



**Shire of Derby /  
West Kimberley**

# **CONFIRMED MINUTES**

## **Ordinary Council Meeting Thursday, 28 March 2024**

**Date: Thursday, 28 March 2024**

**Time: 11:00 AM**

**Location: Karrayili Adult Education Centre - Fitzroy Crossing**





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**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY  
ORDINARY COUNCIL MEETING  
HELD AT THE KARRAYILI ADULT EDUCATION CENTRE - FITZROY CROSSING  
ON THURSDAY, 28 MARCH 2024 AT 11:00 AM**

**PRESENT:** Mr Peter McCumstie (President), Cr Geoff Haerewa (Deputy President), Cr Brett Angwin, Cr Paul Bickerton, Cr Geoff Davis, Cr Brian Ellison, Cr Wayne Foley and Cr Kerrissa O'Meara.

**IN ATTENDANCE:**

**(In Person)** Amanda Dexter (Chief Executive Officer), Tamara Clarkson (Deputy Chief Executive Officer), Wayne Neate (Director, Technical and Development Services), Sarah Smith (Executive Services Coordinator) and Noelene Bain (Executive Services Project Officer), Giana Covella (Project Officer) and Douglas D'Antoine (Recovery Executive Officer).

**IN ATTENDANCE:**

**(Remote)** Neil Hartley (Director, Strategic Business), Mark Davis (Executive Project Director) and Jess Karlsson (Executive Director of Operations and Strategic Development)

**VISITORS:** Nil

**GALLERY:** Nil

**APOLOGIES:** Cr Andrew Twaddle.

**APPROVED LEAVE OF ABSENCE:** Nil

**ABSENT:** Nil

**1 DECLARATION OF OPENING, ANNOUNCEMENTS OF VISITORS**

The meeting was opened at 11.03 am by President Peter McCumstie.

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

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

**3 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

A Councillor may attend council or committee meetings by electronic means if the member is authorised to do so by the President or the Council. Electronic means attendance can only be authorised for up to half of the Shire's in-person meetings they have attended in total, in any rolling 12 months prior period. Authorisation can only be provided if the location and the



equipment to be used by the Councillor are suitable to enable effective, and where necessary confidential, engagement in the meeting's deliberations and communications.

- Nil

#### **4 DISCLOSURE OF INTERESTS**

##### **4.1 Declaration of Financial Interests**

- Nil

##### **4.2 Declaration of Proximity Interests**

- Nil

##### **4.3 Declaration of Impartiality Interests**

- Nil

#### **5 APPLICATIONS FOR LEAVE OF ABSENCE**

##### **LEAVE OF ABSENCE**

###### **RESOLUTION 28/24**

**Moved:** Cr Geoff Haerewa

**Seconded:** Cr Kerrissa O'Meara

That the Leave of Absence received from Cr Brian Ellison for the period of 29 March 2024 to 12 April 2024 inclusive, be accepted.

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**

#### **6 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

- Nil.

#### **7 PUBLIC TIME**

##### **7.1 Public Question Time**

- Nil.

##### **7.2 Public Statements**

- Nil.



**8 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS**

RSM Australia Pty Ltd – Krushna Hirani, Senior Manager

- Audit 2023/24

**9 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

President, Mr Peter McCumstie , on behalf of Council, would like to acknowledge and pass on condolences to the family and Fitzroy Valley community on the loss of AL, who was a leader and contributor (and recent Chair of Nindilingarri Health) and who was from the Noonkanbah Community.

**10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****RESOLUTION 29/24**

**Moved:** Cr Brian Ellison

**Seconded:** Cr Wayne Foley

**That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 29 February 2024, the Special Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 21 March 2024 at 4:30pm and the Special Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 21 March 2024 at 5:25pm be CONFIRMED.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**

**11 RECOMMENDATIONS AND REPORTS OF COMMITTEES**

- Nil



## REPORTS

### 12 CORPORATE SERVICES

#### 12.1 MID-YEAR BUDGET REVIEW

**File Number:** 5175

**Author:** Tamara Clarkson, Deputy Chief Executive Officer

**Responsible Officer:** Amanda Dexter, Chief Executive Officer

**Authority/Discretion:** Executive

#### SUMMARY

For Council to consider and adopt the 2023/24 Mid-Year Budget Review.

#### DISCLOSURE OF ANY INTEREST

Nil.

#### BACKGROUND

Local governments are required by regulation 33A of the *Local Government (Financial Management) Regulations 1996* to conduct a budget review between 1 January and 31 March each financial year. This report presents an indicative summary of the 2023/24 mid-year budget review and has been prepared to accordance with Australian Accounting Standards.

A budget review is a detailed comparison of the year to date actuals with the adopted budget.

There are other factors and urgent matters that affect the operational activities and revenue streams which have resulted in budget variations and are discussed further in this report.

Budget reviews provide a tool for decision making for current and future activities and they are a key component of prudent financial management practices in order to mitigate financial risk exposure to Council.

The review will examine the opening position for the financial year, which is likely to vary between that which is used for the Annual Budget and that which occurs following the Annual Financial Audit.

#### STATUTORY ENVIRONMENT

##### ***Local Government Act 1995***

##### **6.8. Expenditure from municipal fund not included in annual budget**

*(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*

*(a) is incurred in a financial year before the adoption of the annual budget by the local government; or*

*(b) is authorised in advance by resolution\*; or*

*(c) is authorised in advance by the mayor or president in an emergency.*

*\* Absolute majority required.*



**Local Government (Financial Management) Regulations 1996****33A. Review of budget**

(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

- (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
- (b) consider the local government's financial position as at the date of the review; and
- (c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

[Regulation 33A inserted: Gazette 31 Mar 2005 p. 1048-9; amended: Gazette 20 Jun 2008 p. 2723- 4.]

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

The Budget Review has identified areas of over and underspend. However, figures presented in this report are indicative and subject to change following further review and prioritisation. Further detailed analysis will be undertaken over the next few months during the formulation of the 2024/25 Annual Budget and any areas requiring Council's attention will be referred to

Variations to the Annual Budget, as outlined in the mid-year Budget Review, will form the new budget once adopted.

**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
<b>Legal &amp; Compliance:</b> That the review not be	Unlikely	Minor	<b>Low</b>	Accept Officer recommendation and



submitted to the DLGSC within 30 days after the review has been finalised.				submit to DLGSC.
<b>Financial:</b> Non-approval of the budget review would result in significant delays to achieving deliverables.	Unlikely	Moderate	<b>Medium</b>	In the short term the existing annual budget would continue to apply.
<b>Financial:</b> Misstatement or significant error in financial statements.	Possible	Moderate	<b>Medium</b>	Ensure monthly reconciliations are completed.  Internal and External audits regularly undertaken.

## CONSULTATION

Moore Australia.

## COMMENT

The focus of the 2023/24 mid-year Budget Review has been to consider any changes in Council's operating environment since the beginning of the financial year with a view to forecasting the financial impacts likely to arise for the remainder of the financial year and decide in relation to prevailing economic conditions and the most likely impact on the Council's financial position.

Annual budgets are by nature predictions of what will happen during the term of the budget. Although budgets are carefully prepared, unexpected circumstances and external influences result in the need to review the proposed activities during the entire budget term.

Council needs to ensure there is sufficient operational capacity to deliver the services and budget programs as set out in the adopted 2023/24 budget and accommodate events and issues that have arisen since budget adoption.

Future monitoring is required and further budget adjustments may be required later in the financial year to ensure Council is prepared for the 2024/25 budget process and at 30 June 2024. Council will have the opportunity, to allocate the surplus funds accordingly once the final position and cash flow is confirmed.

## VOTING REQUIREMENT

Absolute majority

## ATTACHMENTS

1. Mid-Year Budget Review 2023/24 [!\[\]\(05a3150ca7eafd44fce8deaa48838121\_img.jpg\)](#) 



**RESOLUTION 30/24****Moved: Cr Geoff Davis****Seconded: Cr Brian Ellison****That Council by ABSOLUTE MAJORITY:**

- 1. Adopts the 2023/24 Mid-Year Budget Review; and**
- 2. Direct the Chief Executive Officer to submit a copy of the Council resolution and attachments to the Department of Local Government, Sport and Cultural Industries.**

**In Favour:** Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

**Against:** Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY**



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21 March 2024

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

Dear Amanda

**MATTERS IDENTIFIED DURING COMPILATION OF STATUTORY BUDGET REVIEW REPORT FOR  
THE PERIOD ENDED 29 FEBRUARY 2024**

We advise we have completed the compilation of your statutory budget review report for the period ended 29 February 2024 and identified certain matters additional to those identified in the compilation report we wish to bring to your attention.

We are required under APES 315 *Compilation of Financial Information* to report certain matters in our compilation report and we draw your attention to the note regarding basis of preparation. Other matters which arise during our compilation we wish to bring to your attention are raised in the following pages of this letter along with suggestions to resolve these issues.

It should be appreciated, our procedures are designed primarily to enable us to compile the statutory budget review 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.

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

Yours sincerely

Russell Barnes  
Director  
[Moore Australia \(WA\) Pty Ltd](#)





Shire of Derby/West Kimberley – Statutory Budget Review

Period ended 29 February 2024

Topic	Item	First Identified	Explanation	Action Required	Priority
General ledger	Allocations	October 2023	Flood related expenditure has been expended as operating expenditure (materials and contracts) during the 23/24 financial year with no corresponding budget allocation.	We recommend reviewing allocations to confirm the expenditure is operating and not capital. Should the allocation be correct a budget amendment is required to authorise further expenditure.	High
Funding Statements	Opening surplus	November 2023	The audited opening surplus for 2022/23 is \$3,124,970 lower than the budgeted opening surplus.	Funds should be identified, and budget amendments adopted to rectify this funding shortfall.	High
Subsidiary ledgers	Outstanding	January 2024	Although we acknowledge a provision for impairment of \$374,162 exists, the debtors aged trial balance includes invoices totalling \$304,046 outstanding for over 90 days and debtors with credit balances totalling \$15,670. A significant portion of this receivable may be impaired at 30 June 2023.	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 long outstanding debtors be reviewed to ensure they are still collectible. We recommend debtors with credit balances be investigated and remedied.	Medium
General Ledger	Allocations	July 2023	Transactions have been allocated to incorrect IE codes for the applicable account type.  For example: Operating expenditure has been allocated to a revenue and capital IE Codes The report has been adjusted to correct the nature and account type. Correcting journals have not yet been posted.	We recommend allocations are reviewed and corrected to accurately report transactions by nature.	Medium





21 March 2024

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

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Dear Amanda

**COMPILATION REPORT TO SHIRE OF DERBY/WEST KIMBERLEY – BUDGET REVIEW REPORT**

We have compiled the accompanying statutory budget review report of Shire of Derby/West Kimberley. This has been prepared in accordance with *Local Government Act 1995* and associated regulations as described in Note 1 to the budget review report. The specific purpose for which the special purpose financial statements have been prepared is also set out in Note 1 of the budget review report.

**THE RESPONSIBILITY OF SHIRE OF DERBY/WEST KIMBERLEY**

The CEO of Shire of Derby/West Kimberley is solely responsible for information contained in the special purpose budget review report, the reliability, accuracy and completeness of the information and for the determination that the basis of accounting used is appropriate to meet their needs and for the purpose that the budget review report was prepared. Management is solely responsible for the forecast information presented within the report and for estimating revenue and expenditure for the year.

**OUR RESPONSIBILITY**

On the basis of information provided by Shire of Derby/West Kimberley we have compiled the accompanying special purpose financial report in accordance with the requirements of *APES 315 Compilation of Financial Information* and the *Local Government Act 1995*, associated regulations and to the extent that they are not inconsistent with the *Local Government Act 1995*, the Australian Accounting Standards.

We have applied our expertise in accounting and financial reporting to compile the budget review report in accordance with the basis of accounting described in Note 1 to the budget review report. We have complied with the relevant ethical requirements of *APES 110 Code of Ethics for Professional Accountants*.

Information attached to the statutory budget review report has been extracted from the records of Shire of Derby/West Kimberley and management forecasts and estimates the appropriateness of these has not been determined.

**ASSURANCE DISCLAIMER**

Since a compilation engagement is not an assurance engagement, we are not required to verify the reliability, accuracy or completeness of the information provided to us by management to compile these forward-looking financial statements. Accordingly, we do not express an audit opinion or a review conclusion on these financial statements.

The statutory budget review report was compiled exclusively for the benefit of Shire of Derby/West Kimberley who are responsible for the reliability, accuracy and completeness of the information used to compile them. Accordingly, the statutory budget review report may not be suitable for other purposes. We do not accept responsibility for the contents of the statutory budget review report.

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.



**SHIRE OF DERBY - WEST KIMBERLEY****BUDGET REVIEW REPORT****FOR THE PERIOD ENDED 29 FEBRUARY 2024***LOCAL GOVERNMENT ACT 1995**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996***TABLE OF CONTENTS**

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STATEMENT OF BUDGET REVIEW  
FOR THE PERIOD ENDED 29 FEBRUARY 2024

		Budget v Actual					
			Updated Budget Estimates (a)	Year to Date Actual	Estimated Year at End Amount (b)	Predicted Variance (b) - (a)	
	Note	Adopted Budget					
		\$	\$	\$	\$	\$	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates		8,687,508	8,687,508	8,649,066	8,687,508	0	
Rates excluding general rates	4.1	450,580	450,580	448,659	458,580	8,000	▲
Grants, subsidies and contributions	4.2	2,267,154	2,267,154	1,901,599	20,626,150	18,358,996	▲
Fees and charges	4.3	5,541,756	5,541,756	4,666,129	5,589,579	47,823	▲
Interest revenue	4.4	187,000	187,000	185,791	188,500	1,500	▲
Other revenue	4.5	667,520	667,520	617,947	781,028	113,508	▲
Profit on asset disposals	4.6	0	0	16,890	16,890	16,890	▲
		17,801,518	17,801,518	16,486,081	36,348,235	18,546,717	
Expenditure from operating activities							
Employee costs	4.7	(14,140,787)	(14,140,787)	(8,959,598)	(14,303,714)	(162,927)	▼
Materials and contracts	4.8	(12,547,595)	(12,547,595)	(16,878,687)	(27,465,972)	(14,918,377)	▼
Utility charges	4.9	(765,175)	(765,175)	(620,251)	(910,422)	(145,247)	▼
Depreciation	4.10	(7,500,000)	(7,500,000)	(7,114,559)	(7,502,775)	(2,775)	▼
Finance costs		(89,360)	(89,360)	(38,401)	(89,360)	0	
Insurance	4.11	(1,776,469)	(1,776,469)	(1,334,644)	(1,386,383)	390,086	▲
Other expenditure	4.12	(682,589)	(682,589)	(555,206)	(1,307,089)	(624,500)	▼
Loss on asset disposals	4.13	0	0	(37,048)	(37,048)	(37,048)	▼
		(37,501,975)	(37,501,975)	(35,538,394)	(53,002,763)	(15,500,788)	
Non-cash amounts excluded from operating activities	4.14	7,500,000	7,500,000	7,134,717	7,522,933	22,933	▲
Amount attributable to operating activities		(12,200,457)	(12,200,457)	(11,917,596)	(9,131,595)	3,068,862	
INVESTING ACTIVITIES							
Inflows from investing activities							
Capital grants, subsidies and contributions	4.15	28,120,710	28,120,710	9,570,387	28,522,710	402,000	▲
Proceeds from disposal of assets	4.16	0	0	73,500	73,500	73,500	▲
		28,120,710	28,120,710	9,643,887	28,596,210	475,500	
Outflows from investing activities							
Purchase of land and buildings	4.17	(9,097,000)	(9,097,000)	(1,667,600)	(9,362,500)	(265,500)	▼
Purchase of plant and equipment	4.18	(1,172,146)	(1,172,146)	(380,319)	(1,138,961)	33,185	▲
Purchase of furniture and equipment	4.19	(100,000)	(100,000)	(106,693)	(222,577)	(122,577)	▼
Purchase and construction of infrastructure-roads		(17,445,488)	(17,445,488)	(4,883,363)	(17,445,488)	0	
Purchase and construction of infrastructure-other	4.20	(6,964,984)	(6,964,984)	(348,918)	(7,029,484)	(64,500)	▼
		(34,779,618)	(34,779,618)	(7,386,893)	(35,199,010)	(419,392)	
Amount attributable to investing activities		(6,658,908)	(6,658,908)	2,256,994	(6,602,800)	56,108	
FINANCING ACTIVITIES							
Cash inflows from financing activities							
Proceeds from new borrowings		10,000,000	10,000,000	4,000,000	10,000,000	0	
		10,000,000	10,000,000	4,000,000	10,000,000	0	
Cash outflows from financing activities							
Repayment of borrowings		(395,335)	(395,335)	(195,932)	(395,335)	0	
Transfers to reserve accounts		(483,324)	(483,324)	0	(483,324)	0	
		(878,659)	(878,659)	(195,932)	(878,659)	0	
Amount attributable to financing activities		9,121,341	9,121,341	3,804,068	9,121,341	0	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year		9,738,024	6,613,054	6,613,054	6,613,054	0	
Amount attributable to operating activities		(12,200,457)	(12,200,457)	(11,917,596)	(9,131,595)	3,068,862	
Amount attributable to investing activities		(6,658,908)	(6,658,908)	2,256,994	(6,602,800)	56,108	
Amount attributable to financing activities		9,121,341	9,121,341	3,804,068	9,121,341	0	
Surplus or deficit after imposition of general rates	3(a), 4.21	0	(3,124,970)	756,520	0	3,124,970	▲



**SHIRE OF DERBY - WEST KIMBERLEY  
NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**1. BASIS OF PREPARATION**

This budget review 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 budget review 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 Leases which would have required the Shire of Derby - West Kimberley to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996, regulation 33A* prescribes contents of the budget review.

Accounting policies which have been adopted in the preparation of this budget review have been consistently applied unless stated otherwise. Except for cash flow and statement of financial activity, the budget review 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 of Derby - West Kimberley 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.

**Judgements and 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 that are 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:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimation of fair values of provisions

**SIGNIFICANT ACCOUNTING POLICIES**

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.



**SHIRE OF DERBY - WEST KIMBERLEY**  
**SUMMARY GRAPHS - BUDGET REVIEW**  
**FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**2. SUMMARY GRAPHS - BUDGET REVIEW**



This information is to be read in conjunction with the accompanying financial statements and notes.



SHIRE OF DERBY - WEST KIMBERLEY  
NOTES TO THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 29 FEBRUARY 2024

3 NET CURRENT FUNDING POSITION  
EXPLANATION OF DIFFERENCE IN NET CURRENT ASSETS AND SURPLUS/(DEFICIT)

	Audited Actual 30 June 2023	Adopted Budget 30 June 2024	Updated Budget Estimates 30 June 2024	Year to Date Actual 29 February 2024	Estimated Year at End Amount 30 June 2024
	\$	\$	\$	\$	\$
(a) Composition of estimated net current assets					
<b>Current assets</b>					
Cash and cash equivalents	11,819,687	3,091,341	3,091,341	2,286,238	4,497,552
Trade and other receivables	2,207,236	1,888,134	1,888,134	6,118,402	2,207,236
Inventories	50,780	59,048	59,048	26,264	50,780
Other assets	313,412	0	0	0	313,412
	14,391,115	5,038,523	5,038,523	8,430,904	7,068,980
<b>Less: current liabilities</b>					
Trade and other payables	(4,993,032)	(3,290,325)	(3,290,325)	(2,642,442)	(4,993,032)
Contract liabilities	(84,860)	0	0	(266,891)	0
Capital grant/contribution liability	(1,107,545)	0	0	(3,104,808)	0
Borrowings	(237,288)	(339,763)	(339,763)	(2,041,356)	(237,288)
Employee related provisions	(963,120)	(691,514)	(691,514)	(963,120)	(963,120)
Other provisions	(56,144)	0	0	0	(56,144)
	(7,441,989)	(4,321,602)	(4,321,602)	(9,018,617)	(6,249,584)
<b>Net current assets</b>	6,949,126	716,921	716,921	(587,713)	819,396
Less: Total adjustments to net current assets	(336,072)	(716,921)	(716,921)	1,467,996	(819,396)
<b>Closing funding surplus / (deficit)</b>	6,613,054	0	0	880,283	0

(b) Non-cash amounts excluded from operating activities

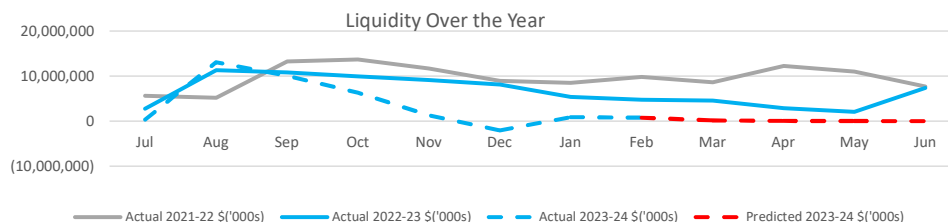
The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Audited Actual 30 June 2023	Adopted Budget 30 June 2024	Updated Budget Estimates 30 June 2024	Year to Date Actual 29 February 2024	Estimated Year at End Amount 30 June 2024
	\$	\$	\$	\$	\$
<b>Adjustments to operating activities</b>					
Less: Profit on asset disposals	(68,800)	0	0	(16,890)	(16,890)
Add: Loss on disposal of assets		0	0	37,048	37,048
Add: Loss on revaluation of fixed assets	164,984	0	0	0	0
Add: Depreciation on assets	7,764,982	7,500,000	7,500,000	7,114,559	7,502,775
Non-cash movements in non-current assets and liabilities:					
Pensioner deferred rates	(7,936)	0	0	0	0
Employee benefit provisions	38,195	0	0	0	0
Other provisions	1,162,492	0	0	0	0
<b>Non-cash amounts excluded from operating activities</b>	9,053,917	7,500,000	7,500,000	7,134,717	7,522,933

(c) Current assets and liabilities excluded from budgeted deficiency

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.

	Audited Actual 30 June 2023	Adopted Budget 30 June 2024	Updated Budget Estimates 30 June 2024	Year to Date Actual 29 February 2024	Estimated Year at End Amount 30 June 2024
	\$	\$	\$	\$	\$
<b>Adjustments to net current assets</b>					
Less: Reserve accounts	(975,801)	(1,459,125)	(1,459,125)	(975,801)	(1,459,125)
Add: Current liabilities not expected to be cleared at end of year					
- Current portion of borrowings	237,288	339,763	339,763	2,041,356	237,288
- Employee benefit provisions	402,441	402,441	402,441	402,441	402,441
<b>Total adjustments to net current assets</b>	(336,072)	(716,921)	(716,921)	1,467,996	(819,396)





**SHIRE OF DERBY - WEST KIMBERLEY  
NOTES TO THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**3 COMMENTS/NOTES - NET CURRENT FUNDING POSITION (CONTINUED)**

**SIGNIFICANT ACCOUNTING POLICIES**

**CASH AND CASH EQUIVALENTS**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are shown as short term borrowings in current liabilities.

**FINANCIAL ASSETS AT AMORTISED COST**

The Shire of Derby - West Kimberley 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.

**TRADE AND OTHER RECEIVABLES**

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

Trade and other receivables are recognised initially at the amount of consideration that is unconditional, unless they contain significant financing components, when they are recognised at fair value.

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

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

The Shire of Derby - West Kimberley applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

**INVENTORIES**

**General**

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.

**CONTRACT ASSETS**

Contract assets primarily relate to the Shire of Derby - West Kimberley's right to consideration for work completed but not billed at the end of the period.

**CONTRACT LIABILITIES**

Contract liabilities represent the Shire of Derby - West Kimberley's obligation to transfer goods or services to a customer for which the Shire of Derby - West Kimberley has received consideration from the customer.

Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

**PROVISIONS**

Provisions are recognised when the Shire of Derby - West Kimberley 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.

**CURRENT AND NON-CURRENT CLASSIFICATION**

An asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire of Derby - West Kimberley's operational cycle. In the case of liabilities where the Shire of Derby - West Kimberley does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire of Derby - West Kimberley's intentions to release for sale.

**TRADE AND OTHER PAYABLES**

Trade and other payables represent liabilities for goods and services provided to the Shire of Derby - West Kimberley prior to the end of the financial year that are unpaid and arise when the Shire of Derby - West Kimberley 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.

**PREPAID RATES**

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire of Derby - West Kimberley recognises revenue for the prepaid rates that have not been refunded.

**EMPLOYEE BENEFITS**

**Short-Term Employee Benefits**

Provision is made for the Shire of Derby - West Kimberley'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 of Derby - West Kimberley'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 net current funding position. Shire of Derby - West Kimberley's current obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the net current funding position.

**Other long-term employee benefits**

Long-term employee benefits provisions 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 of Derby - West Kimberley's obligations for long-term employee benefits where the Shire of Derby - West Kimberley does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, are presented as current provisions in the net current funding position.



**SHIRE OF DERBY - WEST KIMBERLEY  
NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**4 PREDICTED VARIANCES**

	<b>Variance</b>
	<b>\$</b>
<b>Revenue from operating activities</b>	
4.1 Rates excluding general rates	8,000 ▲
4.2 Grants, subsidies and contributions	18,358,996 ▲
4.3 Fees and charges	47,823 ▲
4.4 Interest revenue	1,500 ▲
4.5 Other revenue	113,508 ▲
4.6 Profit on asset disposals	16,890 ▲
<b>Expenditure from operating activities</b>	
4.7 Employee costs	(162,927) ▼
4.8 Materials and contracts	(14,918,377) ▼
4.9 Utility charges	(145,247) ▼
4.10 Depreciation	(2,775) ▼
4.11 Insurance	390,086 ▲
4.12 Other expenditure	(624,500) ▼
4.13 Loss on asset disposals	(37,048) ▼
4.14 Non-cash amounts excluded from operating activities	22,933 ▲
<b>Inflows from investing activities</b>	
4.15 Capital grants, subsidies and contributions	402,000 ▲
4.16 Proceeds from disposal of assets	73,500 ▲
<b>Outflows from investing activities</b>	
4.17 Purchase of land and buildings	(265,500) ▼
4.18 Purchase of plant and equipment	33,185 ▲
4.19 Purchase of furniture and equipment	(122,577) ▼
4.20 Purchase and construction of infrastructure-other	(64,500) ▼
4.21 Surplus or deficit after imposition of general rates	3,124,970 ▲



**12.2 ACCOUNTS FOR PAYMENT - FEBRUARY 2024**

**File Number:** 5110 - Accounts Payable  
**Author:** Lavenia Ratabua, Senior Finance Officer  
**Responsible Officer:** Tamara Clarkson, Deputy Chief Executive Officer  
**Authority/Discretion:** Information

**SUMMARY**

Council to receive the list of accounts paid under delegated authority during the month of February 2024.

**DISCLOSURE OF ANY INTEREST**

Nil by Author; Nil by Responsible Officer.

**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

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
<b>Legal &amp; Compliance:</b> In accordance with section 6.8 of the <i>Local Government Act 1995</i> , a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.	Rare	Minor	Low	Expenditure to only be incurred in accordance with budget parameters, which have been structured on financial viability and sustainability principles.



**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 2023-24 Annual Budget as adopted by Council at its meeting held 17 August 2023 (Resolution 79/23) 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 2024**

FUND	DETAILS	AMOUNT
<b>MUNICIPAL ACCOUNT</b>		
EFT Payments	EFT 58383 - EFT 58676	\$3,128,785.94
Municipal Cheques	CHQ	\$0.00
Direct Debits	Fees & Charges, Credit Card Payments, Payroll, Payroll Liabilities	\$1,136,385.96
Manual Cheques	CHQ	\$0.00
<b>TRUST ACCOUNT</b>		
EFT Payments		\$0.00
Trust Cheques		\$0.00
<b>TOTAL</b>		<b>\$4,265,171.90</b>





*Creditors Outstanding as at 29/02/2024*

**\$ 1,819,574.48**

**VOTING REQUIREMENT**

Simple majority

**ATTACHMENTS**

1. February 2024 - List of Paid Accounts  
2. February 2024 - Credit Card Reconciliation  



**RESOLUTION 31/24****Moved: Cr Geoff Davis****Seconded: Cr Paul Bickerton**

**That Council notes the List of Accounts for February 2024 paid under Delegated Authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 attached to this report, totalling \$4,265,171.90.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**



## REPORT TO COUNCIL – FEBRUARY 2024

### EFT PAYMENTS – MUNI ACCOUNT

PAYMENT ID	DATE	CREDITOR / INVOICE DETAILS	AMOUNT
<b>EFT58383</b>	<b>02/02/2024</b>	<b>ASHLEE DOUST</b>	<b>\$233.92</b>
INV REIMB2501	25/01/2024	UTILITY SUBSIDY REIMBURSEMENT	\$233.92
<b>EFT58384</b>	<b>02/02/2024</b>	<b>AUSTRALIAN INSTITUTE OF MANAGEMENT</b>	<b>\$2,059.00</b>
INV 7157871	18/01/2024	THE NEW MANAGER 22/04/2024 (MANAGER OF ADMINISTRATION)	\$2,059.00
<b>EFT58385</b>	<b>02/02/2024</b>	<b>AMRRIC</b>	<b>\$2,392.18</b>
INV 545	18/01/2024	SUPPLY TICK, FLEA & WORM TREATMENT FOR DOGS	\$2,392.18
<b>EFT58386</b>	<b>02/02/2024</b>	<b>ALTHAM PLUMBING</b>	<b>\$2,275.88</b>
INV 16866	17/01/2024	DERBY POOL TOILETS MAINTENANCE	\$191.07
INV 16874	19/01/2024	SUPPLY RETIC MATERIAL	\$2,084.81
<b>EFT58387</b>	<b>02/02/2024</b>	<b>AUSTRALIAN SERVICES UNION</b>	<b>\$236.50</b>
INV DEDUCTION	30/01/2024	PAYROLL DEDUCTION	\$236.50
<b>EFT58388</b>	<b>02/02/2024</b>	<b>ALLWEST BUILDING APPROVALS</b>	<b>\$374.00</b>
INV 9823	22/01/2024	CDC (BA014346) LOT 277 GREAT NORTHERN HIGHWAY FX	\$374.00
<b>EFT58389</b>	<b>02/02/2024</b>	<b>ASHLEY ARCIDIACONO</b>	<b>\$33,248.52</b>
INV 2081	18/01/2024	REMOVE ROOF SHEETS FOR VISUAL INSPECTION	\$374.00
INV 2085	22/01/2024	COMPLETION CLAIM 100% YOUTH CENTRE DERBY	\$32,874.52
<b>EFT58390</b>	<b>02/02/2024</b>	<b>BUCKLEYS EARTHWORKS &amp; PAVING PTY LTD</b>	<b>\$341,543.40</b>
INV 2771	30/12/2023	AGRN1044 FLOOD DAMAGE WORKS TO CHERABUN ROAD	\$194,946.40
INV 2772	30/12/2023	AGRN1044 FLOOD DAMAGE WORKS TO CALWYNYARDAH- NOONKANBAH RD	\$146,597.00
<b>EFT58391</b>	<b>02/02/2024</b>	<b>G BISHOPS TRANSPORT SERVICES PTY LTD</b>	<b>\$614.54</b>
INV B235806	24/01/2024	FREIGHT CHARGES	\$614.54
<b>EFT58392</b>	<b>02/02/2024</b>	<b>KIMBERLEY PHARMACY SERVICES PTY LTD</b>	<b>\$100.00</b>
INV 62697	13/12/2023	SUPPLY GIFT VOUCHER	\$100.00
<b>EFT58393</b>	<b>02/02/2024</b>	<b>BROOME TOYOTA NORTH WEST MOTOR GROUP</b>	<b>\$673.49</b>
INV PI13074816	15/01/2024	SUPPLY MIRROR ASSY OUTER & COVER OUTER MIRROR	\$673.49
<b>EFT58394</b>	<b>02/02/2024</b>	<b>BUNNINGS GROUP LIMITED</b>	<b>\$460.70</b>
INV 2210-00118852	21/01/2024	CLEANING SUPPLIES & UTENSILS FOR CLINICAL REFERRALS	\$460.70
<b>EFT58395</b>	<b>02/02/2024</b>	<b>GLASS CO KIMBERLEY</b>	<b>\$1,035.10</b>
INV 100941	24/01/2024	RE-GLAZE WINDOWS ON SITE - COMMON ROOM & ACTIVITY ROOM	\$1,035.10
<b>EFT58396</b>	<b>02/02/2024</b>	<b>COLLEGE FOR ADULT LEARNING PTY LTD</b>	<b>\$3,295.00</b>
INV 0401	08/01/2024	DIPLOMA OF WORK HEALTH & SAFETY	\$3,295.00



<b>EFT58397</b>	<b>02/02/2024</b>	<b>CIVIC LEGAL</b>	<b>\$2,200.00</b>
INV 512347	25/01/2024	AGRN 1044 - RE: WORKERS CAMP CONTRACT WITH BBB CATERING	\$2,200.00
<b>EFT58398</b>	<b>02/02/2024</b>	<b>COMM PRO CONSULTANTS</b>	<b>\$9,743.80</b>
INV 0024	19/01/2024	COMMUNITY WORKSHOPS, SPECIALISED STAKEHOLDER ENGAGEMENT	\$9,743.80
<b>EFT58399</b>	<b>02/02/2024</b>	<b>WINC</b>	<b>\$1,104.34</b>
INV 9044403144	18/01/2024	SUPPLY FURNITURE, STATIONERY ITEMS FOR ADMIN	\$735.80
INV 9044403545	18/01/2024	STATIONERY ITEMS FOR ADMIN	\$368.54
<b>EFT58400</b>	<b>02/02/2024</b>	<b>DEPUTY CHILD SUPPORT REGISTRAR</b>	<b>\$304.84</b>
INV DEDUCTION	30/01/2024	PAYROLL DEDUCTION	\$304.84
<b>EFT58401</b>	<b>02/02/2024</b>	<b>CAPTIVATE CONNECT</b>	<b>\$656.70</b>
INV 15204	16/01/2024	QUARTERLY CHARGE FOR CAPTIVATE ON HOLD AND CAPTIVATE	\$656.70
<b>EFT58402</b>	<b>02/02/2024</b>	<b>DERBY BUILDING SUPPLIES</b>	<b>\$382.34</b>
INV 553367	05/01/2024	SUPPLY GATE HINGE	\$21.50
INV 553736	12/01/2024	DIAMOND DRILL BIT AND MEMBRANE UNDER TILE	\$116.37
INV 554063	18/01/2024	SUPPLY BUSH	\$1.71
INV 554280	23/01/2024	SUPPLY STIHL NYLON LINE & BREMICK SCREW SOCKET 6X	\$77.33
INV 554285	23/01/2024	SUPPLY ADHESIVE TILE	\$38.00
INV 554307	23/01/2024	SUPPLY 4L EPOXY ENAMEL	\$109.18
INV 554310	23/01/2024	SUPPLY SILICONE WET AREA CLEAR	\$18.25
<b>EFT58403</b>	<b>02/02/2024</b>	<b>DERBY BUS SERVICE PTY LTD</b>	<b>\$55.00</b>
INV 21193	28/06/2023	FREIGHT CHARGES	\$55.00
<b>EFT58404</b>	<b>02/02/2024</b>	<b>DERBY 4X4 &amp; MARINE</b>	<b>\$94.35</b>
INV 35014/57126	12/01/2024	STUART - KUN16 & 26 ENG SERPENTINE BELT 1KDFTV	\$55.96
INV 35084-57222	23/01/2024	SUPPLY COG TYPE BELT	\$38.39
<b>EFT58405</b>	<b>02/02/2024</b>	<b>DERBY FUELS</b>	<b>\$9,780.00</b>
INV 258925	25/01/2024	CATERING FOR YOUTH PROGRAM 24/01/2024	\$1,260.00
INV 258918	25/01/2024	CATERING FOR SCHOOL HOLIDAY YOUTH PROGRAM 08/01/2024	\$1,260.00
INV 258919	25/01/2024	CATERING FOR SCHOOL HOLIDAY YOUTH PROGRAM 10/01/2024	\$1,260.00
INV 258920	25/01/2024	CATERING FOR SCHOOL HOLIDAY YOUTH PROGRAM 12/01/2024	\$1,260.00
INV 258921	25/01/2024	CATERING FOR SCHOOL HOLIDAY YOUTH PROGRAM 15/01/2024	\$1,260.00
INV 258922	25/01/2024	CATERING FOR LASER TAG 17/01/2024	\$960.00
INV 258923	25/01/2024	CATERING FOR YOUTH PROGRAM 19/01/2024	\$1,260.00
INV 258924	25/01/2024	CATERING FOR YOUTH PROGRAM 22/01/2024	\$1,260.00
<b>EFT58406</b>	<b>02/02/2024</b>	<b>LANDGATE (WA LAND INFORMATION AUTHORITY)</b>	<b>\$43.50</b>
INV 390852	25/01/2024	MINING TENEMENT SCHEDULE M2024/01	\$43.50
<b>EFT58407</b>	<b>02/02/2024</b>	<b>DERBY SPORTSMEN'S CLUB INC</b>	<b>\$440.00</b>
INV 1810	24/01/2024	AUSTRALIA DAY COMMUNITY BREAKFAST & CITIZENSHIP CEREMONY	\$440.00



<b>EFT58408</b>	<b>02/02/2024</b>	<b>HARDMAN ENTERPRISES PL T/AS DERBY PLUMBING AND GAS</b>	<b>\$869.00</b>
INV 26130	12/01/2024	20 MIMOSA ST, DERBY BATHROOM MAINTENANCE	\$324.50
INV 26139	12/01/2024	8 KURRAJONG LOOP TO INSPECT EN SUITE SHOWER TAPWEAR	\$544.50
<b>EFT58409</b>	<b>02/02/2024</b>	<b>DERBY PROGRESSIVE SUPPLIES</b>	<b>\$1,272.72</b>
INV 81675	17/01/2024	KITCHEN SUPPLIES	\$1,272.72
<b>EFT58410</b>	<b>02/02/2024</b>	<b>DERBY REGIONAL HOSPITAL (WA COUNTRY HEALTH SERVICE)</b>	<b>\$381.00</b>
INV N2765325	06/12/2023	PRE-EMPLOYMENT MEDICAL	\$381.00
<b>EFT58411</b>	<b>02/02/2024</b>	<b>DERBY STOCK SUPPLIES</b>	<b>\$396.00</b>
INV 13069151	13/08/2023	REMOVAL OF HIACE 1DUX433 AIRPORT ACCESS RD TO IMPOUND YARD	\$396.00
<b>EFT58412</b>	<b>02/02/2024</b>	<b>DERBY HARDWARE MITRE10</b>	<b>\$756.92</b>
INV 10595664	11/01/2024	DAVE RIDLEY - SOLVENT CEMENT AND PRIMING FLUID	\$30.98
INV 10595858	15/01/2024	SILICONE ALL-PURPOSE TRANS300G, GUN CAULKING RATCHET UNI-PRO	\$20.98
INV 10595999	17/01/2024	KINCROME PORTABLE TOOL KIT	\$658.00
INV 10596029	18/01/2024	SUPPLY PAINT BRUSH	\$6.99
INV 10596034	18/01/2024	SUPPLY ADHESIVE INSTANT NAILS	\$9.99
INV 10596091	19/01/2024	SUPPLY WET AREA 300G	\$24.99
INV 10596295	23/01/2024	SUPPLY SHOWER CLEANER 600ML	\$4.99
<b>EFT58413</b>	<b>02/02/2024</b>	<b>ELDERS LIMITED (DERBY BRANCH)</b>	<b>\$6,256.70</b>
INV IY87534	12/01/2024	150-170MM X 3M TREATED PINE LOGS	\$1,368.25
INV IY87535	12/01/2024	TREATED PINE LOGS 150 - 170MM DIAMETER X 3M LENGTH	\$1,210.25
INV IY87591	18/01/2024	SUPPLY 20L CASTROL TRANSMAX AXLE	\$159.74
INV IY87615	19/01/2024	SUPPLY 4X 20L CASTROL TRANSMAX AGRI	\$613.18
INV IY87618	19/01/2024	SUPPLY 208L CASTROL EDGE PROFESSIONAL	\$2,391.70
INV IY87667	24/01/2024	SUPPLY 20L ROUNDUP & 20L NUFARM	\$513.58
<b>EFT58414</b>	<b>02/02/2024</b>	<b>MEGAN NESHODA</b>	<b>\$363.72</b>
INV REIMB1901	19/01/2024	STAFF REIMBURSEMENT	\$213.72
INV REIMB1901-2	19/01/2024	STAFF REIMBURSEMENT	\$150.00
<b>EFT58415</b>	<b>02/02/2024</b>	<b>EXTREME PEST CONTROL</b>	<b>\$445.00</b>
INV 13665	22/01/2024	ERADICATE WASP NEST	\$225.00
INV 13675	23/01/2024	TREATMENT OF LIVE TERMITE INFECTED TIMBERS	\$220.00
<b>EFT58416</b>	<b>02/02/2024</b>	<b>FITZROY HARDWARE PTY LTD</b>	<b>\$1,267.15</b>
INV 197913	02/01/2024	SUPPLY 15X 15L WATER	\$315.00
INV 197920 CNO	02/01/2024	CREDIT - REFUND 10X 15L WATER	-\$210.00
INV 198230	11/01/2024	KEN MCLEOD - CHLORINE TABLETS	\$80.40
INV 198405	17/01/2024	315L TOP MOUNT FRIDGE	\$950.00
INV 198398	17/01/2024	SUPPLY HASP & STAPLE, NUTS & BOLTS	\$26.75



INV 198553	20/01/2024	SUPPLY 5X 15L WATER BOTTLE	\$105.00
<b>EFT58417</b>	<b>02/02/2024</b>	<b>GARRARDS PTY LTD</b>	<b>\$1,115.63</b>
INV 1064969	16/01/2024	VECTOBAC G 18KG, BIFLEX AQUA MAX 100SC 5L	\$1,115.63
<b>EFT58418</b>	<b>02/02/2024</b>	<b>GREENFIELD TECHNICAL SERVICES</b>	<b>\$19,401.36</b>
INV 3817	12/01/2024	AGRN 1044 - FLOOD DAMAGE REINSTATEMENT PACKAGE 3 - DEC 2023	\$8,342.95
INV 3815	12/01/2024	AGRN 1044 - CONSTRUCTION MANAGEMENT PACKAGE 1 - DEC 2023	\$7,884.80
INV 3816	12/01/2024	AGRN 1044 - FLOOD DAMAGE REINSTATEMENT PACKAGE 2 - DEC 2023	\$292.60
INV 3837	19/01/2024	AGRN 1044 - CONSTRUCTION MANAGEMENT PACKAGE 1 19-24/12/2023	\$2,881.01
<b>EFT58419</b>	<b>02/02/2024</b>	<b>HOATH REFRIGERATION &amp; AIRCONDITIONING</b>	<b>\$7,634.00</b>
INV 3611	29/01/2024	AGRN 1044 - REPLACE 2X TECO SPLIT SYSTEM WITH DAIKIN	\$7,634.00
<b>EFT58420</b>	<b>02/02/2024</b>	<b>IGO NEWSEARCH PTY LTD</b>	<b>\$396.39</b>
INV A900019	23/01/2024	RATES REFUND FOR ASSESSMENT A900019	\$396.39
<b>EFT58421</b>	<b>02/02/2024</b>	<b>TEAM GLOBAL EXPRESS PTY LTD</b>	<b>\$1,174.56</b>
INV P69065990	14/01/2024	FREIGHT CHARGES	\$562.55
INV P69066033	21/01/2024	FREIGHT CHARGES	\$612.01
<b>EFT58422</b>	<b>02/02/2024</b>	<b>ITVISION</b>	<b>\$1,613.70</b>
INV 39384	30/01/2024	CHANGE TO DEBTORS TEMPLATE	\$277.20
INV 39385	30/01/2024	SYNERGYSOFT EXCEL INTEGRATION 13/12/2023	\$1,336.50
<b>EFT58423</b>	<b>02/02/2024</b>	<b>JAYBIEN G BUCKLEY</b>	<b>\$250.00</b>
INV REIMB1801	18/01/2024	BOND RETURN FOR HIRE OF GYM KEY	\$250.00
<b>EFT58424</b>	<b>02/02/2024</b>	<b>JILA PLUMBING</b>	<b>\$1,891.07</b>
INV 5807	17/01/2024	FITZROY PUBLIC TOILETS CONDITION REPORT OF SEWER LINE	\$935.00
INV 5811	22/01/2024	AGRN 1044 - DIAGNOSE & REPAIR VARIOUS ISSUES	\$956.07
<b>EFT58425</b>	<b>02/02/2024</b>	<b>JASPER BENTHIEN</b>	<b>\$5,717.75</b>
INV REIMB2401	24/01/2024	STAFF REIMBURSEMENT	\$5,717.75
<b>EFT58426</b>	<b>02/02/2024</b>	<b>KIMBERLEY FIRE SYSTEMS</b>	<b>\$721.60</b>
INV 19622	19/01/2024	AGRN 1044 - SERVICING OF FIRE EQUIPMENT	\$721.60
<b>EFT58427</b>	<b>02/02/2024</b>	<b>PINDAN PRINTING - KIMBERLEY KOLORS</b>	<b>\$1,043.57</b>
INV 3285	24/01/2024	53X A3 FINE ART PHOTO SATIN	\$1,043.57
<b>EFT58428</b>	<b>02/02/2024</b>	<b>KIMBERLEY HOME ELECTRICAL</b>	<b>\$11,212.55</b>
INV 24-00004537	24/01/2024	SUPPLY FURNITURE FOR 33 KNOWSLEY ST	\$11,212.55
<b>EFT58429</b>	<b>02/02/2024</b>	<b>LATIESHA SCHINDLER-THOMAS</b>	<b>\$405.49</b>
INV REIMB2201	22/01/2024	UTILITY SUBSIDY REIMBURSEMENT	\$405.49
<b>EFT58430</b>	<b>02/02/2024</b>	<b>THE PIER GROUP PTY LTD T/AS CS LEGAL</b>	<b>\$2,178.10</b>
INV 032768	31/01/2024	PROFESSIONAL FEES FOR DEBT RECOVERY - A100250 & A500101	\$2,178.10
<b>EFT58431</b>	<b>02/02/2024</b>	<b>LOCAL GOVERNMENT PROFESSIONALS WA</b>	<b>\$3,300.00</b>



