to donate cash, supplies/materials or labour.	Official Shire media releases. Website kept updated with latest recovery information. Engage radio and TV to keep the recovery of community positive and transparent.
State and Federal Government	Keep governments informed of Shire' s challenges to enlist appropriate assistance.	Ensure key strategies and actions undertaken are communicated to State/Fed. Gov' t agencies to ensure common objectives and goals are met and a united front is projected for recovery.
Shire' s staff and elected Councillors	Provide information about the challenges to enlist appropriate solutions and provide actions.	Staff newsletter/Intranet information on what is 'happening' in recovery. Customer service information sheet for incoming enquiries. Recovery information is a regular Council agenda item.
Local Recovery Group and Sub-Committees	Provide information to the following committees: Finance	Maintain spreadsheet database of sub-committee meetings highlighting



	<p>Social Wellbeing</p> <p>Infrastructure</p> <p>Natural Environment</p>	<p>actions, time schedules,</p> <p>responsibilities and outcomes</p> <p>available across four sub-</p> <p>committees</p>
--	--	--

The following audiences have been identified as the secondary targets for communication.

Secondary Target Audience	Description	Actions When/Where
Media commentators	<p>Provide information to:</p> <p>Authorised State and regional newspapers</p> <p>State and local radio</p> <p>State and local television.</p>	<p>Weekly newspaper updates.</p> <p>Monthly radio interviews updates.</p> <p>Encourage good news recovery stories for TV/Radio.</p> <p>Community events.</p> <p>Develop and manage an agreed reporting rhythm.</p>
Business community	<p>Keep the business community informed.</p>	<p>Form working groups of affected businesses so they are hubs to distribute information.</p>
WA Community	<p>Keep the wider community informed.</p>	<p>Encourage wider syndication of good news stories and media releases.</p>

5. Key Messages



Messages must be consistent with the overall purpose of the communication and meet the requirements of the Shire, stakeholders and the community.

Key messages to be delivered to both primary and secondary target audiences are:

Message: What do you want your audience to think, feel or do?	Purpose: Does this message meet your communication objective?
All concerns/issues, whether great or small, matter to the Shire and are being addressed.	Objective 4, 3
Current situations and information received will be acted upon.	Objective 2, 4
The whole community is being informed and kept up-to-date.	Objective 4
The community is an active partner in recovery and is consulted on decisions and activities that are organised.	Objective 1, 3
The community is empowered by the information received and is encouraged to be self-sufficient to build capacity.	Objective 1

6. Actions

Key Stakeholders	Proposed Consultation/Communication	Medium
Community	Community consultation via a range of mediums to reach appropriate members	Face-to-face via Recovery Centre Community Development team



	Using existing community networks and information conduits to engage and inform Recovery Community Meetings Recovery Newsletter Shire website using submittable forms Appendix 1	As needs basis Weekly first month Switching to fortnightly/monthly Further Outreach as needed to maintain contact and get to persons that don't have other forms of communication.
Shire Councillors	Implementation updates via Council meetings, email newsletters.	Weekly, via 'FYI' newsletter
Shire staff internal and operational	Updates regarding actions and ongoing issues.	Messages disseminated through senior staff via weekly meetings. Agency updates via CEO.
Media	Council segment updates in local papers. Regular interviews with local radio stations.	Locally read newspaper in and possible West Australian.
Shire of Derby West Kimberley	Develop and use a protocol to ensure that all information is vetted, factual and suitably endorsed for release.	LRC, CEO, Communications Officer



7. Risk Management

Risk	Action/Mitigation
Information overload	Ensure information is fresh, different and interesting, e.g. consider news items found about other affected communities and their recovery. Ensure all information presented addresses a community need, thus minimising superfluous information.
Material poorly designed and ineffective in communicating key messages	Design material so it is clear, easy to use and written in appropriate language for the chosen audience.
Material and information too late or too infrequent	Have weekly or fortnightly deadlines.
Other agencies sending mixed messages	Make sure all agencies are aligned and messages are consistent.

Communication Channels	Monitor and Evaluate
Derby West Kimberley Emergency/Disaster Event Recovery Newsletter	After publication, register any enquiries or comments regarding the content and assess weekly or immediately after publication.
Local Newspaper, Community Bulletins, West Australian Newspaper	After publication, register any enquiries or comments regarding the content and assess weekly.
Shire' s website and FAQs	Assess the number of visits to event recovery page. Establish feedback loops through the website to gauge effectiveness of communications.