INV 38030	29/01/2024	INTRODUCTION TO LOCAL GOVERNMENT - SCORM FILE	\$3,300.00
<b>EFT58432</b>	<b>02/02/2024</b>	<b>LUCY ELIZABETH LEMANN</b>	<b>\$3,000.00</b>
INV REIMB1901	19/01/2024	AUSTRALIA BAND PERFORMANCE 26/01/2024	\$3,000.00
<b>EFT58433</b>	<b>02/02/2024</b>	<b>MAXXIA PTY LTD</b>	<b>\$1,467.40</b>
INV DEDUCTION	30/01/2024	PAYROLL DEDUCTION	\$753.08
INV DEDUCTION	30/01/2024	PAYROLL DEDUCTION	\$700.44
INV DEDUCTION	30/01/2024	PAYROLL DEDUCTION	\$13.88
<b>EFT58434</b>	<b>02/02/2024</b>	<b>MARKET CREATIONS AGENCY PTY LTD</b>	<b>\$561.00</b>
INV JA41-1	15/01/2024	DOMAIN NAME & SETUP FOR KAPPAWARDS.COM.AU	\$561.00
<b>EFT58435</b>	<b>02/02/2024</b>	<b>MECHANICS &amp; TYRES PTY LTD</b>	<b>\$580.18</b>
INV 3738	12/01/2024	1 X BOSCH BATTERY 125D31L FOR CATERPILLAR BACKHOE/LOADER	\$345.58
INV 3764	16/01/2024	1 X BOSCH BATTERY 55B24LS FOR KUBOTA ZERO TURN MOWER	\$234.60
<b>EFT58436</b>	<b>02/02/2024</b>	<b>ELLA MANIFIS</b>	<b>\$180.18</b>
INV REIMB2401	24/01/2024	STAFF REIMBURSEMENT	\$180.18
<b>EFT58437</b>	<b>02/02/2024</b>	<b>OMNICOM MEDIA GROUP AUSTRALIA PTY LTD</b>	<b>\$1,129.41</b>
INV 1706475	31/01/2024	THE BROOME ADVERTISER - T02 & T03-2023/24	\$305.43
INV 1706476	31/01/2024	THE BROOME ADVERTISER - ANNUAL GENERAL MEETING OF ELECTORS 2024	\$353.96
INV 1706477	31/01/2024	THE WEST AUSTRALIAN - T02 & T03-2023/24	\$470.02
<b>EFT58438</b>	<b>02/02/2024</b>	<b>MCLEODS BARRISTERS &amp; SOLICITORS</b>	<b>\$764.61</b>
INV 133750	30/01/2024	PROFESSIONAL FEES RE: O29415 AND O29421 - SALE OF LAND	\$764.61
<b>EFT58439</b>	<b>02/02/2024</b>	<b>MOORE AUSTRALIA AUDIT (WA)</b>	<b>\$1,760.00</b>
INV 433764	24/01/2024	DEPARTMENT OF COMMUNITIES - SERVICES OF YOUNG PEOPLE 30/06/2023	\$1,760.00
<b>EFT58440</b>	<b>02/02/2024</b>	<b>OUTBACK ELECTRICAL &amp; AIRCON SERVICES</b>	<b>\$2,151.36</b>
INV 7837	11/01/2024	7 TOWER PLACE DERBY, REPORT AND REPAIR 3X AIR/CON SPLIT SYSTEMS	\$2,151.36
<b>EFT58441</b>	<b>02/02/2024</b>	<b>NGIYALI ROADHOUSE</b>	<b>\$779.00</b>
INV 705226	24/05/2023	AGRN 1044 - CATERING FLOOD HUB MINISTER PUNCH MEETING 24/05/23	\$176.00
INV 765373	19/01/2024	CATERING FOR FX SHP DISCO 19/01/2024	\$603.00
<b>EFT58442</b>	<b>02/02/2024</b>	<b>NINTEX PTY LTD</b>	<b>\$8,458.33</b>
INV 79775	25/01/2024	PROPOSAL FOR UNLIMITED PROCESSES	\$8,458.33
<b>EFT58443</b>	<b>02/02/2024</b>	<b>CONFERENCE MANAGEMENT SOLUTIONS</b>	<b>\$4,860.00</b>
INV NATSIEH 2024	15/01/2024	NATSIEH CONFERENCE ATTENDANCE - 13 TO 16/05/2024 - EHO TEAM	\$4,860.00
<b>EFT58444</b>	<b>02/02/2024</b>	<b>KIMBERLEY COUNTRY DEPARTMENT STORE</b>	<b>\$930.02</b>
INV DB48185	22/01/2024	STAFF UNIFORMS FOR RECOVERY STAFF	\$124.78
INV DB48780	24/01/2024	STAFF UNIFORMS FOR DEPOT STAFF	\$805.24
<b>EFT58445</b>	<b>02/02/2024</b>	<b>COLLEEN GARNER</b>	<b>\$90.72</b>
INV REIMB0901	09/01/2024	STAFF REIMBURSEMENT	\$90.72



<b>EFT58446</b>	<b>02/02/2024</b>	<b>POINT BAY SOUND MAINTENANCE PTY LTD</b>	<b>\$35,875.00</b>
INV 84	04/01/2024	REPLACE KITCHEN 19A WOOLLYBUTT CORNER, DERBY	\$35,875.00
<b>EFT58447</b>	<b>02/02/2024</b>	<b>PEARL COAST DISTRIBUTORS</b>	<b>\$2,348.58</b>
INV SI130346	24/01/2024	DERBY SWIMMING POOL KIOSK RESTOCK	\$2,348.58
<b>EFT58448</b>	<b>02/02/2024</b>	<b>POINT HEALTH PTY LTD</b>	<b>\$1,091.20</b>
INV 13253	24/01/2024	AGRN 1044 - 1000X AQUALYTE SACHETS	\$1,091.20
<b>EFT58449</b>	<b>02/02/2024</b>	<b>PETER JOHN MCCUMSTIE</b>	<b>\$2,484.48</b>
INV TRAVEL2901	29/01/2024	TRAVEL CLAIM: DERBY-PERTH RETURN 29/01-18/02/24 VARIOUS MEETINGS	\$2,484.48
<b>EFT58450</b>	<b>02/02/2024</b>	<b>PRINTING IDEAS</b>	<b>-\$1,303.50</b>
INV 55652	10/01/2024	FREESTANDING SIGN – PLEASE DON'T LITTER	\$1,303.50
<b>EFT58451</b>	<b>02/02/2024</b>	<b>RAY WHITE DERBY</b>	<b>\$44.92</b>
INV 15710	24/01/2024	33 KNOWSLEY STREET EAST WATER CHARGE 20/11/23 - 17/01/24	\$44.92
<b>EFT58452</b>	<b>02/02/2024</b>	<b>SE RENTALS PTY LTD</b>	<b>\$185.90</b>
INV 161931	22/01/2024	DERBY POOL PRINTER - RENTAL CONTRACT 20/02/2024	\$185.90
<b>EFT58453</b>	<b>02/02/2024</b>	<b>REMOTE AREA PLUMBING</b>	<b>\$37,620.00</b>
INV 164	30/01/2024	AGRN 1044 - DIESEL SUPPLY - JANUARY 2024, LABOUR	\$37,620.00
<b>EFT58454</b>	<b>02/02/2024</b>	<b>RUSTYS IGA</b>	<b>\$96.37</b>
INV 018994	10/01/2024	CATERING FOR YOUTH SERVICE ADMIN OFFICER FAREWELL	\$96.37
<b>EFT58455</b>	<b>02/02/2024</b>	<b>ROWAN SCOTT</b>	<b>\$1,163.03</b>
INV REIMB1210	12/10/2023	STAFF REIMBURSEMENT	\$14.40
INV REIMB2211-2	22/11/2023	STAFF REIMBURSEMENT	\$229.70
INV REIMB1112	11/12/2023	STAFF REIMBURSEMENT	\$411.16
INV REIMB1001	10/01/2024	UTILITY SUBSIDY REIMBURSEMENT	\$387.77
INV REIMB1001	10/01/2024	STAFF REIMBURSEMENT	\$120.00
<b>EFT58456</b>	<b>02/02/2024</b>	<b>SAMPEY MEATS</b>	<b>\$100.00</b>
INV 21534	05/01/2024	SUPPLY VOUCHER	\$100.00
<b>EFT58457</b>	<b>02/02/2024</b>	<b>ST JOHN AMBULANCE BROOME</b>	<b>\$1,139.82</b>
INV FAINV01156886	25/01/2024	FIRST AID KITS - AEHU & RANGERS	\$1,139.82
<b>EFT58458</b>	<b>02/02/2024</b>	<b>MR &amp; MRS POTATO HEAD</b>	<b>\$3,000.00</b>
INV 128	29/01/2024	COMMUNITY BREAKFAST	\$3,000.00
<b>EFT58459</b>	<b>02/02/2024</b>	<b>ILLION TENDERLINK</b>	<b>\$360.80</b>
INV SDWK-601778	11/01/2024	TENDER T02-2023/24 - CALWYNYARDAH / NOOKANBAH & MILLIJIDEE ROAD	\$180.40
INV SDWK-601779	11/01/2024	TENDER T03-2023/24 - FAIRFIELD/LEOPOLD DOWNS ROAD	\$180.40
<b>EFT58460</b>	<b>02/02/2024</b>	<b>TAFE QUEENSLAND</b>	<b>\$4,560.00</b>
INV 20191111	23/01/2024	CERT IV TRAINING/ASSESSMENT - AQUATIC & RECREATION OFFICER	\$4,560.00
<b>EFT58461</b>	<b>02/02/2024</b>	<b>TELSTRA LIMITED</b>	<b>\$13,819.40</b>



INV 0463459000	12/01/2024	LANDLINE AND INTERNET SERVICE - DECEMBER 2023	\$13,249.46
INV 1718873800	27/01/2024	SERVICES AND EQUIPMENT RENTAL TO 19/02/2024	\$74.94
INV 4275260810	27/01/2024	SATELLITE BILLING JANUARY 2024	\$495.00
<b>EFT58462</b>	<b>02/02/2024</b>	<b>TARUNDA SUPERMARKET</b>	<b>\$2,471.98</b>
INV 10172748	16/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB COOKING OUTREACH PROGRAM	\$357.57
INV 20135964	16/01/2024	AGRN 1044 - COMMUNITIES OUTREACH CUPPA CIRCLE PROGRAM 2024."	\$300.00
INV 50155199	17/01/2024	AGRN 1044 - RECOVERY - COMMUNITIES OUTREACH HUB	\$299.43
INV 50155214	17/01/2024	AGRN 1044 - RECOVERY - COMMUNITIES OUTREACH HUB	\$11.97
INV 10173570	18/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$399.77
INV 10173927	19/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$352.57
INV 10173953	19/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$21.90
INV 10174654	22/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$430.22
INV 10175006	23/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$298.55
<b>EFT58463</b>	<b>02/02/2024</b>	<b>TRAVELWORLD BROOME</b>	<b>\$10,431.04</b>
INV I000040510	06/11/2023	FLIGHTS AND ACCOMMODATION - EXECUTIVE OFFICER CONSULTANT FVWG	\$1,305.00
INV I000041147	15/01/2024	RETURN FLIGHTS FOR EHO CONSULTANT TO ATTEND DERBY OFFICE	\$995.58
INV I000041157	15/01/2024	FLIGHTS - NATSIEH CONFERENCE ATTENDANCE 13-16/0524 - EHO OFFICERS	\$4,368.26
INV I000041215	22/01/2024	FLIGHTS & ACCOMMODATION AQUATICS & REC OFFICER 02/02/2024	\$2,152.16
INV I000041217	22/01/2024	FLIGHTS YOUTH SERVICE OFFICER APRIL 2024 SCHOOL HOLIDAY PROGRAM	\$1,457.14
INV I000041238	24/01/2024	FLIGHT BROOME-PERTH EHO CONSULTANT 21/01/2024	\$152.90
<b>EFT58464</b>	<b>02/02/2024</b>	<b>TYREPOWER DERBY</b>	<b>\$140.00</b>
INV 118404	08/01/2024	FRONT WHEEL ALIGNMENT	\$140.00
<b>EFT58465</b>	<b>02/02/2024</b>	<b>VISION POWER PTY LTD</b>	<b>\$8,301.63</b>
INV 16795	16/01/2024	REMOVE AND INSTALL NEW LIGHTING HEADS, TIMER, WIRING & ACCESSORIES	\$6,778.13
INV 16796	16/01/2024	DERBY PUBLIC POOL TO CARRY OUT EQUIPOTENTIAL BONDING TESTING.	\$687.50
INV 16798	17/01/2024	VERGE AREA OF THE OLD FIRE STATION TO REMOVE FLAGPOLE INCLUDING FOOTING	\$836.00
<b>EFT58466</b>	<b>09/02/2024</b>	<b>A &amp; B TYRES</b>	<b>\$1,065.00</b>
INV 49404	04/01/2024	SUPPLY TOYO 265/65R17 AT TYRE	\$405.00
INV 49428	10/01/2024	SUPPLY CENTURY N70LMF BATTERY	\$200.00
INV 49579	23/01/2024	SUPPLY DYNAMO 195R14 TYRES	\$280.00
INV 49597	24/01/2024	WHEEL ALIGNMENT & BALANCE	\$180.00
<b>EFT58467</b>	<b>09/02/2024</b>	<b>ALFORD CONTRACTING</b>	<b>\$429.00</b>
INV 1023	19/01/2024	REPLACE LOCKS & REKEY ALL DOORS	\$429.00
<b>EFT58468</b>	<b>09/02/2024</b>	<b>ARCHERY ATTACK PTY LTD</b>	<b>\$5,670.00</b>
INV 138801	05/02/2024	SUPPLY 36 PLAYER ARCHERY TAG EQUIPMENT - DEPOSIT	\$5,670.00



<b>EFT58469</b>	<b>09/02/2024</b>	<b>ALTHAM PLUMBING</b>	<b>\$1,422.49</b>
INV 16877	19/01/2024	REPLACE GARDEN TAP & SERVICE CISTERN	\$233.19
INV 16890	23/01/2024	EXCAVATE PLOT 737P - 19/01/2024	\$308.00
INV 16917	29/01/2024	UNBLOCK TOILET	\$222.75
INV 16927	30/01/2024	RECTIFY ISSUE IN MALE TOILETS	\$165.00
INV 16952	02/02/2024	EXCAVATE PLOT 859C - 02/02/2024	\$308.00
INV 16956	04/02/2024	REPLACE TAP UNDER KITCHEN SINK	\$185.55
<b>EFT58470</b>	<b>09/02/2024</b>	<b>AUSTRALIA POST</b>	<b>\$315.72</b>
INV 1013008547	03/02/2024	DERBY POSTAGE FOR JANUARY 2024	\$315.72
<b>EFT58471</b>	<b>09/02/2024</b>	<b>ARAC REFRIGERATION &amp; AIR CONDITIONING</b>	<b>\$8,236.38</b>
INV 10129	02/02/2024	RESET ISOLATOR SWITCH & REPLACE OUTDOOR GRILL & BLADE	\$473.95
INV 9708	07/02/2024	AGRN 1044 - PRESSURE/LEAK TEST & RECOMMISSION FREEZER SYSTEM	\$7,762.43
<b>EFT58472</b>	<b>09/02/2024</b>	<b>ASK WASTE MANAGEMENT PTY LTD</b>	<b>\$1,100.00</b>
INV 0112	03/02/2024	LANDFILL SITING REPORT: PRODUCTION OF FINAL REPORT	\$1,100.00
<b>EFT58473</b>	<b>09/02/2024</b>	<b>ABA AUTOMATIC GATES</b>	<b>\$1,032.00</b>
INV I9200	31/01/2024	SUPPLY 12X NOVA TRANSMITTER, SUPPLY 8X NOVA TRANSMITTER	\$1,032.00
<b>EFT58474</b>	<b>09/02/2024</b>	<b>BBB CATERING PTY LTD</b>	<b>\$326,095.00</b>
INV 6139	09/01/2024	AGRN 1044 - MEALS ONLY FOR MALLARDS CONTRACTING,	\$326,095.00
<b>EFT58475</b>	<b>09/02/2024</b>	<b>G BISHOPS TRANSPORT SERVICES PTY LTD</b>	<b>\$2,008.93</b>
INV B233467	29/12/2023	PICKUP & DELIVER PACKAGE OF METAL PARTS	\$493.20
INV CRB233467 CNO	18/01/2024	CREDIT - CHARGED INCORRECT CUSTOMER	-\$143.32
INV B234840	15/01/2024	FREIGHT - TRANSTANK INTERNATIONAL WATER TANK TO DEPOT	\$1,659.05
<b>EFT58476</b>	<b>09/02/2024</b>	<b>BUGARDI CONTRACTING PTY LTD</b>	<b>\$113,051.00</b>
INV 0148	24/01/2024	VARIATION CLAIM 2 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$6,438.30
INV 0149	24/01/2024	VARIATION CLAIM 4 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$352.50
INV 0150	24/01/2024	VARIATION CLAIM 5 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$4,067.94
INV 0151	24/01/2024	VARIATION CLAIM 6 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$10,805.74
INV 0146	24/01/2024	PROGRESS CLAIM 4 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$88,391.57
INV 0147	24/01/2024	VARIATION CLAIM 1 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$2,994.95
<b>EFT58477</b>	<b>09/02/2024</b>	<b>BUNNINGS GROUP LIMITED</b>	<b>\$16.13</b>
INV 2210-00124154	27/01/2024	SUPPLY 15PK SCREW IN PEG	\$16.13
<b>EFT58478</b>	<b>09/02/2024</b>	<b>BOC LIMITED</b>	<b>\$201.79</b>
INV 5006283898	29/01/2024	JANUARY 2024 - MONTHLY GAS CYLINDER CHARGES	\$201.79
<b>EFT58479</b>	<b>09/02/2024</b>	<b>CIVIC LEGAL</b>	<b>\$1,430.00</b>
INV 512428	31/01/2024	PROFESSIONAL FEES: PREFERRED STRATEGIES OF VISITOR CENTRE	\$1,430.00



<b>EFT58480</b>	<b>09/02/2024</b>	<b>CMT BUILDING WA PTY LTD</b>	<b>\$13,464.00</b>
INV 1066	06/02/2024	AGRN 1044 - SUPPLY & INSTALL 14 CONCRETE PADS AT OVERFLOW ACCOMMODATION	\$13,464.00
<b>EFT58481</b>	<b>09/02/2024</b>	<b>WINC</b>	<b>\$1,200.67</b>
INV 9044405615	19/01/2024	SUPPLY FURNITURE FOR 3/20 CLARENDON STREET, DERBY	\$1,051.60
INV 9044406558	19/01/2024	SUPPLY FURNITURE FOR 3/20 CLARENDON STREET, DERBY	\$149.07
<b>EFT58482</b>	<b>09/02/2024</b>	<b>DERBY BUILDING SUPPLIES</b>	<b>\$1,528.36</b>
INV 554586	29/01/2024	SUPPLY SIKAFLEX & MAKITA DISCS	\$53.03
INV 554588	29/01/2024	SUPPLY 2X STIHL CARBURETOR	\$389.34
INV 554590	29/01/2024	SUPPLY PAINTERS ROLL, PRIMER & PAIL	\$90.97
INV 554624	30/01/2024	SUPPLY MAKITA DISCS	\$34.05
INV 554664	30/01/2024	SUPPLY SANDLEFORD NUMERAL S/ADHESIVE	\$50.21
INV 554874	02/02/2024	SUPPLY 3X PVC BEND & 2X ELBOW	\$19.36
INV 554875	02/02/2024	SUPPLY SUTTON HOLES AW	\$20.46
INV 554870	02/02/2024	SUPPLY 2X HOSE CLIP	\$6.52
INV 554970	05/02/2024	SUPPLY 4L DECKING OIL & BRUSH	\$100.83
INV 554973	05/02/2024	SUPPLY 4X TOILET ROLL HOLDER & 4X TOWEL RAIL	\$515.84
INV 554974	05/02/2024	SUPPLY SCRAPER BLADE	\$36.91
INV 555071	06/02/2024	SUPPLY DOOR CLOSER, MIG WIRE & TIPS	\$179.18
INV 555083	06/02/2024	SUPPLY 2X TAPE CLOTH	\$31.66
<b>EFT58483</b>	<b>09/02/2024</b>	<b>DERBY BUS SERVICE PTY LTD</b>	<b>\$22.00</b>
INV 21975	30/01/2024	FREIGHT CHARGES - JANUARY 2024	\$22.00
<b>EFT58484</b>	<b>09/02/2024</b>	<b>DERBY 4X4 &amp; MARINE</b>	<b>\$180.49</b>
INV 35129-57224	29/01/2024	SUPPLY TAIL LAMP ASSY	\$45.27
INV 35175-57196	05/02/2024	SUPPLY TRITON LH TAILLAMP LENS	\$124.67
INV 35203-57327	07/02/2024	SUPPLY STRAIGHT FUEL FILTER	\$10.55
<b>EFT58485</b>	<b>09/02/2024</b>	<b>DERBY FUELS</b>	<b>\$3,447.69</b>
INV 1108593	30/01/2024	72.38L UNLEADED FOR SMALL PLANT USE	\$177.69
INV 1109553	02/02/2024	CATERING FOR YOUTH PROGRAM 03/02/2024	\$960.00
INV 1109555	02/02/2024	CATERING FOR YOUTH PROGRAM 02/02/2024	\$2,310.00
<b>EFT58486</b>	<b>09/02/2024</b>	<b>DOUGLAS D'ANTOINE</b>	<b>\$17,404.48</b>
INV 020	30/01/2024	EXECUTIVE OFFICER DUTIES FOR FVFRWG - 11/12/23 TO 22/12/23	\$8,560.64
INV 021	30/01/2024	EXECUTIVE OFFICER DUTIES FOR FVFRWG - 25/12/23 TO 05/01/24	\$8,843.84
<b>EFT58487</b>	<b>09/02/2024</b>	<b>DIJUN HOLDINGS PTY LTD</b>	<b>\$976.80</b>
INV DHIV598	21/01/2024	EXIT CLEAN 20/01/2024	\$976.80
<b>EFT58488</b>	<b>09/02/2024</b>	<b>DAIMLER TRUCKS</b>	<b>\$1,722.54</b>
INV XA980048813-01	18/01/2024	SUPPLY PARTS	\$1,722.54



<b>EFT58489</b>	<b>09/02/2024</b>	<b>DERBY PROGRESSIVE SUPPLIES</b>	<b>\$3,511.57</b>
INV 082099	25/01/2024	SUPPLY TOILET PAPER, HAND TOWELS, FRAG TABS & BIN LINERS	\$2,194.62
INV 082223	29/01/2024	SUPPLY CONTAINERS, BOWLS, FORKS	\$629.15
INV 082376	01/02/2024	SUPPLY 10CTN ROAD SIDE LITTER BAG	\$687.80
<b>EFT58490</b>	<b>09/02/2024</b>	<b>DERBY STOCK SUPPLIES</b>	<b>\$825.00</b>
INV 13069755	27/01/2024	RECOVER MAZDA BRAVO & FORD UTE	\$330.00
INV 13069756	27/01/2024	REMOVAL OF 2X PRADO	\$330.00
INV 13069760	27/01/2024	REMOVAL OF PAJERO 1GMW261	\$165.00
<b>EFT58491</b>	<b>09/02/2024</b>	<b>DERBY HARDWARE MITRE10</b>	<b>\$1,426.56</b>
INV 10596332	24/01/2024	SUPPLY 14X MICRO JOINER	\$18.06
INV 10596452	25/01/2024	SUPPLY TWIN TAP CONNECTOR	\$26.99
INV 10596599	29/01/2024	SUPPLY 4PK PADLOCK 8M GALV CHAIN	\$181.91
INV 10596970	05/02/2024	SUPPLY 20X HUNTER SPRINKLERS, SUPPLY 20X HUNTER SPRINKLERS	\$1,199.60
<b>EFT58492</b>	<b>09/02/2024</b>	<b>DWA INDUSTRIAL RESOURCES PTY LTD</b>	<b>\$5,665.83</b>
INV 02023085	06/02/2024	REPLACE TWO RUNS OF CHAIN	\$5,665.83
<b>EFT58493</b>	<b>09/02/2024</b>	<b>KIMBERLEY ELECTRICAL CONTRACTORS</b>	<b>\$324.50</b>
INV 26528	02/02/2024	REPLACE FAULTY LIGHT & REMOVE FITTING NO LONGER NEEDED	\$324.50
<b>EFT58494</b>	<b>09/02/2024</b>	<b>ELDERS LIMITED (DERBY BRANCH)</b>	<b>\$2,544.51</b>
INV IY87662	24/01/2024	SUPPLY 205L CASTROL VECTON 15W-40	\$1,489.06
INV IY87664	24/01/2024	SUPPLY 10X 25KG MULTIGROW ORGANIC 2000 FERTILISER	\$1,055.45
<b>EFT58495</b>	<b>09/02/2024</b>	<b>EXURBAN PTY LTD</b>	<b>\$27,308.55</b>
INV URP-4458	03/02/2024	GENERAL TOWN PLANNING CONSULTANCY SERVICES DURING DEC 23 & JAN 24	\$27,308.55
<b>EFT58496</b>	<b>09/02/2024</b>	<b>BASS TECHNOLOGY GROUP T/AS FX COMM &amp; AV</b>	<b>\$21,797.42</b>
INV 8230013	16/01/2024	AGRN 1044 - 6X NEW DATA OUTLETS FOR NEW OFFICE SPACE	\$5,160.32
INV 8230014	16/01/2024	AGRN 1044 - INSTALL STARLINK DISH	\$16,102.50
INV 8230045	06/02/2024	RECTIFY ISSUE WITH SECURITY CAMERAS	\$534.60
<b>EFT58497</b>	<b>09/02/2024</b>	<b>FITZROY HARDWARE PTY LTD</b>	<b>\$804.50</b>
INV 197276	11/12/2023	SUPPLY TOOL BOX & TOOLS	\$598.50
INV 197370 CNO	13/12/2023	CREDIT - EXTENSION LEADS INV 197276	-\$209.00
INV 198355	16/01/2024	SILICONE PLUMBERS 780 GREY, WELDCLASS - BZL TIP	\$44.00
INV 198739	25/01/2024	SUPPLY 2X HILLS GARDEN SPRAYER 16L	\$290.00
INV 198964	01/02/2024	SUPPLY DOOR CLOSER AND 2X HASP & STAPLE	\$64.50
INV 199082	05/02/2024	SUPPLY SCREWS, WASHERS & NUTS	\$16.50
<b>EFT58498</b>	<b>09/02/2024</b>	<b>THE FITZROY RIVER LODGE</b>	<b>\$4,411.00</b>
INV 348781	26/01/2024	ACCOMMODATION EHO OFFICER 25/01/2024 TO ATTEND INSPECTIONS	\$337.00
INV 348782	26/01/2024	EHO CONSULTANT ACCOMMODATION 25/01/2024 TO ATTEND INSPECTIONS	\$344.00



INV 343607	28/01/2024	AGRN 1044 - ACCOMMODATION 27/09 - 09/10/23 STRONGER TOGETHER	\$3,730.00
<b>EFT58499</b>	<b>09/02/2024</b>	<b>FITZROY VALLEY RODEO CLUB</b>	<b>\$3,000.00</b>
INV REIMB0502	05/02/2024	USE OF RODEO GROUNDS FOR STRONGER TOGETHER EVENT 08/09/2023	\$3,000.00
<b>EFT58500</b>	<b>09/02/2024</b>	<b>GREENFIELD TECHNICAL SERVICES</b>	<b>\$25,570.83</b>
INV 3819	12/01/2024	CONSTRUCTION MANAGEMENT PACKAGE 1 - AGRN951 FLOOD DAMAGE WORKS FOR DECEMBER 2023	\$2,510.21
INV 3820	12/01/2024	CONSTRUCTION MANAGEMENT PACKAGE 2 - AGRN951 FLOOD DAMAGE WORKS FOR DECEMBER 2023	\$3,380.30
INV 3844	27/01/2024	AGRN 1044 - CONSTRUCTION MANAGEMENT PACKAGE 3 08-21/01/2024	\$6,287.93
INV 3838	03/02/2024	AGRN 1044 - CONSTRUCTION MANAGEMENT PACKAGE 3 18-24/12/2023	\$11,036.19
INV 3860	06/02/2024	PROCUREMENT MANAGEMENT RECONSTRUCTION OF FITZROY AERODROME SEP - DEC 2023	\$2,356.20
<b>EFT58501</b>	<b>09/02/2024</b>	<b>HORIZON POWER - ACCOUNT PAYMENTS</b>	<b>\$28,732.08</b>
INV 563395	12/01/2024	HUB STAFF HOUSING B/5 SPINIFEX COURT FX - 10/11/23 TO 10/01/24	\$1,369.92
INV 203951	16/01/2024	3 LOCH STREET, DERBY FROM 15/11/2023 TO 15/01/2024	\$237.04
INV 340889	23/01/2024	49 CLARENDON ST, DERBY FOR 22/11/2023 TO 22/01/2024	\$142.52
INV 406063	23/01/2024	20 CLARENDON ST, DERBY FOR 22/11/2023 TO 22/01/2024	\$74.34
INV 553935	23/01/2024	UNIT 3/20 CLARENDON ST, DERBY FOR 22/11/2023 TO 22/01/2023	\$451.10
INV 150216	25/01/2024	4 LOCH ST, DERBY FOR 24/11/2023 TO 24/01/2024	\$630.46
INV 273214	25/01/2024	6 ROWELL CT, DERBY FOR 24/11/2023 TO 24/01/2024	\$71.57
INV 220780	01/02/2024	1016 STREETLIGHTS FOR 01/01/2024 TO 31/01/2024	\$20,725.72
INV 523100	01/02/2024	CCTV AT BAOBAB WAY, DERBY FOR 01/01/2024 TO 31/01/2024	\$71.04
INV 333902	05/02/2024	24 LOCH ST, DERBY FOR 04/01/2024 TO 02/02/2024	\$1,249.83
INV 393995	05/02/2024	LOT 52 PANDANUS WAY, DERBY FOR 05/12/2023 TO 02/02/2024	\$121.08
INV 421738	05/02/2024	8 COOLIBAH WAY, DERBY FOR 05/12/2023 TO 02/02/2024	\$121.08
INV 321183	06/02/2024	30 CLARENDON ST, DERBY FOR 05/01/2024 TO 05/02/2024	\$3,466.38
<b>EFT58502</b>	<b>09/02/2024</b>	<b>A&amp;N ENTERPRISES AUST PTY LTD TAS INTEGRITY COACHLINES</b>	<b>\$4,134.73</b>
INV ICL00026	30/04/2023	BUS TICKET # 263514	\$122.40
INV ICL00109	15/07/2023	BUS TICKET # 267422	\$243.96
INV ICL00125	31/07/2023	BUS TICKET # 267771	\$541.03
INV ICL00142	15/08/2023	BUS TICKET # 268347, 268348, 268402, 268404, 268408, 268742	\$1,205.58
INV ICL00163	31/08/2023	BUS TICKET # 269745	\$174.25
INV ICL00237	31/10/2023	BUS TICKET # 272026, 272070	\$610.32
INV ICL00251	15/11/2023	BUS TICKET # 273049, 273068	\$680.44
INV ICL00263	30/11/2023	BUS TICKET # 273979, 273982, 273984	\$556.75
<b>EFT58503</b>	<b>09/02/2024</b>	<b>TEAM GLOBAL EXPRESS PTY LTD</b>	<b>\$29.55</b>
INV 936701	09/01/2024	FREIGHT CHARGE	\$29.55
<b>EFT58504</b>	<b>09/02/2024</b>	<b>INFORMATION SERVICES &amp; TECHNOLOGY PTY LTD</b>	<b>\$264.00</b>



INV 24100	01/02/2024	MOSAIC ONLINE SUPPORT PLAN FOR HERITAGE COLLECTIONS GROUP & LOCAL HISTORY ARCHIVE	\$264.00
<b>EFT58505</b>	<b>09/02/2024</b>	<b>JOHN CAREY</b>	<b>\$529.66</b>
INV REIMB1312	13/12/2023	UTILITY SUBSIDY REIMBURSEMENT	\$529.66
<b>EFT58506</b>	<b>09/02/2024</b>	<b>JILA PLUMBING</b>	<b>\$9,187.20</b>
INV 5812	22/01/2024	SUPPLY & INSTALL WATER METERS	\$9,187.20
<b>EFT58507</b>	<b>09/02/2024</b>	<b>KIMBERLEY CAR HIRE</b>	<b>\$24,800.00</b>
INV 5991	31/01/2024	31 DAY HIRE OF HILUX 1HUW333 & 1HAE358	\$6,820.00
INV 5992	31/01/2024	31 DAY HIRE OF HILUX 1GOP277 & 1HUW348	\$6,820.00
INV 5993	31/01/2024	31 DAY HIRE OF HILUX 1HIK288 & 1HAP944	\$7,750.00
INV 5994	31/01/2024	31 DAY HIRE OF PRADO 1HHJ193	\$3,410.00
<b>EFT58508</b>	<b>09/02/2024</b>	<b>KIMBERLEY FIRE SYSTEMS</b>	<b>\$1,900.49</b>
INV 19658	29/01/2024	AS1851.2012 - MAINTENANCE OF FIRE PROTECTION SYSTEMS AND EQUIPMENT - JANUARY 2024	\$982.21
INV 19659	29/01/2024	INVESTIGATE FAULTS ON FIRE DETECTION SYSTEM - JANUARY 2024	\$830.50
INV 19697	31/01/2024	SUPPLY 10X 003 PADLOCK WITH KEY	\$87.78
<b>EFT58509</b>	<b>09/02/2024</b>	<b>WESFARMERS KLEENHEAT GAS PTY LTD</b>	<b>\$150.15</b>
INV 65425186	31/12/2023	YEARLY EQUIPMENT SERVICE CHARGE FOR 45KG VAP CYL	\$150.15
<b>EFT58510</b>	<b>09/02/2024</b>	<b>PINDAN PRINTING - KIMBERLEY KOLORS</b>	<b>\$2,173.24</b>
INV 3299	06/02/2024	500 X KAPP2024 INFORMATION PACK	\$2,173.24
<b>EFT58511</b>	<b>09/02/2024</b>	<b>OPTEON PROPERTY GROUP PTY LTD</b>	<b>\$1,650.00</b>
INV 17602447-1	05/02/2024	LEASE AREAS 2 & 3 DERBY WHARF VALUATION	\$1,650.00
<b>EFT58512</b>	<b>09/02/2024</b>	<b>TUFFY'S PTY LTD T/A KIMBERLEY WASHROOM SERVICES</b>	<b>\$640.00</b>
INV 9737	12/01/2024	SUPPLY AND SERVICE SANITARY UNITS - JANUARY 2024	\$640.00
<b>EFT58513</b>	<b>09/02/2024</b>	<b>MICROCHIPS AUSTRALIA PTY LTD</b>	<b>\$1,020.00</b>
INV I0642703	22/01/2024	SUPPLY & DELIVER 100 MICROCHIPS	\$1,020.00
<b>EFT58514</b>	<b>09/02/2024</b>	<b>MARSH PTY LTD</b>	<b>\$21,752.50</b>
INV 060-1482945	06/02/2024	EMERGENCY EVACUATION PLAN & DIAGRAMS	\$21,752.50
<b>EFT58515</b>	<b>09/02/2024</b>	<b>MARKET CREATIONS AGENCY PTY LTD</b>	<b>\$5,852.00</b>
INV I135-38	17/01/2024	PHASE 3 - WEBSITE PROJECT BUILD - KIMBERLEY ART MULTISITE	\$2,299.00
INV JA12-39	31/01/2024	ANNUAL REPORT DESIGN 2022/23	\$3,553.00
<b>EFT58516</b>	<b>09/02/2024</b>	<b>METROCOUNT (MICROCOM PTY LTD)</b>	<b>\$1,353.00</b>
INV 032419	17/01/2024	4 X 30M RUBBER ROAD TUBE FOR TRAFFIC COUNTERS	\$1,353.00
<b>EFT58517</b>	<b>09/02/2024</b>	<b>MECHANICS &amp; TYRES PTY LTD</b>	<b>\$179.52</b>
INV 3844	25/01/2024	SUPPLY BOSCH BATTERY	\$179.52
<b>EFT58518</b>	<b>09/02/2024</b>	<b>MCLEODS BARRISTERS &amp; SOLICITORS</b>	<b>\$1,374.55</b>
INV 134011	31/01/2024	PROFESSIONAL FEES RE: UNLAWFUL DEVELOPMENT AT 8 WELLS ROAD	\$1,374.55
<b>EFT58519</b>	<b>09/02/2024</b>	<b>NETSTAR AUSTRALIA PTY LTD</b>	<b>\$8,839.60</b>



INV 183598	31/01/2024	SUPPLY 3X TR-606H TRACKERS, SUPPLY 3X TR-606H TRACKERS	\$7,576.80
INV 183596	31/01/2024	SUPPLY TR-606H TRACKER	\$1,262.80
<b>EFT58520</b>	<b>09/02/2024</b>	<b>NGIYALI ROADHOUSE</b>	<b>\$258.50</b>
INV 766208	30/01/2024	CATERING FOR FITZROY CROSSING TRAINING DAY	\$258.50
<b>EFT58521</b>	<b>09/02/2024</b>	<b>NORTHERN RURAL SUPPLIES PTY LTD</b>	<b>\$130.00</b>
INV YE00445	31/01/2024	SUPPLY 20KG POULTRY GRAIN & 20KG LAYER CRUMBLE	\$85.00
INV YE00447	01/02/2024	SUPPLY 20KG LAYER CRUMBLE	\$45.00
<b>EFT58522</b>	<b>09/02/2024</b>	<b>NORTH WEST LOCKSMITH</b>	<b>\$400.00</b>
INV 29730	02/02/2024	RESTRICTED KEY CUT - NW271, A1 X 20	\$400.00
<b>EFT58523</b>	<b>09/02/2024</b>	<b>NORWESCOM TELECOMMUNICATIONS</b>	<b>\$1,993.86</b>
INV 54170	10/01/2024	ALARM MONITORING FX - JAN, FEB & MAR 24 - 91 DAYS	\$200.20
INV 54301	24/01/2024	RECTIFY ALARM FAULT	\$1,793.66
<b>EFT58524</b>	<b>09/02/2024</b>	<b>KIMBERLEY COUNTRY DEPARTMENT STORE</b>	<b>\$614.45</b>
INV DB49067	30/01/2024	STAFF UNIFORMS FOR PLANT MECHANIC	\$75.00
INV DB48869	01/02/2024	STAFF UNIFORMS FOR ACTING DIRECTOR OF COMMUNITY VISION	\$539.45
<b>EFT58525</b>	<b>09/02/2024</b>	<b>OFFICE STAR</b>	<b>\$1,987.20</b>
INV 62075	07/08/2023	SUPPLY TONER	\$1,525.20
INV 63270	31/01/2024	SERVICE AGREEMENT FOR RICOH ID #950 - COLEMAN CENTRE	\$462.00
<b>EFT58526</b>	<b>09/02/2024</b>	<b>IXOM</b>	<b>\$211.42</b>
INV 6771251	31/01/2024	CHLORINE GAS CYLINDER HIRE FEE - JANUARY 2024	\$211.42
<b>EFT58527</b>	<b>09/02/2024</b>	<b>POINT BAY SOUND MAINTENANCE PTY LTD</b>	<b>\$31,840.00</b>
INV 84-2	22/01/2024	19A WOOLLYBUTT CRN, DERBY REPLACE KITCHEN	\$31,840.00
<b>EFT58528</b>	<b>09/02/2024</b>	<b>RAY WHITE DERBY</b>	<b>\$8,886.01</b>
INV 15955	01/02/2024	15A KNOWSLEY STREET RENT 15/02 - 14/03/2024	\$1,412.20
INV 15956	01/02/2024	15B KNOWSLEY STREET RENT 15/02 - 14/03/2024	\$1,412.20
INV 15957	01/02/2024	9 TOWER PLACE RENT 15/02 - 14/03/2024	\$2,498.51
INV 15958	01/02/2024	33 KNOWSLEY STREET EAST RENT 15/02 - 14/03/2024	\$1,738.10
INV 15959	01/02/2024	26 DELEWARR STREET RENT 17/02 - 16/03/2024	\$1,825.00
<b>EFT58529</b>	<b>09/02/2024</b>	<b>CRISDALE RECRUITMENT GROUP</b>	<b>\$16,364.19</b>
INV SDWK1	03/01/2024	PERMANENT PLACEMENT - J KARLSSON 03/01/2024	\$16,364.19
<b>EFT58530</b>	<b>09/02/2024</b>	<b>REDROCK MAINTENANCE</b>	<b>\$65,120.00</b>
INV 779	30/01/2024	13A & 13B REPLACE KITCHEN & INSTALL APPLIANCES SUPPLIED	\$65,120.00
<b>EFT58531</b>	<b>09/02/2024</b>	<b>DERBY BETTA HOME LIVING</b>	<b>\$1,498.00</b>
INV 20310017563	05/02/2024	SUPPLY FRIDGE & DISHWASHER	\$1,498.00
<b>EFT58532</b>	<b>09/02/2024</b>	<b>ROSIE HALSMITH</b>	<b>\$2,086.70</b>
INV 2402	29/01/2024	COMMUNITY ENGAGEMENT FOR FX YOUTH PRECINCT	\$2,086.70
<b>EFT58533</b>	<b>09/02/2024</b>	<b>E &amp; MJ ROSHER PTY LTD</b>	<b>\$31,792.30</b>



INV 1467587	05/12/2023	KUBOTA F3690-AU 35.5HP ROPS OUTFRONT MOWER WITH MECHANICAL SEAT, REGISTRATION, TRADE IN 1DDK827 F3680 OUTFRONT MOWER	\$16,896.15
INV 1467588	05/12/2023	KUBOTA F3690-AU 35.5HP ROPS OUTFRONT MOWER WITH MECHANICAL SEAT, REGISTRATION, TRADE IN 1GGF090 OUTFRONT MOWER	\$14,896.15
<b>EFT58534</b>	<b>09/02/2024</b>	<b>RUSTYS IGA</b>	<b>\$1,299.82</b>
INV 012024	16/01/2024	FRUIT, SNACKS, COOKING AND PROGRAM SUPPLIES	\$336.20
INV 015450	23/01/2024	SUPPLIES FOR YOUTH PROGRAM 23-25/01/2024	\$199.12
INV 028371	25/01/2024	SUPPLIES FOR AUSTRALIA DAY, SUPPLIES FOR AUSTRALIA DAY	\$281.24
INV 018191	29/01/2024	SUPPLIES FOR YOUTH PROGRAM 29/01-03/02/2024	\$190.07
INV 011705	05/02/2024	SUPPLIES FOR YOUTH PROGRAM 05-10/02/2024	\$293.19
<b>EFT58535</b>	<b>09/02/2024</b>	<b>ROWAN SCOTT</b>	<b>\$29.95</b>
INV REIMB2211	22/11/2023	REPLACEMENT CIG PLUG ADAPTER FOR ENGEL	\$29.95
<b>EFT58536</b>	<b>09/02/2024</b>	<b>BRAYCO COMMERCIAL PTY LTD</b>	<b>\$5,002.00</b>
INV IN212024	05/01/2024	SUPPLY 8X TABLES, BASES & 32X CHAIRS	\$5,002.00
<b>EFT58537</b>	<b>09/02/2024</b>	<b>SAMPEY MEATS</b>	<b>\$220.00</b>
INV 21542	26/01/2024	SUPPLY SAUSAGES FOR FAMILY FUN DAY 26/01/2024	\$220.00
<b>EFT58538</b>	<b>09/02/2024</b>	<b>SKIPPERS CLEANING SERVICES</b>	<b>\$47,452.42</b>
INV 1691	27/01/2024	SEAL KITCHEN & FLOORS	\$2,750.00
INV 1693	31/01/2024	CLEANING OF VARIOUS SHIRE BUILDINGS - JANUARY 2024	\$13,200.00
INV 1694	31/01/2024	CLEANING OF VARIOUS SHIRE BUILDINGS - JANUARY 2024	\$31,502.42
<b>EFT58539</b>	<b>09/02/2024</b>	<b>TRAVIS HAYTO INVESTMENTS TAS SOCO STUDIOS</b>	<b>\$5,087.50</b>
INV 4610	31/01/2024	SOCIAL MEDIA MANAGEMENT - JANUARY 2024	\$5,087.50
<b>EFT58540</b>	<b>09/02/2024</b>	<b>SWEATY PALMS NURSERY</b>	<b>\$2,156.00</b>
INV 0349	23/01/2024	SUPPLY & DELIVER 14 X 25I GOLDEN CANES	\$2,156.00
<b>EFT58541</b>	<b>09/02/2024</b>	<b>DEPARTMENT OF TRANSPORT</b>	<b>\$8.80</b>
INV 8050239	12/01/2024	DISCLOSURE OF INFORMATION FEES - DECEMBER 2023	\$8.80
<b>EFT58542</b>	<b>09/02/2024</b>	<b>SPECIALIST WHOLESALERS PTY LTD</b>	<b>\$2,099.02</b>
INV 9001845	18/12/2023	BRITAX 1441030BR SPOTTER MIRRORS	\$267.26
INV 9062549	25/01/2024	SUPPLY SERVICE PARTS, SUPPLY SERVICE PARTS	\$1,562.53
INV 9069147	30/01/2024	RMP DNOTV LH CLASS 1 300 X 400MM DECAL	\$177.97
INV 9066303	01/02/2024	SUPPLY 4X TAB WASHER & 4X LOCK WASHER	\$91.26
<b>EFT58543</b>	<b>09/02/2024</b>	<b>THIRD SPACE INDIGENOUS CORPORATION</b>	<b>\$13,196.70</b>
INV 0099	17/01/2024	HIRE OF TRITON X3 17/12 - 16/01/2024	\$13,196.70
<b>EFT58544</b>	<b>09/02/2024</b>	<b>TRAVELWORLD BROOME</b>	<b>\$5,603.75</b>
INV I000039850	18/09/2023	RANGER FLIGHTS BROOME - PERTH RETURN 06/11/2023	\$1,087.28
INV I000040267	23/10/2023	RETURN FLIGHTS FROM PERTH TO BROOME FOR YOUTH SERVICE OFFICER X2	\$305.80
INV I000041202	19/01/2024	EXECUTIVE CONSULTANT FLIGHT CHANGE FITZROY TO BROOME 16-19/02/24	\$110.00



INV I000041225	23/01/2024	AGRN 1044 - FLIGHTS & ACCOMMODATION EXECUTIVE CONSULTANT 28/01/24	\$2,532.27
INV I000041306	29/01/2024	STAFF FLIGHTS & ACCOMMODATION 02/02/24 DOT TRAINING	\$1,568.40
<b>EFT58545</b>	<b>09/02/2024</b>	<b>VANDERFIELD - RDO EQUIPMENT PTY LTD</b>	<b>\$249.27</b>
INV PG5799	25/01/2024	SUPPLY MALE COUPLER AND WINDSCREEN WASHER PUMP	\$249.27
<b>EFT58546</b>	<b>09/02/2024</b>	<b>VIZONA PTY LTD</b>	<b>\$12,207.25</b>
INV 0469	15/01/2024	SUPPLY 7 X 50W DOUBLE HEAD SOLAR LIGHTS, POLES, AND HOLD ASSEMBLIES	\$10,741.50
INV 0470	15/01/2024	SUPPLY REPLACEMENT SOLAR LIGHTING FOR THE BARGE AND BOAT RAMPS	\$1,465.75
<b>EFT58547</b>	<b>09/02/2024</b>	<b>WESTERN AUSTRALIAN ELECTORAL COMMISSION</b>	<b>\$25,975.10</b>
INV 3660	15/01/2024	2023 LOCAL GOVERNMENT ORDINARY ELECTION	\$25,975.10
<b>EFT58548</b>	<b>09/02/2024</b>	<b>WA HOLIDAY GUIDE PTY LTD</b>	<b>\$24.75</b>
INV 4292	01/02/2024	COMPLETED BOOKINGS MARKETING FEE BOOEASY JUL 2023 - JAN 2024	\$24.75
<b>EFT58549</b>	<b>09/02/2024</b>	<b>WALALAKOO ABORIGINAL CORPORATION</b>	<b>\$550.00</b>
INV 213	30/01/2024	WELCOME TO COUNTRY AND SMOKING CEREMONY 26/01/2024	\$550.00
<b>EFT58550</b>	<b>09/02/2024</b>	<b>WOOLWORTHS PTY LIMITED</b>	<b>\$388.54</b>
INV 31102023	31/10/2023	WEEKLY DERBY YOUTH CENTRE SHOPPING 11/12/2023	\$388.54
<b>EFT58551</b>	<b>16/02/2024</b>	<b>A &amp; B TYRES</b>	<b>\$160.00</b>
INV 49535	17/01/2024	WHEEL ALIGNMENT	\$160.00
<b>EFT58552</b>	<b>16/02/2024</b>	<b>ALTHAM PLUMBING</b>	<b>\$376.99</b>
INV 16998	11/02/2024	REPAIR LEAK TO WATER SUPPLY	\$376.99
<b>EFT58553</b>	<b>16/02/2024</b>	<b>AUSTRALIAN SERVICES UNION</b>	<b>\$236.50</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$236.50
<b>EFT58554</b>	<b>16/02/2024</b>	<b>BRETT ANGWIN</b>	<b>\$1,554.86</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$1,554.86
<b>EFT58555</b>	<b>16/02/2024</b>	<b>BELLALUCA DEMOLITION</b>	<b>\$33,000.00</b>
INV D9830-1	08/02/2024	COSTS TO DEMOLISH PROPERTY AT 26 BARNETT WAY, DERBY	\$33,000.00
<b>EFT58556</b>	<b>16/02/2024</b>	<b>BRIAN ELLISON</b>	<b>\$1,554.86</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$1,554.86
<b>EFT58557</b>	<b>16/02/2024</b>	<b>BOOEASY PTY LTD</b>	<b>\$438.90</b>
INV 24035	08/02/2024	BOOKINGS MONTHLY FEE - JAN 2024	\$438.90
<b>EFT58558</b>	<b>16/02/2024</b>	<b>HALLIDAY ENTERPRISES PL T/A BK SIGNS &amp; PROMOTIONS</b>	<b>\$4,330.15</b>
INV 26513	31/01/2024	SUPPLY & APPLY VEHICLE WRAPS	\$4,330.15
<b>EFT58559</b>	<b>16/02/2024</b>	<b>BUILDING AND ENERGY</b>	<b>\$316.01</b>
INV PERMIT 3101	31/01/2024	BSL - JANUARY 2024 (BA02-0001, BA024348, BA05-0001, BPC4332)	\$316.01
<b>EFT58560</b>	<b>16/02/2024</b>	<b>OFFICE NATIONAL BROOME (THE BOSS SHOP)</b>	<b>\$343.52</b>
INV 1082376	31/01/2024	COPY CHARGE SERVICE CONTRACT - JANUARY 2024	\$365.42
INV 1082363 CNO	31/01/2024	CREDIT - 2291 KONICA COPY CHARGES	-\$21.90



<b>EFT58561</b>	<b>16/02/2024</b>	<b>BRAHMAN CONTRACTING PTY LTD</b>	<b>\$6,462.15</b>
INV 1375	12/04/2023	SUPPLY & INSTALL OVERHEAD CABINETS TO CREATE ALLOWANCE FOR DISHWASHER	\$4,812.15
INV 1375-2	12/04/2023	FIT VERTICAL RANGE HOOD DUCTING WITH COWL	\$1,650.00
<b>EFT58562</b>	<b>16/02/2024</b>	<b>BONITA SINCLAIR</b>	<b>\$336.48</b>
INV REIMB0602	06/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$336.48
<b>EFT58563</b>	<b>16/02/2024</b>	<b>BROOME TOYOTA NORTH WEST MOTOR GROUP</b>	<b>\$457.36</b>
INV PI13075090	05/02/2024	SUPPLY CABLE SUB-ASSY SPIR	\$457.36
<b>EFT58564</b>	<b>16/02/2024</b>	<b>COLLEGE FOR ADULT LEARNING PTY LTD</b>	<b>\$7,190.00</b>
INV 0500	08/02/2024	DIPLOMA OF PROJECT MANAGEMENT - ASSET CO-ORDINATOR	\$3,495.00
INV 0514	13/02/2024	DIPLOMA OF WORK HEALTH & SAFETY - WORK HEALTH & SAFETY OFFICER	\$3,695.00
<b>EFT58565</b>	<b>16/02/2024</b>	<b>CLEANING GARDENING &amp; TREE SERVICES</b>	<b>\$25,024.65</b>
INV 87	05/02/2024	CLEANING VISITOR CENTRE - DECEMBER 2023	\$25,024.65
<b>EFT58566</b>	<b>16/02/2024</b>	<b>CISSY NUGGETT</b>	<b>\$500.00</b>
INV SITTING FEES-1502	15/02/2024	FVFR WORKING GROUP SITTING FEES - 15/02/24	\$500.00
<b>EFT58567</b>	<b>16/02/2024</b>	<b>WINC</b>	<b>\$457.60</b>
INV 9044405678	19/01/2024	SUPPLY FURNITURE	\$457.60
<b>EFT58568</b>	<b>16/02/2024</b>	<b>DEPUTY CHILD SUPPORT REGISTRAR</b>	<b>\$304.84</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$304.84
<b>EFT58569</b>	<b>16/02/2024</b>	<b>DERBY BUILDING SUPPLIES</b>	<b>\$615.75</b>
INV 555362	12/02/2024	SUPPLY 2X TUBE SHS	\$129.78
INV 555363	12/02/2024	SUPPLY ANGLE STEEL	\$72.54
INV 555366	12/02/2024	SUPPLY SOCKET PVC VALVE & ELBOW	\$10.77
INV 555367	12/02/2024	SUPPLY PRUNERS, LOPPERS & SAWS	\$380.95
INV 555400	12/02/2024	SUPPLY HEX SCREW PK50	\$21.71
<b>EFT58570</b>	<b>16/02/2024</b>	<b>DERBY 4X4 &amp; MARINE</b>	<b>\$335.94</b>
INV 35209-57337	08/02/2024	SUPPLY CENTURY BATTERY	\$246.40
INV 35213-57292	08/02/2024	SUPPLY OEX FRONT INDICATOR & POSITION LIGHT	\$89.54
<b>EFT58571</b>	<b>16/02/2024</b>	<b>DAIMLER TRUCKS</b>	<b>\$1,059.79</b>
INV XA980048813-02	05/02/2024	SUPPLY HOSE CLIP	\$3.82
INV XA980049904-01	06/02/2024	SUPPLY CLUTCH MASTER CYLINDER	\$406.99
INV XA980050083-01	07/02/2024	QME754574 CARTRIDGE ASSY AIR DRYER	\$648.98
<b>EFT58572</b>	<b>16/02/2024</b>	<b>HARDMAN ENTERPRISES PL T/AS DERBY PLUMBING AND GAS</b>	<b>\$63,442.50</b>
INV 26275	02/02/2024	SUPPLY & INSTALL 75,000L INSITU TANK - PROGRESS PAYMENT 1	\$63,442.50
<b>EFT58573</b>	<b>16/02/2024</b>	<b>DERBY PROGRESSIVE SUPPLIES</b>	<b>\$481.46</b>
INV 082890	12/02/2024	SUPPLY 7CTNS ROAD SIDE LITTER BAGS	\$481.46
<b>EFT58574</b>	<b>16/02/2024</b>	<b>DERBY RSL SUB BRANCH</b>	<b>\$350.60</b>



INV REIMB0702	07/02/2024	FUNDRAISING FROM AUSTRALIA DAY 2024 COMMUNITY BREAKFAST	\$350.60
<b>EFT58575</b>	<b>16/02/2024</b>	<b>DERBY HARDWARE MITRE10</b>	<b>\$157.87</b>
INV 10596662	30/01/2024	SUPPLY 4X QUICKSPRAY FKAT BACK 310G ACCENT	\$47.96
INV 10596841	02/02/2024	SUPPLY 4X SOCKET PVC VALVE	\$18.98
INV 10596862	02/02/2024	SUPPLY 3X QUICKSPRAY GLOSS	\$35.97
INV 10597065	06/02/2024	SUPPLY 2X DISC ALL 5PK	\$23.98
INV 10597154	08/02/2024	SUPPLY SOLVENT CEMENT & PRIMING FLUID	\$30.98
<b>EFT58576</b>	<b>16/02/2024</b>	<b>RONNIE JIMBIDEE</b>	<b>\$500.00</b>
INV SITTING FEES-1502	15/02/2024	FVFR WORKING GROUP SITTING FEES - 15/02/24	\$500.00
<b>EFT58577</b>	<b>16/02/2024</b>	<b>EXTREME PEST CONTROL</b>	<b>\$220.00</b>
INV 13722	13/02/2024	TREATMENT OF GREEN ANTS	\$220.00
<b>EFT58578</b>	<b>16/02/2024</b>	<b>FITZROY HARDWARE PTY LTD</b>	<b>\$210.00</b>
INV 198252	12/01/2024	5 X 15L WATER BOTTLE AS REQUIRED FOR 26 WEEKS	\$105.00
INV 199108	05/02/2024	SUPPLY 5X 15L DISPOSABLE WATER BOTTLES	\$105.00
<b>EFT58579</b>	<b>16/02/2024</b>	<b>THE FITZROY RIVER LODGE</b>	<b>\$613.00</b>
INV 337554-001	06/02/2024	CATERING FOR NIGHT TIME PROGRAM	\$613.00
<b>EFT58580</b>	<b>16/02/2024</b>	<b>GEOFFREY ANDREW DAVIS</b>	<b>\$1,554.86</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$1,554.86
<b>EFT58581</b>	<b>16/02/2024</b>	<b>GREENFIELD TECHNICAL SERVICES</b>	<b>\$15,017.31</b>
INV 3841	27/01/2024	AGRN 1044 - CONSTRUCTION MANAGEMENT PACKAGE 1 08-21/01/2024	\$11,372.35
INV 3843	27/01/2024	AGRN 1044 - CONSTRUCTION MANAGEMENT PACKAGE 3 08-21/01/2024	\$3,644.96
<b>EFT58582</b>	<b>16/02/2024</b>	<b>GEOFFREY CHARLES HAEREWA</b>	<b>\$3,546.71</b>
INV REIMB0202	02/02/2024	REIMBURSE TRAVEL EXPENSES - LAND FORCES ARMY CONFERENCE BRISBANE	\$685.04
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$2,861.67
<b>EFT58583</b>	<b>16/02/2024</b>	<b>HELEN THOMAS</b>	<b>\$500.00</b>
INV SITTING FEES-1502	15/02/2024	FVFR WORKING GROUP SITTING FEES - 15/02/24	\$500.00
<b>EFT58584</b>	<b>16/02/2024</b>	<b>HULLS DIESEL SERVICES PTY LTD</b>	<b>\$3,132.49</b>
INV 0060	12/02/2024	AGRN 1044 - SERVICE 2X CAT GENERATORS	\$3,132.49
<b>EFT58585</b>	<b>16/02/2024</b>	<b>HIVO</b>	<b>\$7,246.80</b>
INV 3739	12/02/2024	HIVO SUBSCRIPTION 05/02/2024 - 04/02/2027	\$7,246.80
<b>EFT58586</b>	<b>16/02/2024</b>	<b>HORIZON POWER - ACCOUNT PAYMENTS</b>	<b>\$15,451.38</b>
INV 551727	05/02/2024	20 MIMOSA ST, DERBY FOR 05/12/2023 TO 02/02/2024	\$309.38
INV 207794	06/02/2024	142 LOCH ST, DERBY FOR 06/12/2023 TO 05/02/2024	\$357.96
INV 387885	06/02/2024	LOT 1415 ASHLEY ST, DERBY FOR 06/12/2023 TO 05/02/2024	\$74.58
INV 567769	06/02/2024	33 KNOWSLEY ST EAST, DERBY FOR 30/01/2024 TO 05/02/2024	\$252.10
INV 172452	06/02/2024	LOT 199 FORREST RD, FITZROY FOR 05/01/2024 TO 05/02/2024	\$4,575.77



INV 166519	06/02/2024	ASHLEY ST, DERBY FOR 05/01/2024 TO 05/02/2024	\$4,845.20
INV 162691	07/02/2024	UNIT 1/636 LOCH ST, DERBY FOR 07/12/2023 TO 06/02/2024	\$804.27
INV 198764	09/02/2024	LOT 128 GN HIGHWAY, FX FOR 10/01/2024 TO 08/02/2024	\$1,979.74
INV 207319	12/02/2024	LOT 175 EMANUEL WAY, FX FOR 12/12/2023 TO 09/02/2024	\$2,252.38
<b>EFT58587</b>	<b>16/02/2024</b>	<b>MARMINGEE HAND</b>	<b>\$750.00</b>
INV SITTING FEES-1502	15/02/2024	FVFR WORKING GROUP SITTING FEES - 15/02/24	\$750.00
<b>EFT58588</b>	<b>16/02/2024</b>	<b>JOSEPH ROSS</b>	<b>\$500.00</b>
INV SITTING FEES-1502	15/02/2024	FVFR WORKING GROUP SITTING FEES - 15/02/24	\$500.00
<b>EFT58589</b>	<b>16/02/2024</b>	<b>JILA PLUMBING</b>	<b>\$2,120.09</b>
INV 5651	23/10/2023	INSPECTION GREYWATER FOR RODEO GROUNDS EVENT	\$825.00
INV 5824	01/02/2024	AGRN1044 - RECTIFY ISSUES IN ROOM 6 & 37	\$217.09
INV 5835	07/02/2024	AGRN 1044 - RECTIFY ISSUE IN ROOM 22 & ASSESS REMAINING	\$715.00
INV 5836	07/02/2024	AGRN 1044 - RECTIFY ISSUES IN ROOM 1 & 17	\$363.00
<b>EFT58590</b>	<b>16/02/2024</b>	<b>JESS KARLSSON</b>	<b>\$230.53</b>
INV REIMB0502	05/02/2024	STAFF REIMBURSEMENT	\$230.53
<b>EFT58591</b>	<b>16/02/2024</b>	<b>KELSEY JANE CLARK</b>	<b>\$365.28</b>
INV REIMB0102	01/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$365.28
<b>EFT58592</b>	<b>16/02/2024</b>	<b>KERRISSA O'MEARA</b>	<b>\$1,554.86</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$1,554.86
<b>EFT58593</b>	<b>16/02/2024</b>	<b>LIANA INGRAM</b>	<b>\$350.31</b>
INV REIMB2201	22/01/2024	UTILITY SUBSIDY REIMBURSEMENT	\$350.31
<b>EFT58594</b>	<b>16/02/2024</b>	<b>LOOMA STORE</b>	<b>\$2.70</b>
INV REIMB0702	07/02/2024	RETURN FUNDS FOR PAYMENT RECEIVED IN ERROR 13/01/2023	\$2.70
<b>EFT58595</b>	<b>16/02/2024</b>	<b>MAXXIA PTY LTD</b>	<b>\$2,242.32</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$1,224.58
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$989.98
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$27.76
<b>EFT58596</b>	<b>16/02/2024</b>	<b>MANAGED IT PTY LTD</b>	<b>\$13,418.58</b>
INV 168131	01/02/2024	CLOUD SERVER HOSTING FOR FEBRUARY 2024	\$9,236.70
INV 168132	01/02/2024	CITRIX LICENSING FOR FEBRUARY 2024	\$4,181.88
<b>EFT58597</b>	<b>16/02/2024</b>	<b>MCMULLEN NOLAN GROUP PTY LTD</b>	<b>\$6,094.00</b>
INV 225277	31/01/2024	FITZROY CROSSING TOWN OVAL - BOUNDARY SURVEY (PORTION)	\$6,094.00
<b>EFT58598</b>	<b>16/02/2024</b>	<b>MASWAC MOWANJUM ARTISTS SPIRIT WANDJINA AC</b>	<b>\$100.00</b>
INV REIMB0702	07/02/2024	RETURN FUNDS FOR UNIDENTIFIED PAYMENT RECEIVED 20/04/2021	\$100.00
<b>EFT58599</b>	<b>16/02/2024</b>	<b>MARRA WORRA FITZROY WORKERS CAMP</b>	<b>\$1,540.00</b>
INV 3756	07/02/2024	AGRN 1044 - ACCOMMODATION D D'ANTOINE 04-11/12/2023	\$1,540.00



<b>EFT58600</b>	<b>16/02/2024</b>	<b>NATHAN DOLBY</b>	<b>\$817.75</b>
INV REIMB0502	05/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$817.75
<b>EFT58601</b>	<b>16/02/2024</b>	<b>JACKSON SAINTY</b>	<b>\$215.52</b>
INV REIMB0602	06/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$215.52
<b>EFT58602</b>	<b>16/02/2024</b>	<b>NORTH WEST LOCKSMITH</b>	<b>\$704.00</b>
INV ITR-3027	14/12/2023	CUT KEYS AND SUPPLY PADLOCK	\$704.00
<b>EFT58603</b>	<b>16/02/2024</b>	<b>NORWESCOM TELECOMMUNICATIONS</b>	<b>\$1,446.50</b>
INV 54368	01/02/2024	CHANGE IP & INSTALL SOFTWARE	\$1,446.50
<b>EFT58604</b>	<b>16/02/2024</b>	<b>ORD AGRICULTURAL EQUIPMENT</b>	<b>\$376.84</b>
INV OA16761	07/02/2024	SUPPLY BUCKET CONTROL CABLE	\$376.84
<b>EFT58605</b>	<b>16/02/2024</b>	<b>KIMBERLEY COUNTRY DEPARTMENT STORE</b>	<b>\$821.20</b>
INV DB49437	06/02/2024	UNIFORMS FOR WORKS STAFF	\$821.20
<b>EFT58606</b>	<b>16/02/2024</b>	<b>COLLEEN GARNER</b>	<b>\$500.00</b>
INV SITTING FEES-1502	15/02/2024	FVFR WORKING GROUP SITTING FEES - 15/02/24	\$500.00
<b>EFT58607</b>	<b>16/02/2024</b>	<b>STUDIO SCHOOLS OF AUSTRALIA LTD</b>	<b>\$303.67</b>
INV REIMB0702	07/02/2024	REFUND FOOD ACT REGISTERED PREMISES ASSESSMENT FEE 2023/2024	\$303.67
<b>EFT58608</b>	<b>16/02/2024</b>	<b>PAUL ANTHONY BICKERTON</b>	<b>\$1,554.86</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$1,554.86
<b>EFT58609</b>	<b>16/02/2024</b>	<b>PEARL COAST DISTRIBUTORS</b>	<b>\$326.04</b>
INV SI130509	02/02/2024	DERBY SWIMMING POOL ICE CREAM RESTOCK	\$326.04
<b>EFT58610</b>	<b>16/02/2024</b>	<b>PETER JOHN MCCUMSTIE</b>	<b>\$4,660.66</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 PRESIDENT ATTENDANCE FEE & ALLOWANCES	\$4,660.66
<b>EFT58611</b>	<b>16/02/2024</b>	<b>PLAYMASTER PTY LTD</b>	<b>\$605.00</b>
INV 1801	09/02/2024	SUPPLY SSS SWING STRAP SEAT & CHAIN	\$605.00
<b>EFT58612</b>	<b>16/02/2024</b>	<b>ROCK'S AUTOMOTIVE SERVICES PTY LTD</b>	<b>\$595.00</b>
INV 36458	06/02/2024	SUPPLY LED STROBE LIGHTS & 3X MOUNTING PLATES	\$425.00
INV REIMB0702	07/02/2024	RETURN FUNDS FOR UNIDENTIFIED PAYMENT RECEIVED 03/01/2023	\$170.00
<b>EFT58613</b>	<b>16/02/2024</b>	<b>RUSSELL CHESTNUT</b>	<b>\$750.00</b>
INV SITTING FEES-1502	15/02/2024	FVFR WORKING GROUP SITTING FEES - 15/02/24	\$750.00
<b>EFT58614</b>	<b>16/02/2024</b>	<b>E &amp; MJ ROSHER PTY LTD</b>	<b>\$8,400.00</b>
INV 1467558	05/12/2023	KUBOTA RCK72P-F39 72 SIDE DISCHARGE MOWER DECK"	\$4,200.00
INV 1467561	05/12/2023	KUBOTA RCK72P-F39 72 SIDE DISCHARGE MOWER DECK"	\$4,200.00
<b>EFT58615</b>	<b>16/02/2024</b>	<b>RUSTYS IGA</b>	<b>\$190.80</b>
INV 019269	10/01/2024	SUPPLY 10 X 6X1.5L WATER	\$109.50
INV 015655	24/01/2024	SUPPLY DOG FOOD	\$81.30
<b>EFT58616</b>	<b>16/02/2024</b>	<b>SUNNY SIGN COMPANY PTY LTD</b>	<b>\$224.40</b>



INV 511441	02/02/2024	SUPPLY 6X KEEP LEFT SIGNS	\$224.40
<b>EFT58617</b>	<b>16/02/2024</b>	<b>SYNDICATED INVESTMENTS PTY LTD ATF AREIT DIVERSIFIED FUND</b>	<b>\$21,670.00</b>
INV 0035	20/09/2023	AGRN 1044 - 5A & 5B SPINIFEX RENT FOR OCT 2023	\$10,835.00
INV 0040	12/02/2024	AGRN 1044 - 5A & 5B SPINIFEX RENT FOR FEB 2024	\$10,835.00
<b>EFT58618</b>	<b>16/02/2024</b>	<b>TRAINING MOMENTUM PTY LTD</b>	<b>\$1,050.00</b>
INV 1137	06/02/2024	ASBESTOS TRAINING - WORK HEALTH & SAFETY OFFICER	\$1,050.00
<b>EFT58619</b>	<b>16/02/2024</b>	<b>CLEANAWAY CO PTY LTD</b>	<b>\$284,556.85</b>
INV 19277301	31/01/2024	DOMESTIC & COMMERCIAL BIN - JANUARY 2024	\$138,304.16
INV 19277302	31/01/2024	LANDFILL MANAGEMENT DERBY - JANUARY 2024	\$138,027.43
INV 19277529	31/01/2024	PUBLIC BIN COLLECTION - JANUARY 2024	\$8,225.26
<b>EFT58620</b>	<b>16/02/2024</b>	<b>TARUNDA SUPERMARKET</b>	<b>\$675.82</b>
INV 10175373	24/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$180.54
INV 10175577	25/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$114.55
INV 30167501	25/01/2024	AGRN 1044 - COMMUNITIES OUTREACH HUB	\$145.59
INV 10177216	31/01/2024	AGRN 1044 - FOOD SUPPLIES FOR CUPPA CIRCLE PROGRAM	\$77.67
INV 10179079	05/02/2024	AGRN 1044 - FOOD SUPPLIES FOR CUPPA CIRCLE PROGRAM	\$157.47
<b>EFT58621</b>	<b>16/02/2024</b>	<b>ANDREW JAMES TWADDLE</b>	<b>\$1,554.86</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$1,554.86
<b>EFT58622</b>	<b>16/02/2024</b>	<b>TEYA RICHARDS</b>	<b>\$280.00</b>
INV KAPP 2023	07/02/2024	SALE OF ARTWORK KAPP 2023	\$280.00
<b>EFT58623</b>	<b>16/02/2024</b>	<b>TYREPOWER DERBY</b>	<b>\$1,804.00</b>
INV 118454	09/02/2024	SUPPLY & FIT 3X MICKEY THOMPSON LT265/70R17, WHEEL ALIGNMENT	\$1,804.00
<b>EFT58624</b>	<b>16/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$22.74</b>
INV A108180	30/09/2022	RATES REFUND FOR ASSESSMENT A108180	\$22.74
<b>EFT58625</b>	<b>16/02/2024</b>	<b>LEAVILLE HOLDINGS PTY LTD (WILLARE BRIDGE ROADHOUSE)</b>	<b>\$380.00</b>
INV REIMB0702	07/02/2024	REFUND FOR DUPLICATE PAYMENT OF INVOICES 26473 & 26475	\$380.00
<b>EFT58626</b>	<b>16/02/2024</b>	<b>WAYNE FOLEY</b>	<b>\$1,554.86</b>
INV ALLOW2902	29/02/2024	FEBRUARY 2024 OCM COUNCILLOR ATTENDANCE FEE	\$1,554.86
<b>EFT58627</b>	<b>16/02/2024</b>	<b>RYAN BOLDISON</b>	<b>\$40.00</b>
INV KAPP 2023	07/02/2024	SALE OF PHOTO KAPP 2023	\$40.00
<b>EFT58628</b>	<b>16/02/2024</b>	<b>ZARAK BIN RASHID</b>	<b>\$2,000.00</b>
INV REIMB0502	05/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$2,000.00
<b>EFT58629</b>	<b>23/02/2024</b>	<b>AMY MORRIS</b>	<b>\$342.74</b>
INV REIMB2501-1	25/01/2024	STAFF REIMBURSEMENT	\$92.86
INV REIMB2501-2	25/01/2024	STAFF REIMBURSEMENT	\$63.04
INV REIMB2501-3	25/01/2024	STAFF REIMBURSEMENT	\$70.65



INV REIMB2501-4	25/01/2024	STAFF REIMBURSEMENT	\$116.19
<b>EFT58630</b>	<b>23/02/2024</b>	<b>ALTHAM PLUMBING</b>	<b>\$4,735.59</b>
INV 16978	07/02/2024	REPLACE REGULATOR	\$376.29
INV 16994	09/02/2024	EXTEND EXISTING LEACH X 12M	\$3,319.80
INV 17033	15/02/2024	RECTIFY ISSUE WITH BORE PUMP	\$1,039.50
<b>EFT58631</b>	<b>23/02/2024</b>	<b>BBB CATERING PTY LTD</b>	<b>\$392,110.44</b>
INV 6200	22/02/2024	AGRN 1044 - CAMP MANAGEMENT SERVICES - JANUARY 2024	\$392,110.44
<b>EFT58632</b>	<b>23/02/2024</b>	<b>ALBION RESOURCES LTD</b>	<b>\$299.84</b>
INV A901062	19/02/2024	RATES REFUND FOR ASSESSMENT A901062	\$299.84
<b>EFT58633</b>	<b>23/02/2024</b>	<b>G BISHOPS TRANSPORT SERVICES PTY LTD</b>	<b>\$830.83</b>
INV B237660	09/02/2024	FREIGHT CHARGES	\$830.83
<b>EFT58634</b>	<b>23/02/2024</b>	<b>BONITA SINCLAIR</b>	<b>\$76.58</b>
INV REIMB0902	09/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$76.58
<b>EFT58635</b>	<b>23/02/2024</b>	<b>BUGARDI CONTRACTING PTY LTD</b>	<b>\$16,468.10</b>
INV 0163	19/02/2024	VARIATION CLAIM 5 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$8,135.89
INV 0160	19/02/2024	VARIATION CLAIM 1 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$1,871.85
INV 0161	19/02/2024	VARIATION CLAIM 3 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$1,057.49
INV 0162	19/02/2024	VARIATION CLAIM 6 - CONTRACT C08-2023 - ACCOMMODATION CONSTRUCTION	\$5,402.87
<b>EFT58636</b>	<b>23/02/2024</b>	<b>WINC</b>	<b>\$1,656.58</b>
INV 9044623546	13/02/2024	MARBIG A4 CLIPBOARD STORAGE CASE, STATIONERY ITEMS FOR ADMIN	\$1,170.81
INV 9044659243	16/02/2024	STATIONERY ITEMS FOR ADMIN	\$485.77
<b>EFT58637</b>	<b>23/02/2024</b>	<b>DERBY BUILDING SUPPLIES</b>	<b>\$502.16</b>
INV 555419	12/02/2024	SUPPLY 5X HYDROCHLORIC ACID 20L	\$318.87
INV 555461	13/02/2024	SUPPLY 13X KEYS	\$65.00
INV 555465	13/02/2024	SUPPLY PVC SOLVENT CEMENT	\$7.85
INV 555490	14/02/2024	SUPPLY ANGLE STEEL	\$72.54
INV 555730	19/02/2024	SUPPLY TRIO HINGE & RCR CHANNEL	\$16.08
INV 555729	19/02/2024	SUPPLY 2X TRIO BUTT & HINGE	\$21.82
<b>EFT58638</b>	<b>23/02/2024</b>	<b>DERBY FUELS</b>	<b>\$6,240.00</b>
INV 1111755	09/02/2024	CATERING FOR YOUTH PROGRAM 08-09/02/2024	\$2,310.00
INV 1111756	09/02/2024	CATERING FOR YOUTH PROGRAM 10/02/2024	\$960.00
INV 261333	17/02/2024	CATERING FOR YOUTH PROGRAM 17/02/2024	\$960.00
INV 261334	17/02/2024	CATERING FOR YOUTH PROGRAM 15-16/02/2024	\$2,010.00
<b>EFT58639</b>	<b>23/02/2024</b>	<b>DOUGLAS D'ANTOINE</b>	<b>\$18,818.24</b>
INV 022	18/02/2024	EXECUTIVE OFFICER DUTIES FOR FVFRWG - 08/01/2024 TO 19/01/2024	\$8,848.98



INV 023	18/02/2024	EXECUTIVE OFFICER DUTIES FOR FVFRWG - 22/01/2024 TO 02/02/2024	\$9,969.26
<b>EFT58640</b>	<b>23/02/2024</b>	<b>LANDGATE (WA LAND INFORMATION AUTHORITY)</b>	<b>\$95.37</b>
INV 391481	21/02/2024	GROSS RENTAL VALUATIONS CHARGEABLE - SCHEDULE G2024/01	\$95.37
<b>EFT58641</b>	<b>23/02/2024</b>	<b>DERBY PROGRESSIVE SUPPLIES</b>	<b>\$206.34</b>
INV 083113	15/02/2024	SUPPLY 3CTNS ROAD SIDE LITTER BAGS	\$206.34
<b>EFT58642</b>	<b>23/02/2024</b>	<b>DERBY HARDWARE MITRE10</b>	<b>\$103.94</b>
INV 10597598	15/02/2024	SUPPLY TUPOINT DRILL	\$14.99
INV 10597574	15/02/2024	SUPPLY 25PK SCREWS	\$6.99
INV 10597650	16/02/2024	SUPPLY SILICONE & GREASE	\$81.96
<b>EFT58643</b>	<b>23/02/2024</b>	<b>DWA INDUSTRIAL RESOURCES PTY LTD</b>	<b>\$18,719.65</b>
INV 02022960	03/01/2024	FABRICATE, INSTALL SAFETY RAILS OVER CULVERT HEAD WALLS PANTON & STANLEY ST	\$9,655.04
INV 02022965	03/01/2024	PAINT & INSTALL SAFETY RAILS	\$9,064.61
<b>EFT58644</b>	<b>23/02/2024</b>	<b>S&amp;E AUTOMOTIVE (EVIE MOLSON)</b>	<b>\$4,331.25</b>
INV 9425351	02/02/2024	CONTRACT EHO DUTIES 22-26/01/2024	\$4,331.25
<b>EFT58645</b>	<b>23/02/2024</b>	<b>THE FITZROY RIVER LODGE</b>	<b>\$236.00</b>
INV 337554-002	06/02/2024	CATERING FOR MOVIE NIGHT 12/01/2024	\$236.00
<b>EFT58646</b>	<b>23/02/2024</b>	<b>GREAT EASTERN MOTOR LODGE</b>	<b>\$1,194.00</b>
INV 18411	17/02/2024	ACCOMMODATION PRESIDENT P MCCUMSTIE 12-17/02/2024	\$1,194.00
<b>EFT58647</b>	<b>23/02/2024</b>	<b>GREENFIELD TECHNICAL SERVICES</b>	<b>\$14,797.49</b>
INV 3856	14/02/2024	AGRN 1044 - CONSTRUCTION MANAGEMENT PACKAGE 1 - JANUARY 2024	\$6,587.35
INV 3857	14/02/2024	AGRN 1044 - FLOOD DAMAGE REINSTATEMENT PACKAGE 2 - JANUARY 2024	\$256.03
INV 3858	14/02/2024	AGRN 1044 - FLOOD DAMAGE REINSTATEMENT PACKAGE 3 - JANUARY 2024	\$6,856.85
INV 3864	14/02/2024	CONSTRUCTION MANAGEMENT PACKAGE 1 - AGRN951 FLOOD DAMAGE WORKS - JANUARY 2024	\$768.08
INV 3865	14/02/2024	CONSTRUCTION MANAGEMENT PACKAGE 2 - AGRN951 FLOOD DAMAGE WORKS - JANUARY 2024	\$329.18
<b>EFT58648</b>	<b>23/02/2024</b>	<b>HOATH REFRIGERATION &amp; AIRCONDITIONING</b>	<b>\$302.72</b>
INV 3618	07/02/2024	REPLACE FAULTY GPO IN ROOM 21 A/C	\$302.72
<b>EFT58649</b>	<b>23/02/2024</b>	<b>HULLS DIESEL SERVICES PTY LTD</b>	<b>\$5,882.06</b>
INV 0061	12/02/2024	AGRN 1044 - REPAIR OIL LEAK ON LHS GENSET & REPLACE FRONT MAIN SEAL	\$5,011.79
INV 0062	12/02/2024	AGRN 1044 - ONGOING SERVICE OF GENSET GENERATORS	\$870.27
<b>EFT58650</b>	<b>23/02/2024</b>	<b>HORIZON POWER - ACCOUNT PAYMENTS</b>	<b>\$3,648.79</b>
INV 173364	05/02/2024	40 ASHLEY ST, DERBY FOR 05/12/23 TO 02/02/24	\$1,544.68
INV 349785	12/02/2024	LOT 231 GREAT NORTHERN HIGHWAY, FITZROY FOR 12/12/23 TO 09/02/24	\$368.12
INV 421774	12/02/2024	LOT 199 FORREST RD, FITZROY FOR 12/12/23 TO 09/02/24	\$472.45
INV 167790	15/02/2024	LOT 1326 WINDJANA RD, DERBY FOR 15/12/23 TO 14/02/24	\$1,263.54



<b>EFT58651</b>	<b>23/02/2024</b>	<b>EMILY SMITH</b>	<b>\$480.00</b>
INV REIMB1602	16/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$480.00
<b>EFT58652</b>	<b>23/02/2024</b>	<b>CONNECT CALL CENTRE SERVICES</b>	<b>\$184.47</b>
INV 116183	15/02/2024	OVERCALLS FEE FOR CONTRACT CA0415 - JANUARY 2024	\$184.47
<b>EFT58653</b>	<b>23/02/2024</b>	<b>JILA PLUMBING</b>	<b>\$7,045.50</b>
INV 5839	08/02/2024	SUPPLY & INSTALL 180J SOLAHART SYSTEM	\$6,930.00
INV 5840	08/02/2024	TEMP FIX SOLAR	\$115.50
<b>EFT58654</b>	<b>23/02/2024</b>	<b>KIMBERLEY HOME ELECTRICAL</b>	<b>\$27,046.83</b>
INV 24-00002581	23/01/2024	FITZROY DEPOT NEW ACCOMMODATION UNITS BEDROOM FIT OUT	\$27,046.83
<b>EFT58655</b>	<b>23/02/2024</b>	<b>MARKET CREATIONS AGENCY PTY LTD</b>	<b>\$396.00</b>
INV JA69-1	09/02/2024	DOMAIN NAME & SETUP FOR AUSTRALIASBOABCOUNTRY.COM.AU	\$396.00
<b>EFT58656</b>	<b>23/02/2024</b>	<b>MANAGED IT PTY LTD</b>	<b>\$28,359.82</b>
INV 168133	01/02/2024	MANAGED LICENSES FOR FEBRUARY 2024	\$29,387.47
INV 168432	20/02/2024	SUPPLY ASTROTEK CABLES	\$100.18
INV 168133-CN	07/02/2024	CREDIT - REMOVE USERS	-\$1,127.83
<b>EFT58657</b>	<b>23/02/2024</b>	<b>LGISWA - LGIS PROPERTY</b>	<b>\$195,670.38</b>
INV 100-156166	30/09/2023	2023/24 PORT OF DERBY - INSTALMENT 2	\$195,670.38
<b>EFT58658</b>	<b>23/02/2024</b>	<b>MOORE AUSTRALIA (TAX)</b>	<b>\$13,358.22</b>
INV 434124	31/01/2024	ANNUAL FINANCIAL REPORT 2022-23 - FINAL BILLING	\$13,358.22
<b>EFT58659</b>	<b>23/02/2024</b>	<b>NICOLAAS HAVENGA</b>	<b>\$234.56</b>
INV REIMB1902	19/02/2024	REIMBURSE AIRPORT PARKING & TRANSPORT IN PERTH FOR TRAINING	\$234.56
<b>EFT58660</b>	<b>23/02/2024</b>	<b>NORTH WEST LOCKSMITH</b>	<b>\$13,187.50</b>
INV 29758	07/02/2024	SUPPLY 2X LOCKWOOD 355 DEADLOCK & 2X SINGLE SIDED DEADBOLT	\$998.00
INV ITR-3168	09/02/2024	REPLACE ALL LOCKS & REALIGN DOORS TO SUIT	\$12,189.50
<b>EFT58661</b>	<b>23/02/2024</b>	<b>RED TRIM MOTOR TRIMMING PTY LTD</b>	<b>\$495.00</b>
INV 1774	09/02/2024	SUPPLY FRONT SEAT FOAM BACKED CANVAS COVERS	\$495.00
<b>EFT58662</b>	<b>23/02/2024</b>	<b>OAKS BROOME</b>	<b>\$6,360.50</b>
INV 22315551	14/02/2024	HIRE OF CONFERENCE ROOM, CATERING & ACCOMMODATION 7-12-13/02/24	\$6,360.50
<b>EFT58663</b>	<b>23/02/2024</b>	<b>KIMBERLEY COUNTRY DEPARTMENT STORE</b>	<b>\$4,270.69</b>
INV DB48787	12/02/2024	STAFF UNIFORMS FOR SENIOR WORK HEALTH & SAFETY OFFICER	\$441.40
INV DB49619	15/02/2024	STAFF UNIFORMS FOR DERBY WORKS SUPERVISOR	\$827.19
INV DB49010	15/02/2024	STAFF UNIFORMS FOR PROJECT OFFICER	\$444.67
INV DB49264	15/02/2024	STAFF UNIFORMS FOR DIRECTOR OF TECHNICAL SERVICES	\$369.50
INV DB49433	15/02/2024	STAFF UNIFORMS FOR FITZROY CUSTOMER SERVICE OFFICER	\$569.48
INV DB49498	15/02/2024	STAFF UNIFORMS FOR FITZROY CUSTOMER SERVICE OFFICER	\$659.46
INV DB49570	15/02/2024	STAFF UNIFORMS FOR DERBY WORKS LABOURER	\$958.99



<b>EFT58664</b>	<b>23/02/2024</b>	<b>PLAYMASTER PTY LTD</b>	<b>\$407.00</b>
INV 1800	09/02/2024	SUPPLY S HOOK PLIERS	\$407.00
<b>EFT58665</b>	<b>23/02/2024</b>	<b>PRITCHARD FRANCIS</b>	<b>\$1,045.00</b>
INV 33229	31/01/2024	WHARFINGER HOUSE STRUCTURAL CONDITION INSPECTION - JANUARY 2024	\$1,045.00
<b>EFT58666</b>	<b>23/02/2024</b>	<b>SE RENTALS PTY LTD</b>	<b>\$185.90</b>
INV 166730	20/02/2024	DERBY POOL PRINTER - RENTAL CONTRACT RICOH 20/03/2024	\$185.90
<b>EFT58667</b>	<b>23/02/2024</b>	<b>REMOTE AREA PLUMBING</b>	<b>\$117,150.00</b>
INV 69	07/01/2024	AGRN 1044 - SECURITY FENCING - FITZROY SERVICE WORKERS CAMP	\$117,150.00
<b>EFT58668</b>	<b>23/02/2024</b>	<b>SIAN EDWARDS</b>	<b>\$1,974.68</b>
INV REIMB0207	21/02/2024	UTILITY SUBSIDY REIMBURSEMENT	\$1,974.68
<b>EFT58669</b>	<b>23/02/2024</b>	<b>SHOOTING STARS - GLASS JAR AUSTRALIA</b>	<b>\$2,100.00</b>
INV REIMB0702	07/02/2024	BOND RETURNS FOR HISTORICAL VENUE HIRES DURING THE YEARS 2016-2023	\$2,100.00
<b>EFT58670</b>	<b>23/02/2024</b>	<b>SYSTEMIC PTY LTD</b>	<b>\$549.00</b>
INV 2024-0079	08/02/2024	PIM PREMIUM ACCOUNT - 12-MONTH SUBSCRIPTION	\$549.00
<b>EFT58671</b>	<b>23/02/2024</b>	<b>SPECIALIST WHOLESALERS PTY LTD</b>	<b>\$409.87</b>
INV 9090350	08/02/2024	SUPPLY AIRBRAKE TUBES & HYDRAULIC FILTER	\$282.51
INV 9088635	12/02/2024	SUPPLY LINE FILTER & 2X MALE CONNECTOR 12MM	\$127.36
<b>EFT58672</b>	<b>23/02/2024</b>	<b>TARUNDA SUPERMARKET</b>	<b>\$1,185.10</b>
INV 10179649	07/02/2024	AGRN 1044 - SUPPLIES FOR CUPPA CIRCLE PROGRAM 07/02/2024	\$150.82
INV 30170002	08/02/2024	AGRN 1044 - SUPPLIES FOR YOUTH COOKING PROGRAM 08/02/2024	\$265.00
INV 50156271	09/02/2024	AGRN 1044 - SUPPLIES FOR CUPPA CIRCLE PROGRAM 09/02/2024	\$124.28
INV 30170312	09/02/2024	AGRN 1044 - SUPPLIES FOR YOUTH COOKING PROGRAM 09/02/24	\$212.89
INV 50156515	15/02/2024	AGRN 1044 - SUPPLIES FOR YOUTH COOKING PROGRAM 15/02/2024	\$219.12
INV 50156566	16/02/2024	FOOD SUPPLIES FOR YOUTH COOKING PROGRAM 23/02/24	\$212.99
<b>EFT58673</b>	<b>23/02/2024</b>	<b>THIRD SPACE INDIGENOUS CORPORATION</b>	<b>\$13,196.70</b>
INV 0101	16/02/2024	AGRN 1044 - HIRE OF TRITON X3 17/01 - 16/02/2024	\$13,196.70
<b>EFT58674</b>	<b>23/02/2024</b>	<b>TRAVELWORLD BROOME</b>	<b>\$2,383.78</b>
INV I000041356	05/02/2024	EHO CONSULTANT FLIGHTS PERTH-BROOME RETURN 18/02/2024	\$798.62
INV I000041431	14/02/2024	STAFF FLIGHTS & ACCOMMODATION - THE NEW MANAGER 21-25/04/24	\$1,585.16
<b>EFT58675</b>	<b>23/02/2024</b>	<b>VISION POWER PTY LTD</b>	<b>\$137.50</b>
INV 16837	09/02/2024	INSPECT FAULTY MAGNETIC LOCK LATCH	\$137.50
<b>EFT58676</b>	<b>23/02/2024</b>	<b>VISIMAX (BUCCI HOLDINGS PTY LTD)</b>	<b>\$677.91</b>
INV 1037	16/01/2024	SUPPLY DANGEROUS DOG COLLARS & SIGNS	\$677.91
		<b>TOTAL</b>	<b>\$3,128,785.94</b>