Radio interviews (spokesperson)	Record interviews for critical analysis.
Staff briefing notes/script	Check regularly to ensure information is up-to-date and updated immediately the situation changes.
Community events and community meetings	Register attendance numbers. Take notes at each event and meeting to gauge interest and relevance of content.
Distribution of news through existing community networks	Monitor social media and other community networks.

8. Communication Plan Review

The Communication Plan will be reviewed daily/weekly, or as necessary, as determined by Local Recovery Group Chairman and/or CEO Shire of Derby West Kimberley.

9. Communications Budget

The Communication Budget will form part of the general communications budget as part of the annual Shire of Derby West Kimberley Budget.



10. Attachments

Part 1

1. Ask a Question
2. Make a Statement

Part 2

Outreach Needs Assessment and Initial Contact Form


Part 3

Recovery Community Meetings Guidelines

PART 1 – Listening:

1. Ask A Question

2. Make A Statement

	Emergency/Disaster Event RECOVERY ASK A QUESTION	
	<p>If you would like to ask a question related to the recovery process, please write your question below, provide your name and contact details in the space provided, and one of our Officers will contact you within the week.</p>	
Your name:		Your contact details:

Printed on YELLOW paper

	Emergency/Disaster Event RECOVERY MAKE A STATEMENT	
	<p>Please feel free to provide us with feedback, or make a statement about the recovery process. If you would like a response from one of our Officers, please provide your name and contact details in the space provided.</p>	
Your name:		Your contact details if response required:



PART 2 – Outreach Needs Assessment and Initial Contact Form



Outreach Impact & Needs

Date: _____ TEAM No: _____

Hello, my name is _____ and I am from LG/volunteer/Aust. Red Cross on behalf of the Shire of Derby West Kimberley. We are here to (engage/speak/check in) with those affected from recent events to see how best we can assist. We' re collecting a database of affected people and impact on properties to ensure we deliver up-to-date information and assistance in connecting people with appropriate organisations/agencies/people depending on assistance you may require.

PROPERTY DETAILS

Property Location (Lot No, Street name, Area):

		Nearest Cross Road:	
Property Owner/Occupant Name:			
How would you like to be contacted?		Your preferred time?	
<input type="checkbox"/>	Phone: _____	<input type="checkbox"/>	Morning (7am – 12noon)
<input type="checkbox"/>	Email: _____	<input type="checkbox"/>	Afternoon (12noon – 5pm)
<input type="checkbox"/>	Post: _____	<input type="checkbox"/>	Evening (After 5pm)

PROPERTY NEEDS

Please provide information on detail for any needs

identified

<input type="checkbox"/>	House destroyed/uninhabitable	
<input type="checkbox"/>	House damaged	
<input type="checkbox"/>	Outbuildings destroyed Total: _____	
<input type="checkbox"/>	Rebuilding assistance	
<input type="checkbox"/>	Asbestos/Possible asbestos	
<input type="checkbox"/>	Water supply affected	

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<input type="checkbox"/>	Vehicle destroyed/damaged		
<input type="checkbox"/>	Animals lost/Injured		
<input type="checkbox"/>	Utility services affected		
<input type="checkbox"/>	Fencing destroyed/damaged		
<input type="checkbox"/>	Environmental clean-up required		
<input type="checkbox"/>	Other (Please provide details) _____		
INFORMATION NEEDS		OTHER ASSISTANCE REQUIRED	
<input type="checkbox"/>	Rubbish collection/Disposal information	<input type="checkbox"/>	Council Services TYPE:
<input type="checkbox"/>	Recovery Information/Newsletter	<input type="checkbox"/>	Referral to Agency WHO:
<input type="checkbox"/>	Financial/Grant assistance	<input type="checkbox"/>	Other (provide details):
<input type="checkbox"/>	Counselling/Wellbeing check		
Would you like someone to contact you?			
<input type="checkbox"/>	Immediately	<input type="checkbox"/>	Within the week
		<input type="checkbox"/>	In the future
(Tick Box)			

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PART 3 – Recovery meeting guidelines

Community Recovery Meeting

We promise to listen to you and do our best to answer your questions honestly and tell you exactly what we know. There will be many questions that we don't have answers to yet. Please accept this is our reality and we are doing everything we can to get these questions answered by the responsible agencies.