**CHQ PAYMENTS – MUNI ACCOUNT****MANUAL CHEQUE – MUNI ACCOUNT****FEE PAYMENTS – MUNI ACCOUNT**

PAYMENT ID	DATE	CREDITOR / INVOICE DETAILS	AMOUNT
953	01/02/2024	EXC - EXCESS TRANSACTIONS FEE	\$14.40
953	01/02/2024	GHA - GREYHOUND AUSTRALIA	\$1,172.32
953	02/02/2024	DOT - DOT PAYMENT	\$616.85
953	01/02/2024	BAS4 - ATO - BAS PAYMENT - PAYG WITHHOLDING	\$108,881.00
953	05/02/2024	MER - MERCHANT FEES	\$265.57
953	05/02/2024	MER - MERCHANT FEES	\$323.91
953	05/02/2024	DOT - DOT PAYMENT	\$1,322.65
953	06/02/2024	BEX - BPOINT FEES	\$77.00
953	06/02/2024	BPY - BPAY FEES	\$129.36
953	06/02/2024	DOT - DOT PAYMENT	\$609.50
953	07/02/2024	IINET - IINET 225211599 (\$109.99)	\$109.99
953	01/02/2024	EXC - EXCESS TRANSACTIONS FEE	\$65.00
953	08/02/2024	GHA - GREYHOUND AUSTRALIA	\$4,028.96
953	09/02/2024	DOT - DOT PAYMENT	\$3,093.55
953	12/02/2024	DOT - DOT PAYMENT	\$957.00
953	14/02/2024	DOT - DOT PAYMENT	\$4,391.45
953	14/02/2024	AGRN - AGRN1044 DLL IT LEASE	\$2,119.94
953	15/02/2024	BEX - BPOINT FEES	\$33.54
953	15/02/2024	DOT - DOT PAYMENT	\$891.40
953	15/02/2024	GHA - GREYHOUND AUSTRALIA	\$3,502.00
953	16/02/2024	DOT - DOT PAYMENT	\$1,930.65
953	19/02/2024	BAS4 - ATO - BAS PAYMENT - PAYG WITHHOLDING	\$110,883.00
953	01/02/2024	EXC - EXCESS TRANSACTIONS FEE	\$43.70
953	19/02/2024	DOT - DOT PAYMENT	\$1,946.10
953	14/02/2024	EXC - EXCESS TRANSACTIONS FEE	\$0.05
953	21/02/2024	DOT - DOT PAYMENT	\$1,920.85
953	01/02/2024	CMD - CHEQUE OR MERCHANT DEPOSITS FEE	\$1.80
953	22/02/2024	DOT - DOT PAYMENT	\$2,027.95
953	22/02/2024	GHA - GREYHOUND AUSTRALIA	\$3,419.00



953	23/02/2024	DOT - DOT PAYMENT	\$2,001.15
953	26/02/2024	DOT - DOT PAYMENT	\$1,469.85
953	27/02/2024	ICMSFE - RANGER FEES (ICMSFE FP)	\$83.50
953	28/02/2024	DOT - DOT PAYMENT	\$677.15
953	29/02/2024	ICMSFE - RANGER FEES (ICMSFE FP)	\$83.50
953	29/02/2024	ICMSFE - RANGER FEES (ICMSFE FP)	\$83.50
953	29/02/2024	DOT - DOT PAYMENT	\$2,949.45
953	29/02/2024	GHA - GREYHOUND AUSTRALIA	\$3,946.00
953	01/02/2024	DOT - DOT PAYMENT	\$409.45
953	01/02/2024	MER - MERCHANT FEES	\$207.78
953	01/02/2024	MER - MERCHANT FEES	\$32.00
953	01/02/2024	MER - MERCHANT FEES	\$29.95
DD21577.1	14/02/2024	WATER CORPORATION	\$246.23
INV 9018700655	24/01/2024	FLYNN DR, FITZROY CROSSING 01/01/24 TO 29/02/24	\$246.23
DD21585.1	08/02/2024	MANAGED IT PTY LTD	\$6,615.18
INV 168130	01/02/2024	MANAGED SERVICES FOR FEBRUARY 2024	\$6,615.18
DD21605.1	14/02/2024	AWARE SUPER	\$127.84
INV DEDUCTION	14/02/2024	PAYROLL DEDUCTION	\$127.84
DD21608.1	13/02/2024	AWARE SUPER	\$37,555.70
INV SUPER	13/02/2024	SUPERANNUATION	\$31,386.09
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$531.09
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$4,059.31
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$400.00
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$502.18
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$179.03
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$498.00
DD21608.2	13/02/2024	CBUS SUPERANNUATION	\$957.25
INV SUPER	13/02/2024	SUPERANNUATION	\$689.22
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$268.03
DD21608.3	13/02/2024	STUDENT SUPER PROFESSIONAL SUPER	\$444.98
INV SUPER	13/02/2024	SUPERANNUATION	\$444.98
DD21608.4	13/02/2024	THE EQUIPSUPER SUPERANNUATION FUND	\$590.10
INV SUPER	13/02/2024	SUPERANNUATION	\$590.10
DD21608.5	13/02/2024	THE TRUSTEE FOR SUPER RETIREMENT FUND SELECT SUPER	\$823.18
INV SUPER	13/02/2024	SUPERANNUATION	\$592.69
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$230.49
DD21608.6	13/02/2024	GUILD SUPER	\$367.81



INV SUPER	13/02/2024	SUPERANNUATION	\$367.81
<b>DD21608.7</b>	<b>13/02/2024</b>	<b>THE CRESCENT WEALTH SUPER FUND</b>	<b>\$1,014.51</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$730.45
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$284.06
<b>DD21608.8</b>	<b>13/02/2024</b>	<b>BRIGHTER SUPER SUNCORP EMPLOYEE SUPER PLAN</b>	<b>\$2,113.76</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$1,713.00
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$400.76
<b>DD21608.9</b>	<b>13/02/2024</b>	<b>ING SUPERANNUATION FUND</b>	<b>\$418.24</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$418.24
<b>DD21625.1</b>	<b>08/02/2024</b>	<b>ANZ COMMERCIAL CARD SERVICES CENTRE</b>	<b>\$13,439.76</b>
INV ANZ AOH	08/02/2024	COMMERCIAL CREDIT CARD FOR 13/12/2023 TO 14/01/2024	\$4,121.76
INV ANZ WNE	08/02/2024	COMMERCIAL CREDIT CARD FOR 13/12/2023 TO 14/01/2024	\$86.37
INV ANZ TIE	08/02/2024	COMMERCIAL CREDIT CARD FOR 13/12/2023 TO 14/01/2024	\$638.92
INV ANZ LAR	08/02/2024	COMMERCIAL CREDIT CARD FOR 13/12/2023 TO 14/01/2024	\$8,092.88
INV ANZ CREDIT	08/02/2024	OFFSET CREDIT FOR REFUND 13/12/2023 TO 14/01/2024	\$499.83
<b>DD21632.1</b>	<b>21/02/2024</b>	<b>THE SHELL COMPANY OF AUSTRALIA LIMITED</b>	<b>\$4,407.08</b>
INV FUEL - JAN24	31/01/2024	SHELL FUEL - JAN 2024	\$4,407.08
<b>DD21644.1</b>	<b>27/02/2024</b>	<b>AWARE SUPER</b>	<b>\$38,675.95</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$32,044.75
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$531.09
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$4,534.27
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$400.00
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$499.06
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$168.78
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$498.00
<b>DD21644.2</b>	<b>27/02/2024</b>	<b>CBUS SUPERANNUATION</b>	<b>\$1,466.79</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$1,056.09
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$410.70
<b>DD21644.3</b>	<b>27/02/2024</b>	<b>STUDENT SUPER PROFESSIONAL SUPER</b>	<b>\$444.98</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$444.98
<b>DD21644.4</b>	<b>27/02/2024</b>	<b>THE TRUSTEE FOR SUPER RETIREMENT FUND SELECT SUPER</b>	<b>\$823.18</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$592.69
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$230.49
<b>DD21644.5</b>	<b>27/02/2024</b>	<b>GUILD SUPER</b>	<b>\$425.14</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$425.14
<b>DD21644.6</b>	<b>27/02/2024</b>	<b>THE EQUIPSUPER SUPERANNUATION FUND</b>	<b>\$391.03</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$391.03



<b>DD21644.7</b>	<b>27/02/2024</b>	<b>THE CRESCENT WEALTH SUPER FUND</b>	<b>\$1,056.82</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$760.91
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$295.91
<b>DD21644.8</b>	<b>27/02/2024</b>	<b>BRIGHTER SUPER SUNCORP EMPLOYEE SUPER PLAN</b>	<b>\$3,478.66</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$2,621.08
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$857.58
<b>DD21644.9</b>	<b>27/02/2024</b>	<b>ING SUPERANNUATION FUND</b>	<b>\$418.24</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$418.24
<b>DD21648.1</b>	<b>06/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$11,247.95</b>
INV 9006973736	06/02/2024	CLUB AT 12 ELDER ST, DERBY	\$549.18
INV 9006973840	06/02/2024	OFFICES AT 24 LOCH ST, DERBY FOR 12/11/23 TO 15/01/24	\$435.76
INV 9006973875	06/02/2024	OFFICES AT 30 LOCH ST, DERBY FOR 12/11/23 TO 15/01/24	\$3,730.13
INV 9006973883	06/02/2024	DERBY SWIMMING POOL JOHNSTON ST, 13/11/23 TO 15/01/24	\$3,845.25
INV 9006973699	06/02/2024	MUSEUM AT 3 LOCH ST, DERBY FOR 12/11/23 TO 15/01/24	\$428.09
INV 9006973947	06/02/2024	YOUTH CENTRE AT HARDMAN ST, DERBY 13/11/23 TO 15/01/24	\$2,259.54
<b>DD21648.2</b>	<b>08/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$5,123.23</b>
INV 9006974376	08/02/2024	153 LOCH ST, DERBY 20/11/23 TO 17/01/24	\$875.61
INV 9006980581	08/02/2024	DAYCARE CENTRE 40-42 ASHLEY ST, 13/11/23 TO 17/01/24	\$1,900.90
INV 9006983547	08/02/2024	CENTRE AT 63-65 ASHLEY ST, DERBY 13/11/23 TO 17/01/24	\$530.19
INV 9006983598	08/02/2024	CENTRE AT 53 ASHLEY ST, DERBY 13/11/23 TO 17/01/24	\$49.23
INV 9006986051	08/02/2024	A / 20 MACDONALD WY, FITZROY 19/11/23 TO 20/01/24	\$258.36
INV 9015670665	08/02/2024	B / 20 MACDONALD WY, FITZROY 19/11/23 TO 20/01/24	\$287.66
INV 9017391459	08/02/2024	1 / 74 FALLON RD, FITZROY 19/11/23 TO 20/01/24	\$342.34
INV 9017391467	08/02/2024	2 / 74 FALLON RD, FITZROY 19/11/23 TO 20/01/24	\$430.23
INV 9017391475	08/02/2024	3 / 74 FALLON RD, FITZROY 19/11/23 TO 20/01/24	\$313.05
INV 9006976646	08/02/2024	142 LOCH ST, DERBY (LOT 485 16140) 20/11/23 TO 17/01/24	\$86.01
INV 9006974368	08/02/2024	TOILETS AT 153 LOCH ST, DERBY 20/11/23 TO 17/01/24	\$49.65
<b>DD21648.3</b>	<b>07/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$9,992.65</b>
INV 9006975053	07/02/2024	49-55 CLARENDON ST, DERBY 12/11/23 TO 16/01/24	\$134.56
INV 9006979679	07/02/2024	RESERVE AT 6-8 ROWELL CT, DERBY 18/11/23 TO 16/01/24	\$2,809.66
INV 9006973744	07/02/2024	RESTAURANT AT JETTY ROAD, DERBY	\$2,905.97
INV 9006985833	07/02/2024	MEDIUM STRIP CLARENDON ST, DERBY 12/11/23 TO 16/01/24	\$54.47
INV 9006985841	07/02/2024	MEDIUM STRIP 1 CLARENDON ST, DERBY 12/11/23 TO 16/01/24	\$1,060.79
INV 9017886750	07/02/2024	AMENITIES AT JETTY RD, DERBY 12/11/23 TO 15/01/24	\$728.22
INV 9006972290	07/02/2024	TOILETS AT JETTY RD, DERBY 12/11/23 TO 15/01/24	\$800.39
INV 9010053465	07/02/2024	UNIT 1 / 9 ASHLEY ST, DERBY 20/11/23 TO 19/01/24	\$253.73
INV 9006973891	07/02/2024	HEALTH CENTRE AT 36 LOCH ST, DERBY 12/11/23 TO 16/01/24	\$49.65



INV 9010053473	07/02/2024	UNIT 2 / 9 ASHLEY ST, DERBY 20/11/23 TO 19/01/24	\$263.50
INV 9010053481	07/02/2024	UNIT 3 / 9 ASHLEY ST, DERBY 20/11/23 TO 19/01/24	\$253.73
INV 9010053502	07/02/2024	UNIT 4 / 9 ASHLEY ST, DERBY 20/11/23 TO 19/01/24	\$253.73
INV 9010053510	07/02/2024	UNIT 5 / 9 ASHLEY ST, DERBY 20/11/23 TO 19/01/24	\$253.73
INV 9010213182	07/02/2024	9 ASHLEY ST, DERBY 20/11/23 TO 19/01/24	\$46.33
INV 9006973904	07/02/2024	LIBRARY AT 30-34 LOCH ST, DERBY 12/11/23 TO 16/01/24	\$124.19
<b>DD21648.4</b>	<b>09/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$7,416.93</b>
INV 9006978123	09/02/2024	CEMETERY DERBY 14/11/2023 TO 18/01/2024	\$544.73
INV 9006984048	09/02/2024	DEPOT AT 1-7 MILLARD ST, DERBY 13/11/2023 TO 18/01/2024	\$699.55
INV 9016645795	09/02/2024	8 COOLIBAH WY, DERBY 13/11/2023 TO 18/01/2024	\$3,216.77
INV 9018685299	09/02/2024	CORKWOOD CT, DERBY 13/11/2023 TO 18/01/2024	\$1,809.08
INV 9018007711	09/02/2024	PANDANAS WAY, DERBY 13/11/2023 TO 18/01/2024	\$1,146.80
<b>DD21648.5</b>	<b>02/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$3,268.68</b>
INV 9006978422	02/02/2024	11 HANSON ST, DERBY 18/11/2023 TO 16/01/2024	\$481.64
INV 9009765414	02/02/2024	UNIT AT 4A ROWELL CT, DERBY 18/11/2023 TO 16/01/2024	\$260.32
INV 9009765422	02/02/2024	UNIT AT 4B ROWELL CT, DERBY 18/11/2023 TO 16/01/2024	\$383.36
INV 9021175409	02/02/2024	1/20 CLARENDON ST, DERBY 12/11/2023 TO 16/01/2024	\$371.64
INV 9021175433	02/02/2024	2/20 CLARENDON ST, DERBY 12/11/2023 TO 16/01/2024	\$279.85
INV 9021175417	02/02/2024	3/20 CLARENDON ST, DERBY 12/11/2023 TO 16/01/2024	\$379.45
INV 9021175425	02/02/2024	4/20 CLARENDON ST, DERBY 12/11/2023 TO 16/01/2024	\$303.28
INV 9021175396	02/02/2024	5/20 CLARENDON ST, DERBY 12/11/2023 TO 16/01/2024	\$363.83
INV 9021175329	02/02/2024	6/20 CLARENDON ST, DERBY 12/11/2023 TO 16/01/2024	\$334.53
INV 9022168905	02/02/2024	20 CLARENDON ST, DERBY 12/11/2023 TO 16/01/2024	\$110.78
<b>DD21648.6</b>	<b>05/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$5,415.11</b>
INV 9006981445	05/02/2024	7 TOWER PL, DERBY FOR 14/11/23 TO 18/01/24	\$897.27
INV 9006981517	05/02/2024	6 TOWER PL, DERBY FOR 14/11/23 TO 18/01/24	\$344.30
INV 9006981541	05/02/2024	2 WODEHOUSE ST, DERBY FOR 14/11/23 TO 18/01/24	\$277.89
INV 9008757359	05/02/2024	8 KURRAJONG LOOP, DERBY FOR 14/11/23 TO 17/01/24	\$632.59
INV 9020549317	05/02/2024	19 WOOLLYBUTT CRN, DERBY FOR 14/11/23 TO 17/01/24	\$395.07
INV 9008757615	05/02/2024	19 WOOLLYBUTT CRN, DERBY FOR 14/11/23 TO 17/01/24	\$352.11
INV 9008757703	05/02/2024	4 WOOLLYBUTT CRN, DERBY FOR 14/11/23 TO 17/01/24	\$258.36
INV 9009945968	05/02/2024	A / 13 HOLMAN ST, DERBY FOR 14/11/23 TO 18/01/24	\$369.68
INV 9009945976	05/02/2024	B / 13 HOLMAN ST, DERBY FOR 14/11/23 TO 18/01/24	\$266.18
INV 9012616903	05/02/2024	14A (16) BLOODWOOD CR, DERBY FOR 14/11/23 TO 17/01/24	\$523.97
INV 9012616911	05/02/2024	14B BLOODWOOD CR, DERBY FOR 14/11/23 TO 17/01/24	\$1,097.69
<b>DD21648.7</b>	<b>12/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$1,474.13</b>
INV 9006984507	12/02/2024	DERBY SPEEDWAY HWY FOR 13/11/23 TO 19/01/24	\$456.34



INV 9011212376	12/02/2024	STEEL ST, DERBY FOR 13/11/23 TO 19/01/24	\$1,017.79
<b>DD21648.8</b>	<b>13/02/2024</b>	<b>WATER CORPORATION</b>	<b>\$16,464.25</b>
INV 9006986414	13/02/2024	101 FALLON RD, FITZROY FOR 19/11/23 TO 20/01/24	\$13,525.08
INV 9006986481	13/02/2024	FLYNN DR, FITZROY FOR 19/11/23 TO 20/01/24	\$2,135.92
INV 9006986908	13/02/2024	175L EMANUEL WY, FITZROY FOR 20/11/23 TO 20/01/24	\$647.94
INV 9006987783	13/02/2024	TOURIST BUREAU FLYNN DR, FITZROY 19/11/23 TO 20/01/24	\$106.08
INV 9011140114	13/02/2024	TRICKLE IRRIGATION FORREST RD, FITZROY 20/11/23 TO 20/01/24	\$49.23
<b>DD21655.1</b>	<b>27/02/2024</b>	<b>BOND ADMINISTRATOR</b>	<b>\$360.00</b>
INV BOND 11509/24	27/02/2024	BOND 26 DELAWARE ST DERBY - 11509/24	\$360.00
<b>DD21608.10</b>	<b>13/02/2024</b>	<b>FUTURE SUPER</b>	<b>\$334.27</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$334.27
<b>DD21608.11</b>	<b>13/02/2024</b>	<b>ONEPATH LIFE- ANZ SUPER ADVANTAGE</b>	<b>\$650.93</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$650.93
<b>DD21608.12</b>	<b>13/02/2024</b>	<b>AUSTRALIAN SUPER</b>	<b>\$7,180.06</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$6,081.88
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$187.10
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$499.31
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$411.77
<b>DD21608.13</b>	<b>13/02/2024</b>	<b>GANESHA SUPER</b>	<b>\$719.11</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$719.11
<b>DD21608.14</b>	<b>13/02/2024</b>	<b>REST SUPERANNUATION</b>	<b>\$4,702.43</b>
INV SUPER	13/02/2024	SUPERANNUATION	\$4,022.65
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$395.14
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$284.64
<b>DD21608.15</b>	<b>13/02/2024</b>	<b>FORMULAE1 PTY LTD ATF ISAIAH4110 SUPERANNUATION FUND</b>	<b>\$373.60</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$104.61
INV SUPER	13/02/2024	SUPERANNUATION	\$268.99
<b>DD21608.16</b>	<b>13/02/2024</b>	<b>FIRSTWRAP PLUS SUPER AND PENSION</b>	<b>\$1,329.39</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$372.23
INV SUPER	13/02/2024	SUPERANNUATION	\$957.16
<b>DD21608.17</b>	<b>13/02/2024</b>	<b>HOST PLUS SUPERANNUATION FUND</b>	<b>\$4,416.40</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$300.00
INV SUPER	13/02/2024	SUPERANNUATION	\$3,878.27
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$238.13
<b>DD21608.18</b>	<b>13/02/2024</b>	<b>MACQUARIE WRAP EMPLOYER SUPERANNUATION</b>	<b>\$2,875.25</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$805.07



INV SUPER	13/02/2024	SUPERANNUATION	\$2,070.18
<b>DD21608.19</b>	<b>13/02/2024</b>	<b>AUSTRALIAN RETIREMENT TRUST SUPER SAVINGS</b>	<b>\$2,091.66</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$269.83
INV SUPER	13/02/2024	SUPERANNUATION	\$1,821.83
<b>DD21608.20</b>	<b>13/02/2024</b>	<b>Q SUPER</b>	<b>\$630.12</b>
INV DEDUCTION	13/02/2024	PAYROLL DEDUCTION	\$116.50
INV SUPER	13/02/2024	SUPERANNUATION	\$513.62
<b>DD21644.10</b>	<b>27/02/2024</b>	<b>FUTURE SUPER</b>	<b>\$334.27</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$334.27
<b>DD21644.11</b>	<b>27/02/2024</b>	<b>ONEPATH LIFE- ANZ SUPER ADVANTAGE</b>	<b>\$650.93</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$650.93
<b>DD21644.12</b>	<b>27/02/2024</b>	<b>AUSTRALIAN SUPER</b>	<b>\$6,867.93</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$5,769.75
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$187.10
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$499.31
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$411.77
<b>DD21644.13</b>	<b>27/02/2024</b>	<b>GANESHA SUPER</b>	<b>\$719.11</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$719.11
<b>DD21644.14</b>	<b>27/02/2024</b>	<b>MLC MASTERKEY SUPER</b>	<b>\$251.85</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$251.85
<b>DD21644.15</b>	<b>27/02/2024</b>	<b>HESTA</b>	<b>\$123.13</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$123.13
<b>DD21644.16</b>	<b>27/02/2024</b>	<b>REST SUPERANNUATION</b>	<b>\$5,274.05</b>
INV SUPER	27/02/2024	SUPERANNUATION	\$4,537.90
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$451.51
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$284.64
<b>DD21644.17</b>	<b>27/02/2024</b>	<b>FORMULAE1 PTY LTD ATF ISIAH4110 SUPERANNUATION FUND</b>	<b>\$373.60</b>
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$104.61
INV SUPER	27/02/2024	SUPERANNUATION	\$268.99
<b>DD21644.18</b>	<b>27/02/2024</b>	<b>FIRSTWRAP PLUS SUPER AND PENSION</b>	<b>\$1,218.46</b>
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$341.17
INV SUPER	27/02/2024	SUPERANNUATION	\$877.29
<b>DD21644.19</b>	<b>27/02/2024</b>	<b>HOST PLUS SUPERANNUATION FUND</b>	<b>\$4,127.98</b>
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$300.00
INV SUPER	27/02/2024	SUPERANNUATION	\$3,589.85
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$238.13



<b>DD21644.20</b>	<b>27/02/2024</b>	<b>MACQUARIE WRAP EMPLOYER SUPERANNUATION</b>	<b>\$2,973.19</b>
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$903.01
INV SUPER	27/02/2024	SUPERANNUATION	\$2,070.18
<b>DD21644.21</b>	<b>27/02/2024</b>	<b>AUSTRALIAN RETIREMENT TRUST SUPER SAVINGS</b>	<b>\$1,858.96</b>
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$269.83
INV SUPER	27/02/2024	SUPERANNUATION	\$1,589.13
<b>DD21644.22</b>	<b>27/02/2024</b>	<b>Q SUPER</b>	<b>\$768.72</b>
INV DEDUCTION	27/02/2024	PAYROLL DEDUCTION	\$149.84
INV SUPER	27/02/2024	SUPERANNUATION	\$618.88
<b>PE13.02.2024</b>	<b>13/02/2024</b>	<b>NET PAY</b>	<b>\$317,255.93</b>
<b>PE27/02/2024</b>	<b>27/02/2024</b>	<b>NET PAY</b>	<b>\$324,467.52</b>
		<b>TOTAL</b>	<b>\$1,136,385.96</b>



**The Shire Of Derby / West Kimberley**  
**ANZ Corporate Credit Card Reconciliation**  
**Period Reporting: 13/12/2023 to 14/01/2024**

**Card Holder : Amanda O'Halloran**

Date	Transaction Description	GST (Y/N)	Amount (GST Excl)	GST	Amount (GST Incl)	Account	Receipt Provided	Comments
4/01/2024	WANEWSDTI Osborne Park	Y	25.45	2.55	\$28.00	121402410.2100	Yes	Subscription - 02/01/2024 - 30/01/2024
2/01/2024	Starlink Australia PTY LT Sydney	Y	379.09	37.91	\$417.00	121402210.2100	Yes	Billing Period - 23/12/2023 - 22/01/2024
27/12/2023	BP COLAC DERBY 6310 DERBY	Y	363.64	36.36	\$400.00	120401870.2101	Yes	Staff Recognition Vouchers
27/12/2023	MITRE 10 HEATHERTON	Y	204.55	20.45	\$225.00	EP0005-298-2101	Yes	\$250 gift voucher - 1st prize - Christmas Lights competition - online discount \$225.00
18/12/2023	DERBY LODGE Derby	Y	236.36	23.64	\$260.00	121402000.2003	Yes	Accommodation - Interview in Derby for Acting Director Community Services Position - 11/12/2023 - 15/12/2023
18/12/2023	HOWARD PORTER BIBRA LAKE	Y	501.60	50.16	\$551.76	P758-298-2101	Yes	Truck Top hinge for 2 way tail gate
18/12/2023	TARUNDA SUPERMARKET FITZROY CROSS	F	1,000.00	0	\$1,000.00	120401870.2101	Yes	Staff Recognition Vouchers
15/12/2023	Fish Outback Stores Fitzroy Cross	Y	181.82	18.18	\$200.00	120401870.2101	Yes	Staff Recognition Vouchers
13/12/2023	DERBY LODGE Derby	Y	945.45	94.55	\$1,040.00	121402000.2003	Yes	Accommodation - Interview in Derby for Acting Director Community Services Position - 11/12/2023 - 15/12/2023
<b>TOTAL</b>					<b>\$4,121.76</b>			

**Card Holder : Wayne Neate**

Date	Transaction Description	GST (Y/N)	Amount (GST Excl)	GST	Amount (GST Incl)	Account	Receipt Provided	Comments
27/12/2023	INTUIT MAILCHIMP Sydney	Y	78.52	7.85	\$86.37	121402410.2100	Yes	Order MC16846553 (Email Subscription for Road information)
<b>TOTAL \$</b>					<b>86.37</b>			

**Card Holder : Christie Mildenhall**

Date	Transaction Description	GST (Y/N)	Amount (GST Excl)	GST	Amount (GST Incl)	Account	Receipt Provided	Comments
22/12/2023	WISH GIFT CARD 6673 BELLA VISTA	F	250.00	0	\$250.00	EP0005-298-2101	Yes	\$250 Gift Voucher - 3rd Prize - Christmas Lights competition
19/12/2023	EUROPCAR BROOME BROOME	Y	24.44	2.44	\$26.88	121107090.2003	Yes	Car Hire - Additional KMS Charge - Acting Director Community Services
18/12/2023	COLES EXPRESS 6948 BROOME	Y	34.59	3.46	\$38.05	121107090.2003	Yes	Fuel for hire car - Acting Director Community Services
18/12/2023	DERBY FUELS DERBY	Y	48.72	4.87	\$53.59	121107090.2003	Yes	Fuel for hire car - Acting Director Community Services
15/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	Y	245.82	24.58	\$270.40	EP0005-298-2101	Yes	Refreshments - Looma Christmas Party
<b>TOTAL \$</b>					<b>638.92</b>			

**Card Holder : Tamara Clarkson**

Date	Transaction Description	GST (Y/N)	Amount (GST Excl)	GST	Amount (GST Incl)	Account	Receipt Provided	Comments
18/12/2023	BP BROOME 6075 BROOME	N	400.00	0	\$400.00	120401870.2101	Yes	Staff Recognition Vouchers
18/12/2023	BP COLAC DERBY 6310 DERBY	N	909.09	90.91	\$1,000.00	120401870.2101	Yes	Staff Recognition Vouchers
18/12/2023	BP BROOME 6075 BROOME	Y	1,000.00	-	\$1,000.00	120401870.2101	Yes	Staff Recognition Vouchers
18/12/2023	MITRE 10 HEATHERTON	Y	90.91	9.09	\$100.00	120401870.2101	Yes	Staff Recognition Vouchers
18/12/2023	AP DERBY LPO DERBY	Y	89.07	8.91	\$97.98	120401650.2101	Yes	Decorations - Councillor Christmas Party 15/12/2023
18/12/2023	BWS LIQUOR/131-135 LOCH S DERBY	Y	148.18	14.82	\$163.00	120401650.2101	Yes	Refreshments - Councillor Christmas Party 15/12/2023
18/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	Y	49.00	4.90	\$53.90	120401650.2101	Yes	Refreshments - Council Chambers
18/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	N	94.00	0	\$94.00	120401650.2101	Yes	Refreshments - Council Chambers
18/12/2023	BWS LIQUOR/131-135 LOCH S DERBY	Y	70.00	7.00	\$77.00	120401650.2101	Yes	Refreshments - Councillor Christmas Party 15/12/2023
18/12/2023	BIG BARRA'S ONE STOP SHOP DERBY	Y	1,090.91	109.09	\$1,200.00	120401870.2101	Yes	Staff Recognition Vouchers
18/12/2023	BP COLAC DERBY 6310 DERBY	Y	909.09	90.91	\$1,000.00	120401870.2101	Yes	Staff Recognition Vouchers
15/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	F	1,000.00	0	\$1,000.00	120401870.2101	Yes	Staff Recognition Vouchers
15/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	F	1,000.00	0	\$1,000.00	120401870.2101	Yes	Staff Recognition Vouchers



15/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	F	300.00	0	\$ 300.00	120401870.2101	Yes	Staff Recognition Vouchers
15/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	F	1,000.00	0	\$ 1,000.00	120401870.2101	Yes	Staff Recognition Vouchers
15/12/2023	RUSTYS IGA DERBY	F	1,400.00	0	\$ 1,400.00	120401870.2101	Yes	Staff Recognition Vouchers
15/12/2023	KIMBERLEY HOME & ELE DERBY	F	1,007.00	0	\$ 1,007.00	120401870.2101	Yes	Staff Recognition Vouchers
TOTAL					\$ 8,092.88			

TOTAL PURCHASES FOR ABOVE STATED PERIOD \$ 12,939.93  
PAYMENTS AND OTHER CREDITS \$ 499.83  
INTEREST CHARGES \$ -  
CLOSING BALANCE \$ 13,439.76





## ANZ BUSINESS ONE

STATEMENT PERIOD: 13/12/23 to 14/01/24

ACCOUNT NUMBER:

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

SHIRE OF DERBY WEST KIMBERLEY  
SHIRE OF DERBY WEST KIMBERLEY  
MYRA HENRY  
30 LOCH ST  
DERBY WA 6728

### YOUR ANZ ACCOUNT SUMMARY

Opening Balance	<b>\$21,273.40</b>
Purchases, Cash Advances & Other Debits	<b>\$14,339.93</b>
Interest Charges	<b>\$0.00</b>
Payments & Other Credits	<b>\$21,273.40</b>
Closing balance	<b>\$14,339.93</b>

PAYMENT SUMMARY	
Monthly Payment	<b>\$287.00</b>
Due Date	<b>08/02/2024</b>
Minimum Amount Due	<b>\$287.00</b>

Account Credit Limit	<b>\$80,000.00</b>
Available Account Credit at Statement Date	<b>\$65,660.07</b>

### 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 WEST KIMBERLEY

**Amount Paid**

**Due Date** 08/02/2024

ANZBN100006740011302



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 \$21,273.40

Cardholder Name: C MILDENHALL  
Cardholder Number:  
Spend Cap: \$5,000.00

Date	Description	Amount	Default GST*
13/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	270.40	24.58
13/12/2023	DERBY FUELS DERBY	53.59	4.87
14/12/2023	COLES EXPRESS 6948 BROOME	38.05	3.45
16/12/2023	EUROPCAR BROOME BROOME	26.88	2.44
20/12/2023	WISH GIFT CARD 6673 BELLA VISTA	250.00	22.72
Sub-total		638.92	58.06

Cardholder Name: AMANDA DEXTER  
Cardholder Number:  
Spend Cap: \$50,000.00

Date	Description	Amount	Default GST*
11/12/2023	DERBY LODGE DERBY	1,040.00	94.54
13/12/2023	FISH OUTBACK STORES FITZROY CROSS	200.00	18.18
13/12/2023	TARUNDA SUPERMARKET FITZROY CROSS	1,000.00	90.90
15/12/2023	HOWARD PORTER BIBRA LAKE	551.76	50.16
15/12/2023	DERBY LODGE DERBY	260.00	23.63
20/12/2023	MITRE 10 HEATHERTON	225.00	20.45
21/12/2023	BP COLAC DERBY 6310 DERBY	400.00	36.36
30/12/2023	STARLINK AUSTRALIA PTY LT SYDNEY	417.00	37.90
02/01/2024	WANEWSDTI OSBORNE PARK	28.00	2.54

\* 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:**

Date	Description	Amount	Default GST*
Sub-total		4,121.76	374.66

Cardholder Name: WAYNE NEATE

Cardholder Number:

Spend Cap: \$5,000.00

Date	Description	Amount	Default GST*
24/12/2023	INTUIT*MAILCHIMP SYDNEY	86.37	7.85
Sub-total		86.37	7.85

Cardholder Name: TAMARA CLARKSON

Cardholder Number:

Spend Cap: \$20,000.00

Date	Description	Amount	Default GST*
13/12/2023	KIMBERLEY HOME & ELE DERBY	1,007.00	91.54
13/12/2023	RUSTYS IGA DERBY	1,400.00	127.27
13/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	1,000.00	90.90
13/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	300.00	27.27
13/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	1,000.00	90.90
13/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	1,000.00	90.90
13/12/2023	BP COLAC DERBY 6310 DERBY	1,000.00	90.90
14/12/2023	BIG BARRA'S ONE STOP SHOP DERBY	1,200.00	109.09
14/12/2023	BWS LIQUOR/131-135 LOCH S DERBY	77.00	7.00
14/12/2023	WOOLWORTHS/131-135 LOCH S DERBY	147.90	13.44
14/12/2023	BWS LIQUOR/131-135 LOCH S DERBY	163.00	14.81
14/12/2023	AP DERBY LPO DERBY	97.98	8.90
14/12/2023	MITRE 10 HEATHERTON	100.00	9.09
14/12/2023	BP COLAC DERBY 6310 DERBY	1,000.00CR	
14/12/2023	BP BROOME 6075 BROOME	1,000.00	90.90
14/12/2023	BP BROOME 6075 BROOME	400.00CR	
Sub-total		8,092.88	862.91

Account Number:

Date	Description	Amount	Default GST*
08/01/2024	AUTOREPAYMENT - THANK YOU	19,873.40CR	
Sub-total		19,873.40CR	

Total GST payable this statement\* \$1,303.48

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



## ANZ BUSINESS ONE

ACCOUNT NUMBER:

**Closing Account Balance**

**\$14,339.93**

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### IMPORTANT MESSAGES

YOUR AGREED PAYMENT WILL BE DEBITED FROM YOUR ACCOUNT

ON 08/02/24

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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**12.3 STATEMENT OF FINANCIAL ACTIVITY FEBRUARY 2024****File Number:** 5179**Author:** Lavenia Ratabua, Senior Finance Officer**Responsible Officer:** Tamara Clarkson, Deputy Chief Executive Officer**Authority/Discretion:** Legislative**SUMMARY**

This report provides a summary of Council's financial position for the period ending 29 February 2024.

**DISCLOSURE OF ANY INTEREST**

Nil by Author; Nil by Responsible Officer.

**BACKGROUND**

Local governments are required 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 Shire's 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 2023/24 Annual Budget as adopted by Council at its meeting held 17 August 2023 (Resolution No. 79/23). The budget is structured on financial viability and sustainability principles.

**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
<b>Financial:</b> The Shire is exposed to a number of financial risks. Most of these risks exist in respect to recurrent revenue streams which are required to meet current service levels. Any reduction in these revenue stream into the future is likely to have an impact on the Shire's ability to meet service levels or asset renewal funding requirements, unless the Shire can replace this revenue or alternatively reduce costs.	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**

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.



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).

Priorities identified in the monthly report are addressed below.

Topic - Item	Explanation	Action Required	Shire Comment
General Ledger - Allocations	Flood related expenditure has been expended as operating expenditure (materials and contracts) during the 23/24 financial year with no corresponding budget allocation.	We recommend reviewing allocations to confirm the expenditure is operating and not capital. Should the allocation be correct a budget amendment is required to authorise further expenditure.	Flood related expenditure was difficult to estimate at the time the 2024/25 budget was prepared. Review of the budget has occurred and will be implemented in the Mid-Year Budget Review. This will be addressed in March Statement of Financial Activity.
Funding Statements – Opening Surplus	The audited opening surplus for 2022/23 is \$3,124,970 lower than the budgeted opening surplus.	Funds should be identified, and budget amendments adopted to rectify this funding shortfall.	The annual financial audit was finalised in December 2023, amendments can now be made and implemented.
Subsidiary Ledgers - Outstanding	Although we acknowledge a provision for impairment of \$374,162 exists, the debtors aged trial balance includes invoices totalling \$304,046 outstanding for over 90 days and debtors with credit balances totalling \$15,670.  A significant portion of this receivable may be impaired at 30 June 2023.	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 long outstanding debtors be reviewed to ensure they are still collectible. We recommend debtors with credit balances be investigated and remedied.	Regular review of debtors occurs and a report is presented to the Audit and Risk Committee.  A significant portion of the debt outstanding relates to flood recovery activities that must be reimbursed.



Topic - item	Explanation	Action Required	Shire Comment
General Ledger – Allocations	<p>Transactions have been allocated to incorrect IE codes for the applicable account type.</p> <p>For example: Operating expenditure has been allocated to a revenue and capital IE Codes.</p> <p>The report has been adjusted to correct the nature and account type. Correcting journals have not yet been posted.</p>	We recommend allocations are reviewed and corrected to accurately report transactions by nature.	Recommended journals have been posted and will be represented in the coming months financial report.

### VOTING REQUIREMENT

Simple majority

### ATTACHMENTS

#### 1. Statement of Financial Activity February 2024 [↓](#)

#### RESOLUTION 32/24

**Moved: Cr Geoff Davis**

**Seconded: Cr Wayne Foley**

**That Council receives the Monthly Financial Management Reports incorporating the Statement of Financial Activity for the period ending 29 February 2024.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**



**Moore Australia**

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19 March 2024

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

Dear Amanda

**MATTERS IDENTIFIED DURING COMPILATION OF STATUTORY MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 29 FEBRUARY 2024**

We advise we have completed the compilation of your statutory monthly financial report for the period ended 29 February 2024 and identified certain matters additional to those identified in the compilation report we wish to bring to your attention.

We are required under APES 315 *Compilation of Financial Information* to report certain matters in our compilation report and we draw your attention to the note regarding basis of preparation. Other matters which arise during our compilation we wish to bring to your attention are raised in the following pages of this letter along with suggestions to resolve these issues.

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.

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

Yours sincerely

Russell Barnes  
Director  
[Moore Australia \(WA\) Pty Ltd](#)





Shire of Derby/West Kimberley

Period ended 29 February 2024

Topic	Item	First Identified	Explanation	Action Required	Priority
General ledger	Allocations	October 2023	Flood related expenditure has been expended as operating expenditure (materials and contracts) during the 23/24 financial year with no corresponding budget allocation.	We recommend reviewing allocations to confirm the expenditure is operating and not capital. Should the allocation be correct a budget amendment is required to authorise further expenditure.	High
Funding Statements	Opening surplus	November 2023	The audited opening surplus for 2022/23 is \$3,124,970 lower than the budgeted opening surplus.	Funds should be identified, and budget amendments adopted to rectify this funding shortfall.	High
Subsidiary ledgers	Outstanding	January 2024	Although we acknowledge a provision for impairment of \$374,162 exists, the debtors aged trial balance includes invoices totalling \$304,046 outstanding for over 90 days and debtors with credit balances totalling \$15,670. A significant portion of this receivable may be impaired at 30 June 2023.	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 long outstanding debtors be reviewed to ensure they are still collectible. We recommend debtors with credit balances be investigated and remedied.	Medium
General Ledger	Allocations	July 2023	Transactions have been allocated to incorrect IE codes for the applicable account type. For example: Operating expenditure has been allocated to a revenue and capital IE Codes. The report has been adjusted to correct the nature and account type. Correcting journals have not yet been posted.	We recommend allocations are reviewed and corrected to accurately report transactions by nature.	Medium





19 March 2024

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

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Dear Amanda

#### COMPILATION REPORT TO SHIRE OF DERBY/WEST KIMBERLEY

We have compiled the accompanying special purpose financial report of Shire of Derby/West Kimberley which comprise the statement of financial position as at 29 February 2023, the statement of financial activity, notes providing statement of financial activity supporting information, explanation of material variances for the year then ended and a summary of material accounting policy information. These have been prepared in accordance with *Local Government Act 1995* and associated regulations as described in Note 1 to the financial report. The specific purpose for which the special purpose financial statements have been prepared is also set out in Note 1 of the financial report. We have provided the supplementary information Shire of Derby/West Kimberley as at 29 February 2023 and for the period then ended based on the records of Shire of Derby/West Kimberley

#### THE RESPONSIBILITY OF SHIRE OF DERBY/WEST KIMBERLEY

The CEO of Shire of Derby/West Kimberley is solely responsible for information contained in the special purpose financial report and supplementary information, the reliability, accuracy and completeness of the information and for the determination that the basis of accounting used is appropriate to meet their needs and for the purpose that the financial report was prepared.

#### OUR RESPONSIBILITY

On the basis of information provided by Shire of Derby/West Kimberley we have compiled the accompanying special purpose financial report in accordance with the requirements of *APES 315 Compilation of Financial Information* and the *Local Government Act 1995*, associated regulations and to the extent that they are not inconsistent with the *Local Government Act 1995*, the Australian Accounting Standards.

We have applied our expertise in accounting and financial reporting to compile these financial statements in accordance with the basis of accounting described in Note 1 to the financial report except for the matters of non-compliance with the basis of preparation identified with Note 1 of the financial report. We have complied with the relevant ethical requirements of *APES 110 Code of Ethics for Professional Accountants*.

Supplementary information attached to the financial report has been extracted from the records of Shire of Derby/West Kimberley and information presented in the special purpose financial report.

#### ASSURANCE DISCLAIMER

Since a compilation engagement is not an assurance engagement, we are not required to verify the reliability, accuracy or completeness of the information provided to us by management to compile these financial statements. Accordingly, we do not express an audit opinion or a review conclusion on these financial statements.

The special purpose financial report was compiled exclusively for the benefit of Shire of Derby/West Kimberley who are responsible for the reliability, accuracy and completeness of the information used to compile them. Accordingly, the special purpose financial report may not be suitable for other purposes. We do not accept responsibility for the contents of the special purpose financial report.

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

Russell Barnes  
Director  
Moore Australia (WA) Pty Ltd



**SHIRE OF DERBY-WEST KIMBERLEY****MONTHLY FINANCIAL REPORT****(Containing the required statement of financial activity and statement of financial position)****For the period ended 29 February 2024*****LOCAL GOVERNMENT ACT 1995******LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*****TABLE OF CONTENTS**

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**SHIRE OF DERBY-WEST KIMBERLEY  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

Note	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b) \$	Variance* % ((c) - (b))/(b) %	Var
<b>OPERATING ACTIVITIES</b>						
<b>Revenue from operating activities</b>						
General rates	8,617,508	8,670,009	8,649,066	(20,943)	(0.24%)	
Rates excluding general rates	520,580	450,580	448,659	(1,921)	(0.43%)	
Grants, subsidies and contributions	2,267,154	1,511,360	1,901,599	390,239	25.82%	▲
Fees and charges	5,541,756	4,489,394	4,666,129	176,735	3.94%	▲
Interest revenue	187,000	124,648	185,791	61,143	49.05%	▲
Other revenue	667,520	445,000	617,947	172,947	38.86%	▲
Profit on asset disposals	0	0	16,890	16,890	0.00%	
	<b>17,801,518</b>	<b>15,690,991</b>	<b>16,486,081</b>	<b>795,090</b>	<b>5.07%</b>	
<b>Expenditure from operating activities</b>						
Employee costs	(14,140,787)	(9,476,834)	(8,959,598)	517,236	5.46%	▲
Materials and contracts	(12,547,595)	(8,361,232)	(16,878,687)	(8,517,455)	(101.87%)	▼
Utility charges	(765,175)	(509,832)	(620,251)	(110,419)	(21.66%)	▼
Depreciation	(7,500,000)	(4,999,840)	(7,114,559)	(2,114,719)	(42.30%)	▼
Finance costs	(89,360)	(46,411)	(38,401)	8,010	17.26%	▲
Insurance	(1,776,469)	(1,776,392)	(1,334,644)	441,748	24.87%	▲
Other expenditure	(682,589)	(454,984)	(555,206)	(100,222)	(22.03%)	▼
Loss on asset disposals	0	0	(37,048)	(37,048)	0.00%	▼
	<b>(37,501,975)</b>	<b>(25,625,525)</b>	<b>(35,538,394)</b>	<b>(9,912,869)</b>	<b>(38.68%)</b>	
Non-cash amounts excluded from operating activities	2(b) 7,500,000	4,999,840	7,134,717	2,134,877	42.70%	▲
<b>Amount attributable to operating activities</b>	<b>(12,200,457)</b>	<b>(4,934,694)</b>	<b>(11,917,596)</b>	<b>(6,982,902)</b>	<b>(141.51%)</b>	
<b>INVESTING ACTIVITIES</b>						
<b>Inflows from investing activities</b>						
Proceeds from capital grants, subsidies and contributions	28,120,710	18,747,112	9,570,387	(9,176,725)	(48.95%)	▼
Proceeds from disposal of assets	0	0	73,500	73,500	0.00%	▲
	<b>28,120,710</b>	<b>18,747,112</b>	<b>9,643,887</b>	<b>(9,103,225)</b>	<b>(48.56%)</b>	
<b>Outflows from investing activities</b>						
Payments for property, plant and equipment	(10,369,146)	(6,912,656)	(2,154,612)	4,758,044	68.83%	▲
Payments for construction of infrastructure	(24,410,472)	(16,273,536)	(5,232,281)	11,041,255	67.85%	▲
	<b>(34,779,618)</b>	<b>(23,186,192)</b>	<b>(7,386,893)</b>	<b>15,799,299</b>	<b>68.14%</b>	
<b>Amount attributable to investing activities</b>	<b>(6,658,908)</b>	<b>(4,439,080)</b>	<b>2,256,994</b>	<b>6,696,074</b>	<b>150.84%</b>	
<b>FINANCING ACTIVITIES</b>						
<b>Inflows from financing activities</b>						
Proceeds from new debentures	10,000,000	4,000,000	4,000,000	0	0.00%	
	<b>10,000,000</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>0</b>	<b>0.00%</b>	
<b>Outflows from financing activities</b>						
Repayment of borrowings	(395,335)	(195,932)	(195,932)	0	0.00%	
Transfer to reserves	(483,324)	0	0	0	0.00%	
	<b>(878,659)</b>	<b>(195,932)</b>	<b>(195,932)</b>	<b>0</b>	<b>0.00%</b>	
<b>Amount attributable to financing activities</b>	<b>9,121,341</b>	<b>3,804,068</b>	<b>3,804,068</b>	<b>0</b>	<b>0.00%</b>	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>						
<b>Surplus or deficit at the start of the financial year</b>	9,738,024	9,738,024	6,613,054	(3,124,970)	(32.09%)	▼
Amount attributable to operating activities	(12,200,457)	(4,934,694)	(11,917,596)	(6,982,902)	(141.51%)	▼
Amount attributable to investing activities	(6,658,908)	(4,439,080)	2,256,994	6,696,074	150.84%	▲
Amount attributable to financing activities	9,121,341	3,804,068	3,804,068	0	0.00%	
<b>Surplus or deficit after imposition of general rates</b>	<b>0</b>	<b>4,168,318</b>	<b>756,520</b>	<b>(3,411,798)</b>	<b>(81.85%)</b>	▼

**KEY INFORMATION**

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

\* Refer to Note 3 for an explanation of the reasons for the variance.

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



**SHIRE OF DERBY-WEST KIMBERLEY  
STATEMENT OF FINANCIAL POSITION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

	<b>Actual 30 June 2023</b>	<b>Actual as at 29 February 2024</b>
	<b>\$</b>	<b>\$</b>
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	11,819,687	2,863,188
Trade and other receivables	2,207,236	4,755,893
Inventories	50,780	15,409
Other assets	313,412	0
<b>TOTAL CURRENT ASSETS</b>	<b>14,391,115</b>	<b>7,634,490</b>
<b>NON-CURRENT ASSETS</b>		
Trade and other receivables	118,798	118,798
Property, plant and equipment	47,313,725	48,514,948
Infrastructure	304,315,196	303,292,649
<b>TOTAL NON-CURRENT ASSETS</b>	<b>351,747,719</b>	<b>351,926,395</b>
<b>TOTAL ASSETS</b>	<b>366,138,834</b>	<b>359,560,885</b>
<b>CURRENT LIABILITIES</b>		
Trade and other payables	4,993,032	2,423,814
Other liabilities	1,192,405	2,917,676
Borrowings	237,288	4,041,356
Employee related provisions	963,120	963,120
Other provisions	56,144	0
<b>TOTAL CURRENT LIABILITIES</b>	<b>7,441,989</b>	<b>10,345,966</b>
<b>NON-CURRENT LIABILITIES</b>		
Borrowings	2,447,455	2,447,455
Employee related provisions	97,550	97,550
Other provisions	5,533,378	5,533,378
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>8,078,383</b>	<b>8,078,383</b>
<b>TOTAL LIABILITIES</b>	<b>15,520,372</b>	<b>18,424,349</b>
<b>NET ASSETS</b>	<b>350,618,462</b>	<b>341,136,536</b>
<b>EQUITY</b>		
Retained surplus	66,807,204	57,325,278
Reserve accounts	975,801	975,801
Revaluation surplus	282,835,457	282,835,457
<b>TOTAL EQUITY</b>	<b>350,618,462</b>	<b>341,136,536</b>

This statement is to be read in conjunction with the accompanying notes.



**SHIRE OF DERBY-WEST KIMBERLEY  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES**

**BASIS OF PREPARATION**

This prescribed 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.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

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.

**Judgements and 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 that are 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:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated of fair value of provisions

**SIGNIFICANT ACCOUNTING POLICES**

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 18 March 2024



**SHIRE OF DERBY-WEST KIMBERLEY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

		Adopted Budget Opening 1 July 2023	Actual as at 30 June 2023	Actual as at 29 February 2024
<b>(a) Net current assets used in the Statement of Financial Activity</b>	<b>Note</b>			
<b>Current assets</b>		\$	\$	\$
Cash and cash equivalents		12,346,041	11,819,687	2,863,18
Trade and other receivables		1,888,134	2,207,236	4,755,89
Inventories		59,048	50,780	15,40
Other assets		0	313,412	
		14,293,223	14,391,115	7,634,49
<b>Less: current liabilities</b>				
Trade and other payables		(3,290,325)	(4,993,032)	(2,423,814
Other liabilities		0	(1,192,405)	(2,917,676
Borrowings		(395,335)	(237,288)	(4,041,356
Employee related provisions		(691,514)	(963,120)	(963,120
Other provisions		0	(56,144)	
		(4,377,174)	(7,441,989)	(10,345,966
<b>Net current assets</b>		<b>9,916,049</b>	<b>6,949,126</b>	<b>(2,711,476</b>
<b>Less: Total adjustments to net current assets</b>	2(c)	(178,025)	(336,072)	3,467,99
<b>Closing funding surplus / (deficit)</b>		<b>9,738,024</b>	<b>6,613,054</b>	<b>756,52</b>

**(b) Non-cash amounts 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*.

**Non-cash amounts excluded from operating activities**

	Adopted Budget Estimates 30 June 2024	YTD Budget Estimates 29 February 2024	YTD Actual 29 February 2024
	\$	\$	\$
<b>Adjustments to operating activities</b>			
Less: Profit on asset disposals	0	0	(16,890
Add: Loss on asset disposals	0	0	37,04
Add: Depreciation	7,500,000	4,999,840	7,114,55
<b>Total non-cash amounts excluded from operating activities</b>	<b>7,500,000</b>	<b>4,999,840</b>	<b>7,134,71</b>

**(c) Current assets and liabilities excluded from budgeted deficiency**

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.

	Adopted Budget Opening 1 July 2023	Actual as at 30 June 2023	Actual as at 29 February 2024
	\$	\$	\$
<b>Adjustments to net current assets</b>			
Less: Reserve accounts	(975,801)	(975,801)	(975,801
Add: Current liabilities not expected to be cleared at the end of the year			
- Current portion of borrowings	395,335	237,288	4,041,35
- Current portion of employee benefit provisions held in reserve	402,441	402,441	402,44
<b>Total adjustments to net current assets</b>	2(a) <b>(178,025)</b>	<b>(336,072)</b>	<b>3,467,99</b>

**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.



**SHIRE OF DERBY-WEST KIMBERLEY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**3 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 2023-24 year is \$30,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
<b>Revenue from operating activities</b>			
<b>Grants, subsidies and contributions</b>	<b>390,239</b>	<b>25.82%</b>	▲
YTD Budget is profiled as 8/12th of the annual budget.			
FAGS funding, AGRN 1044 received.			
<b>Fees and charges</b>	<b>176,735</b>	<b>3.94%</b>	▲
YTD Budget is profiled as 8/12th of the annual budget excluding domestic and commercial collection fees.			
Bulk Handling Facility fees.			
<b>Interest revenue</b>	<b>61,143</b>	<b>49.05%</b>	▲
YTD Budget is profiled as 8/12th of the annual budget.			
Interest earnings are higher than the YTD budget.			
<b>Other revenue</b>	<b>172,947</b>	<b>38.86%</b>	▲
YTD Budget is profiled as 8/12th of the annual budget.			
Licensing commission and other recreation reimbursements received.			
<b>Expenditure from operating activities</b>			
<b>Employee costs</b>	<b>517,236</b>	<b>5.46%</b>	▲
YTD Budget is profiled as 8/12th of the annual budget.			
<b>Materials and contracts</b>	<b>(8,517,455)</b>	<b>(101.87%)</b>	▼
YTD Budget is profiled as 8/12th of the annual budget.			
Unbudgeted expenditure for flood damage AGRN 1044.			
<b>Utility charges</b>	<b>(110,419)</b>	<b>(21.66%)</b>	▼
YTD Budget is profiled as 8/12th of the annual budget.			
AGRN 1044 - Recovery - Workers Camp			
<b>Depreciation</b>	<b>(2,114,719)</b>	<b>(42.30%)</b>	▼
YTD Budget is profiled as 8/12th of the annual budget.			
Roads Depreciation is higher than YTD Budget			



**SHIRE OF DERBY-WEST KIMBERLEY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**3 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 2023-24 year is \$30,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
<b>Finance costs</b>	<b>8,010</b>	<b>17.26%</b>	▲
Loan Interest Repayments - accrued interest treatment			
<b>Insurance</b>	<b>441,748</b>	<b>24.87%</b>	▲
Staff Housing, WATER - Insurance, AERO - Building Operations.			
<b>Other expenditure</b>	<b>(100,222)</b>	<b>(22.03%)</b>	▼
YTD Budget is profiled as 8/12th of the annual budget.			
<b>Loss on asset disposals</b>	<b>(37,048)</b>	<b>0.00%</b>	▼
Vehicle disposals not included in budget			
<b>Non-cash amounts excluded from operating activities</b>	<b>2,134,877</b>	<b>42.70%</b>	▲
Depreciation not processed as 2023 Annual Financial Report is not yet finalised.			
<b>Inflows from investing activities</b>			
<b>Proceeds from capital grants, subsidies and contributions</b>	<b>(9,176,725)</b>	<b>(48.95%)</b>	▼
YTD Budget is profiled as 8/12th of the annual budget.			
Funding not yet received: Various road grants, Staff Housing \$1.2m, Recreation \$2.2m, Flood AGRN \$12m			
<b>Proceeds from disposal of assets</b>	<b>73,500</b>	<b>0.00%</b>	▲
Vehicle disposals not included in budget			
<b>Outflows from investing activities</b>			
<b>Payments for property, plant and equipment</b>	<b>4,758,044</b>	<b>68.83%</b>	▲
YTD Budget is profiled as 8/12th of the annual budget.			
Plant purchases, staff housing.			
<b>Payments for construction of infrastructure</b>	<b>11,041,255</b>	<b>67.85%</b>	▲
YTD Budget is profiled as 8/12th of the annual budget.			
Road flood damage works.			
<b>Surplus or deficit at the start of the financial year</b>	<b>(3,124,970)</b>	<b>(32.09%)</b>	▼
Refer to note 2(a) for detail of differences.			
<b>Surplus or deficit after imposition of general rates</b>	<b>(3,411,798)</b>	<b>(81.85%)</b>	▼
Due to variances described above			



**SHIRE OF DERBY-WEST KIMBERLEY****SUPPLEMENTARY INFORMATION****TABLE OF CONTENTS**

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**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**1 KEY INFORMATION**

**Funding Surplus or Deficit Components**

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$9.74 M	\$9.74 M	\$6.61 M	(\$3.12 M)
Closing	\$0.00 M	\$4.17 M	\$0.76 M	(\$3.41 M)
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$2.86 M	% of total
Unrestricted Cash	\$1.89 M	65.9%
Restricted Cash	\$0.98 M	34.1%
Refer to 3 - Cash and Financial Assets		

Payables		
	\$2.42 M	% Outstanding
Trade Payables	\$1.47 M	
0 to 30 Days		93.3%
Over 30 Days		6.6%
Over 90 Days		2.9%
Refer to 9 - Payables		

Receivables		
	\$2.62 M	% Collected
Rates Receivable	\$1.98 M	79.1%
Trade Receivable	\$2.62 M	% Outstanding
Over 30 Days		52.5%
Over 90 Days		10.7%
Refer to 7 - Receivables		

**Key Operating Activities**

<b>Amount attributable to operating activities</b>			
<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Var. \$ (b)-(a)</b>
<b>(\$12.20 M)</b>	<b>(\$4.93 M)</b>	<b>(\$11.92 M)</b>	<b>(\$6.98 M)</b>
Refer to Statement of Financial Activity			

<b>Rates Revenue</b>			<b>Grants and Contributions</b>			<b>Fees and Charges</b>		
<b>YTD Actual</b>	<b>\$8.65 M</b>	<b>% Variance</b>	<b>YTD Actual</b>	<b>\$1.90 M</b>	<b>% Variance</b>	<b>YTD Actual</b>	<b>\$4.67 M</b>	<b>% Variance</b>
<b>YTD Budget</b>	<b>\$8.67 M</b>	<b>(0.2%)</b>	<b>YTD Budget</b>	<b>\$1.51 M</b>	<b>25.8%</b>	<b>YTD Budget</b>	<b>\$4.49 M</b>	<b>3.9%</b>
Refer to 10 - Rate Revenue			Refer to 13 - Grants and Contributions			Refer to Statement of Financial Activity		

**Key Investing Activities**

<b>Amount attributable to investing activities</b>			
<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Var. \$ (b)-(a)</b>
<b>(\$6.66 M)</b>	<b>(\$4.44 M)</b>	<b>\$2.26 M</b>	<b>\$6.70 M</b>
Refer to Statement of Financial Activity			

<b>Proceeds on sale</b>			<b>Asset Acquisition</b>			<b>Capital Grants</b>		
<b>YTD Actual</b>	<b>\$0.07 M</b>	<b>%</b>	<b>YTD Actual</b>	<b>\$5.23 M</b>	<b>% Spent</b>	<b>YTD Actual</b>	<b>\$3.31 M</b>	<b>% Received</b>
<b>Adopted Budget</b>	<b>\$0.00 M</b>		<b>Adopted Budget</b>	<b>\$24.41 M</b>	<b>(78.6%)</b>	<b>Adopted Budget</b>	<b>\$28.12 M</b>	<b>(88.2%)</b>
Refer to 6 - Disposal of Assets			Refer to 5 - Capital Acquisitions			Refer to 5 - Capital Acquisitions		

**Key Financing Activities**

<b>Amount attributable to financing activities</b>			
<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Var. \$ (b)-(a)</b>
<b>\$9.12 M</b>	<b>\$3.80 M</b>	<b>\$3.80 M</b>	<b>\$0.00 M</b>
Refer to Statement of Financial Activity			

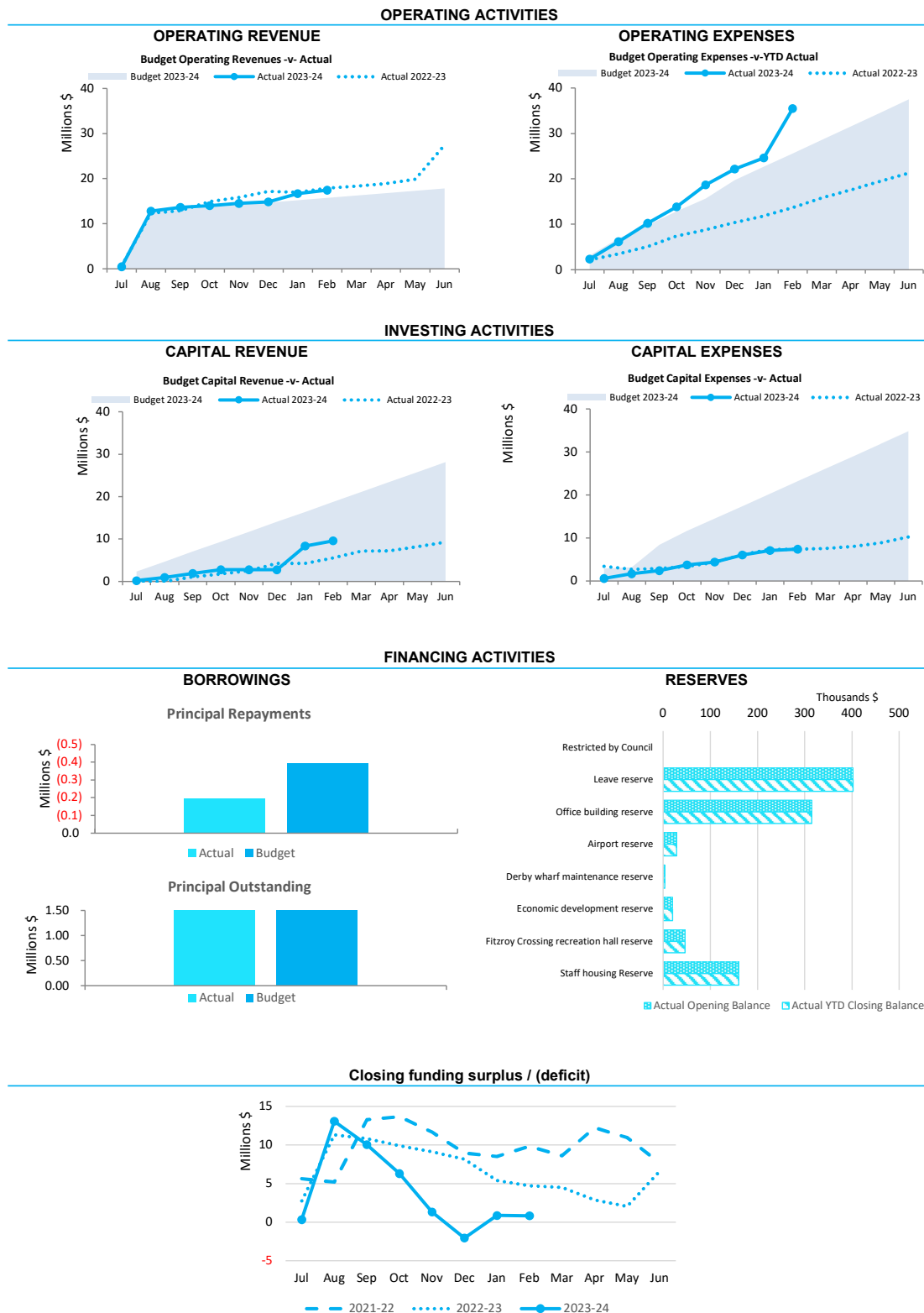
<b>Borrowings</b>		<b>Reserves</b>	
<b>Principal repayments</b>	<b>(\$0.20 M)</b>	<b>Reserves balance</b>	<b>\$0.98 M</b>
<b>Interest expense</b>	<b>(\$0.04 M)</b>	<b>Interest earned</b>	<b>\$0.00 M</b>
<b>Principal due</b>	<b>\$6.49 M</b>		
Refer to 11 - Borrowings		Refer to 4 - Cash Reserves	

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



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**2 KEY INFORMATION - GRAPHICAL**



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



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**3 CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash On Hand	Cash and cash equivalents	2,450	0	2,450	0	Cash on Hand	Nil	Nil
Municipal Bank Account	Cash and cash equivalents	1,657,961	0	1,657,961	0	ANZ	Variable	Nil
CBA Bank Acc - Fitzroy Deposits	Cash and cash equivalents	143,972	0	143,972	0	CBA	Nil	Nil
Municipal Investment Account	Cash and cash equivalents	83,004	0	83,004	0	ANZ	Variable	Nil
Reserve Bank Account	Financial assets at amortised cost	0	975,801	975,801	0	ANZ	4.83%	Jan-24
Trust Cash at Bank	Cash and cash equivalents	0	0	0	295,981	ANZ	Nil	Nil
<b>Total</b>		<b>1,887,387</b>	<b>975,801</b>	<b>2,863,188</b>	<b>295,981</b>			
<b>Comprising</b>								
Cash and cash equivalents		1,887,387	0	1,887,387	295,981			
Financial assets at amortised cost		0	975,801	975,801	0			
		<b>1,887,387</b>	<b>975,801</b>	<b>2,863,188</b>	<b>295,981</b>			

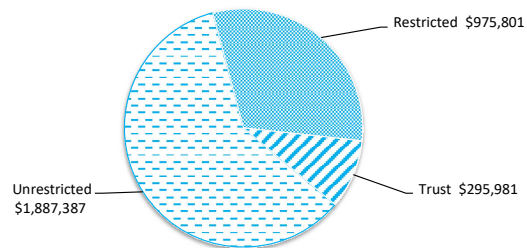
**KEY INFORMATION**

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.





**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**4 RESERVE ACCOUNTS**

Reserve name	Budget Opening Balance	Budget Interest Earned	Budget Transfers In (+)	Budget Transfers Out (-)	Budget Closing Balance	Actual Opening Balance	Actual Interest Earned	Actual Transfers In (+)	Actual Transfers Out (-)	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted by Council</b>										
Leave reserve	402,441	0	0	0	402,441	402,441	0	0	0	402,441
Office building reserve	314,511	0	0	0	314,511	314,511	0	0	0	314,511
Airport reserve	28,456	0	0	0	28,456	28,456	0	0	0	28,456
Derby wharf maintenance reserve	3,721	0	0	0	3,721	3,721	0	0	0	3,721
Economic development reserve	19,936	0	0	0	19,936	19,936	0	0	0	19,936
Fitzroy Crossing recreation hall reserve	46,771	0	0	0	46,771	46,771	0	0	0	46,771
Staff housing Reserve	159,965	0	483,324	0	643,289	159,965	0	0	0	159,965
	<b>975,801</b>	<b>0</b>	<b>483,324</b>	<b>0</b>	<b>1,459,125</b>	<b>975,801</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>975,801</b>



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**INVESTING ACTIVITIES**

**5 CAPITAL ACQUISITIONS**

<b>Capital acquisitions</b>	<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Variance (b - a)</b>
	\$	\$	\$	\$
Buildings	9,097,000	6,064,640	1,667,600	(4,397,040)
Furniture & Equipment	100,000	66,664	106,693	40,029
Plant & Equipment	1,172,146	781,352	380,319	(401,033)
<b>Acquisition of property, plant and equipment</b>	<b>10,369,146</b>	<b>6,912,656</b>	<b>2,154,612</b>	<b>(4,758,044)</b>
Infrastructure Roads	17,445,488	11,630,280	4,883,363	(6,746,917)
Infrastructure Footpaths	79,734	53,152	0	(53,152)
Infrastructure Drainage	8,000	5,328	8,500	3,172
Infrastructure Parks & Ovals	100,000	66,664	0	(66,664)
Infrastructure Airports	3,000,000	2,000,000	0	(2,000,000)
Infrastructure - Wharf	50,000	33,328	0	(33,328)
Infrastructure Other	3,727,250	2,484,784	340,418	(2,144,366)
<b>Acquisition of infrastructure</b>	<b>24,410,472</b>	<b>16,273,536</b>	<b>5,232,281</b>	<b>(11,041,255)</b>
<b>Total capital acquisitions</b>	<b>34,779,618</b>	<b>23,186,192</b>	<b>7,386,893</b>	<b>(15,799,299)</b>
<b>Capital Acquisitions Funded By:</b>				
Capital grants and contributions	28,120,710	18,747,112	3,313,393	(15,433,719)
Borrowings	5,000,000	4,000,000	4,000,000	0
Other (disposals & C/Fwd)	0	0	73,500	73,500
Contribution - operations	1,658,908	439,080	0	(439,080)
<b>Capital funding total</b>	<b>34,779,618</b>	<b>23,186,192</b>	<b>7,386,893</b>	<b>(15,799,299)</b>

**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.

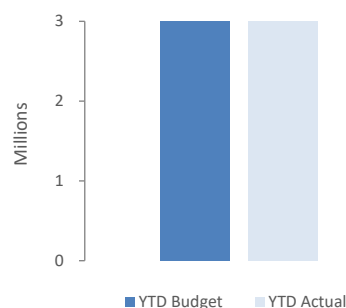
**Initial recognition and measurement for assets held at cost**

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**





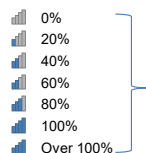
SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS - DETAILED

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.

	Account Description	Current Budget	Adopted Year to Date Budget	Year to Date Actual	Variance (Under)/Over
<b>Capital Expenditure</b>					
<b>Buildings</b>					
	4050210 ANIMAL - Building (Capital)	5,000	3,328	0	(3,328)
	4080710 WELFARE - Building (Capital)	0	0	5,065	5,065
	4090110 STF HOUSE - Building (Capital)	7,290,000	4,860,000	256,419	(4,603,581)
	4110110 HALLS - Building (Capital)	0	0	1,048	1,048
	4110210 SWIM AREAS - Building (Capital)	407,000	271,328	392,922	121,593
	4110610 HERITAGE - Building (Capital)	210,000	139,992	5,240	(134,752)
	4120110 ROADC - Building (Capital)	0	0	7,187	7,187
	4130210 TOUR - Building (Capital)	20,000	13,328	440	(12,888)
	4140210 ADMIN - Building (Capital)	0	0	10,822	10,822
	4140310 PWO - Building (Capital)	45,000	30,000	0	(30,000)
	4140311 PWO - Building Derby & Fitroy New Accommodation (Capital)	1,120,000	746,664	983,618	236,954
	4040110 MEMBERS - Building (Capital)	0	0	2,674	2,674
	4120610 AERO - Building (Capital)	0	0	2,165	2,165
	<b>Buildings Total</b>	<b>9,097,000</b>	<b>6,064,640</b>	<b>1,667,600</b>	<b>(4,397,040)</b>
<b>Furniture &amp; Equipment</b>					
	4040240 OTH GOV - Furniture & Equipment (Capital)	100,000	66,664	106,693	40,029
	<b>Furniture &amp; Equipment Total</b>	<b>100,000</b>	<b>66,664</b>	<b>106,693</b>	<b>40,029</b>
<b>Plant &amp; Equipment</b>					
	4040130 MEMBERS - Plant & Equipment (Capital)	0	0	22,815	22,815
	4070430 HEALTH - Plant & Equipment (Capital)	0	0	20,150	20,150
	4070730 OTH HEALTH - Plant & Equipment (Capital)	46,682	31,120	0	(31,120)
	4080730 WELFARE - Plant & Equipment (Capital)	50,646	33,760	0	(33,760)
	4110330 REC - Plant & Equipment (Capital)	0	0	49,306	49,306
	4120130 ROADC - Plant & Equipment (Capital)	183,633	122,400	162,059	39,659
	4140230 ADMIN - Plant and Equipment (Capital)	39,417	26,272	2,465	(23,807)
	4140330 PWO - Plant and Equipment (Capital)	851,768	567,800	123,524	(444,276)
	<b>Plant &amp; Equipment Total</b>	<b>1,172,146</b>	<b>781,352</b>	<b>380,319</b>	<b>(401,033)</b>
<b>Infrastructure Roads</b>					
	4120140 ROADC - Roads Built Up Area - Council Funded	912,000	607,992	57,464	(550,528)
	4120142 ROADC - Roads Outside BUA - Gravel - Council Funded	3,379,284	2,252,480	723,017	(1,529,823)
	4120156 ROADC - Roads Built Up Area - Flood Damage	0	0	22,947	22,947
	4120158 ROADC - Roads Outside BUA - Gravel - Flood Damage	0	0	4,079,935	4,079,935
	4120175 ROADC - Airports (Capital)	350,000	233,328	0	(233,328)
	4120176 ROADC - EPAR Works AGRN 951 (Capital)	2,500,000	1,666,664	0	(1,666,664)
	4120177 ROADC - Emergency Works AGRN 1044 (Capital)	9,845,800	6,563,864	0	(6,563,864)
	4120178 ROADC - Reseal Streets Derby & FX (Capital)	260,000	173,328	0	(173,328)
	4120179 ROADC - DBCA Funds Works (Capital)	198,404	132,264	0	(132,264)
	<b>Infrastructure Roads Total</b>	<b>17,445,488</b>	<b>11,630,280</b>	<b>4,883,363</b>	<b>(6,746,916)</b>
<b>Infrastructure Footpaths</b>					
	4120171 ROADC - Footpath Repairs (Capital)	79,734	53,152	0	(53,152)
	<b>Infrastructure Footpaths Total</b>	<b>79,734</b>	<b>53,152</b>	<b>0</b>	<b>(53,152)</b>
<b>Infrastructure Drainage</b>					
	4120164 ROADC - Drainage (Capital)	8,000	5,328	8,500	3,172
	<b>Infrastructure Drainage Total</b>	<b>8,000</b>	<b>5,328</b>	<b>8,500</b>	<b>3,172</b>
<b>Infrastructure Parks &amp; Ovals</b>					
	4090170 STF HOUSE -- Infrastructure Parks & Garden (Capital)	100,000	66,664	0	(66,664)
	<b>Infrastructure Parks &amp; Ovals Total</b>	<b>100,000</b>	<b>66,664</b>	<b>0</b>	<b>(66,664)</b>
<b>Infrastructure Airports</b>					
	4120691 AERO -- Infrastructure Airport (Capital)	3,000,000	2,000,000	0	(2,000,000)
	<b>Infrastructure Airports Total</b>	<b>3,000,000</b>	<b>2,000,000</b>	<b>0</b>	<b>(2,000,000)</b>
<b>Infrastructure - Wharf</b>					
	4120791 WATER -- Infrastructure Wharf (Capital)	50,000	33,328	0	(33,328)
	<b>Infrastructure - Wharf Total</b>	<b>50,000</b>	<b>33,328</b>	<b>0</b>	<b>(33,328)</b>
<b>Infrastructure Other</b>					
	4040290 OTH GOV - Infrastructure Other (Capital)	185,000	123,328	156,279	32,951
	4090190 STF HOUSE - Infrastructure Other (Capital)	500,000	333,328	0	(333,328)
	4110290 SWIM AREAS - Infrastructure Other (Capital)	0	0	7,618	7,618
	4110370 REC - Infrastructure Parks & Gardens (Capital)	220,000	146,664	41,394	(105,270)
	4110390 REC - Infrastructure Other (Capital)	2,377,250	1,584,808	70,614	(1,514,195)
	4120190 ROADC - Infrastructure Other (Capital)	75,000	50,000	12,040	(37,960)
	4120690 AERO - Infrastructure Other (Capital) - Aerodromes	10,000	6,664	13,500	6,836
	4120710 WATER - Building (Capital)	20,000	13,328	1,530	(11,798)
	4120790 WATER - Infrastructure Other (Capital)	40,000	26,664	9,765	(16,899)
	4140390 PWO - Infrastructure Other (Capital)	300,000	200,000	27,678	(172,322)
	<b>Infrastructure Other Total</b>	<b>3,727,250</b>	<b>2,484,784</b>	<b>340,418</b>	<b>(2,144,366)</b>
	<b>Grand Total</b>	<b>34,779,618</b>	<b>23,186,192</b>	<b>7,386,893</b>	<b>(15,799,299)</b>

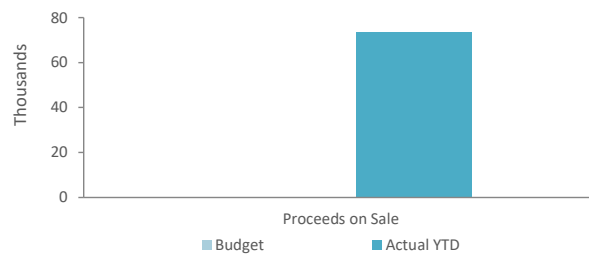


**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**OPERATING ACTIVITIES**

**6 DISPOSAL OF ASSETS**

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book	Proceeds	Profit	(Loss)	Net Book	Proceeds	Profit	(Loss)
		Value				Value			
		\$	\$	\$	\$	\$	\$	\$	\$
	<b>Plant and equipment</b>								
4966	Kubota F3680 Mower	0	0	0	0	0	5,400	5,400	
5038	2013 Tip Truck	0	0	0	0	75,048	38,000	0	(37,048)
5042	2013 Fuso Canter	0	0	0	0	18,610	22,900	4,290	
5085	Kubota F3690	0	0	0	0	0	7,200	7,200	
		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>93,658</b>	<b>73,500</b>	<b>16,890</b>	<b>(37,048)</b>



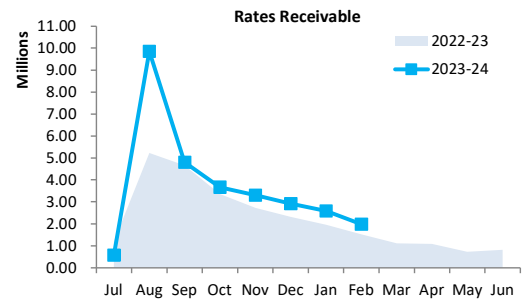


**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**OPERATING ACTIVITIES**

**7 RECEIVABLES**

Rates receivable	30 June 2023	29 Feb 2024
	\$	\$
Opening arrears previous years	2,274,863	1,131,847
Levied this year	8,668,941	9,097,725
Less - collections to date	(9,658,027)	(8,092,105)
Gross rates collectable	<b>1,285,777</b>	<b>2,137,467</b>
Allowance for impairment of rates receivable	(153,930)	(153,930)
<b>Net rates collectable</b>	<b>1,131,847</b>	<b>1,983,537</b>
% Collected	88.3%	79.1%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(15,670)	1,368,745	186,641	1,006,060	304,046	2,849,82
Percentage	(0.5%)	48.0%	6.5%	35.3%	10.7%	
<b>Balance per trial balance</b>						
Trade receivables						2,849,82
Other receivables						62,08
GST receivable						234,61
Allowance for credit losses of rates and statutory receivables						(153,930)
Allowance for credit losses of trade receivables						(374,162)
<b>Total receivables general outstanding</b>						<b>2,618,42</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

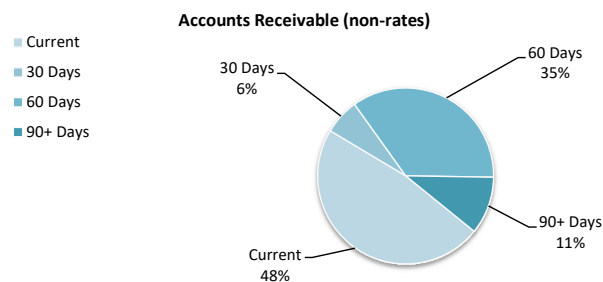
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

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.





**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**OPERATING ACTIVITIES**

**8 OTHER CURRENT ASSETS**

	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 29 Feb 2024
	\$	\$	\$	\$
<b>Other current assets</b>				
<b>Inventory</b>				
Fuel	32,270	75,876	(111,549)	(3,403)
Stock on hand	18,510	302	0	18,812
<b>Other assets</b>				
Prepayments	22,457	0	(22,457)	
Accrued income	290,955	0	(290,955)	
<b>Total other current assets</b>	<b>364,192</b>	<b>76,178</b>	<b>(424,961)</b>	<b>15,409</b>
<b>Amounts shown above include GST (where applicable)</b>				

**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.



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
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**OPERATING ACTIVITIES**

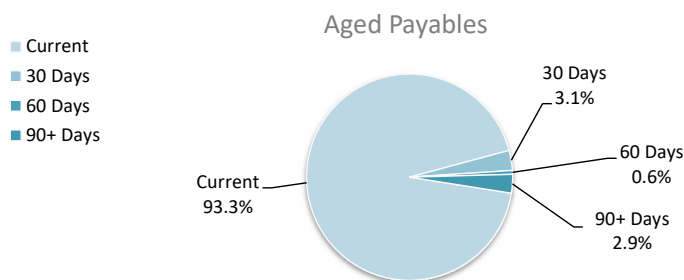
**9 PAYABLES**

<b>Payables - general</b>	<b>Credit</b>	<b>Current</b>	<b>30 Days</b>	<b>60 Days</b>	<b>90+ Days</b>	<b>Total</b>
	\$	\$	\$	\$	\$	\$
Payables - general	0	1,372,805	46,245	8,746	43,366	1,471,162
Percentage	0.0%	93.3%	3.1%	0.6%	2.9%	
<b>Balance per trial balance</b>						
Sundry creditors						1,471,162
ATO liabilities						158,491
Other payables						650,811
Payroll creditors						3,651
Prepaid rates						139,681
<b>Total payables general outstanding</b>						<b>2,423,811</b>

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.





SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
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OPERATING ACTIVITIES

10 RATE REVENUE

General rate revenue

RATE TYPE	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue \$	Budget Interim Rate Revenue \$	Total Revenue \$	Rate Revenue \$	YTD Actual Interim Rate Revenue \$	Total Revenue \$
<b>Gross rental value</b>									
Gross Rental Value	0.1407	1,402	39,386,474	5,543,269	0	5,543,269	5,543,269	4,572	5,547,841
<b>Unimproved value</b>									
Unimproved Value	0.0835	151	37,667,732	3,144,239	0	3,144,239	3,144,307	(43,082)	3,101,221
<b>Sub-Total</b>		<b>1,553</b>	<b>77,054,206</b>	<b>8,687,508</b>	<b>0</b>	<b>8,687,508</b>	<b>8,687,576</b>	<b>(38,510)</b>	<b>8,649,066</b>
<b>Minimum payment</b>									
<b>Gross rental value</b>									
Gross Rental Value	1,596	273	1,270,616	435,708	0	435,708	435,708	0	435,708
<b>Unimproved value</b>									
Unimproved Value	620	137	298,933	84,872	0	84,872	84,872	0	84,872
<b>Sub-total</b>		<b>410</b>	<b>1,569,549</b>	<b>520,580</b>	<b>0</b>	<b>520,580</b>	<b>520,580</b>	<b>0</b>	<b>520,580</b>
Discount						(70,000)			(71,921)
<b>Total general rates</b>						<b>9,138,088</b>			<b>9,097,721</b>



SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
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FINANCING ACTIVITIES

11 BORROWINGS

Repayments - borrowings

Information on borrowings		New Loans			Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Loan No.	1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Staff housing	136	26,728	0	0	(13,149)	(26,728)	13,579	0	(704)	(1,300)
Staff housing	146	465,197	0	0	(26,923)	(54,699)	438,274	410,498	(7,122)	(28,500)
Staff housing	148	223,894	0	0	(10,231)	(20,693)	213,663	203,201	(4,971)	(9,800)
Staff housing		0	0	5,000,000	0	0	0	5,000,000	0	0
Wharf fenders, boat ramp	145	137,417	0	0	(19,875)	(30,956)	117,542	106,461	(4,694)	(8,900)
Derby wharf infrastructure	151	212,810	0	0	(58,649)	(40,049)	154,161	172,761	(3,178)	(6,100)
Derby airport infrastructure & wharf	152	1,338,829	0	0	(54,316)	(196,344)	1,284,513	1,142,485	(11,518)	(22,300)
Derby visitors centre	149	279,868	0	0	(12,789)	(25,866)	267,079	254,002	(6,215)	(12,200)
Disaster Recovery, Flood Damage and Fitzroy Crossing Airstrip Refurbishment Project		0	0	5,000,000	0	0	0	5,000,000	0	0
WATC short term loan		0	2,000,000	0	0	0	2,000,000	0	0	0
WATC short term loan		0	2,000,000	0	0	0	2,000,000	0	0	0
<b>Total</b>		<b>2,684,743</b>	<b>4,000,000</b>	<b>10,000,000</b>	<b>(195,932)</b>	<b>(395,335)</b>	<b>6,488,811</b>	<b>12,289,408</b>	<b>(38,402)</b>	<b>(89,300)</b>
Current borrowings		237,288					4,041,356			
Non-current borrowings		2,447,455					2,447,455			
		<b>2,684,743</b>					<b>6,488,811</b>			

All debenture repayments were financed by general purpose revenue.

New borrowings 2023-24

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
Disaster Recovery, Flood Damage and Fitzroy Crossing Airstrip Refurbishment Project	0	5,000,000	WATC	Short term	3	0		0	(5,000,000)	
Staff Housing Project	0	5,000,000	WATC	Short term	3	0		0	(5,000,000)	
New loan	2,000,000	0	WATC	Short term	0	0	4.82%	(2,000,000)		0
New loan	2,000,000	0	WATC	Short term	0	0	4.83%	(2,000,000)		0
	<b>4,000,000</b>	<b>10,000,000</b>				<b>0</b>		<b>(4,000,000)</b>	<b>(10,000,000)</b>	

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.



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
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**OPERATING ACTIVITIES**

**12 OTHER CURRENT LIABILITIES**

	Note	Opening Balance 1 July 2023	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 29 February 2024
		\$	\$	\$	\$	\$
<b>Other current liabilities</b>						
<b>Other liabilities</b>						
Contract liabilities		84,860	0	1,196,750	(436,038)	845,572
Capital grant/contributions liabilities		1,107,545	0	8,559,091	(7,594,532)	2,072,104
<b>Total other liabilities</b>		1,192,405	0	9,755,841	(8,030,570)	2,917,671
<b>Employee Related Provisions</b>						
Provision for annual leave		516,935	0	0	0	516,935
Provision for long service leave		446,185	0	0	0	446,185
<b>Total Provisions</b>		963,120	0	0	0	963,120
<b>Other Provisions</b>						
Other liabilities		56,144	0	0	(56,144)	0
<b>Total Other Provisions</b>		56,144	0	0	(56,144)	0
<b>Total other current liabilities</b>		<b>2,211,669</b>	<b>0</b>	<b>9,755,841</b>	<b>(8,086,714)</b>	<b>3,880,796</b>

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13 and 14

**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.



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**OPERATING ACTIVITIES**

**13 GRANTS, SUBSIDIES AND CONTRIBUTIONS**

Provider	Grants, subsidies and contributions revenue		
	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$
<b>Grants and subsidies</b>			
GEN PUR - Financial Assistance Grant - General	0	0	178,952
GEN PUR - Financial Assistance Grant - Roads	0	0	52,052
GEN PUR - Financial Assistance Grant - Aboriginal Access Roads	0	0	336,661
PEST - Grants	5,000	3,328	16,533
OTH HEALTH - Grants	625,000	416,664	431,391
WELFARE - Grants	970,000	646,664	173,041
REC - Grants	321,964	214,640	0
LIBRARY - Grant - Regional Library Services	4,000	2,664	0
OTH CUL - Grants - Other Culture	10,000	6,659	12,000
OTH CUL - Sculptures on the Marsh - Grant	100,000	66,659	13,201
ROADC - Other Grants - Aboriginal Roads	0	0	69,179
ROADC - Other Grants - Roads/Streets	7,290	4,856	0
ROADM - Street Lighting Subsidy	0	0	20,480
AGRN 1044 - Recovery - DRAFWA	0	0	389,891
	<b>2,043,254</b>	<b>1,362,134</b>	<b>1,693,401</b>
<b>Contributions</b>			
RATES - Reimbursement of Debt Collection Costs	50,000	33,328	13,810
MEMBERS - Reimbursements	0	0	7,824
OTH GOV - Reimbursements	0	0	620
ANIMAL - Reimbursements	15,000	10,000	168
FIRE - Reimbursements	10,000	6,664	0
HEALTH - Reimbursements	1,500	1,000	0
OTH HEALTH - Reimbursements	1,500	1,000	0
FIRE - Commissions	5,000	3,328	0
SAN - Contributions & Donations	0	0	7,273
LIBRARY - Fees & Charges	0	0	51
HERITAGE - Contributions & Donations	0	0	211
SWIM AREAS - Reimbursements	0	0	41
OTH CUL - Contributions & Donations - Other Culture	0	0	11,298
AERO - Reimbursements - Aerodromes	0	0	3,793
WATER - Reimbursements	0	0	159,834
TOUR - Contributions & Donations	20,000	13,328	0
TOUR - Commission	5,000	3,328	0
TOUR - Other Income Relating to Tourism & Area Promotion	14,000	9,328	0
BUILD - Commission - BSL & CTF	400	264	0
PRIVATE - Private Works Income	15,000	10,000	2,631
ADMIN - Reimbursements	17,000	11,336	0
PWO - Other Reimbursements	15,000	10,000	0
POC - Reimbursement.	2,500	1,664	0
AGRN 1044 - Recovery - Contributions and Donations	7,000	4,664	0
LIBRARY - Other Grants	5,000	3,328	0
OTH CUL - Grants - Other Culture	20,000	13,333	0
OTH CUL - Sculptures on the Marsh - Grant	20,000	13,333	630
	<b>223,900</b>	<b>149,226</b>	<b>208,191</b>
<b>TOTALS</b>	<b>2,267,154</b>	<b>1,511,360</b>	<b>1,901,591</b>



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**INVESTING ACTIVITIES**

**14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS**

Provider	Capital grants, subsidies and contributions revenue		
	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$
<b>Capital grants and subsidies</b>			
OLOPS - OTH GOV - Capital Grants - NDRR FS Fire Working Group	92,500	61,664	
OLOPS - Reimbursements	0	0	
OTH HEALTH - Grants	0	0	
OTH HEALTH - Capital Grants	30,000	20,000	
WELFARE - Grants	0	0	
STF HOUSE - Capital Grants	1,200,000	800,000	
OTH CUL - Grants - Other Culture	0	0	2,000
REC - Capital Grants	2,217,750	1,478,504	
REC - Grants	0	0	
ROADC - Other Grants - Roads/Streets	0	0	336,570
HERITAGE - Contributions & Donations	0	0	
HERITAGE -- Capital Grants	210,000	140,000	
ROADC - Grant AGRN 591 & 1044	12,345,800	8,230,536	
ROADC - Regional Road Group Grants (MR WA)	810,000	540,000	
ROADC - Roads to Recovery - Grants	595,545	397,024	
ROADC - Other Grants -- Roads/Streets	5,445,915	3,630,608	
ROADC - Regional Road Group Grants (MRWA)	252,399	168,264	352,000
ROADC - Other Grants -- Flood Damage	600,000	400,000	6,030,480
ROADC - Other Grants -- Footpaths	79,734	53,152	
ROADC - Other Grants -- Aboriginal Roads	500,000	333,328	
ROADC - Other Grants - Aboriginal Roads	281,067	187,376	132,860
AERO - Grants -- Aerodromes	3,000,000	2,000,000	
WATER - Reimbursements	0	0	
WATER - Grant Capital	110,000	73,328	
PWO - Grant Capital	350,000	233,328	
AGRN 1044	0	0	2,716,460
	<b>28,120,710</b>	<b>18,747,112</b>	<b>9,570,380</b>



**SHIRE OF DERBY-WEST KIMBERLEY  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 29 FEBRUARY 2024**

**15 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 2023	Amount Received	Amount Paid	Closing Balance 29 Feb 2024
	\$			\$
Public open spaces	295,981	0	0	295,981
	<b>295,981</b>	<b>0</b>	<b>0</b>	<b>295,981</b>



**13 EXECUTIVE SERVICES****13.1 CURTIN AND DERBY AIRPORTS - FUTURE DIRECTION****File Number:** 9040.6**Author:** Neil Hartley, Strategic Business Manager**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Administrative**SUMMARY**

The Shire operates three airports within its district (Derby, Curtin, and Fitzroy Crossing). The combined net cost of these three airports varies from year to year, but is in the order of \$2m per annum (approximately \$0.5m in cash loss and \$1.5 in asset depreciation).