Unity at Community Meetings – Together we stand

Let's keep the right thing at the centre: let's do the very best we can for our recovery as a community

Together we are better and stronger: let's keep the spirit of community strong (and your local government workers are part of that community)

Treat each other with dignity and respect: everyone's concerns matter and are equally important

Keep it as civil as you possibly can: abusive language is not acceptable and is not helpful

Listen respectfully to each other and try to understand the other's point of view

Only one person to speak at a time... we can only hear one person at a time

Say what you need, and what you need to know

Constructive suggestions are welcomed... everyone can be part of the problem-solving process

It is OK to leave the room at any point. We have Councilors here who can help you if you feel overwhelmed



Appendix 2

Operational Recovery Plan Template

Operational Recovery Plan

Emergency Event: (Type and location)

Date of Emergency: _____

HMA/CA INCIDENT LEVEL ____ . DECLARED AS _____

Section 1

Introduction:

Background on the nature of the emergency or incident	Compile the type of event and basic outline of sequence of events
Aim or purpose of the plan	Like all management tools think about why you are engaged in recovery and what you hope to achieve overall
Authority for plan	As a local authority you are charged with the responsibility of recovery under the Emergency Management Act 2005

Section 2

Shire of Derby West Kimberly Local Recovery Plan 2022



Assessment of Recovery Requirements:

Details of loss and damage	Residential, commercial and industrial buildings, transport, essential services (including state and local government infrastructure). Your primary Impact Statement (IS) from HMA will give you an initial overview. This can be added to when subsequent reports are made.
Estimates of costs of damage	You may get indications from Impact Statement. Further indications could be from insurance agencies, also lifeline infrastructure may assist assessment.
Temporary accommodation requirements	Include details of evacuation centres opened, displaced persons, need for temporary accommodation, relocating displaced persons.
Additional personnel requirements (general and specialist)	It is imperative that you enlist as much help as you can in the initial stages. This may be specialist assistance or simply manpower to cope with the increased workloads.
Human services (personal and psychological support) requirements	On completion of Outreach Individual Needs Assessment, you would have initial contact with your affected community ascertaining what physical and psychological resources are required in the immediate, short and medium term, understanding the impact on community.
Health issues	Medical/Health personnel and Council EHOs will assess any significant issues (water, food spoilage, medical supplies or medivac).

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Section 3

Organisational Aspects:

Details the composition, structure and reporting lines of the groups, sub-committees and working groups set up to manage the recovery process.

Details the inter-agency relationships and responsibilities.

Details the roles, key tasks and responsibilities of the various groups/committees and those appointed to various positions including the Local Recovery Coordinator.

Section 4

Operational Aspects:

Details resources available and required	Give list of resources deployed and confer with the LRG network for future resources.
Redevelopment Plans (includes mitigation proposals for betterment)	This could be inappropriate in the early stages, however, should be part of the Long-Term Recovery Strategy in future reporting.
Reconstruction restoration programme and priorities	Detail agencies engaged in their specialist fields and estimates for re-establishing lifelines, waste, and restoration.
Includes programs and strategies of government agencies to restore essential services	Consider betterment when engaged in rebuilding.

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Includes the local government program for community services restoration	Local events, meetings, coffee get togethers, recreation, breakfast BBQs, etc.
Financial arrangements	Assistance programs DRFAWA, insurance, public appeals, LMDRF, and physical and monetary donations.
Public information dissemination	From the Communication Plan outline what and how your communication is being staged.

Administrative Arrangements:

Administration of recovery funding	General financial issues.
Public appeals policy and administration	Including policies and strategies for office and living accommodation, furniture and equipment details for additional temporary personnel.
Information management processes	How is the management and recording process being undertaken.
Reporting rhythm	Who, when and how is the reporting being undertaken.

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Section 5

Conclusion:

Give an overall summary highlighting immediate, short, medium and long-term priorities and timetable.

Signed by: _____

Chairperson Local Recovery Group or Local Recovery Coordinator

Date: _____

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APPENDIX 3

Local Recovery Group Management

1.1 Structure and functions



1.2 Partial Recovery Management Structure – Initial

(Depending on community impact and complexity of event)



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1.3 Full Management Structure (Comprehensive/Complex Event)



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1.4 Local Recovery Group Sub-Committee Functions

Social Community Wellbeing Sub-Committee

Provides advice and guidance to assist in restoration and strengthening of community wellbeing post event.