The Shire owns freehold title of the Derby Airport, and holds a lease from the Commonwealth of Australia for land at the RAAF Base Curtin. The Curtin Airport lease (30-year term) is due to expire on 30 June 2024 but in the interim, the future of this land parcel is complicated by being part of the current Defence Strategic Review's Estate Audit.

This report recommends that Council not seek to renew the Curtin Airport lease (which was taken up to enable a Regular Passenger Transport service to operate from Derby to Perth), to acknowledge that the Derby Airport is the primary airport, and to utilise savings gained from not renewing the Curtin lease to fund the asset management needs and the potentially also, lengthening of the airstrip at Derby Airport.

**DISCLOSURE OF ANY INTEREST**

The Director – Strategic Business undertakes occasional contract work for Civic Legal. Civic Legal prepares/provides advice in regard to lease documentation for the Shire's Airports.

**BACKGROUND**

The Shire has three airports within its district that it operates. Derby, Curtin and Fitzroy Crossing. Derby and Curtin airports are in close proximity to the Derby townsite, and Fitzroy Crossing is near to the Fitzroy Crossing townsite. The Fitzroy Crossing Airport has been dealt with separately by Council (9 December 2021) and therefore has little if any relevance to the considerations within this report.

The differences between the Derby and Curtin airports are considerable and are best reflected in a table:

Subject	Derby Airport	Curtin Airport
Land tenure	Shire of Derby/West Kimberley owned in Freehold Title	Leased from the Commonwealth Government with the following key provisions:  1. Lease Fee is \$3,000pa+CPI+5% of airport's gross revenue;  2. Lease area access and use of the



		<p>facility can be restricted/not permitted during periods of Defence requirements “for the efficient defence and protection of Australia” (cl.21.1); and</p> <p>3. lease expires on 30 June 2024 (noting that clause #25 of the lease required that prior to 30 June 2019, the parties were to have conferred at a mutually agreed time to consider whether a further lease should have been granted, and if so, on what terms and conditions that further lease should have been – this conferral did not occur).</p>
Land-side Infrastructure	<p>Owned by the Shire. Shire has full responsibility for insurance and asset management.</p> <p>Funding has been provided by government grants and Shire funds.</p>	<p>Owned by the Commonwealth Government. Shire must insure land-side infrastructure, like the Terminal etc., for “full replacement value” and to take responsibility for all asset management (e.g. repair/replacement/refurbishment) within the lease area and to maintain those assets in “good repair and condition” (otherwise the Lessor may undertake the task at the Shire’s expense).</p> <p>The above construction was funded from moneys allocated for (a) the runway extensions required at Derby airport and (b) to assist Mowanjum to relocate to its current site as the community was in the approach and take-off area for Derby Airport runway 11/29 (the community was moved but the runway did not get extended as the domestic operation was all moved to Curtin following the upgrade).</p>
Air-side Infrastructure	<p>Airstrip, taxi-ways and Apron Areas are maintained by the Shire, with potential assistance from both Commonwealth and State Government grants. Contribution rates vary but are generally in the order of 66% support, but can be as high as</p>	<p>Airstrip is maintained by RAAF (vis. at no cost to the Shire)</p> <p>Taxi-way and Apron are maintained by the Shire, with potential assistance from both Commonwealth and State Government grants. Contribution rates vary but are generally in the</p>



	100% in some instances (like the Fitzroy Crossing airstrip refurbishment).	order of 66% support.
Airstrip length and Usage	1736m sealed airstrip, with night lighting to allow 24 hour usage.	3049m sealed airstrip, with night lighting to allow 24 hour usage.
Airplane Maximum Usage	Limited to maximum size “F100 type” planes (with maximum seating capacity of approximately 100 seats).  Derby Airstrip length is insufficient to cater for those larger airplanes that can land at other airports like Curtin and Broome (e.g. the more commonly used longer range passenger aircraft preferred by commercial airlines, like “737 sized” aircraft, cannot currently land at Derby).	Unlimited access.
Regular Passenger Transport Service Licence	Requires Department of Transport Licence.	Requires Department of Transport Licence.
Regular Passenger Transport Service	Three days per week linking flight to Broome exists (Cessna Caravan style aircraft – 10-12 passengers + 23kg luggage).	Flights ceased in 2016.
Airport Infrastructure and condition	Shire airstrip, taxi-ways and apron areas, airport terminal building, storage sheds, public roads and parking areas, etc.  Condition of Terminal is very good; airstrip is average, other infrastructure standards range from very good to very poor.	RAAF airstrip, taxi-ways and apron areas, airport terminal building, caretaker’s house, storage sheds, public roads and parking areas, etc.  Condition of Terminal is below average/poor; airstrip is very good, other infrastructure in leased area is below average/poor including road way into leased area.
Emergency Health Considerations	Derby Airport is closer to Derby Townsite than Curtin, providing a safer and more comfortable transport option for hospital/RFDS transfers.	Curtin is further away from Derby Townsite than the Derby Airport, making patient transfers more risky from an emergency health perspective.
Risk and Safety (since the World Trade Centre terrorist attack,	Does not have licensed or operational scanners.	Does not have licensed or operational scanners.



scanners have been required for domestic travellers operating through a regular passenger transport service).	Staffing is currently provided by the Shire for <i>Aviair</i> flights and would need to continue for any RPT service.	Staffing would need to be provided by the Shire for any RPT service.
Luggage conveyor	Conveyor might need to be redesigned.	Conveyor could be reinstated without redesigned.
Employees and/or contractors	Provided by Shire. Derby Airport has the benefit of lesser travel times.	Provided by Shire. More travel costs for Curtin Airport.
Road Access	Whilst a shorter length road access than Curtin, so less expensive to maintain, it is in a very poor state of repair and requires reconstruction, at least in parts.  Best Practice annual access road costs (including depreciation) estimate at \$8 - 10,000pa.	Curtin Airport access road is in poor to fair condition, but is much a longer entrance road than Derby.  Best Practice annual access road costs (including depreciation) are estimate at \$70 - 75,000pa.
Commercial Result Expectation	Unless there are competitive passenger numbers, an operation surplus is not expected.	Unless there are competitive passenger numbers, an operation surplus is not expected.
Department of Transport Licensing of Regular Passenger Transport Service	State Government Policy is to support Broome in preference to Derby for an RPT Service.	State Government Policy is to support Broome in preference to Derby for an RPT Service.
Aviair Broome/Derby Trial	Operates from Derby currently.	Aviair could operate from Curtin, but the Terminal would need to be reopened (at cost).

The Shire has attempted on several occasions to secure a position from the Commonwealth Government as to whether it would be willing to enter into another lease with the Shire post 1 July 2024. Contact was eventually made with the Shire on 26 February 2024, advising *that "currently a decision is yet to be made on Defence intentions"* (probably due to the lease being subject to the current Defence Review process that is underway) so whilst there was no confirmation of a new lease being likely, by the same token there was no indication a new lease was out of the question either.

The Shire has made contact with Kimberley Abattoir (which might have an interest in exporting through Curtin Airport, albeit it is now understood to be operating under Administration. The Shire has also made contact with Aviair (which has historically indicated an interest in operating some form of passenger transport through Curtin Airport) but neither has not confirmed a position as yet.



## STATUTORY ENVIRONMENT

**Local Government Act S3.59 (Commercial enterprises by local governments)** outlines the requirements of a local government wishing to undertake an acquisition of land (e.g. take on a lease) or commence a “major trading undertaking” above the value of 10% of the Shire’s operating expenditure (or \$2,000,000 whichever is the lower sum).

A **major trading undertaking** means a trading undertaking that —

- (a) In the last completed financial year, involved; or
- (b) In the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the Shire of more than 10% of the Shire’s operating expenditure (or \$2,000,000 whichever is the lower sum);

A **trading undertaking** means an activity carried on by a local government with a view to producing profit to it, but does not include the acquisition of an interest in land.

Whilst it would be hoped that in future the Curtin Airport lease site could become significant enough to qualify as a major trading undertaking, there is nothing evident today that would indicate such an outcome is likely to occur within the next several years. It is therefore considered that this proposal to seek a new lease does not meet the threshold requirements as a major trading undertaking (which would otherwise then require the Shire to progress through the alternative **S. 3.59 (Commercial enterprises by local governments)** requirements, which requires extended public advertising and a Business Plan).

If the potential to recommission the Curtin Airport was to become a likelihood, Council would however need to undertake at that point in time, the **S. 3.59 (Commercial enterprises by local governments)** process as the legislative thresholds would be expected to be exceeded.

**Local Government Act S. 3.50 (Closing Certain Thoroughfares to Vehicles)** provides the opportunity for local governments to close, conditional or otherwise, a thoroughfare to the passage of vehicles, subject to giving prior local public notice and communicating with prescribed people (like adjacent land owners) and considering any submissions received.

**Local Government Act S. 6.11 (Reserve accounts)** provides the capacity for a local government to set aside money for use for a purpose in a future financial year, through Reserve Accounts.

## POLICY IMPLICATIONS

**Policy AF3 (Asset Management)** was adopted to ensure adequate provision is made for the long-term replacement of major assets by amongst other things, ensuring that the Shire’s infrastructure is provided in a sustainable manner.

The Airport’s access road is a bituminised two-lane roadway (approximately 11kms long) that provides access to Curtin Airport from Derby Highway. Longer term asset management cost averages would be in the order of \$70 – 75,000pa, however the road is currently only maintained to a minimalist level, with average expenditure over the past few years being approximately \$10 – 20,000pa.

**Policy FM4 (Reserve Accounts)** provides for the establishment of an Airport Reserve (to fund airport capital works, primarily bitumen resealing). This Reserve was established to help fund the



reconstruction of the main runway of the Derby Airport, plus other Capital works at all other Shire airports.

## FINANCIAL IMPLICATIONS

The Shire operates three airports (Derby, Curtin, and Fitzroy Crossing). The combined net cost of these three airports varies from year to year, but for 2023/24 is expected to be in the order of \$2m (approximately \$0.5m as a cash loss and \$1.5 in asset depreciation). RADS/RAUP grants assist greatly with capital refurbishments but without those, the total cost of the airports would reflect the equivalent of about 20% of the Shire's rates revenue when considered over the long term.

**Curtin Airport:** Curtin's financials have in more recent times been incorporated in the Derby Airport for internal costing purposes (the last time it had a revenue stream from airport usage was in September 2016) but it is understood that it has annual cash costs of approximately \$75 - 95,000 each year to maintain the airport in a "non-operational mode". These costs include Curtin Airport Terminal and other buildings insurance as required by the lease (\$50,000pa+) public road access maintenance (\$10 - 20,000), and sundry other costs like lease fees and management, mowing and clearing, and cleaning and minor maintenance to maintain lease compliance, etc. (\$15 - 20,000).

The current lease fee is *\$3,000pa+CPI+5% of airport's gross revenue*. If operational, the lease fee itself is very manageable, conditional on when the airport becomes operational that revenue from airport users accommodate the 5% "additional lease fee" (clause 8.5), which can then be accumulated to remit to the Lessor. This did not occur in the past when the airport was previously operational and the Shire was required to locate \$260,474 to meet this commitment (amassed over several trading years) which was negotiated to allow that payment to be deferred and paid to the Commonwealth of Australia over two instalments (30/6/2022 and 30/6/2023).

Some existing Fly-In-Fly-Out services to the Kimberley operate through Broome would be transferrable Curtin, but could only be viable at volume..

**Derby Airport:** The Derby airport consumes most of the costs of the Shire's three Airports. If the Derby Airport could secure revenue streams from a regular passenger transport (RPT) service, or from a combination charter/RPT that might result from a mining operation like the Kimberley Mineral Sands project or the reopening of a diamond mine, a break-even financial result could be achievable. Presently however, there are no indications of a RPT service recommencing at Derby, and there are no proposals from mining companies wishing to use Derby Airport on a combination charter/RPT basis. Securing grants for airstrip refurbishments as and when required will as outlined earlier, considerably alleviate the Shire's asset management costs.

Efforts have been made over the last few years to minimise this deficit with the following changes initiated:

- Relocation of airport landing recording (Avdata) equipment from the old Administration Building to the new Terminal's Administration Office (saving on staff time and air-conditioning costs);
- Adjusting the air-conditioning temperature of the new Terminal Building "up" to save on electricity costs (air-conditioning must though, remain on to keep internal building floor surfaces and equipment in good condition);
- Installing solar panels at the airport to provide a "free" electricity supply during good solar generation periods;



- Charging for RFDS aircraft landings;
- Charging for light plane landings;
- Charging for passenger use of the Transit Lounge (except for Aviair flights);
- Setting a minimum landing fee for every aircraft;
- Reintroducing aircraft parking charges;
- Charging for lease preparation costs for airport land/hangar area space;
- Introduced improved operational practices to ensure that electricity and water supply is properly on-charged to individual lessees;
- Modified insurance on a couple of the smaller/underutilised shire owned airport buildings from “replacement value” to “removal of debris only” insurance coverage, to save premium costs; and
- Considered the demolition of the old Administration Building (and possibly using the RFDS Administration Centre Building as an alternative for record storage) to reduce depreciation allocation and maintenance costs. Although this has thus far not occurred due to the high demolition cost estimates;

but even with all of that, is not possible for the Derby Airport to run even at break-even with its current “small” operational scale. It is simply too over-capitalised relative to its existing and anticipated commercial revenue potential to achieve such a result.

Any expenditure savings previously incurred at Curtin Airport be reallocated to other shire asset refurbishments, or deposited into the Shire’s Airport Reserve Account to be distributed at a later date.

### STRATEGIC IMPLICATIONS

STRATEGIC AREA	OUR PRIORITIES	WE WILL
1. LEADERSHIP AND GOVERNANCE	1.2 Capable, inclusive and effective organisation.	1.2.2 Provide strong governance.
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
<b>Financial:</b> That the Shire cannot accommodate the costs of “reinstating” the Curtin roadway/airport assets when the airport is again operational.	Possible	Moderate	Medium	Require the new “commercial use proponent” to meet the reinstatement costs; or; transfer insurance and road savings in the interim, to the Airport Reserve Account to be used for that purpose.
<b>Financial:</b>	Unlikely	Major	Medium	Assess value/risk/cost



Closing Curtin will open up the potential for future mine start-ups to construct their own on-site airstrip, unless Derby airstrip is lengthened.				as part of the decision making process.
<b>Reputation:</b> Community concern that the Shire is not adequately supporting a long term business opportunity.	Unlikely	Minor	Low	Respond to any community/media interest with the details and provisions outlined in this report.

## CONSULTATION

Community consultation is not required at this point in time, but will be required if a commercial venture is forthcoming, requiring the Shire to accommodate the consultation requirements of S3.59 of the Local Government Act.

None-the-less, Council might wish to engage the community if it holds the view that there might be reasonably significant interest in the question at hand.

Consultation has occurred with Defence's lease representatives.

## COMMENT

The airport/aircraft/airline environment has changed considerably in the last 30 years and so a review of those past positions is now warranted. For example, past decisions to utilise funds allocated for Derby Airport's airstrip extension, to instead develop the Curtin Airport Terminal, would have been based on sound logic and in the best interests of the community at that time, but the environment has changed so significantly since then and a review by the Shire of it continuing to retain a Curtin Airport lease is warranted (which was taken up to enable a Regular Passenger Transport service to operate from Derby to Perth). Conversely, Curtin is a much more cost-effective airport to maintain than Derby, but due to Derby Airport having a more modern terminal, numerous existing lessee users, and being much closer to Derby Hospital for emergency Royal Flying Doctor transfers, it is not practical to make Curtin the primary airport and to close Derby. The Derby Airport is therefore expected to remain as a subsidised "community service obligation" of the Shire for the foreseeable future.

The Curtin Airport did provide a very valuable service for the district, but that ceased due to changes to state government policy; to the way airplane businesses operate; and to the district's economy. There is potential for the Curtin Airport to again provide a commercial/regular passenger transport air service, but unless state government policy is modified, or something changes within the economic structure of the district (for example, a new mine commencing, or a major Curtin Airbase refurbishment and personnel activation) that is not expected to occur.

Whilst it could be considered a prudent option to maintain a lease to enable the return of commercial aircraft/Regular Passenger Transport Service to Curtin Airport in the future, it would likewise be just as wise to keep the Shire's costs to an absolute minimum until that occurs, and to in the interim period focus the Shire's attention on having Derby Airport operate efficiently and look its best for its users. On balance it is not considered to be the best use of ratepayer funds to



maintaining two airports in close proximity to each other when only one is required, and particularly in the light of there being no known or near term expected commercial usage demand for the Curtin facilities.

Curtin Airport ceased operating as a commercial airport in mid-2016 and has an approximately \$75 - 95,000pa cash cost to maintain the lease. These cash savings can be reallocated to known service level deficiencies at Derby Airport (like refurbishing the road to the Derby Airport, or lifting maintenance levels for alternative shire assets across the district) or deposited in the existing Airport Reserve Account.

If the Shire can secure an agreement with Defence to hold a “first right of refusal” for a future lease, and a sustainable local economic development opportunity presents itself that can utilise Curtin Airport, then the Shire can advocate to the Commonwealth Government for the reinstatement of the Lease at that point in time (it after-all has no other known use for the facility!), the necessary refurbishment works can then be undertaken and the airport returned to “operational status”.

In order to further eliminate costs and the risk to the Shire of road users damaging the road/claiming on the Shire for an accident, it is proposed that the thoroughfare be gated at Derby Highway. Access would therefore be for Shire/RAAF/Emergency Services/adjacent landowner use only. The roadway can be repaired/reinstated and reopened prior to any future commercial use of the Curtin Airport again occurring. That cost will not be determinable until that time arrives and the standard of the road at that time is assessed, but would range from a few tens of thousands of dollars if the facility was to reopen within the next month or so, up to perhaps \$5m if reopening did not occur until a more distant future time and a full road reinstatement was required.

The Curtin Airport lease (30-year term) is due to expire shortly, on 30 June 2024, but its future as a lessee opportunity is complicated by being part of the currently Defence Strategic Review’s Estate Audit. Defence has advised that once an outcome/decision is known, we will be advised, but no firm timeline can be given as to when that might be. It is expected that the lease will expire prior to the Review’s conclusion being reached, in which case the Shire’s tenure over the site ceases and we must exit the site as per the relevant lease conclusion clauses.

## **VOTING REQUIREMENT**

Simple majority

## **ATTACHMENTS**

1. Curtin Airport Lease [!\[\]\(039cd6b2e7148ba5690aa619b922c426\_img.jpg\) !\[\]\(8b9db310e3bd56ffa44f3d5130ea99e2\_img.jpg\)](#)



**OFFICER RECCOMENDATIONN**

**Moved:** Cr Geoff Haerewa

**Seconded:** Cr Brett Angwin

**That Council:**

- 1. Supports the principle that the Derby Airport at the present time is best positioned to provide the primary airport services for the Derby townsite and the airport's hinterland catchment areas of the Shire;**
- 2. Agrees that it does not seek to renew the Curtin Airport lease with the Commonwealth of Australia and that:**
  - (a) Future budgets consider adding funds equivalent to historic levels of Curtin Airport expenditure into the existing Airport Reserve Account;**
  - (b) The Commonwealth Government be asked to commit to not demolishing the Curtin Airport infrastructure for at least the next 10 years, to ensure that there is a retained capacity to take advantage of any commercially sustainable opportunity that might present itself;**
  - (c) Any commercial businesses that register an interest in utilising the Curtin Airport be encouraged to liaise directly with the Commonwealth Government or present a viable business case/proposal to Council for its consideration;**
- 3. Notes that when the potential to recommission the Curtin Airport becomes a likelihood, Council at that point in time initiate a Business Case investigation to enable a full consideration of the commercial proposal, and to accommodate Local Government Act S. 3.59 (Commercial enterprises by local governments); and**
- 4. Directs the CEO to initiate the public consultation process under S. 3.50 of the Local Government Act for closing and gating the Curtin Airport Access Road at Derby Highway (restricted to Shire/RAAF/Emergency Services/adjacent owner use only) until its reopening is warranted (e.g. as a result of a commercial use of the Curtin Airport again occurring). A further report to only be required to be presented to Council should there be any submissions received.**



**AMENDMENT****RESOLUTION 33/24**

Moved: Cr Geoff Haerewa

Seconded: Cr Brett Angwin

Amends the motion to better capture future economic development opportunities, so the motion would now read:

That Council:

1. Supports the principle that the Derby Airport at the present time is best positioned to provide the primary airport services for the Derby townsite and the airport's hinterland catchment areas of the Shire;
2. Seeks to renew the Curtin Airport lease with a minimum of 18 months with the Commonwealth of Australia and that:
  - ~~(a) Future budgets consider adding funds equivalent to historic levels of Curtin Airport expenditure into the existing Airport Reserve Account;~~
  - (a) The Commonwealth Government be asked to commit to not demolishing the Curtin Airport infrastructure for at least the next 10 years, to ensure that there is a retained capacity to take advantage of any commercially sustainable opportunity that might present itself;
  - (b) Any commercial businesses that register an interest in utilising the Curtin Airport be encouraged to liaise directly with the Commonwealth Government or present a viable business case/proposal to Council for its consideration;
3. Notes that when the potential to recommission the Curtin Airport becomes a likelihood, Council at that point in time initiate a Business Case investigation to enable a full consideration of the commercial proposal, and to accommodate Local Government Act S. 3.59 (Commercial enterprises by local governments); and
4. Progresses the matter politically should adequate negotiations with administration not be progressed. ~~Directs the CEO to initiate the public consultation process under S. 3.50 of the Local Government Act for closing and gating the Curtin Airport Access Road at Derby Highway (restricted to Shire/RAAF/Emergency Services/adjacent owner use only) until its reopening is warranted (e.g. as a result of a commercial use of the Curtin Airport again occurring). A further report to only be required to be presented to Council should there be any submissions received.~~

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**



**RESOLUTION 34/24****Moved: Cr Geoff Haerewa****Seconded: Cr Paul Bickerton****That Council:**

- 1. Supports the principle that the Derby Airport at the present time is best positioned to provide the primary airport services for the Derby townsite and the airport's hinterland catchment areas of the Shire;**
- 2. Seeks to renew the Curtin Airport lease with a minimum of 18 months with the Commonwealth of Australia and that:**
  - (a) The Commonwealth Government be asked to commit to not demolishing the Curtin Airport infrastructure for at least the next 10 years, to ensure that there is a retained capacity to take advantage of any commercially sustainable opportunity that might present itself;**
  - (b) Any commercial businesses that register an interest in utilising the Curtin Airport be encouraged to liaise directly with the Commonwealth Government or present a viable business case/proposal to Council for its consideration;**
- 3. Notes that when the potential to recommission the Curtin Airport becomes a likelihood, Council at that point in time initiate a Business Case investigation to enable a full consideration of the commercial proposal, and to accommodate Local Government Act S. 3.59 (Commercial enterprises by local governments); and**
- 4. Progresses the matter politically should adequate negotiations with administration not be progressed.**

**In Favour:** Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

**Against:** Nil

**CARRIED 8/0**

Cr Paul Bickerton, Cr Geoff Haerewa and Cr Geoff Davis left the meeting at 11:51am.

Cr Paul Bickerton, Cr Geoff Haerewa and Cr Geoff Davis returned to the meeting at 11:53am.



**COMMONWEALTH OF AUSTRALIA**

**- and -**

**SHIRE OF DERBY- WEST KIMBERLEY**

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**LEASE**

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**Australian Government Solicitor  
Level 19  
Exchange Plaza  
2 The Esplanade  
PERTH WA 6000  
Reference: 91024365/7266  
Telephone: 268 1136**



## TABLE OF PROVISIONS

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**THIS LEASE** is made the 22<sup>nd</sup> day of August 19 94

**BETWEEN**

The **COMMONWEALTH OF AUSTRALIA** ("the Lessor"); and

**SHIRE OF DERBY - WEST KIMBERLEY** ("the Lessee")

**1. INTERPRETATION**

**1.1** In this lease, unless a contrary intention appears -

"Access Road" means that road which provides public access to the civil terminal being part of the Demised Premises;

"Aerodrome" means the aerodrome known as RAAF Base Curtin being situated on the Land;

"Aircraft" means any machine that can derive support in the atmosphere from the reactions of the air or an object that was designed or adapted for use as an Aircraft but is incapable of being so used because a part has, or parts have, been removed from it or it is in a wrecked or damaged condition;

"Bureau of Meteorology" means the Commonwealth Bureau of Meteorology established under the Meteorology Act 1955

"Civil Aviation Authority" means the authority established under the Civil Aviation Act 1988;

"Civil Facilities" means the taxiway(s) as shown on the Plan, lights, and other facilities (but excluding runways) situated on the Land used in relation to the operation of civil aircraft and includes the Access Road;

"Demised Premises" means such portion of the Land as is delineated in red on the attached plan, together with all buildings and improvements thereon;

"Land" means the land comprised in Fitzroy Location 142 being all that land contained in Certificate of Title Volume 1632 Folio 084;

"Lessee" means and includes the Lessee its executors, administrators, successors, permitted assigns, and where the context permits, its servants, agents, contractors and invitees;

"Lessee's Fixtures" means all plant machinery equipment on the Demised Premises in the nature of a fixture being the property of the Lessee;


"Lessee's Gross Revenue" means the total value of all charges, rents, sales, and transactions brought to account by the Lessee in connection




with its use of the Demised Premises during a financial year (which shall mean a period of twelve months commencing on July 1) or part thereof during the term of this lease without any reserve or deduction for inability or failure to collect or get in the proceeds thereof and with the exception only of so much of the same as represents the charging or collection of any tax, levy, impost or fee imposed by any government authority, body or instrumentality other than the Lessee.

“Lessor” means and includes the Lessor its executors, administrators, successors, assigns, and where the context permits, its servants, agents, contractors and invitees;

“Plan” means the plan attached hereto and marked with the letter “A”;

“Permitted Use” means the use permitted by clause 13.1 and 13.3; 

“Term” means a period of 30 years commencing on 1st July 1994 

- 1.2** Reference to any authority, institute, department of the Commonwealth of Australia or of any State or Territory of the Commonwealth of Australia, association, body or any officer of them, or any index, shall in the event or any such authority, institute, department, association, body, officer or index ceasing to exist or being reconstituted, renamed or replaced or of their respective powers or functions being transferred to any other authority, institute, department, association, body officer or index shall be deemed to be a reference to the authority, institute, department, association, body officer or index established, constituted or appointed in lieu of or as replacement for or which or who serves substantially the same purpose or object of that authority, institute, department, association, body, officer or index.

**1.3 Number, Gender and Person**

Words importing the singular number include the plural and vice versa, the masculine gender includes the feminine or neuter and vice versa and words importing persons include corporations and vice versa.

**1.4 Joint and Several**

Any covenant or agreement on the part of or in favour of two or more persons shall bind them and be in favour of them jointly and severally respectively.

**1.5 Statutes**

Reference to a statute or ordinance includes any regulations under any amendments to that statute or ordinance whether by subsequent statute or otherwise and a statute or ordinance passed in substitution for the statute or ordinance referred to or incorporating any of its provisions.



**1.6 Headings**

Headings and any marginal notes shall have been inserted for guidance only and shall be deemed not to form any part of the context.

**1.7 Currency**

Unless specifically provided otherwise herein any reference to money shall be a reference to Australian currency.

**1.8 Contra Preferentum**

In the interpretation of this lease, no rules of construction shall apply to the disadvantage of one party on the basis that, that party put forward this lease or any part thereof.

**1.9 Severability**

All provisions of this lease shall so far as possible be construed so as not to be invalid, illegal or unenforceable in any respect, but if any provision on its true interpretation is illegal, invalid or unenforceable, that provision shall so far as possible be read down to such extent as may be necessary to ensure that it is not illegal, invalid or unenforceable and as may be reasonable in all the circumstances so as to give it a valid operation of a partial character. If any such provision or part of it cannot be so read down, such provision or part shall be deemed to be void and severable and the remaining provisions of this Lease shall not in any way be affected or impaired.

**2. GRANT OF LEASE, RESERVATION TO LESSOR AND LESSEE'S RIGHTS**

- 2.1** In consideration of the premises and the rent hereby reserved, the Lessor hereby grants and the Lessee accepts a lease to enter and use at all times the Demised Premises for the Permitted Use for the Term.
- 2.2** The Lessor reserves the right to create any interest in respect of the Demised Premises, which it is required to do so under the Defence Act, but in any other respect, only with the consent of the Lessee which shall not be unreasonably withheld.
- 2.3** The Lessee shall have the right during the Term to drill for water on such area of the Land adjoining the Demised Premises and in such manner (including but not limited to the type of equipment to be used in drilling for water) as is approved by the Commonwealth such approval not to be unreasonably withheld and the Lessee shall have the right to draw water to supply the Demised Premises and to erect and maintain all necessary pumps and pipes for that purpose.
- 2.4** The Demised Premises and Civil Facilities are connected to electricity and water supplies from the Lessor's electricity and water facility. The Lessor shall continue to supply adequate electricity and water based on



reasonable consumption for the operation of the Demised Premises and Civil Facilities via the said connections.

### **3. EXCLUSION OF IMPLIED COVENANTS AND POWERS**

**3.1** Sections 80 and 82 of the Property Law Act 1969 (WA) shall not apply to this lease.

**3.2** The provisions contained in this lease expressly or by statutory implication comprise the whole of the agreement between the parties. The parties expressly agree that no other covenants, agreements or provisions whether in respect of the Demised Premises or otherwise shall be deemed to be implied in this lease or to arise between the parties by way of collateral or other agreement by reason of any promise, representation, warranty or undertaking given or made by or on behalf of any party to any other party or its agent or employee on or prior to the execution of this lease. The existence of any such implication or collateral or other agreement is hereby negated.

### **4. MANNER OF REQUESTING AND PROVIDING CONSENT OR APPROVAL UNDER LEASE**

**4.1** Where the Lessee requests the consent or approval of the Lessor under this lease, the request shall be in writing and the consent -

**4.1.1** shall be given or refused in writing;

**4.1.2** may be given unconditionally or subject to reasonable conditions; and

**4.1.3** may not be refused unreasonably.

### **5. NOTICES**

**5.1** A notice given by a party under this lease shall be in writing and delivered or sent by facsimile machine or by prepaid security post to the Lessor at the address set out below and to the Lessee at the address set out below unless and until a party gives notice to the other party of another address for the giving of notices.

#### **Lessor**

Director, Property Management and Programs  
Department of Defence  
PO Box E33  
Queen Victoria Terrace  
CANBERRA ACT 2600



**Lessee**

Shire Clerk  
Shire of Derby - West Kimberley  
PO Box 94  
DERBY WA 6728

**5.2 Any notice sent by -**

5.2.1 post shall be deemed to be served on the second business day after the day it was posted;

5.2.2 facsimile shall be deemed to have been served at the time and on the day that the whole of the notice has been transmitted from the sending facsimile machine and the receiving machine does not forthwith indicate any malfunction in the transmission.

**6. COSTS OF PREPARATION OF LEASE**

6.1 The Lessee shall pay the registration fees and stamp duty on this lease upon its execution by the Lessee (or, in the case of stamp duty, from time to time as may be necessary) and each party will pay their legal costs and expenses.

**7. HEAD LEASE OR OTHER INTERESTS**

7.1 The Lessee will at all times during the Term permit the Lessor and any person having any estate or interest in the Demised Premises superior to or concurrent with the Lessor to exercise the Lessor's powers to enter and view the Demised Premises and to carry out repairs, renovations, maintenance and other work thereon and otherwise to exercise or perform their lawful rights or obligations in regard thereto but only to the extent permitted under the terms of any head lease.

7.2 In the event of a person other than the Lessor becoming entitled to receive rent payable pursuant to this lease either by operation of law or otherwise, the Lessee agrees that such person shall have the benefit of all covenants and agreements on the part of the Lessee hereunder and the Lessee at the cost of the Lessor will enter into such covenant with such other person in this regard as the Lessor may reasonably require.

7.3 The Lessor will not permit the Lessee's estate or interest under this lease to be determined as a result of any breach by the Lessor of any obligation on its part to any person having an estate or interest superior to that of the Lessor.

7.4 The Lessee shall not do or permit any act, matter or thing whatsoever which might prejudice or give ground for the determination of the estate or interest of the Lessor in the Demised Premises.



## 8. RENT

8.1 The Lessee shall pay the Lessor an amount of **THREE THOUSAND DOLLARS (\$3,000)** per year to be paid in advance in one instalment.

8.2 The rent referred to in clause 8.1 ("the Rent") shall be reviewed on each anniversary of the commencement date ("the review date") and the rent payable for the year immediately following the review date shall be calculated in accordance with the following formula:

$$Z = R \times \frac{C}{P}$$

Where Z = the annual rent payable by the Lessee for the year immediately following the review date

R = the annual rent for the year immediately prior to the relevant review date

C = the Consumer Price Index for Perth (All Groups) as last published by the Australian Statistician prior to the relevant review date

P = the Consumer Price Index for Perth (All Groups) as last published by the Australian Statistician prior to the date being twelve (12) months prior to the relevant review date

8.3 Should the Consumer Price Index for Perth (All Groups) be discontinued or abolished then the Price Index substituted therefore by the Australian Statistician shall be used for the above calculations or such index or calculations as the Lessor shall consider will most accurately reflect the changes in the prevailing levels of prices that the discontinued or abolished Price Index formerly comprised.

8.4 In addition to paying the rent as provided in clause 8.1 the Lessee shall pay a further payment ("the Additional Rent") to the Lessor calculated in accordance with the provisions of this clause 8 below.

8.5 The Additional Rent shall be **FIVE (5) percentum** of the Lessee's Gross Revenue but shall only be payable in the event that the Lessee's Gross Revenue exceeds the amount of **FIVE HUNDRED THOUSAND DOLLARS (\$500,000)** per year

8.6 Within two months of the end of a financial year during the Term and within two months of the expiration or termination of this lease the Lessee shall submit to the Lessor a statement ("the Lessee's Auditor's Statement") detailing the Lessee's Gross Revenue such statement to be audited and certified as true and correct by an auditor who is to approved of by the Lessor prior to preparing such statement.

8.7 The Lessor shall notify the Lessee whether or not it accepts the Lessee's Auditor's Statement within one month of its receipt. In the



event that the Lessor accepts the Lessee's Auditor's Statement or in the event that the Lessor fails to give notice to the Lessee rejecting the Lessee's Auditor's Statement (in which case the Lessor shall have been deemed to have accepted the Lessee's Auditor's Statement) the Lessee shall pay the Additional Rent (if it is payable) calculated pursuant to the Lessee's Auditor's Statement to the Lessor within one month of the Lessor's acceptance.

- 8.8 The Lessee shall keep all accounts records invoices statements and documents ("the Lessee's Records") relating to the Lessee's Gross Revenue. In the event that the Lessor does not accept the Lessee's Auditor's Statement the Lessor shall have the right to inspect the Lessee's Records on the giving of two (2) days notice.
- 8.9 The Lessor may after inspecting the Lessee's Records submit to the Lessee a statement ("the Lessor's Auditor's Statement") detailing the Lessee's Gross Revenue such statement to be audited and certified as true and correct by an auditor of the Lessor's choice. The Lessee shall in addition to giving the Lessor the right to inspect the Lessee's Records provide any additional information that may be reasonably required by the Lessor in preparing the Lessor's Auditor's Statement. If the Lessor elects not to submit the Lessor's Auditor Statement it shall notify the Lessee of its decision within a reasonable time of receipt of the Lessee's Auditor's Statement and the Lessee shall pay the Additional Rent (if it is payable) calculated pursuant to the Lessee's Auditor's Statement within one month of such notification.
- 8.10 The Lessee shall notify the Lessor whether or not it accepts the Lessor's Auditor's Statement within one month of its receipt. In the event that the Lessee accepts the Lessor's Auditor's Statement the Lessee shall pay the Additional Rent (if it is payable) calculated pursuant to the Lessor's Auditor's Statement to the Lessor within one month of its acceptance and any failure by the Lessee to so notify the Lessor shall be deemed to mean that the Lessee accepts the Lessor's Auditor's Statement. In the event that the Lessee does not accept the Lessor's Auditor's Statement the Lessor may request the President of the Institute of Chartered Accountants in Australia ( WA Division) to appoint an independent auditor acting as an expert and not as an arbitrator to determine the Lessee's Gross Revenue. The independent auditor shall have the right to inspect the Lessee's Records in order to make such determination. The independent auditor's determination shall be final and the Lessee shall pay the Additional Rent (if it is payable) calculated pursuant to such determination within one month of such determination being notified to the Lessee. The cost of the independent auditor's determination shall be borne by the parties as directed by the independent auditor.

## 9. OUTGOINGS

- 9.1 The Lessee shall pay or cause to be paid and discharged on or before the due date therefor all charges in respect of telephone, gas, water and other like services and utilities consumed or used by the Lessee



(including meter rentals) on the Demised Premises and all other charges or imposts for the supply of any other services supplied to the Demised Premises.

- 9.2 Notwithstanding any implication or rule of law to the contrary the Lessor shall not in any circumstances be liable to the Lessee for any loss or damage suffered by the Lessee for any malfunction, failure to function or interruption of or to the services and utilities consumed or used by the Lessee on the Demised Premises other than a malfunction, failure or interruption arising out of the negligence, default or wilful misconduct of the Lessor.
- 9.3 In respect of electricity consumed by the Lessee under Clause 2.4:
- 9.3.1 The Lessee shall pay to the Lessor electricity charges at a rate not exceeding \$0.23 per kilowatt hour of electricity consumed for the first three years of this Lease which rate shall be indexed annually during the second and third years but only to price variations in the cost incurred by the Lessor in obtaining fuel supplied to the Aerodrome which fuel is required to generate the power to the Demised Premises and the Civil Facilities; and
- 9.3.2 On the expiry of the three year period referred to in subclause 9.3.1 the Lessee shall pay to the Lessor electricity charges:
- 9.3.2.1 at such rate as the Lessor and the Lessee may agree in writing; or
- 9.3.2.2 failing agreement, at a rate equivalent to any additional cost to the Lessor in supplying electricity to the Demised Premises and the Civil Facilities which costs the Lessor would not otherwise have incurred if the Lessor had generated electricity for its own use only on the Land which additional cost shall include but not be limited to increases in the cost of the fuel required to generate such electricity (and associated transportation costs of this fuel) and maintenance costs of the electricity generators.
- 9.4 Any dispute arising between the Lessor and the Lessee in relation to the determination of the electricity charges payable by the Lessee under subclause 9.3.2.2 and which is not resolved by the parties within (2) months of the dispute arising will be submitted at the request of either party, to arbitration in accordance with a subject to the Commercial Arbitration Act 1985 and the following provisions will apply:
- 9.4.1 the Lessor and the Lessee will bear their own costs in relation to the dispute;
- 9.4.2 in determining any dispute the arbitrator will be deemed to be acting as an arbitrator and not as an



expert and the laws of the State of Western Australia from time to time in force relating to arbitration will apply;

9.4.3 the fees and expenses of the arbitrator will be borne and paid by the parties in equal shares notwithstanding the result of any such determination; and

9.4.4 in any arbitration proceedings the parties will be entitled to be represented by a legal practitioner;

## 10. INSURANCE AND INDEMNITY

10.1 The Lessee shall insure and keep insured at its expense in the names of the Lessee and the Lessor such of the Demised Premises as is of an insurable nature and every addition or substitution made thereto from time to time to the full insurable value thereof against damage or loss by fire, storm, tempest, flood, lightning, earthquake, explosion, riot, strike, Aircraft and articles dropped by Aircraft and such other risks as may from time to time be notified to the Lessee by the Lessor or be reasonable having regard to the use from time to time of the Demised Premises.

10.2 The Lessee shall at its expense hold in the names of the Lessee and the Lessor a public risk insurance policy in respect of the Demised Premises and the activities carried on therein for an amount not less than twenty million dollars (\$20,000,000.00)(being the amount which may be paid out arising out of any one single accident or event) or such higher amount as the Lessor may from time to time reasonably require.

10.3 The Lessee shall, if requested, provide the Lessor with proof of currency of the policies required to be held under clauses 10.1 and 10.2.

10.4 The Lessee shall not do or permit to be done anything upon the Demised Premises whereby the insurance policies may be rendered void or voidable.

10.5 The Lessee releases to the full extent permitted by law and indemnifies and shall keep indemnified the Lessor from and against the following:-

10.5.1 all actions, claims and demands made against the Lessor in respect of any damage to or loss of property, personal injury or death sustained on or in connection with the use of the Demised Premises by the Lessee, and;

10.5.2 all loss and damage to the Land and Demised Premises and to all property thereon caused by the Lessee any other person or persons claiming through the Lessee who may at any time be on or upon the Land and Demised Premises.



## 11. PERMITTED USE

11.1 The Lessee shall not use the Demised Premises for any purpose other than a civil aviation terminal and other related activities.

11.2 The Lessee shall at all times during the Term -

11.2.1 operate and maintain the Demised Premises for the Permitted Use in accordance with Commonwealth and State law and in particular and without limiting the generality thereof the Lessee shall obtain any necessary licences and approvals to operate the Demised Premises for the Permitted Use and shall permit access to the Demised Premises to all authorised persons in accordance with all legislation provided that the Lessee shall not be required to comply with any obligation under legislation where the obligation existed prior to the commencement of the Term;

11.2.2 be solely responsible for developing, operating and maintaining the Demised Premises and the Civil Facilities in accordance with standards prescribed by the Civil Aviation Authority except for the facilities which are the responsibility of the Civil Aviation Authority and the weather recording facilities which are the responsibility of the Bureau of Meteorology;

11.2.3 be responsible for the safety of the Demised Premises in accordance with the Air Navigation Act 1920 and the Civil Aviation Act 1988;

11.2.4 be responsible for the security of the Demised Premises in accordance with the Air Navigation Act 1920 and the Civil Aviation Act 1988;

11.2.5 subject to the Civil Aviation Authority and the Bureau of Meteorology providing those services necessary for the type and volume of Aircraft traffic operating at the Aerodrome and subject to the approval of the Lessor, grant from time to time subleases for nominal consideration such space and access thereto of such parts of the Demised Premises except the terminal building and any improved areas as -

- (i) the Civil Aviation Authority reasonably requires for the purposes of establishing, providing, maintaining, modifying or operating air route and airway services and facilities, rescue and firefighting services and associated equipment and for the performance of such other aviation related activities and services permitted under the Civil Aviation Act 1988 including provision, installation, maintenance and operation of facilities and equipment on the



Demised Premises which shall remain the property of the Civil Aviation Authority;

- (ii) the Bureau of Meteorology reasonably requires for the purpose of establishing, providing, maintaining, modifying or operating meteorological facilities and associated equipment and for the performance of such other meteorologically related activities and services permitted under the Meteorology Act 1955 including the provision, installation, maintenance and operation of facilities and equipment on the Demised Premises which shall remain the property of the Bureau of Meteorology;

provided that in any such subleases the Civil Aviation Authority and the Bureau of Meteorology shall be responsible for the payment of all outgoings (as are detailed in clause 9.1) in respect of the parts of the Demised Premises the subject of such subleases;

- 11.2.6 subject to clause 12, shall grant a sub-lease or other interest in respect of part of the Demised Premises, subject to sufficient and suitable space on the Demised Premises being available, to such companies persons or other entities engaged in businesses directly related to the air transport industry who reasonably wish to take a sub-lease or other interest, on fair and reasonable terms and conditions and without unjust discrimination having regard to the type of subleases licences and other interests in the Demised Premises which may be existing from time to time and having regard to the terms and conditions of such sub-licences and other interests.
- 11.2.7 have the right to determine and collect charges for activities and operations on the Demised Premises and the Civil Facilities;
- 11.2.8 permit open, unrestricted and non-discriminatory access to the Demised Premises and Civil Facilities by airline and Aircraft operators (including, where applicable, all operations which are pursuant to the present and future rights granted by the Lessor under bilateral air services arrangements with other countries) on reasonable terms and conditions and the Lessor's Aircraft and personnel and to any Aircraft and personnel of any visiting force as defined and according to the terms of the Defence (Visiting Forces) Act 1963 at unrestricted frequency consistent with the physical limitations of the Demised Premises and Civil Facilities and in accordance with the Civil Aviation Authority's safety standards and conditions as published from time to time in Australia.



- 11.3 The Lessee may use the Demised Premises for any other lawful purposes other than as provided in clause 11.1 but only with the prior written consent of the Lessor which may be provided or withheld in the absolute discretion of the Lessor.

## **12. ASSIGNMENT, SUB-LETTING**

The Lessee shall not during the Term assign, sub-let (except as otherwise provided in this lease), license or otherwise deal with its interest in the Demised Premises or any part thereof without the prior written approval of the Lessor which shall be provided or withheld at the Lessor's absolute discretion except where such dealing is for purposes of or incidental to the Permitted Use in which case the Lessor shall not unreasonably withhold its consent. The Lessor, shall within seven (7) days of receiving written notice from the Lessee of a proposed sublease, advise the Lessee when it can expect to receive the Lessor's advice to give or withhold such consent, and the Lessor shall in any event use its best endeavours to give or withhold its consent (as the case may be) within a period of twenty eight (28) days of receiving written notice of the Lessee's proposed sublease PROVIDING THAT the Lessee shall quote the full provisions of this clause to the Lessor in requesting such consent.

## **13. INSPECTION AND ACCESS**

- 13.1 Subject to clause 13.2, the Lessee shall permit the Lessor at all reasonable times, and, if required by the Lessee, accompanied by the Lessee's duly authorised representative, to enter upon the Demised Premises and inspect the state of repair of the Demised Premises and to observe whether the terms and conditions of this lease are being complied with.
- 13.2 In the case of an emergency, the Lessee shall permit the Lessor to enter upon the Demised Premises at any time for the purpose of inspecting the condition and state of repair of the Demised Premises and, if found necessary, remedying the cause of the emergency.
- 13.3 The Lessor shall be entitled to enter the Demised Premises at any time for the purposes of determining and dealing with any reasonably perceived security threat in relation to its operations at the Aerodrome.
- 13.4 Subject to the prior consent of the Lessee which shall not be unreasonably withheld, the Lessor shall be entitled to enter the Demised Premises for the purposes of carrying out military or security exercises.
- 13.5 Apart from its rights under clause 13.1 the Lessee shall use its reasonable endeavours to ensure that neither it nor any other person enters onto the Land unless with the permission of the Lessor.



## **14. REPAIR**

- 14.1** In addition to its obligations under clause 11.2 the Lessee shall maintain and keep the Demised Premises and the Civil Facilities in good repair and condition (which shall include the carrying out of structural repairs where necessary) consistent with the age of the Demised Premises and the Civil Facilities, fair wear and tear excepted. The Lessee shall be entitled to access to such portions of the Land on which the Civil Facilities are situated so as to be able to carry out maintenance on the Civil Facilities.
- 14.2** If the Lessee breaches clause 14.1 and fails to rectify such breach after being given one month's notice by the Lessor, the Lessor may enter the Demised Premises and carry out such repair work as it considers reasonably necessary or may carry out such repair of the Civil Facilities as it considers reasonably necessary and the Lessee shall reimburse the Lessor for all reasonable costs incurred by the Lessor in carrying out such repair work.
- 14.3** The Lessee may at any time during the Term by notice in writing to the Lessor suspend the airport operations on the Demised Premises from the date stated in the notice ("the Suspension Date") in which event its obligations under Clause 14.1 shall be suspended and on the expiry of each succeeding consecutive period of 6 months from the Suspension Date the Demised Premises shall be inspected by the Lessor and if in the reasonable opinion of the Lessor the Demised Premises require repairs and replacements to maintain the Demised Premises in good order and condition consistent with the Lessee's obligations under this lease then the Lessee shall at its cost attend to such repairs or replacements notwithstanding the abovementioned suspension of obligations under Clause 14.1.

## **15. ADDITIONS AND ALTERATIONS**

- 15.1** Subject to clause 15.2 and clause 31 the Lessee may from time to time make such improvements, additions and alterations to the Demised Premises and the Civil Facilities as it may consider necessary or appropriate provided that the Lessee shall when carrying out or making such improvements, additions and alterations
- 15.1.1** obtain all necessary approvals and comply with all relevant legislation and all requirements of relevant authorities and bodies;
- 15.1.2** ensure that any such works are carried out in a proper and workmanlike manner.
- 15.2** Where the improvements, additions and alterations -
- 15.2.1** are to be carried out on the Civil Facilities, or



- 15.2.2 involve the demolition of existing buildings or improvements on the Demised Premises, or
- 15.2.3 involve the structural alteration of existing buildings or improvements on the Demised Premises, or
- 15.2.4 involve the erection of a new building or new improvement

the Lessee shall obtain the prior written approval of the Lessor which shall not be withheld unreasonably PROVIDED THAT in the event that the proposed improvement, addition or alteration is in the opinion of the Lessor likely to affect the Lessor's defence activities, then the Lessor may grant, withhold or refuse such approval in its absolute discretion.

- 15.3 Except as provided for by clause 15.2.5 herein, any new building or new improvement erected by the Lessee in accordance with clause 15.2 shall be deemed to be a fixture and the property of the Lessee and the Lessee shall be entitled to remove such improvements at any time during this lease and during a period of three (3) months following the expiration of this lease PROVIDED THAT the Lessee shall make good to the Lessor's reasonable satisfaction any damage caused by such removal.

#### **16. LESSOR'S TERMINATION BY DEFAULT AND LESSEE'S TERMINATION BY NOTICE**

##### **16.1 Where the Lessee:**

- 16.1.1 fails to pay the rent (including the Additional Rent) whether formally demanded or not, within fourteen (14) days of the due date for payment;
- 16.1.2 goes into liquidation or passes a resolution to go into liquidation, (otherwise than for the purpose of reconstruction or amalgamation with the consent of the Lessor) or is subject to any petition presented or proceedings taken or instituted in any court for the compulsory winding up of the Lessee, or is subject to the supervision of a court either voluntarily or otherwise;
- 16.1.3 suffers any execution against its assets the loss or execution of which will materially affect the Lessee performance of its obligations under this lease, or which in the reasonable view of the Lessor would have such effect;
- 16.1.4 otherwise fails to comply with the provisions of this lease,

then in addition to any rights which it may have but for this clause 16, the Lessor may, after giving the Lessee fourteen (14) days notice to rectify any of the above defaults, re-enter the Demised Premises and terminate this lease PROVIDED THAT in the event that a default relates



to the failure by the Lessee to comply with a law, by-law or Statutory regulation, then the Lessor may only invoke its right to terminate under this Clause 16 in the event that the Lessee is convicted of a breach of such law, by-law or Statutory regulation .

- 16.2 A termination of this lease under clause 16.1 shall not affect an existing right or obligation accrued or incurred by a party under this lease.
- 16.3 Notwithstanding anything contained within this clause 16, the Lessee shall be entitled to terminate this Lease for any reason whatsoever upon giving three month's notice of such proposed termination to the Lessor.

## **17. TERMINATION BY DESTRUCTION**

- 17.1 Where the Demised Premises or a substantial part of it is inaccessible or substantially unfit for the use of the Lessee a party may by giving notice terminate this lease without compensation. The Lessee shall only be entitled to so terminate this lease if the Lessor shall have failed after notice from the Lessee to make the Demised Premises accessible or reinstate the same within a reasonable length of time after such notice has been given having regard to the extent of the damage and the work required to make the Demised Premises accessible or reinstate the same.
- 17.2 A termination of this lease under clause 17.1 shall not affect an existing right or obligation accrued or incurred by a party under this lease.
- 17.3 Notwithstanding clause 18, the Lessee's right to terminate together with the abatement of rent under this clause 17 shall be conditional upon the Lessee, firstly, being insured against the particular event or events which cause or causes the Demised Premises or a substantial part of it to become inaccessible or substantially unfit for use and, secondly , upon any claims for payment for insurance not being properly refused by the insurer by reason of the actions or omissions of the Lessee.
- 17.4 Any insurance monies the Lessee may receive in respect of a claim for damage to the Demised Premises, where such damage renders the Demised Premises or a substantial part of it inaccessible or substantially unfit for use by the Lessee, the Lessee shall either apply to the reinstatement of the Demised Premises or shall pay in full the amount of such monies to the Lessor.

## **18. RENT ABATEMENT**

Subject to clause 17, where the Demised Premises become inaccessible or substantially unfit for the use of the Lessee the rent shall abate and any remedy for the recovery of such amounts shall be suspended until the Demised Premises have been made fit for the use of the Lessee or the access has been reinstated, as the case may be.



**19. REMOVAL OF LESSEE'S FIXTURES ON TERMINATION**

- 19.1** The Lessee may on or before the termination of this lease remove the Lessee's Fixtures from the Demised Premises but the Lessee shall in such removal do no damage to the Demised Premises or shall forthwith make good any damage which the Lessee may cause and shall remove all rubbish and shall leave the Demised Premises clean and tidy.
- 19.2** The Lessee shall pay all costs reasonably incurred by the Lessor in rectifying a breach of clause 19.1 within fourteen (14) days of being notified of such costs
- 19.3** Subject to any agreement to the contrary, where the Lessee has not removed the Lessee's Fixtures within twenty eight (28) days of the termination of this lease, the Lessee's Fixtures shall become the property of the Lessor.

**20. HOLDING OVER**

- 20.1** Subject to the consent of the Lessor, the Lessee may use the Demised Premises after the termination date of this lease under a tenancy the provisions of which will be those of this lease except that a party may terminate the tenancy by giving not less than one month's notice expiring at any time.
- 20.2** Clause 4 shall not apply to clause 20.1.

**21. RESUMPTION**

- 21.1** Notwithstanding any implication or rule of law to the contrary, if at any time during the continuance of this lease the Lessor deems it to be necessary or desirable for it to take possession or control of the Demised Premises or any part or parts thereof for the efficient defence and protection of Australia the Lessor may enter on and take possession or control of the Demised Premises or any part or parts thereof accordingly.
- 21.2** Such possession or control shall continue for such period as the Lessor or Minister for Defence shall deem it to be necessary or desirable for the efficient defence and protection of Australia that such possession or control should continue and no longer and during such period the Lessee's obligations under this Lease shall be suspended.
- 21.3** It is expressly agreed that the preceding clauses are subject to the provisions of any Act for the time being in force applicable to the taking of possession or control or requisition of property by the Lessor or of any order, rules, regulations or other instrument under any such Act and for the time being in force and applicable to the taking of possession or control or requisition of property by the Lessor.



**22. QUIET ENJOYMENT**

Subject to paying the rent and otherwise complying with the provisions of this lease, the Lessee may peaceably possess and enjoy the Demised Premises for the Term without any interruption or disturbance from the Lessor (except where such interruption or disturbance is permitted by other provisions of this lease).

**23. SUITABILITY AND CONDITION OF DEMISED PREMISES**

**23.1** The Lessor does not warrant that the Demised Premises is suitable for the purposes of the Lessee.

**23.2** The Lessee takes this lease subject to all defects and faults whether patent or latent in the Demised Premises.

**24. COMPLIANCE WITH NOTICES BY LESSOR**

The Lessor may enter upon the Demised Premises at all reasonable times and upon giving reasonable notice to the Lessee (unless in the case of an emergency, the giving of notice is not practicable in which case no notice is required) for the purpose of complying with any requirement of a governmental, semi-governmental, municipal, health, licensing or other authority.

**25. REVIEW**

On or before the twenty fifth anniversary of the commencement of this lease, the parties hereto shall confer at a time or times to be mutually agreed upon to consider whether a further lease shall be granted at the expiration of this lease and, if so, on what terms and conditions the further lease should be.

**26. ESSENTIAL TERMS**

**26.1** The Lessor and the Lessee hereby expressly agree and declare that the covenants by the Lessee contained or implied in:

26.1.1 clause 8;

26.1.2. clause 10;

26.1.3 clause 11;

26.1.4 clause 12;

are essential terms of this lease.

**26.2** The Lessee shall be liable to the Lessor for any loss or damage suffered by the Lessor resulting from any breach of an essential term of this lease.



- 26.3** The Lessor's entitlement to damages under this clause 26 shall be in addition to any other remedy or entitlement to which the Lessor shall be entitled or which may result from any breach of an essential term of this lease.
- 26.4** The covenants contained in clause 26.1 shall be essential terms of this lease notwithstanding acceptance by the Lessor of arrears of rent or of any late payment of rent or any waiver by the Lessor in respect of the Lessee's continuing obligation to pay rent during the Term.
- 26.5** The Lessor and Lessee expressly agree that if the Lessee repudiates this lease or breaches any covenants contained in this lease the Lessee shall be liable for any loss or damage suffered by the Lessor as a result of the repudiation or breach and such loss or damage shall include any loss of benefits which performance of the obligations contained in this lease by the Lessee would otherwise have conferred on the Lessor.
- 26.6** The Lessee's liability to the Lessor under clause 26.5 shall not be affected or limited in any way by:
- 26.6.1** the Lessee abandoning or vacating the Demised Premises;
  - 26.6.2** the Lessor re-entering the Demised Premises or terminating this lease;
  - 26.6.3** the Lessor accepting the Lessee's repudiation of this lease; or
  - 26.6.4** any conduct by either the Lessor or the Lessee which shall constitute a surrender of this lease by operation of law.

## **27. LESSEE TO PAY INTEREST ON OVERDUE MONEY**

- 27.1** Without prejudice to any other right of the Lessor under this lease, the Lessee shall pay the Lessor interest on money due but unpaid by the Lessee to the Lessor under this lease.
- 27.2** For the purposes of clause 27.1, interest shall be calculated on a daily basis from the due date for payment of the money to the date of payment of that money at a rate equivalent to the maximum overdraft rate set from time to time by the Commonwealth Trading Bank.

## **28. WAIVER NEGATIVED**

- 28.1** The Lessor's failure to take advantage of any default or breach of covenant on the part of the Lessee shall not be or be construed as a waiver thereof, nor shall any custom or practice which may grow up between the parties in the course of administering this lease be construed to waive or to lessen the right of the Lessor to insist on the performance by the Lessee of any provision of this lease or to exercise any rights given to the Lessor on account of any such default.



- 28.2** A waiver by the Lessor of a particular breach or default shall not be deemed to be a waiver of the same type of any other subsequent breach or default.
- 28.3** Demand for or acceptance of rent by the Lessor after default by the Lessee shall not be deemed to be a waiver of any preceding breach by the Lessee of any provision of this lease, other than in the case of acceptance of rent failure of the Lessee to make the particular payment or payments of rent so accepted, regardless of the Lessor's knowledge of such preceding breach at the time of demand for or acceptance of such rent.
- 28.4** Nothing in this Clause 28 shall derogate from the right of the parties to vary the terms of this lease by mutual agreement in writing.

## **29. ENTRY BY LESSOR NOT TO CONSTITUTE FORFEITURE**

In the event that the Lessee vacates the Demised Premises during the Term (whether or not the Lessee ceases to pay the rent) then in the absence of a written notice by the Lessor accepting the surrender of the Lessee's interest hereunder or a formal notice of forfeiture or re-entry being served on the Lessee by the Lessor, neither acceptance of the keys nor entry into the Demised Premises by the Lessor or any person on the Lessor's behalf for the purpose of inspection or for the purpose of showing the Demised Premises to prospective tenants nor the advertising of the Demised Premises for re-letting shall constitute a re-entry or forfeiture or waiver of the Lessor's rights to recover in full all rent from time to time payable by the Lessee hereunder. This lease shall be deemed to continue in full force and effect until the date from which a new Lessee or licensee actually commences to occupy the Demised Premises or the date of expiration of the term of this lease, whichever shall first occur, and any entry by the Lessor until such date shall be deemed an entry by the leave and the license of the Lessee.

## **30. APPLICABLE LAW**

This lease shall be governed by and construed in accordance with the laws of the Commonwealth of Australia and the State of Western Australia and the parties hereby submit to the jurisdiction of the Courts of the Commonwealth of Australia and the State of Western Australia.

## **31. IMMUNITY**

- 31.1** The Lessee shall not be entitled nor seek to rely upon any immunity that the Lessor or the Demised Premises may enjoy from any law.
- 31.2** Notwithstanding any immunities that may apply to the Lessor or the Demised Premises the Lessee shall at all times observe the laws of the State of Western Australia in relation to use, occupation, development or building upon the Demised Premises or the carrying out of any renovation, refurbishment, repair, alteration, or other work on the Demised Premises including any environmental considerations or



sanitation requirements thereof as though the Lessee was the freehold owner of the Demised Premises.

### **32. CONSULTATION**

The parties agree to establish and maintain a consultative relationship as regards such matters under this lease that require co-ordination between the parties.

### **33. LESSEE TO RESTRICT DEVELOPMENT**

**33.1** The Lessee, shall take reasonable steps within its power to prevent the existing and future height restriction surfaces of the Aerodrome from infringement by objects such as buildings, other structures, trees or other natural objects.

**33.2** The Lessee, shall take reasonable steps within its power:

**33.2.1** to prevent residential and other incompatible development in areas which are adversely affected by Aircraft noise;

**33.2.2** to prevent the introduction of activities likely to create a hazard to Aircraft including activities likely to attract birds or straying stock; and

**33.2.3** to prevent developments which would be incompatible with Defence facilities, Civil Aviation Authority air navigation and communications facilities and Bureau of Meteorology facilities.

### **34. CAA ACCESS**

The Lessee acknowledges that the Lessor intends to grant a lease ("the CAA lease") to the Civil Aviation Authority in respect of the CAA area as well as a lease ("the BOM lease") to the Bureau of Meteorology in respect of the BOM area. Until and when the Lessor grants the CAA lease and the BOM lease, the Lessee shall allow the Civil Aviation Authority, its servants, agents, contractors and invitees access across the Demised Premises to the CAA area and the BOM area subject to such right of access being exercised in a manner which does not unduly interfere with the Lessee's permitted use of the Demised Premises.



**EXECUTED BY THE PARTIES AS A DEED**

Signed for and on behalf of  
the **COMMONWEALTH OF**  
**AUSTRALIA** by LEE-SAI CHOO  
Legal 2 Officer (Position No. 1252)  
in the presence of:

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Legal 2 Officer

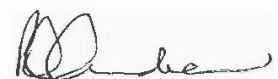
  
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An Officer of the Attorney-General's  
Department

The Common Seal of the **SHIRE OF**  
**DERBY-WEST KIMBERLEY**  
was hereunto affixed  
in the presence of

)  
)  
)  
)

  
.....  
Shire President



  
.....  
Shire Clerk



**13.2 MINUTES OF THE KIMBERLEY REGIONAL GROUP HELD 16 FEBRUARY 2024****File Number:** 4221**Author:** Sarah Smith, Executive Services Coordinator**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 16 February 2024.

**DISCLOSURE OF ANY INTEREST**

Nil by Author and Responsible Officer.

**BACKGROUND**

A copy of the minutes from the joint meeting held 16 February 2024 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 is important to note 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.

**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**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Community:</b> 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**

Key discussion points for Council Consideration:

There is an opportunity for the KRG to develop and advocacy strategy in partnership with other organisations such as Shelter WA and the Kimberley Aboriginal Medical Service for better health outcomes for tenants through the management of maintenance, property and tenancy management, tenant support and social housing supply.

Based on this the following points are put forward for discussion:

- The use of local government's powers in relation to housing under the Public Health Act 2016;
- Public Health Local Laws, Local Government Act 1995 and the Emergency Management Act 2005;
- Working in partnership with Nirumbuk for increased investment for social housing tenancy;
- Support programmes, including funding for practical activities such as support to clean homes and yards;
- Working with the Kimberley Regional Service Providers for a new Kimberley place-based model of social housing maintenance;
- Advocating for increased investment for the Department of Health Aboriginal Environmental Health Program;
- Support Shire of Broome regarding discussions with Edith Cowen University regarding their diploma in Env Health program and the possibility of engaging Aboriginal Environmental Health Workers, who are not generally employed in local government, in that course and identifying qualified EHOs in local government to mentor them;
- Advocating for appropriate social housing design to increase liveability and energy efficiency;
- Advocacy for increased investment into social housing to reduce overcrowding;
- Engaging with community housing providers regarding their management of public housing in the Kimberley.

Community Housing is demonstrated as a good alternative to the management of social housing tenants by the WA Department of Communities. Community housing does not have a large



presence in the Kimberley compared to other regions which have regionally based Aboriginal and nonaboriginal community housing providers. There is an opportunity for the KRG to facilitate discussions with government and NGOs to drive the growth of the community housing sector in the Kimberley.

1. Note Regional Group Priority List;
2. The Regional Group discussed the impact on the lack of uniformity of alcohol restrictions on Kimberley towns and resolved for the KRG Executive Team to work with RCAWA and Hotels Association AHA on advocacy and a submission letter; and
3. Note the authorised advocacy of the KRG in regards to the upcoming State and Federal Elections.

### VOTING REQUIREMENT

Simple majority

### ATTACHMENTS

1. Minutes - Kimberley Regional Group - 16 February 2024 [↓](#) 

#### RESOLUTION 35/24

**Moved:** Cr Geoff Haerewa

**Seconded:** Cr Brian Ellison

**That Council:**

1. **Receives and endorses the resolutions of the Kimberley Regional Group Meeting held 16 February 2024.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**





THE  
**KIMBERLEY**  
REGIONAL GROUP

## Meeting Minutes

16 February 2024



Kimberley Regional Group: Minutes 16 February 2024



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## Kimberley Regional Group: Minutes 16 February 2024



## 1. Meeting Open: 10:32am

Chair acknowledged the Traditional Custodians of the different lands on which people meet today, and pay respect to all the Elders past, present and emerging.

## 2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
<b>Members</b>		
Cr Peter McCumstie	President, Shire of Derby West Kimberley	In Person
Cr Malcolm Edwards	President, Shire of Halls Creek	Zoom
Cr Chris Mitchell	President, Shire of Broome	In Person
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	In Person
<b>Observers</b>		
Jeremey Hall	Acting CEO, Shire of Broome	In Person
Cr Geoff Haerewa	Deputy President, Shire of Derby West Kimberley	In Person
Amanda Dexter	CEO, Shire of Derby West Kimberley	In Person
Musa Mono	Director Health & Regulatory Services, Shire of Halls Creek	Video
<b>Executive Support Team</b>		
Paul Rosair	Principal, NAJA Business Consulting Services	In Person
Michelle Mackenzie	Principal, Mira Consulting	In Person
Jane Lewis	Principal, Redit Research	In Person
Rebecca Billing	Administrative Assistant, NAJA Business Consulting Services	In Person
<b>Presentations</b>		
BBY	CEO, Christy Hawker	Video
West Kimberley Empowered Communities	COO, Mala Haji-Ali	Video
<b>Apologies</b>		
Cr David Menzel (Chair)	President, Shire of Wyndham East Kimberley	
Cr Tony Chafer	Deputy Shire President, SWEK	
Sam Mastrolembo	CEO, Shire of Broome	
Cr Desiree Male	Deputy Shire President, Shire of Broome	



Kimberley Regional Group: Minutes 16 February 2024



Cr Trish McKay	Deputy Shire President, Shire of Halls Creek	
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### 3. Disclosures, Conflicts and Declarations of Interest:

Financial Interest / Impartiality			
Member	Item Number	Item	Nature of Interest

### 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 23 November 2023, as published and circulated, be confirmed as a true and accurate record of that meeting.		See Attachment 1 – Matters Arising and Outstanding Business	
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	See Attachment
<b>Seconded:</b>	Shire of Broome	<b>Due date:</b>	As appropriate
<b>Carried: 4/0</b>			



## Kimberley Regional Group: Minutes 16 February 2024



## Attachment 1 Matters Arising and Outstanding Business

Date / Item	Action / Progress	Responsible
<b>Resilience and Recovery</b>		
15/06/2023	<p><b>Action:</b></p> <ol style="list-style-type: none"> <li>The Executive Team will seek to engage with the WALGA Working Group on behalf of the KRG</li> <li>Members note that the KRG will make a written submission to the two inquiries taking into consideration the State Emergency Services Minister's advice</li> <li>Members approve the drafting of an Emergency Services position paper</li> </ol> <p><b>Status / Progress:</b></p> <ol style="list-style-type: none"> <li>In progress: Information sought from WALGA on how local governments can have input into the Disaster Recovery Funding Arrangements (DRFA) Review.</li> <li>2a. Complete: A submission to the Independent Review of Commonwealth Disaster Funding was lodged to the Review team and a submission lodged with the Senate Inquiry.</li> <li>2b. Complete: The WA LEMA Review, progressed by the WA Local Government Association and the Department of Fire and Emergency Services, was endorsed by SEMC in August. The plan has been uploaded to the SEMC website - <a href="https://www.wa.gov.au/government/announcements/lema-review-project-outcomes">https://www.wa.gov.au/government/announcements/lema-review-project-outcomes</a></li> <li>3. Complete: The Position Paper was endorsed 23/11/2023</li> </ol>	Executive Officer and CEO SDWK
<b>Governance</b>		
15/6/2023	<p><b>Action:</b></p> <p>Executive Team to simplify governance compliance papers.</p> <p><b>Status / Progress:</b></p> <p>Complete: endorsed 23/11/2023</p>	Executive Team
<b>Regional Road Group Road Projects Funding Allocation</b>		
15/06/2023	<p><b>Action:</b></p> <p>Executive Team to write to WALGA outlining the KRG's position: The preference is for the Funding Split to remain the same as it is now, however of the options presented, Option 4 is the most suitable.</p> <p><b>Status / Progress:</b></p> <p>Complete</p>	Executive Team



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Date / Item	Action / Progress	Responsible
<b>Priority Action List</b>		
15/6/2023	<p><b>Action:</b></p> <ol style="list-style-type: none"> <li>1. KRG members to provide any feedback to the Executive Team before 7/7/2023.</li> <li>2. Executive Team allocates resources from contract hours to implement.</li> <li>3. Executive Team scope out project costings for additional consultancy work as required</li> </ol> <p><b>Status / Progress:</b></p> <ol style="list-style-type: none"> <li>1. Complete</li> <li>2. Complete</li> <li>3. In progress</li> </ol> <p>Note an updated on the Priority Action List is a standing item on the KRG agenda. See Item 13.</p>	Executive Team
<b>Administrative Matters</b>		
21/02/2024	<p><b>Action:</b></p> <ol style="list-style-type: none"> <li>1. Executive Team to write to Matt Reimer, DFES regarding the Emergency Management Policy Position</li> <li>2. Members to advise Councillor Mitchell of their response to the Regional Road Group proposed road project grant funding.</li> <li>3. Executive Team to send an invitation for the June Forum to the Premier.</li> <li>4. Executive Team to send through Ministerial notes from the meetings on the 15<sup>th</sup> of February with Minister Papalia, Minister Beazley and the Premier to members.</li> <li>5. Executive Officer to work with Alan Dale regarding CRCNA</li> </ol> <p><b>Status / Progress:</b></p> <ol style="list-style-type: none"> <li>1. Complete</li> <li>2. Complete</li> <li>3. In Progress</li> <li>4. Complete</li> <li>5. In Progress</li> </ol>	Executive Team
<b>State and Federal Government Election Strategy</b>		
4/10/2023	<p><b>Action:</b></p> <ol style="list-style-type: none"> <li>1. Executive Team to work on providing materials and methodology for the election strategy.</li> <li>2. Executive Team to proceed on developing the election strategy in accordance with the proposal tabled 23/11/2023</li> </ol> <p><b>Status / Progress:</b></p>	



Kimberley Regional Group: Minutes 16 February 2024



Date / Item	Action / Progress	Responsible
	<ol style="list-style-type: none"> <li>Complete</li> <li>In Progress. See Item 10</li> </ol>	
<b>Kimberley Development Commission Funding Proposal</b>		
4/10/2023	<p><b>Action:</b></p> <ol style="list-style-type: none"> <li>Further research is to be conducted into the KDC data funding proposal before a decision is made</li> <li>Letter to be sent to the KDC requesting a meeting to discuss the outcomes of the research and other regional issues</li> <li>A copy of the letter sent to KBC to be sent to Cr Geoff Haerewa to follow up.</li> </ol> <p><b>Status / Progress:</b></p> <ol style="list-style-type: none"> <li>In Progress</li> <li>Letter sent. No response received as yet</li> <li>Letter sent to Cr Geoff Haerewa 26/06/2024.</li> </ol>	
<b>National Housing and Homelessness Plan Issue Papers</b>		
21/02/2024	<p><b>Action:</b></p> <p>The Executive Team will draft a response and will circulate to members for approval before submission.</p> <p><b>Status / Progress:</b></p> <p>Complete: submitted 20/10/2023 Submission acknowledged 23/01/2024. A summary report on the key themes has been published on the DSS Engage website.</p>	Executive Team
<b>Requirements For the Deputy Chair Position</b>		
23/11/2023	<p><b>Item:</b></p> <p>At the November 2023 meeting the KRG endorsed Cr David Menzel as the KRG Chair and Cr Geoff Haerewa as the Deputy Chair.</p> <p>After the meeting, clarification was sought from the Shire of Broome on the requirements for the Deputy role. The KRG Governance Manual states - <i>The KRG Management Committee must elect a Chair and Deputy Chair (Office Bearer Positions). The Chair is responsible for ensuring good governance of the KRG.</i> It does not stipulate the delegate. There has been precedence with a Shire of Broome Councillor undertaking the role of KRG Chair. Based on the Governance Manual and precedence the deputy role can be filled by a Councillor from a member Council as endorsed by the KRG.</p> <p><b>Status</b></p> <p>The Deputy Chair role is as endorsed by the KRG.</p>	



## Kimberley Regional Group: Minutes 16 February 2024



### Watching Brief

Aboriginal Heritage Act: Now pending Department updates on rescinded legislation. On 15 November 2023, the <i>Aboriginal Heritage Act 1972</i> was restored as the legislation that manages Aboriginal heritage in Western Australia some amendments drawn from feedback from consultation. Approval is only required where there is potential for any harm to an Aboriginal site.
WA Development Index – response received from the Department of Local Government, Sport and Cultural Industries. To be raised with the new Minister for Local Government.
Banned Drinkers Register – Legislation passed. KRG media release issued and picked up in local papers. Implementation and outcomes.
State government funding to support young people in the Kimberley. Cr McCumstie is the KRG observer member on the Aboriginal Youth Wellbeing Steering Committee (AYWSC) and will provide updates as required. Note the Aboriginal Regional Governance Group (ARRG) has been undertaking media expressing disappointment at the lack of government commitment to implement recommendations of reports into youth suicide in the Kimberley. New \$4M community-led Immediate Response Night Space (IRNS) service for young people in Broome. There is no overarching youth justice strategy for the region.
Tanami Road funding – Letter sent to Minister Catherine King on 28/05/23. Response received. Commonwealth confirmation that the project would proceed and an additional \$200M funding announced 16/11/2023. KRG media release issues and picked up in local papers. Opportunity for KRG to work with government on a Tanami activation/implementation plan to drive regional economic development.
First point of entry Wyndham and Broome.

### Resolved

Media and Communications Policy and Stakeholder Engagement Plan
Letters of congratulations to new State Ministers
Audited statements circulated
KRG meeting dates set and circulated
Service Level Agreement
Policy Position Papers
Investment Prospectus 2023/24
Lord Mayors Distress Relief Funding
MOU finalised and signed
Insurance Costs relief as a result of flood impacts
Potential tourism opportunities for total eclipse events, provided by Kym Francesconi
Regional Road Group: Shire allocations
KRG Website and LinkedIn profile - operational
BBY and WKFEC invitation to present to KRG
National Housing and Homelessness Plan submitted 20/10/2023
Service Level Agreement Assessment – 5% increase endorsed 23/11/2023
July – September quarterly report – 23 November 2023 meeting.



## Kimberley Regional Group: Minutes 16 February 2024



## 5. Correspondence

### Item for Noting

#### Submitted by: Secretariat

- Attachment 2: Correspondence In:** Mr Mike Rowe, Director General Department of Communities
- Attachment 3: Correspondence In:** Mr Tony Weir, Senior Policy Advisor Communities
- Attachment 4: Correspondence In:** Dean Haynes, Assistant Director Engagement, Office of Northern Australia
- Attachment 5: Correspondence In:** Hon Roger Cook MLA, Premier
- Attachment 6: Correspondence Out:** Hon Hannah Beazley MLA, Minister for Local Government
- Attachment 7: Correspondence Out:** Hon Hannah Beazley MLA, Minister for Local Government
- Attachment 8: Correspondence Out:** Bradley and Neil, Australian Hotels Association Western Australia
- Attachment 9: Correspondence Out:** Hon Roger Cook MLA, Premier

Note: Correspondence considered of an administrative nature, such as meeting invites etcetera, will not be tabled.

Correspondence In	
Date	18/12/2023
From	Mr Mike Rowe, Director General Department of Communities
Topic	WA Government Staff Housing Policies
Attachment	2
Date	30/01/2024
From	Mr Tony Weir, Senior Policy Advisor, Office of the Hon. Jackie Jarvis MLC
Topic	First Port of Entry – Wyndham and Broome
Attachment	3
Date	12/01/2024
From	Dean Haynes, Assistant Director Engagement, Office of Northern Australia
Topic	The omission of Halls Creek on the Office of Northern Australia map
Attachment	4
Date	01/02/2024
From	Hon. Roger Cook MLA, Premier; Minister for State and Industry Development, Jobs and Trade; Public Sector Management; Federal-State Relations



## Kimberley Regional Group: Minutes 16 February 2024



Topic	Meeting with the KRG – 15 <sup>th</sup> or 16 <sup>th</sup> February 2024
Attachment	5
<b>Correspondence Out</b>	
Date	03/01/2024
From	President David Menzel, Chair
To	Hon. Hannah Beazley MLA, Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development
Topic	Congratulations on your appointment as Minister
Attachment	6
Date	09/01/2024
From	Paul Rosair, Executive Officer, Kimberley Regional Group
To	Hon. Hannah Beazley MLA, Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development
Topic	Invitation to attend the KRG Meeting and Government Forum
Attachment	7
Date	05/01/2024
From	Paul Rosair, Executive Officer, Kimberley Regional Group
To	Bradley Wood and Neil Randy, Australian Hotels Association Western Australia
Topic	Invitation to attend meeting and venue
Attachment	8
Date	19/01/2024
From	Michelle Mackenzie, Executive Support, Kimberley Regional Group
To	Hon. Roger Cook MLA, Premier; Minister for State and Industry Development, Jobs and Trade; Public Sector Management; Federal-State Relations
Topic	Meeting with the KRG – 15 <sup>th</sup> or 16 <sup>th</sup> February 2024
Attachment	9

Resolution/s		Action(s) / Budget Implications	
<b>That the Correspondence be received and noted, and that the Executive Officer be directed on a response, if required.</b>		Nil	
<b>Moved:</b>	Shire of Broome	<b>Responsible:</b>	
<b>Seconded:</b>	Shire of Wyndham East Kimberley	<b>Due date:</b>	
<b>Carried: 4/0</b>			



Kimberley Regional Group: Minutes 16 February 2024

**Attachment 2 Correspondence In: WA Government Staff Housing Policies**

Government of **Western Australia**  
Department of **Communities**

Our ref: 2023/44555

Mr Paul Rosair  
Executive Officer  
Kimberley Regional Group

Via Email: [info@naja.com.au](mailto:info@naja.com.au)

Dear Mr Rosair

**WA GOVERNMENT STAFF HOUSING POLICIES**

Thank you for your letter dated 1 November 2023 querying policy work being undertaken by Department of Communities (Communities) on the Government Regional Officer (GROH) Program and the Home Ownership Subsidy Scheme (HOSS). I apologise for the delay in providing a response.

The GROH Program is currently working with Treasury to undertake a review of the Tenant Rent Setting Framework (TRSF), Home Ownership Subsidy Scheme (HOSS) and other rental subsidies as means of attraction and retention of regional staff.

Communities will engage with relevant stakeholders once initial stages of this work has been completed.

If you have any further queries, please contact Andrew Sutton, GROH Program Manager at the Department of Communities on 0432 830 941 or at [andrew.sutton@communities.wa.gov.au](mailto:andrew.sutton@communities.wa.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mike Rowe'.

Mike Rowe  
**Director General**

18 December 2023

Locked Bag 5000, Fremantle WA 6959  
Telephone: 08 9222 2555 | [communities.wa.gov.au](http://communities.wa.gov.au)



## Kimberley Regional Group: Minutes 16 February 2024



## Attachment 3 Correspondence In: First Port of Entry – Wyndham and Broome

**From:** "Weir, Tory" <[Tory.Weir@dpc.wa.gov.au](mailto:Tory.Weir@dpc.wa.gov.au)>  
**Date:** 30 January 2024 at 12:11:47 GMT+8  
**To:** [michelle@mira-consulting.com](mailto:michelle@mira-consulting.com)  
**Cc:** [paul@naja.com.au](mailto:paul@naja.com.au)  
**Subject:** First Port of Entry - Wyndham and Broome

OFFICIAL

Hi Michelle and Paul

Thank you for providing information on the biosecurity issues at the Wyndham and Broome Ports. I have provided this information to the Minister for Ports office, who is lead on this issue.

I will continue to liaise with the Minister for Ports office and should I require any further information, I will be in touch.

Thanks Tory



**TORY WEIR** Senior Policy Adviser

Office of the **Hon. Jackie Jarvis MLC**  
Minister for Agriculture and Food; Forestry; Small Business

+61 8 6552 6200 | 0436 617 161  
7<sup>th</sup> Floor, Dumas House; 2 Havelock Street WEST PERTH WA 6005 Australia  
[wa.gov.au](http://wa.gov.au)

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Kimberley Regional Group: Minutes 16 February 2024



Attachment 4 Correspondence In: Office of Northern Australia

**From:** Haynes, Dean <Dean.HAYNES@infrastructure.gov.au>  
**Sent:** Friday, January 12, 2024 12:30 PM  
**To:** Michelle Mackenzie <michelle@mira-consulting.com.au>  
**Cc:** Janine Hatch <j.hatch@rdakimberley.com.au>; GREENTREE, Casey <Casey.Greentree@infrastructure.gov.au>; dhrr@hcshire.wa.gov.au; credwards@hcshire.wa.gov.au; HALL, Julia <Julia.HALL@infrastructure.gov.au>; FINITSIS, Damian <Damian.FINITIS@infrastructure.gov.au>  
**Subject:** Office of Northern Australia map on their website does not have Halls Creek - but does have Wyndham and Fitzroy Crossing [SEC=OFFICIAL]

OFFICIAL

Good Afternoon Michelle.

Thank you drawing the omission of the Halls Creek location to our attention via Regional Development Australia Kimberly.

A revised map has been created to include the Halls Creek and will be uploaded to the Office of Northern Australia website at the next opportunity.

Thank you for your time.

**Dean Haynes**

Assistant Director - Engagement - Office of Northern Australia - Partnerships and Projects Division

[Dean.Haynes@infrastructure.gov.au](mailto:Dean.Haynes@infrastructure.gov.au) • M +61 4983 82 333 • Cairns, Gimuy Walubara Yidinji Country  
 Department of Infrastructure, Transport, Regional Development, Communications and the Arts  
 CONNECTING AUSTRALIANS • ENRICHING COMMUNITIES • EMPOWERING REGIONS



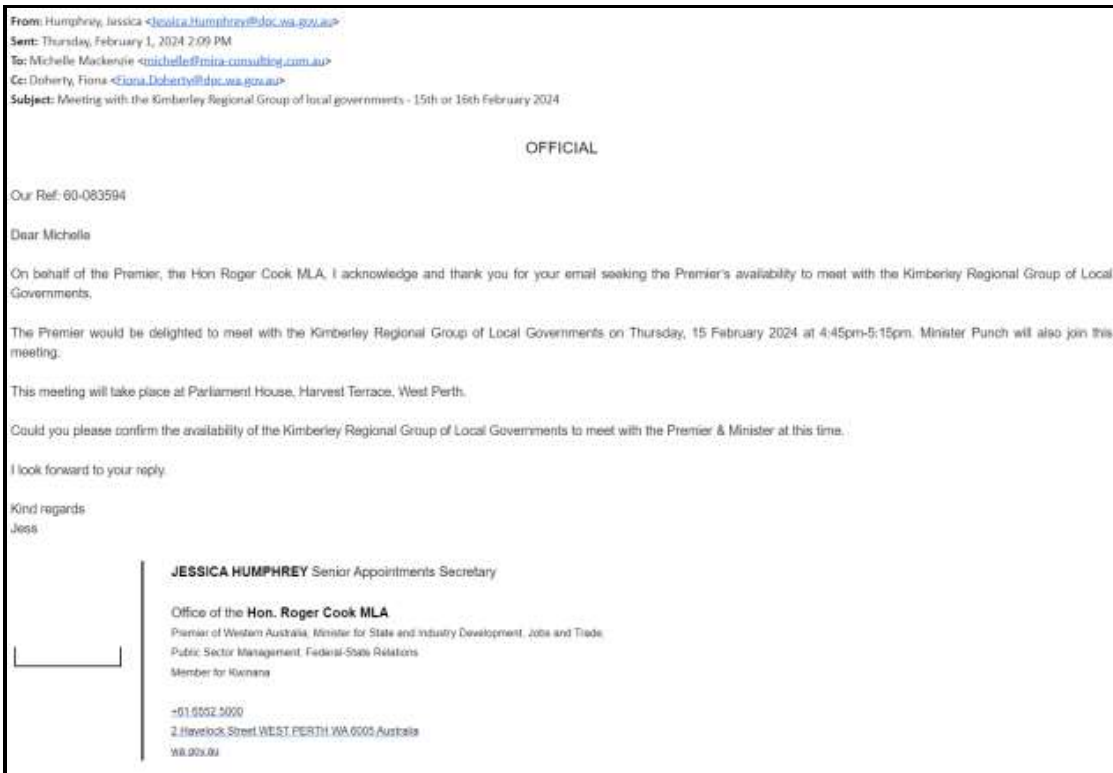
I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.



## Kimberley Regional Group: Minutes 16 February 2024



## Attachment 5 Correspondence In: Hon Roger Cook Premier – Meeting





## Kimberley Regional Group: Minutes 16 February 2024



## Attachment 6 Correspondence Out: Congratulations on your appointment as Minister



The Hon Hannah Beazley MLA  
Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development  
Dumas House  
2 Havelock Street  
West Perth 6005

Via email – [Minister.Bezley@dpc.wa.gov.au](mailto:Minister.Bezley@dpc.wa.gov.au)

3<sup>rd</sup> January 2024

Dear Minister

**Congratulations on your appointment**

On behalf of the Kimberley Regional Group of Local Governments, I would like to congratulate you on your appointment as Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce 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 and economic opportunities for all.

The KRG can only achieve our vision through strong partnerships. The WA Government is a key partner in driving our vision, and this partnership is a critical if we are to harness and to build on the social economic 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. Paul Rosair, our Executive Officer, will be in touch to progress a time for us to meet.

Congratulations again on your appointment. We look forward to working with you.

Your sincerely



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](mailto:info@naja.com.au)



## Kimberley Regional Group: Minutes 16 February 2024



## Attachment 7 Correspondence Out: Invitation to attend the KRG Meeting and Government Forum



The Hon Hannah Beazley MLA  
Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development  
Dumas House  
2 Havelock Street  
West Perth 6005

Via email - [Minister.Beazley@dpc.wa.gov.au](mailto:Minister.Beazley@dpc.wa.gov.au)

9<sup>th</sup> January 2024

Dear Minister

**Invitation to attend the Kimberley Regional Group Meeting and Government Forum**

Further to our LinkedIn exchanges and conversations at the recent LBR function in December, as the Executive Officer of the Kimberley Regional Group (KRG), I would like to formally invite you to attend the joint meeting of the KRG and Kimberley Zone on Friday, the 16<sup>th</sup> of February, to be held in Perth from 9am to 12.30pm, as well as the Government Forum on Thursday, the 20<sup>th</sup> of June 2024, to be held at the City of Vincent from 12pm to 2pm.

The Kimberley Regional Group (KRG) is an alliance of the four Shires in the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek, and the Shire of Wyndham East-Kimberley. Members of the KRG are also part of the Kimberley Zone of WALGA which includes the Cocos Keeling Islands and Christmas Island.

Working collaboratively, the KRG's vision is to maintain and enhance the Kimberley's rich diversity and liveability; focusing on an inclusive community free of disadvantage and placed to effectively engage in economic opportunity whilst respecting the history, heritage and environment.

Our office will be in touch shortly to confirm your availability and provide further details regarding the agendas and attendees. Alternatively, please contact Paul Rosair, the Executive Officer for KRG or Jane Lewis, Executive Assistant to confirm details.

Contact details are:

Paul: PH 0419 930 467, email: [paul@naja.com.au](mailto:paul@naja.com.au),  
Jane: PH 0419 322 779, email: [jane@reditresearch.com.au](mailto:jane@reditresearch.com.au)

Your sincerely



Paul Rosair  
Executive Officer  
Kimberley Regional Group (KRG)  
[paul@naja.com.au](mailto:paul@naja.com.au)

Kimberley Regional Group and Kimberley Zone  
459 Albany Hwy Victoria Park | 0419 930 467 | [info@naja.com.au](mailto:info@naja.com.au)

A large, stylized logo in the bottom right corner of the letter, featuring a blue and orange swirl design.



Kimberley Regional Group: Minutes 16 February 2024

**Attachment 8 Correspondence Out: Invitation to attend the KRG Meeting and Venue**

**From:** Paul Rosair <[paul@naja.com.au](mailto:paul@naja.com.au)>  
**Date:** 5 January 2024 at 7:51:03 am AWST  
**To:** [exec@ahawa.asn.au](mailto:exec@ahawa.asn.au)  
**Subject:** **RCAWA and KRG meeting requests**

Dear Bradley and Neil,

I'll try calling you later today

Trust you had a happy and safe festive season.

As you may know I'm the Executive Officer for the Regional Capitals Alliance WA (RCAWA) - comprising the 10 regional capitals local governments and also the Kimberley Regional Group (KRG) comprising the 4 Kimberley Local Governments.

We are meeting in Perth on the 16th and 21st of February and are wondering whether we can meet with you - there are a few topics of interest such as Banned Drinkers legislation, Tourism and Airbnb that we have in common

We are also looking for a venue close to Parliament House to hold our meetings

Please give me a ring or I will follow up later today

Kind Regards  
Paul

Paul Rosair

Principal  
NAJA Business Consulting Service

Executive Officer  
Regional Capitals Alliance  
Western Australia RCAWA

Executive Officer  
Kimberley Regional Group KRG

Mob: 0419930467  
[www.naja.com.au](http://www.naja.com.au)  
[paul@naja.com.au](mailto:paul@naja.com.au)  
ABN 42 759 221 541

459 Albany Highway,  
Victoria Park, WA, 6100



## Kimberley Regional Group: Minutes 16 February 2024

**Attachment 9 Correspondence Out: Invitation to meet with KRG 15<sup>th</sup> or 16<sup>th</sup> Feb****Michelle Mackenzie**

to WA-Government, Paul, jane@reditresearch.com.au, me, Divina.DAnna ▾

Dear Premier

I hope things are going well and you had a lovely Christmas and New Year.