Facilitates understanding of needs of affected community in relation to its wellbeing.

Ensures the affected community is informed and involved in recovery processes so actions and programs match its needs.

Assesses and recommends medium and long-term priority areas to Shire Derby West Kimberley for consideration to assist with restoration and strengthening of community wellbeing.

Assesses the requirement for personal support services in the short, medium and long-term.

Facilitates resources (financial and human) as required to complement/assist existing local services.

Monitors progress of local personal service providers and receives regular progress reports from agencies involved.

Built Infrastructure Sub-Committee

Assesses requirements for restoration of services and facilities with assistance from responsible agencies.

Assesses restoration process and reconstruction policies, programmes, and facilitates reconstruction plans where required.

Reports progress of restoration and reconstruction process to the Recovery Group.

Assesses and recommends priority infrastructure projects assisting with recovery process in immediate, short, medium and long-term.

Finance Economics Sub-Committee

Provides advice and guidance to assist in restoration and strengthening of the Shire's economy after the event.

Makes recommendations to LMDRF on the orderly and equitable disbursement of donations and offers of assistance to individuals suffering personal loss and hardship, as a result of the event.



Develops eligibility criteria and procedures by which payments from the LMDRF will be made to affected individuals which:

1. Ensure the principles of equity, fairness, simplicity and transparency apply;
2. Ensure procedures developed are straightforward and not onerous to individuals seeking assistance;
3. Recognise the extent of loss suffered by individuals;
4. Complement other forms of relief and assistance provided by government and the private sector;
5. Recognise immediate, short, medium and longer term needs of affected individuals; and
6. Ensure the privacy of individuals is protected at all times.

Facilitates disbursement of financial donations from corporate sector to affected individuals, where practical.

Natural Environment Sub-Committee

Provides advice and guidance to assist with restoration of natural environment post event.

Facilitates understanding of needs of affected community in relation to environmental restoration.

Assesses and recommends priority areas, projects and community education to assist with recovery process in immediate and short-term regarding restoration of environment including weed management and impacts on wildlife.

Assesses and recommends medium and long-term priority areas to the Shire for consideration to assist in the restoration of the natural environment in the medium to long - term.



Appendix 4

Recovery Sequence Guide

Situation	Organisation/Action
<p>ALERT</p> <p>(Transition)</p> <p>Advice of an emergency with potential to require local coordination of recovery activities</p>	HMA/CONTROLLING AGENCY
	<p>Ensure Local Emergency Coordinator (LEC) and affected local government(s) are advised of extent of potential recovery support requirements.</p> <p>State EM Plan -</p> <p>6.2.1 – The Controlling Agency is responsible for the coordination of an assessment of all impacts relating to the four recovery environments (social, built, economic and natural) prior to cessation of the response, including a risk assessment and treatment plan to provide for safe community access to the affected area. Where required, an Impact Statement must be completed, prior to the transfer of responsibility for management of recovery to the local government(s) affected area.</p> <p>6.2.2 – The relevant Controlling Agency with responsibility for the response to an emergency must initiate a range of recovery activities during the response to that emergency, as detailed in the State EM Plan (section 6.4).</p>
	<p>Include Local Recovery Coordinators/local governments in briefings/Incident Support Group.</p>

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	LOCAL GOVERNMENT
	Establish liaison with Local Recovery Coordinator (LRC)/Local Recovery Group chairperson and appropriate core members considering requirement for local level coordination of recovery support.
	Advise and liaise with LRG members.

ACTIVATION Requirement for local level coordination of recovery identified/requested	LOCAL GOVERNMENT
	When requested by, or on the advice of, the HMA or ISG, convene LRG and where required, establish a management structure.
	LRC
STAND DOWN	Arrange for conduct of on-site assessment, if appropriate.
	Maintain links with affected organisations to identify and coordinate the provision of recovery support.
	LOCAL GOVERNMENT/LRC
	Ensure handover of responsibility for ongoing recovery activities to a managing agency.
	Advise LEC (informal) and LRG members of stand-down.

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On completion of local recovery activities.

Conduct debrief/post operations review and prepare report to the LEMC, with copies to the DEMC, the HMA and the Chair SEMC Recovery & Community Engagement Sub-Committee (SEMC).

Manage the implementation of post operations report recommendations and revision of Local Recovery Plan as required.

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APPENDIX 5

Roles and Responsibilities

Shire of Derby West Kimberley Staff

LOCAL RECOVERY COORDINATOR

Director Technical and Development Services

Forms part of Incident Support Group (ISG) to provide a coordinated response during an emergency

Facilitates and coordinates all recovery actions as directed by Local Recovery Group (LRG)

Advises and informs the community regarding all aspects of recovery as per communication strategy

Assesses community recovery requirements for each emergency in liaison with HMA to:

1. Provide advice to the CEO on requirements to activate Local Recovery Plan (LRP) and convene the LRG
2. Provide advice to the LRG

Undertakes the functions of the Executive Officer to the LRG

Facilitates the acquisition and appropriate application of materials, staff and financial resources

Manages resources required for an emergency disaster with assistance from Recovery Centre Coordinator

Coordinates local recovery activities, in accordance with plans, strategies and policies determined by the LRG

Monitors the progress of recovery and provides periodic reports to the LRG

Liaises with the State Recovery Coordinator on issues where State level support is required or where there are problems with local services

Ensures regular reports are made to the State Recovery Coordination Group on progress of recovery

Arranges a debriefing session for all participating agencies and organisations as soon as possible after stand-down including collating data developed throughout recovery for future reporting

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Ensures all emergency events and related meetings are minuted and all Emergency Coordination Centre and Recovery Centre records are kept for 7 years for the coronial inquest and legal defence purposes

Chairperson

Local Recovery Group – Shire President

Provides information to the LEMC Chair on issues that need to be addressed from a Shire and LRG perspective

Chairperson

Local Emergency Management Committee – Shire President

Identifies any issues that arise from the LRG and communicates to the relevant LEMC member/s for consideration and action

Recovery Support Officer

Shire Administration Officers

Provides administrative support as required to members of the LRC and LRG

SDWK Liaison Officer

Shire Corporate Communications/ CEO/ Director

Liaises with the HMA and Communication Coordinator

Ensures a consistent message is released to the community and internal staff

Recovery Centre Coordinator

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Community Development Officer

- Develops Management Arrangements, including the Local Recovery Plan (LRP)
- Appoints a deputy
- Prepares, maintains and exercises Recovery Centre (RC)
- Monitors and reviews information relating to centres (e.g. location, facilities)
- Builds and activates a team to open and manage centre
- Disseminates information on location, functions and hours of operation to public in conjunction with the Communication Coordinator
- Accesses and authorises the Shire to commit resources to the centre
- Coordinates the presence of relevant external agencies
- Ensures all emergency events and related meetings are minuted and all RC records are kept for 7 years for the coronial inquest and legal defence purposes
- Works in partnership with HMAs and SEMC Secretariat, during non-disaster periods, to increase recovery awareness and promote recovery planning with key stakeholders

Recovery Communications Officer

Directors/ CEO

- Liaises with other relevant Hazard Management Agency/Control Agency
- Ensures communication strategy is in place to share information internally and externally
- Writes and distributes media statements in line with LG policy
- Writes, produces and distributes promotional material
- Advises Executive Team on media issues
- Assists with preparing protocols for dealing with the media
- Reviews and implements Recovery Communication Plan in consultation with the LRC and LRG

Safety Officer

Shire Safety Officer

- Provides advice to all sections of the LRG on OH&S Risk Management during emergencies

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Liaises with relevant external services or agencies in relation to OH&S practices

Information Technology Support

Managed IT (External Consultant)/Manager Administration

Ensures normal services continue as the demand potentially increases from an emergency

Ensures IT equipment and resources available for Service Units requesting support and equipment

Community Services Coordinator

Community Development Officers

Liaises with Dept. for Communities (DC) Local Welfare Coordinator

Assesses requirements for support services in short, medium and long-term

Facilitates resources (financial and human) as required to complement/assist existing local services

Monitors local service providers and receives regular progress reports from agencies involved

Ensures maximum community involvement

Ensures immediate and long-term individual and community needs are met

Makes recommendations to the LRG

Children & Family Services Coordinator

Community Development Officer

Ensures normal services continue as the demand potentially increases from an emergency

Provides advice/progress to the LRG on issues affecting Children/Family services

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Engineer Operations and Logistics

Director Technical and Development Services

Ensures normal services continue as the demand potentially increases from an emergency

Assesses requirements for restoring services and facilities with the assistance of responsible agencies

Assesses the restoration process and the reconstruction policies and programs and facilitate reconstruction plans where required

Reports the progress of the restoration and reconstruction process to the LRG

Field Coordination Services

Technical Services/ Works Supervisors

Assists with operational response as requested by Engineering Operations Logistics

Financial Recovery Coordinator

Director Corporate Services

Acquires, distributes and accounts for funds

Liaises with the LRG to identify financial implications of emergency event

Committees established to manage donations, appeals, etc.

Keeps records of all costs as a result of the emergency (cost centre to track \$)

Liaises with DC to gain access of potential emergency funding

Liaises with State Officers after declaration made that activates the DRFAWA fund

Acts as representative to ensure appropriate recuperation of funds spent

Shire Resource Officers



Rangers

Assists Local Recovery Coordinator (LRC) as required

Economic Recovery Coordinator

Director Corporate / Finance Officer

Liaises with the Financial Recovery Coordinator to ensure funding is available for critical economical infrastructure affecting business operations)

Assists businesses with recovery following an incident

Liaises with the business community to ensure immediate/urgent needs are addressed

Assists with DRFAWA funding arrangements if required

Liaises with insurance companies and provides assistance where required to fast track claims from businesses (for example, provide temporary local office space for insurance assessors)

Waste Management

Manager Development Services

Ensures waste services continue as the demand potentially increases from an emergency

Health Risk Advisor

Senior Environmental Health Officer

Ensures normal services continue as the demand potentially increases from an emergency

Provides advice/information to the LRG on issues affecting environmental health resulting from the emergency

Evaluates/assesses properties affected by the emergency post event

Liaises with Dept. of Health as required on behalf of the Shire



Building Structural and Maintenance

Director Technical and Development Services / Contractor

Evaluates building structures following an emergency

Assists with emergency permits

Liaises with planning implementation, engineers and building practitioners

Evaluates/assesses building structures following an emergency

Provides assistance to residents affected by a disaster with advice and processing of building plans

Business Risk Management

Director Corporate Services

Develops a business continuity plan to ensure LG Business continues during and after the emergency/recovery process

Advises on Risk Analysis of Recovery Plan and actions

Parks Maintenance

Works Supervisor

Assists with an operational response as requested by LRG and Director Technical and Development Services

APPENDIX 6

Post Incident Analysis – Emergency and Recovery Management

ISSUE	COMMENT	RECOMMENDATIONS
Was notification/mobilisation satisfactory/appropriate?		
Was the Management/Administration structure effective?		
Reporting relationships clear? (Did you know who to report to?)		
Was the transition from Response Phase to Recovery Phase clearly established?		
Were Recovery Objectives/Actions clearly defined?		
Were Recovery Arrangements useful or require review/upgrade?		
Inter-agency liaison Any issues working/liasing with other organisations?		
Emergency Management - Recovery Support Arrangements Are relevant Agency/Organisation arrangements established/current?		

APPENDIX 7

Recovery Group Standard Reporting

LOCAL RECOVERY GROUP – RECOVERY REPORT

<Insert Emergency Situation Here>

(Derby, Fitzroy Crossing) Recovery Group

Report No:

To: Chairman, SRG/State Recovery Coordinator

Situation Update:

Should include: full damage report (once only) and estimated amount in dollars, work in progress including estimated completion dates, details of difficulties or problems being experienced.

Proposed Activities:

Should include plans and strategies for resumption of normal services (where appropriate), plans for mitigation works, dates of commencement and completion of reconstruction works, possible disruption of activities of other agencies.

Special Assistance:

Unknown

Requirements:

Includes support from other agencies, LRG intervention with priorities.

Financial Issues:

May include support from LRG for additional funding from Treasury.

Recommendations:

Name & Signature: _____

Title: _____

Date: _____

15 COMMUNITY AND RECREATION SERVICES

- Nil

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**17 NEW BUSINESS OF AN URGENT NATURE****18 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)**

- Nil

19 CLOSURE**19.1 Date of Next Meeting**

The next ordinary meeting of Council will be held Thursday, 27 April 2023 in the Council Chambers, Clarendon Street, Derby.

19.2 Closure of Meeting