Members of the Kimberley Regional Group of local governments will be in Perth on the 15<sup>th</sup> and 16<sup>th</sup> February.

The Presidents and CEOs of the Shires of Broome, Derby West Kimberley, Wyndham East Kimberley and Halls Creek would welcome the opportunity to meet with you to discuss areas of common interest.

Can you advise if you are available to meet

- Anytime on the 15<sup>th</sup> February
- The morning of the 16<sup>th</sup> February

Also, we would love to invite you to attend our dinner on the evening of the 15<sup>th</sup> February in Perth.

We look forward to hearing of your availability to meet with us.

Further information on the Kimberley Regional Group can be found at <https://kimberleyrg.com.au>.

All the best and kind regards

Michelle

**Michelle Mackenzie**

Principal, Mira Consulting

Associate, NAJA Business Consulting

Executive Support, Kimberley Regional Group

**ABN: 43 324 130 482****M: 0419 931 819****E: [michelle@mira-consulting.com.au](mailto:michelle@mira-consulting.com.au)****W: [mira-consulting.com.au](https://mira-consulting.com.au)****A: PO Box 621 Halls Creek WA 6770  
Jaru and Gija Country**



Kimberley Regional Group: Minutes 16 February 2024



## 6. Financial Report

### Item for Noting

Submitted by: **Vernon Lawrence, KRG Secretariat**

**Attachment 10: Kimberley Regional Group Interim Financial Report to 31 December 2023**

### Purpose

To update the KRG members on the financial position of the Group.

### Summary

This report presents the Kimberley Regional Group Interim Financial Activity Statement for the period ended 31 December 2023. The report recommends that the Kimberley Regional Group (KRG) receives the Financial Activity Statement.

### Background

The KRG adopted its annual budget for the 2023/24 Financial year at the meeting on 13 April 2023. At this meeting a report relating to the finances for the financial year to 30 June 2023 was approved by the KRG. This report is for the financial activity for Quarter 2 of the 2023/24 financial year. Quarterly reports will be tabled at meetings as soon after the end of each quarter as is practical.

### Discussion

The Financial Activity Statement presents a current surplus position of \$426,522 comprising of a Cash balance of \$381,522 and an outstanding contribution of \$45,000. Invoices in the amount of \$180,000 for the 2023/24 financial year were sent out to the members of the KRG before the Christmas close. One contribution for the 2023/24 financial year is yet to be received.

Adjustments arising from the approval of the 2023/24 Annual Budget were included at the last KRG meeting. It was agreed the contributions were maintained at \$45,000. The surplus cash was allocated to a line item "Kimberley Regional Group – Projects" in the amount of \$20,000 in order to maintain parity between income and expenditure. Four projects were considered and approved. The first two projects below are out for procurement and will be reported at the next KRG meeting. The remaining two were approved for the Secretariat to conduct the work. The projects are:

- Review of Financial Assistance Grants – estimated \$24,500
- KRG Community Safety and Crime Prevention Investment Package – estimated \$18,000
- Benchmarking – estimated \$15,000
- Pre State and Federal Government Election Strategy – estimated \$7,600



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The total of these projects is \$65,100 against a budget of \$20,000. It is therefore proposed that the projects budget be increased by \$45,000 to \$65,000 and funded from cash reserves.

As reported previously, Members will note that there remains an amount of \$10,000 for the North West Defence Alliance (NWDA). This is retained for members should the KRG require any budget for activity related to this initiative. This matter was discussed at the previous meetings and members felt that a further contribution of \$40,000 by the KRG was not appropriate on top of individual Shire contributions. In effect each Shire of the KRG would contribute \$15,000 against other contributions of \$5,000. The preferred method would be for the NWDA to determine an equitable contribution amount across all the Shires participating. At the time of writing this report there was no further detail from the NWDA noting however a meeting is scheduled for 13 February 2024.

## Financial Implications

As at the 30 June 2023 the Kimberley Regional Group cash balance \$262,476 and outstanding contributions of \$45,000 carried forward to the 2023/24 financial year giving a total surplus position of 307,476.

For the period ending 31 December 2023 Expenses of \$65,108 were paid against a year-to-date budget of \$115,000. The year-to-date budget income was \$182,500 while the actual income was \$184,155. There is one member contribution outstanding from the 2023/24 financial year of \$45,000. The year-to-date actual budget surplus is \$119,046.

The total Kimberley Regional Group cash balance at 31 December 2023 is \$381,522 with an amount of receivables of \$45,000. Total funds due to the KRG amount to \$426,522 at 31 December 2023.

## Strategic Implications

### Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Secure funding for regional initiatives

Link to Key Pillar/s and Strategies:		Budget Implications
<div> <div>People Place Prosperity Performance</div> <div> <div>Advocate</div> <div>Facilitate</div> <div>Partner</div> <div>Fund</div> <div>Promote</div> <div>Monitor</div> </div> </div>		
Resolution/s		Action(s)
<b><i>That the Kimberley Regional Group notes:</i></b>		



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<ol style="list-style-type: none"> <li>1. <i>the Interim Financial Report to 31 December 2023;</i></li> <li>2. <i>the Adjusted Annual Budget comprising a budget adjustment of \$45,000 to fund projects which will be funded from cash reserves;</i></li> <li>3. <i>the \$119,046 year to date budget surplus;</i></li> <li>4. <i>the \$45,000 in members contributions outstanding for the 2023/24 financial year;</i></li> <li>5. <i>the \$381,522 cash surplus position; and</i></li> <li>6. <i>the total members interest of \$426,522 at 31 December 2023.</i></li> </ol>			
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	
<b>Seconded:</b>	Shire of Broome	<b>Due date:</b>	
<b>Carried:</b>	4/0		



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Attachment 10 Kimberley Regional Group Interim Financial Report to 31 December 2023

Kimberley Regional Group - Year to date Income and Expenditure for the period ended 31 December 2023	Annual Budget 2023/24	Adjusted Annual Budget 2023/24	Budget Year to Date	Actual Year to Date
<b>Expenditure</b>				
Kimberley Regional Group - Zone & RCG Meeting Expenses	6,000	6,000	3,000	1,240
Kimberley Regional Group - Canberra Delegation Expenses	7,000	7,000	3,500	-
Kimberley Regional Group - Annual Financial Audit	6,000	6,000	3,000	-
Kimberley Regional Group - IT Support	1,000	1,000	500	-
Kimberley Regional Group - Sundry Expenses	1,000	1,000	500	-
Kimberley Regional Group - Policy creation	4,000	4,000	2,000	-
Kimberley Regional Group - Website upgrade	2,000	2,000	1,000	1,833
Kimberley Regional Group - Projects	20,000	65,000	32,500	-
Kimberley Regional Group - Executive Consultancy	120,000	120,000	60,000	59,824
Kimberley Regional Group - Executive Consultancy - reimbursable costs	8,000	8,000	4,000	2,211
Kimberley Regional Group - North West Defence Alliance	10,000	10,000	5,000	-
	<u>185,000</u>	<u>230,000</u>	<u>115,000</u>	<u>65,108</u>
<b>Income</b>				
Kimberley Regional Group - Reimbursement Zone & RCG Meetings Expenses - Op Inc	- 2,000	- 2,000	- 1,000	-
Kimberley Regional Group - Members Contribution Secretariat Costs - Op Inc	- 180,000	- 180,000	- 180,000	- 180,000
Kimberley Regional Group - Disbursement from Reserve	-	- 45,000	-	-
Kimberley Regional Group - Interest on Reserve - Op Inc	- 3,000	- 3,000	- 1,500	- 4,155
	<u>- 185,000</u>	<u>- 230,000</u>	<u>- 182,500</u>	<u>- 184,155</u>
<b>Net Operating Result</b>	<u>-</u>	<u>-</u>	<u>67,500</u>	<u>119,046</u>
<b>Opening Cash Balance</b>	<b>262,476</b>	<b>262,476</b>	<b>262,476</b>	<b>262,476</b>
<b>Outstanding Contributions</b>	<b>45,000</b>	<b>45,000</b>	<b>45,000</b>	<b>45,000</b>
<b>Appropriation from Reserve</b>	<b>-</b>	<b>- 45,000</b>	<b>-</b>	<b>-</b>
<b>Closing Cash Balance</b>	<u><b>307,476</b></u>	<u><b>262,476</b></u>	<u><b>374,976</b></u>	<u><b>426,522</b></u>



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## 7. Formal Presentations

### Item for Discussion

Submitted by: Executive Team

### Purpose

To provide a forum for guests to address the KRG on relevant topics.

### Attendees

Time	Name	Position	Organisation
11.00 – 11.15	Christy Hawker	CEO	BBY
11.00 – 11.15	Mala Haji-Ali	CEO	West Kimberley Futures–Empowered Communities

Link to Key Pillar/s and Strategies:		Budget Implications
<div> <b>People</b> Place Prosperity Performance                 </div>	<div> <b>Advocate</b> <b>Partner</b> Promote                 </div> <div> <b>Facilitate</b> Fund <b>Monitor</b> </div>	Nil
Resolution/s		Action(s)
For noting		TBD





## 8. Kimberley Housing Roundtable

### Item for Decision

**Submitted by: Executive Team**

**Attachment 11: Scope of works and agenda for a Kimberley Housing Roundtable**

### Purpose

To endorse the hosting of a Kimberley Housing Roundtable to implement the KRG Housing Advocacy Strategy.

### In summary

- The KRG endorsed a Housing Advocacy Strategy at the November 2023 meeting with the recommendation that:
  - *Budget to be determined depending on the scope of works to progress actions in the strategy. Additional budget may be needed for hosting a roundtable, brokering projects, and supporting the activities of the housing alliance. Also travel.*
- State and Commonwealth funding is available for social and affordable housing projects, with targeted funds for the community housing sector, older people and women fleeing family and domestic violence. A key focus is shovel-ready projects and leveraging funds.
- It is proposed that the KRG host a Kimberley Housing Roundtable to progress the Housing Advocacy Strategy – a scope of works for this is attached, including agencies to be invited to the roundtable.
- Discussions with the Kimberley Development Commission (KDC) and Regional Development Australia (RDA) Kimberley indicate strong support for the housing advocacy strategy and a Kimberley Housing Roundtable.
- The KDC advised that the WA Minister for Housing would be supportive of a Kimberley Housing Alliance, as it shows coordinated and aligned effort.
- RDA Kimberley and Development WA have advised that a strategic approach to seeking new investment that involves a regional bid to Housing Australia would set the Kimberley apart and could be looked on favorably by Government.

### Background

The KRG Housing Advocacy Strategy is built on:

- Aligning with government investment, policy and pressure points
- Building evidence on what needs to change and how that change can happen
- Facilitating solutions for new investment
- Developing strong local partnerships and an alliance for collective action
- Giving voice to those impacted by lack of housing supply
- Being positive – selling the benefits to government and stakeholders
- Providing confidence for those in power to take action and invest new resources



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- Linking into pre-election strategy seeking government commitments

The tactics to drive the strategy are:

- Developing the housing evidence base
- Understanding local building capacity
- Engaging with key stakeholders to understand their perspective
- Hosting a roundtable to discuss housing supply pipelines, joint solutions and to develop a project list and clear ask of government.
- Understanding the appetite to forming a Kimberley Housing Alliance
- Brokering new opportunities for developments that can be pitched to government for investment
- Advocating for key policy changes
- Developing a story bank of people / organizations impacted by housing
- Developing a Housing Project Prospectus
- Schedule priority meetings
- Social / media strategy

The lack of social and affordable housing is impeding economic and social development across the region. A number of NGOs are involved in housing development and management. The North West Aboriginal Housing Fund is supporting Aboriginal community organizations to develop new housing.

There is an opportunity for the KRG to take a housing leadership role working with government and the NGO sector to better understand projects in development, and seeing if there are economies of scale to progress by bringing agencies together.

To drive the Housing Advocacy Strategy, it is proposed that the Kimberley Regional Group host a Kimberley Housing Roundtable. Attached is a scope of works and agenda for the Kimberley Roundtable. The notional cost is \$16,940.

Discussions with the KDC indicated that they may provide up to \$10K towards the Roundtable, and RDA Kimberley up to \$5K. Based on this, it is recommended that the KRG seek funding from these agencies. Also, it is recommended that the KDC allocate up to \$5K towards the cost of the Roundtable to support attendance by the KRG secretariat and other associated costs.

An outcome of the Roundtable may be the formation of a Kimberley Housing Alliance to drive new housing supply across the Kimberley. The notional cost for this is included in the Scope of Works. The KDC have advised that the WA Minister for Housing is supportive of this initiative. If this is progressed, funding to cover the cost of this could be sought from the government and participating organizations.

## Details

As above.

## Risk

- **Reputational:** if the Kimberley Housing Roundtable is not a success



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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>		Up to \$5,000	
Resolution/s		Action(s)	
<p><b>That the KRG</b></p> <ol style="list-style-type: none"> <li><b>Endose hosting a Kimberley Housing Roundtable subject to funding support from the Kimberley Development Commission and Regional Development Australia Kimberley.</b></li> <li><b>Discuss and confirm the agenda and stakeholders for the Housing Roundtable if endorsed.</b></li> <li><b>Write to the Kimberley Development Commission seeking \$10K towards the cost of the Kimberley Housing Roundtable</b></li> <li><b>Write to Regional Development Australia Kimberley seeking up to \$5K toward the cost of the Kimberley Housing Roundtable</b></li> <li><b>Allocate up to \$5K towards the cost of the Housing Roundtable to support attendance by the KRG secreteriat and other associated costs.</b></li> </ol>		<ol style="list-style-type: none"> <li>Executive Team to write to the Kimberley Development Commission seeking \$10,000 towards the cost of the Kimberley Housing Roundtable</li> <li>Executive Team to write to Regional Development Australia Kimberley seeking up to \$5,000 towards the cost of the Kimberley Housing Roundtable</li> </ol>	
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	Executive Team
<b>Seconded:</b>	Shire of Broome	<b>Due date:</b>	As appropriate
<b>Carried:</b>	4/0		



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## Attachment 11 Housing Roundtable Scope of Works

### Scope of Works

#### Kimberley Regional Group Housing Advocacy Strategy

#### Kimberley Housing Roundtable

##### Context

The Kimberley Regional Group (KRG) endorsed a Housing Advocacy Strategy at the November 2023 meeting with the recommendation that the *Budget be determined depending on the scope of works to progress actions in the strategy. Additional budget may be needed for hosting a roundtable, brokering projects, and supporting the activities of the housing alliance. Also travel.*

This Scope of Works outlines two activities and their notional costs to progress a key component of the Kimberley Regional Group Housing Advocacy Strategy, a Kimberley Housing Roundtable and progression of a Kimberley Housing Alliance, if this is an outcome supported by the Roundtable.

##### Part One - Kimberley Housing Roundtable

The aim of the roundtable is to bring government and non-government agencies together to understand funding opportunities, the constraints to delivering new social and affordable housing, to identify current and potential housing projects and to determine synergies to deliver new supply. The Roundtable will discuss the value of forming a Kimberley Housing Alliance to align effort and to facilitate economies of scale and will discuss the potential benefits of a Regional Kimberley Housing Submission to the Housing Australia Future Fund Round Two. The key stakeholders to be invited to the Roundtable are at the end of this paper.

##### Work to be undertaken prior to the roundtable

Actions	Assumptions /comments	Cost
Understand the housing evidence base to understand demand	KDC Residential Land and Housing Snapshot will form the evidence base, supplemented by new information from local government	Nil
Understand funding opportunities to increase social and affordable housing supply	Pull together slides for the roundtable	3 hours \$480
The role of the community housing sector	Laise with community housing organisations in the Kimberley Pull together slides	3 hours \$480
Understand local building capacity	Local governments to provide a list of companies that build homes. Contact builders to understand current / future capacity.	3 hours \$480

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Current and future pipelines of housing work	Local governments to provide development approval information and local intelligence	3 hours \$480
Engage with stakeholders on what is needed for the roundtable attendees	Stakeholder list is in place. Engagement via email	5 hours \$800
Administration - book venue, invitations/RSVPs, catering etc.	A Council may be able to provide a venue in kind?	10 hours - \$1,600
Prepare background documents to distribute to attendees.		10 hours - \$1,600
<b>Notional cost</b>		<b>\$5,920</b>

**Proposed Roundtable Agenda**

Agenda	Assumptions /comments	Cost
<b>Part A – background and context</b> <ul style="list-style-type: none"> <li>Data and housing pressures - KDC</li> <li>Overview funding opportunities – RDA Kimberley</li> <li>Role of the community housing sector – Foundation / CHL</li> <li>Roles of different government / non-government agencies – Communities &amp; DWA</li> <li>Understand constraints to supply in Kimberley towns – DWA / Local Governments</li> </ul>	Independent facilitator	Welcome to Country \$500
	Attendees pay for their own travel and accommodation.	Venue hire – \$500
	Key agencies with an interest in land, housing development and property and tenancy management invited.	Catering - \$30x 50 = \$1,500
	Potential for venue to be provided in-kind	Workshop Facilitator – preparation, facilitation, report 4 days \$4,000
<b>Part B - workshop</b> <ul style="list-style-type: none"> <li>Current projects</li> <li>Developments in the pipeline</li> <li>Opportunities for collaboration and to deliver economies of scale</li> </ul>	If local facilitator available travel and accommodation costs reduced.	Facilitator travel and accommodation \$2,000
<b>Part C – Next steps</b> <ul style="list-style-type: none"> <li>Establishment of a Kimberley Housing Alliance to align effort and initiatives?</li> <li>Development of a Regional Bid to Housing Australia Future Fund - Round Two?</li> </ul>		KRG secretariat travel/accom - \$2,520
<b>Notional Cost</b>		<b>\$11,020</b>

**NOTIONAL ROUNDTABLE COST - \$16,940**



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**Agencies invited to be invited to the roundtable.**

<b>Geographic Footprint</b>	<b>Organisation</b>	<b>Contact</b>	<b>Link</b>
Kimberley Wide	Kimberley Regional Group Members	KRG Secretariat	Host of the event – Land, Planning and development approval, advocacy, development
	Housing Australia	TBC	Funding
	Northern Australia Infrastructure Fund (NAIF)	TBC	Funding
	Kimberley Land Council	Tyrone Garston, CEO	Advocacy, representation, links to PBCs
	Kimberley Community Legal Service	Christine Robinson, CEO	Data / advocacy / representation / TO links
	Nirumbuk	Joe Grande, CEO	Housing & Health
	Foundation Housing	Chris Smith, CEO	Affordable housing/key worker housing - Property development, management
	Community Housing Ltd	Jill Keefe, State Operations Manager	Social and affordable housing, Property development, management- RSP,
	Juniper	Angela Slater, Director of Home Care and Retirement Living	Seniors and Aged care Housing
	Department of Communities	Renee Gioffre Jane Murphy – Kimberley Regional staff Melanie Jones (North-West Aboriginal Housing Fund)	Data, land, investment, tenancy management
	Kimberley Development Commission	Chuck Berger, CEO Michelle Pucci, Director People and Place	Data, policy
	NIAA	Bec Smith, Regional Manager	Federal links and funding



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	Regional Development Australia Kimberley	Janine Hatch, Director	Federal links – policy and advocacy
	Development WA	Paul Ferrente, Manager Northern and Goldfields Regions	Land, investment, large developments
	Shelter WA	Kath Snell, CEO	Housing policy and advocacy
East Kimberley	Binarri-binyja yarrowoo (BBY)	Christy Hawker, CEO	Advocacy, member representation
	Wunan	Prue Jenkins, CEO	Housing developments, housing management
	East Kimberley CCI	Keda Bond, CEO	Advocacy, representation, small business
	MG Corp	TBA	PBC
	Balangarra	TBA	PBC
West Kimberley	West Kimberley Empowered Futures (WKEF)	Mala Haji-Ali, COO	Advocacy, member representation
	Broome CCI	Sharni Foulkes, CEO	Advocacy, representation, small business
	Emama Ngudu	Ben Burton, CEO	Property management, RSP
	Marra Worra Worra	Clinton Wolf, CEO	Property management, RSP
	Mowanjum	Jenni Gould, CEO	Regional Service Provider - RSP
	Nyamba Buru Yawuru (NBY)	Nini Mills, CEO	PBC – Housing developments
	Bidjadanga Aboriginal Community	Jordan Alai, Senior Project Manage	Bidjadanga Land Activation Pilot Project

**Part two – Kimberley Housing Alliance (to be determined)**

The Housing Roundtable will determine what needs to be done to drive new housing supply. The value of a Kimberley Housing Alliance will be discussed at the roundtable, The potential role for the Alliance could include:



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- Develop a list of shovel ready housing projects
- Facilitate economies of scale to support developments – i.e. cross agency collaboration
- Facilitate a regional bid to Housing Australia Future Fund Round Two
- Develop an advocacy and engagement plan to align effort.





## 9. State and Federal Government Election Strategy

### Item for Discussion

**Submitted by: Executive Team**

**Attachment 12: 2023/24 State and Federal Government Budgets Kimberley Initiatives**  
**Attachment 13: WALGA submission in advance of the 2024/25 State Government Budget**

### Purpose

To provide an update on the Kimberley Regional Group State and Federal government election strategy. Also to determine if members would like additional Position Papers developed for the election strategy.

### In summary

- The KRG endorsed an election strategy at the November 2023 meeting - the outcome sought is pre-election commitments for new investment in Kimberley infrastructure and services
- Up to \$7600 (plus GST) was allocated for research, graphic design and printing costs.
- This paper provides a progress update of the strategy with three discussion points:
  1. Are additional Position Paper are needed for the strategy
  2. Confirmation of Shire projects for an updated Investment Prospectus
  3. If there are there big, bold projects or initiatives the KRG would like to champion in a pre-election environment
- The State and Federal Government 2024/25 budgets will be announced in May 2024. These budgets will inform the KRG election requests.

### Background

As above.

### Details

#### 1. KRG Position Papers – Would members like any additional papers?

The KRG has a Position Paper on the following topics which are being refreshed as part of the pre-election strategy:

1. Provision of government services
2. Management of alcohol and other drugs
3. Juvenile Justice
4. Prosperous diverse economy
5. Community safety and crime prevention
6. Housing



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## 7. Emergency management.

Key issues raised during the year by the KRG that do not have a Position Paper include childcare, aged care, aviation, land tenure and regional investment. Is there a need for additional Position Papers as part of the pre-election strategy.

**Discussion Point One - Are additional position papers are required for the election strategy?**

## 2. Investment Prospectus – Shire Projects

An email was sent to CEOs / ACEOs on the 27<sup>th</sup> of December and 31 January asking for

- Confirmation on projects for inclusion in the refreshed prospectus– what projects stay, if project info needs updating, what projects are removed, new projects to be included.
- A contact person in each Shire to work with on the project information.

Probably due to the holiday period, nor response has been received to date

### Investment Prospectus – current and proposed projects

Shire	Project in current Prospectus	Projects for refreshed Prospectus
SOHC	Tanami Road Upgrade	Tanami Activation Plan
SOHC	Blueberry Hill Housing Project	Social Housing Project
SOHC	Nil	Cultural and recreation precinct
SWEK	East Kimberley Regional Airport and Business Precinct	Yes - Modified
SWEK	Kununurra key worker housing and accommodation	Yes - Modified
SWKE	Wyndham Boat Ramp Foreshore Redevelopment Facility	Yes - Modified
SDWK	Derby Wharf Precinct Masterplan and Redevelopment	TBC
SDWK	Fitzroy Crossing Multipurpose Complex Masterplan and Redevelopment	TBC
SDWK	Great Northern Highway to Looma Road reconstruction and reseal	TBC
Broome	Cable Beach Foreshore Redevelopment	Yes- modified
Broome	Broome Boating Facility	Yes - modified
Broome	Broome Recreation and Aquatic Centre Redevelopment	Yes - modified
Broome	Nil	Regional Resource Recovery Park



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**Discussion Point Two - What are each Shire's projects for the refreshed Investment Prospectus?****3. Big, bold projects or initiatives to champion in a pre-election environment**

A pre-election provides an opportunity to put forward cases for new projects or initiatives - something that politicians of all persuasions would feel confident promising to deliver in a pre-election environment.

The KRG Position Papers call for a range of new investment into infrastructure and services across the Kimberley region. As a policy positions the requests in these documents are broad and not specific project requests.

Attachment one, tabled at the June 2023 KRG meeting is a summary of initiatives from the 2023/24 State and Federal Government Budgets. The State and Federal Government budgets for 2024/25, noting that this is a pre-election year, will be released in May 2024. These budgets will inform the KRG pre-election requests. Attachment two outlines the WALGA submission in advance of the 2024/25 State Government budget. Along with new funding for local governments, requests were made for additional funds for some State agencies to support the work of local government. This information is provided as a context for understanding the key issues WALGA has identified facing the local government sector

To understand government thinking on Kimberley investment, an email was sent to State and Federal Government agencies asking if they could share their initiatives for the 2024/25 state budget and key projects in development within their agency. BBY and West Kimberley Empowered Futures were approached seeking information on what they were championing for the Kimberley on behalf of their members.

The following is the response received to date:

**Kimberley Development Commission**

Key focuses include childcare, Aboriginal employment and economic development and housing.

A project for consideration is a Tanami Activation Strategy, modelled on the activation strategy developed when the Dampier Peninsula road was sealed. The strategy could include a suite of economic investment initiatives across the Shire of Halls Creek and other Shires. The KRD expressed a strong desire to work with the KRG.

**Main Roads WA**

Main Roads WA has submitted a pipeline of projects to Infrastructure Australia to upgrade the Great Northern Highway between Broome and Kununurra. Major Projects included in the list still not funded which may be of interest to the KRG include:

- GNH Logue River Section – reconstruct highway to upgrade pavements and widen seal
- GNH Erskine Blina Section – reconstruct highway to upgrade pavements, widen seal and improve level of serviceability



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- GNH Willare Crossing Section – upgrade 2 single lane bridges
- GNH Fitzroy Crossing – Gogo Section – reconstruct road to upgrade pavements, widen seal and improve level of serviceability, as well as upgrade 3 single lane bridges
- GNH Ord River to Bow River Section - reconstruct road to upgrade pavements, widen seal and improve level of serviceability, as well as upgrade 3 single lane bridges
- Victoria Highway – Kununurra Heavy Vehicle Route Stage 1 – construct new road to bypass Kununurra Diversion Dam, includes a new bridge over the Ord River

**The Department of Justice**

- The Department of Justice is unable to disclose its budget bids. The Department notes however that the Kimberley Regional Group of Local Governments are able to prepare its budget bids to send to the appropriate Minister.

**Regional Development Australia Kimberley**

- I'm sure the LGs will have a good list of priorities that RDA Kimberley can help jointly support (housing, road upgrades, precinct revitalisation, boat ramps etc). Often the KRG has focused on infrastructure projects but I'm not sure if it is worth discussing First Port of Entry (FPOE) status for both Broome and Wyndham Ports?

**Discussion Point Three - Are there big, bold projects or initiatives that the KRG would like to champion in an election environment?**

**4. Pre-election actions and timetable status update**

The following is a status update of the pre-election strategy

Action	When	Material Required / comments	Status update
Gather federal and state priorities for the Kimberley	January 2024	Research undertaken A request from Kimberley State and Federal government agencies for information on their key projects for 2024/25 budget.	Complete
Update Investment Prospectus	March 2024	A request in December 2023 for a contact person liaise with to update the investment prospectus	Behind
Refresh Position Papers	March 2024	KRG asked for advice for additional Position Papers.	On track
Develop a Pre-Election Summary document to front the election pack	April / May 2024	2-4 page document summarising Kimberley statistics and compelling election asks from the prospectus and position paper. To be finalised after State and Federal Government budgets are handed down.	Warning
Develop key messages and a	May / June 2024	Under current contract	On track

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Action	When	Material Required / comments	Status update
communication plan			
Develop an advocacy and engagement plan	May / June 2024	Under current contract	On track
Launch Pre-Election document	June 2024	Potential to launch at the Forum meeting	On track
Undertake advocacy and engagement	July 2024 – March 2025	Need to link this with KRG Canberra visit	TBD

## Risk

- **Operational and Reputational:** Without a pre-election strategy, opportunities to drive the KRG's policy and advocacy agenda may be missed.

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>		Up to \$7,600 plus GST of funds, plus additional printing costs, were approved at the November 2023 meeting.	
Resolution/s		Action(s)	
<b>1. That the KRG discuss and resolve:</b> <ul style="list-style-type: none"> <li>• If additional Position Papers are required for the pre-election strategy</li> <li>• Shire projects for the refreshed Investment Prospectus</li> <li>• If there are big bold projects or initiatives to champion as part of the pre-election environment.</li> </ul> <b>2. That the KRG note the progress of the pre-election strategy</b>		<b>1.</b> Executive Team to follow up with the Shire of Derby regarding projects for the Investment Prospectus <b>2.</b> Kimberley Disaster Resilience to be used as the flag ship project on the front of the Prospectus	
<b>Moved:</b>	Shire of Broome	<b>Responsible:</b>	Executive Team / Shire of Derby
<b>Seconded:</b>	Shire of Wyndham East Kimberley	<b>Due date:</b>	As appropriate
<b>Carried:</b>	4/0		





## Attachment 12 2023/24 State and Federal Budget Initiatives

### Federal Budget 2023 - 2024

The Federal Budget 2023/24, Stronger foundations for a better future, was handed down in May 2023. A key part of this budget was preparing to respond to structural shifts shaping the economy including the growing care and support economy, expanding use of data and digital technology, and climate change and the net-zero transformation.

The Australian Local Government Association (ALGA) welcomed the Federal Budget as a solid investment in local government, with councils receiving \$3.1 billion in Financial Assistance Grants over the next 12 months. However, ALGA stated that it is disappointing that another Federal Budget has passed without the Government delivering on their pre-election promise of 'fair increases' to these grants. ALGA commented that Councils would miss the Local Roads and Community Infrastructure (LRCI) Program, which was not extended in the Budget<sup>1</sup>. ALGA noted that the LRCI Program will be partially offset by two new urban funding programs – a \$200 million Thriving Suburbs Program and a \$150 million Urban Precincts and Partnerships Program, alongside the Growing Regions and Regional Precinct Funds.

WALGA stated that, *"It is disappointing the Government did not deliver on its commitment to a fair and reasonable increase in Financial Assistance Grants. This year, \$3.1 billion has been provided for Financial Assistance Grants funding, with WA to receive \$376.9 million. Financial Assistance Grants now represent 0.5% of total Commonwealth Tax revenue, down from 0.52% in 2022-23."*

The information presented below outlines budget highlights for regional WA<sup>2</sup>. These initiatives include funding over the forward estimates.

- Establish a **Regional Investment Framework** (People; Places; Services and Industry) and restore the **'State of the Regions'** reporting.
- \$600 million **Growing Regions** Program for community and economic infrastructure projects.
- \$200M **Disaster Ready Fund** continues.
- \$236.0 million over 10 years to remediate **flood warning infrastructure**.
- \$10 million National **Waste Education Campaign**.
- \$1.7 million to update **'Our North, Our Future: White Paper on Developing Northern Australia**.
- \$43.6 million to **establish the National Road Safety Action Grants Program**.
- \$8.5 million to increase funding for the **Regional Arts Fund**.
- \$13.5 million for **an additional round of the Remote Airstrip Upgrade Program**.
- \$83.2 million over 4 years to **establish a national Net Zero Authority**
- \$1 billion to **strengthen Australia's biosecurity system**.
- \$5.6 million to **phase out of live sheep exports**.
- \$5 million to develop a renewed Australian **Animal Welfare Strategy**

<sup>1</sup> <https://alga.com.au/solid-budget-for-local-government-council-funding-tops-3-billion/>

<sup>2</sup> This is taken from the Regional Ministerial Budget Statement 2023–24 Working Together To Build Strong And Sustainable Regions, A Statement by The Hon Catherine King MP Minister for Infrastructure, Transport, Regional Development and Local Government and The Hon Kristy McBain MP Minister for Regional Development, Local Government and Territories, 9<sup>th</sup> May 2023



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- 199.8 million **to address entrenched community disadvantage**, which includes \$100 million to establish a **social impact investment Outcomes Fund**.

**Housing**

- Tax deductions to encourage investment and construction in **build-to-rent**.
- \$2 billion increase to **NHFIC Government-guaranteed liability cap** to enable more low-cost loans to Community Housing Providers
- Amending NHFIC's Investment mandate to allocate a **minimum of 1,200 homes to be** in each state and territory.
- \$2.7 billion **to increase the maximum rates of the Commonwealth Rent Assistance (CRA)** allowances by 15 per cent.
- \$1 billion **Household Energy Upgrades Fund** to improve energy performance.
- \$300 million **energy performance upgrades in 60,000 social housing properties**.
- \$36.7 million to modernise **and expand energy efficiency standards**, includes expanding Nationwide House Energy Rating Scheme

**WA Government Budget 2023 / 24**

The WA 2023-24 Budget, handed down in May 2023, aims to deliver cost of living support for all Western Australians. It provides further investment in health, housing supply, and WA's transition to clean energy<sup>3</sup>. Budget papers indicate;

- A \$3.3 billion **net operating surplus** forecast for 2023-24 as a result of strong increase in royalty income, Commonwealth Grants, and property tax revenues. Surpluses in excess of \$2 billion are expected to be maintained across the forward estimates.
- **Net Debt** \$27.9 billion at 30 June 2023.
- An ongoing funding commitment to the **State Road Funds to Local Government**.

The information below is taken from the budget papers, WA government media releases<sup>4</sup> and WALGA's budget analysis<sup>5</sup>. **Kimberley specific initiatives highlighted in red.**

**General interest**

- \$1.25 million **Urban Greening Grants** in partnership with WALGA.
- \$40 million to **accelerate critical minerals discoveries**.
- \$7.3 million **New Industries Fund**.
- \$3 billion to **decarbonise electricity production**.
- \$2.75 million **Aboriginal Tourism Fund**.
- \$3.6 million to assist with **mid-tier transport planning**.
- \$5.5m to DPLH to integrate climate adaption into policy and planning frameworks.
- Additional \$15 million to the **Community Sport and Recreation Facilities Fund**.

<sup>3</sup> <https://www.ourstatebudget.wa.gov.au/2023-24/budget-papers/2023-24-wa-state-budget-overview.pdf>

<sup>4</sup> <https://www.mediastatements.wa.gov.au/Pages/McGowan/2023/05/McGowan-Government-delivering-strong-future-for-the-Kimberley.aspx#:~:text=%22Our%20significant%20regional%20investment%20continues,improve%20lives%20across%20the%20State.%22>

<sup>5</sup> <https://walga.asn.au/policy-advocacy/our-advocacy-positions/state-and-federal-budgets/state-budget-2023-24-highlights/state-budget-analysis>.



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- Additional \$1.1 million to Department of Fire and Emergency for a new **Emergency Services Act**.
- \$81.7 million to upgrade and maintain the State's **emergency radio network**.
- \$24.4 million to appoint 29 dedicated **disaster recovery officers**.
- Additional \$52.5 million for **Family and Domestic Violence services**.
- \$24.4 million to implement initiatives in **Planning Reform Phase Two**. This includes the establishment of a determination pathway for State and regionally significant developments.
- \$77 million to manage and protect **Aboriginal cultural heritage** including support for new Local Aboriginal Cultural Heritage Services.

**Regional – generic**

- \$2.7 billion to **subsidise the cost of water and electricity to regional residents**.
- \$20.7 million boost for **Regional Airfare Zone Cap**.
- \$29.9 million for regional **ports** upgrades.
- \$750,000 for a study into **Remote Aboriginal Community Airstrips**.
- \$6.5 million to **Implement the Aquaculture Development Plan for WA**
- Additional \$12 million for the **Regional Development Assistance Program** for residential, industrial, commercial and tourism-related land and infrastructure projects.
- \$13.6 million **Aboriginal Ranger Program**.
- \$3.7 million **Climate resilience in Aboriginal communities**.
- \$3.13 million Rural **Water Planning Program**.
- \$2.2 million **EV Smart Charger and Vehicle-to-Grid trial through Horizon Power**.
- \$2 million from the New Industries Fund to **support regional entrepreneurs** in the innovation sector.
- \$2.5 million to increase the travel accommodation allowance for **regional TAFE students**.
- \$2.9 million weekly allowance for **regional students studying a Diploma of Nursing**.

**Regional health and mental health**

- Over \$2.2 billion per annum on **regional health and mental health services**.
- \$28.5 million for initiatives to **attract and retain key health and mental health professionals**, primarily to work in regional WA, with **priority given to hard-to-staff sites**.
- \$24.4 million to extend the 24/7 **Mental Health Emergency Telehealth Service**.
- **\$5.4 million to continue the delivery of psychiatric services in the East Kimberley.**
- **\$8.2 million to upgrade WA Country Health Service staff housing, including safety and security upgrades in the Kimberley.**
- \$6.3 million to extend **regional cancer services**.
- Additional \$6.7 million towards **Regional Renal Support Teams**.

**Housing**

- \$48 million in training initiatives to **expand the residential construction workforce**.
- Additional \$61.6 million for **Government Regional Officer Housing (GROH)**.
- \$49 million to partner with community housing providers to provide **100 social homes across regional WA** in a supported landlord model for rough sleepers.
- \$450 million into the **Social Housing Investment Fund**.
- **Additional \$1.3 million through the North-West Aboriginal Health Fund to deliver more affordable accommodation for medical service employees in Halls Creek.**



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**Roads, ports and airports**

- Additional \$407 million on regional road projects and initiatives.
- \$175 million boost to the Commonwealth-State funded Regional Road Safety Program.
- \$15 million for **upgrades at the Port of Broome**, including a new concrete deck.
- \$1.8 million for electrical upgrades at the **ports of Wyndham and Derby**.
- \$800,000 to lock in a permanent **third weekly return air service between Kununurra, Halls Creek and Balgo**.
- \$2.3 million **to seal Warmun airstrip**.

**Key Kimberley initiatives include:**

- \$3.1 million to expand the **Heavy Vehicle Driver Training Program** to Kimberley and Pilbara.
- \$8.7 million to facilitate **agricultural development in the Ord River Irrigation Area** through managing environmental obligations.
- \$3 million to extend the **Affordable Airfares program** for a further twelve months, subsidising over 34,000 airfares from Perth to Broome and Kununurra.

**Building safe, strong and fair regional communities**, with initiatives in the Kimberley including:

- \$11.7 million to **extend Operation Regional Shield**, to deliver police into regional communities experiencing youth crime issues.
- \$11.8 million towards the **Kimberley Juvenile Justice Strategy**, including continuing successful night patrols and structured activities for young people.
- \$11.7 million to continue the **Target 120 rollout** across the regions.
- \$16.3 million to establish a one-stop **family and domestic violence hub in Broome**.
- \$1.1 million to continue the **Respectful Relationships Teaching Support Program** and the provision of culturally appropriate services for victims of family and domestic violence.
- \$10.4 million to enhance **the Banned Drinkers Register**, including across Kimberley.
- \$9.5 million to **consolidate accommodation in Kununurra** for WA Police and Departments of Communities and Justice.
- \$5.8 million to extend the successful **Driving Access and Equity program** to deliver driver training to disadvantaged young people.
- \$4.9 million to continue the **Regional Athlete Support Program**.
- an additional \$42.6 million for **upgrades to water and wastewater systems** in remote communities.

**Tackling climate change** through a \$3 billion package and protecting the environment. Kimberley initiatives include:

- \$31.3 million for an **Industry Support and Transition Package** and to support management of **the Buccaneer Archipelago Marine Parks**.
- \$2.2 million to deliver an Electric Vehicle Smart Charger and Vehicle-to-Grid trial through Horizon Power.

**Flood Relief**

- \$13.4 million to fund a taskforce to manage and support recovery - building on the multi-million-dollar support packages secured under joint Commonwealth-State Disaster Recovery Funding Arrangements, including funding temporary residential accommodation and a freight assistance scheme to support Kimberley businesses.



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Ongoing commitments that build on the projects and programs already underway in the Kimberley, including:

- \$4.4 million for canteen upgrades and **new STEM classroom at Broome Senior High School.**
- \$10 million for a new classroom block and upgrades at **Halls Creek District High School.**
- \$51 million to **upgrade Duncan Road and Gordon Downs Road** in the Browns Range.
- \$113 million for **the Ord River North, Great Northern Highway upgrades.**
- \$110 million over the next four years for **upgrades to Tanami Road**, near Sturt Creek.
- \$15 million to deliver the **Marlamanu on-country diversionary program.**
- \$6 million towards the **redevelopment of the Kununurra Aquatic and Leisure Centre.**
- \$2.3 million for upgrades to the **Warmun Community sporting facility.**



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## Attachment 13 WALGA Submission in advance of the 2024-25 State Budget

Area	Project	Amount
Safer roads	Regional Road Network Safety Improvements on high-speed Local Government Roads	\$110M over 5 years - 20% co-contribution towards the total program cost of \$552 million
	Incorporate cost-effective road safety enhancements into rural road preservation projects.	\$2M per year over 4 years
	Safer Student Crossings	\$5M over 4 years
Community Infrastructure that meets the needs of a changing population	Implement key connecting projects on the State Government's Long-Term Cycle Network	\$10 million over 4 years to support competitive grant allocations totalling up to \$2 million per year
	Increase the Community Sport and Recreation Facilities Fund to \$25 million per annum	Increase of \$5M per year over 4 years
	Establish a Community Arts and Culture Facilities Fund	\$25 million per year from 2024-25
	Funding to improve the physical accessibility of community facilities and infrastructure.	\$10 million per year
Climate Action	Additional funding to complete and implement coastal hazard risk assessment and adaptation plans to address coastal erosion and inundation.	\$28 million over 4 years to increase funding for CoastWA
	Expand the Urban Greening Grant Program to plant 100,000 trees and develop a State Urban Forest Strategy	\$20 million over 4 years \$1million for the strategy Forest Strategy
	Expand the Regional Climate Alliance Program.	\$3 million per year to fund a Climate Alliance program
Accelerate the transition to a circular economy	Full hypothecation of the Waste Avoidance and Resource Recovery Levy to waste initiatives focusing on waste avoidance and maximising resource recovery	80 million per annum f-25 from the WARR Levy be directed to waste initiatives  \$68 million per year from consolidated revenue for operational costs for the Department of Water and Environmental Regulation (DWER) to cover the Levy reallocation waste initiatives
Disaster resilient communities	Increase Local Government Grant Scheme (LGGS) funding to meet the current and future needs of Local Government volunteer Bush Fire Brigades and State Emergency Service	\$2.8 million in the annual LGGS operating grant budget for Bush Fire Brigades
		\$5 million to fund an audit of assets for Local Government Bush Fire Brigades, the preparation of a Comprehensive Asset Management Plan and a strategic redesign of the LGGS to meet the future emergency services needs
		\$45.5 million to clear the backlog of



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		<p>unsuccessful 2023-24 Capital Grants requests for Bush Fire Brigades</p> <p>Increased funding from the Emergency Services Levy (ESL) allocated for LGGS capital grants to meet the future emergency response capability needs of Bush Fire Brigades: It is estimated that at least \$66.7 million per annum will be required from 2025-26.</p>
	Expand the Community Emergency Services Manager to all Local Governments	\$2.7 million per annum to fully fund the cost of existing Local Government employed CESMs
	Increase funding and expand the scope of the Mitigation Activity Fund Grants Program to include all bushfire risk reduction activities	\$15 million per annum
	Implement the Local Emergency Management Arrangements (LEMA) Improvement Plan and provide funding to Local Governments for emergency management planning to build community disaster resilience	<p>\$1 million per annum to fund implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan</p> <p>\$9 million per annum to replace the AWARE Competitive Grants Program with an enhanced program</p>
	Create a reserve fund for disaster resilient reconstruction of essential public assets following a natural disaster	\$10 million per annum
	Address existing high-risk road access in bush fire prone areas	10 million to establish an open funding pool to improve road access arrangements in bushfire prone areas
Address gaps in community services	Ensure the sustainable funding of public libraries	<p>\$34 million</p> <ul style="list-style-type: none"> <li>• \$30 million over four years</li> <li>• \$4 million in 2024-25 to implement the WA Public Library Strategy 2022-26</li> </ul>
	Local Government Primary Healthcare funding program	\$5 million per annum
	dedicated training program for 110 town planning, building surveyor and environmental health officers	\$12.3 million to support education, training and professional development for key areas of skills shortage in Local Governments
Better governance and oversight	Fund the establishment of a Chief Inspector of Local Government and Office of the Local Government Inspector	\$3.5 million per year to create an office of approximately 14 FTE staff, including accommodation and travel costs





## 10. Management of Social Housing

### Item for Discussion

**Submitted by: Shire of Broome**

**Attachment 14: WA Map of Department of Communities Property and Tenancy Management (attached separately)**

**Attachment 15: maintenance and property management process**

### Purpose

The Shire of Broome have requested a paper to facilitate discussion on the current status of Government owned social housing particularly around inspections and maintenance.

### In summary

- Housing is a social determinant of health impacting on people's physical and mental health. The adverse health impacts of living in poorly maintained and overcrowded homes have been well documented<sup>6</sup>.
- Local government has powers under the Public Health Act WA 2016, Health Local Laws, the Local Government Act and the Emergency Management Act in relation to serious and material public health risks, and habitable homes.
- From a Shire of Broome perspective, there are issues around cyclone clean-up for social housing due to the amount of accumulated rubbish, and the state of disrepair and lack of maintenance of homes.
- Property and tenancy management (i.e. collecting or rent / housing inspections) is separated from maintenance within the Department of Communities.
  - Property and tenancy management is undertaken directly by the Department or for Aboriginal communities and town camps outsourced to non-government agencies who are known as regional service providers (RSPs) – See attachment one
  - The management of social housing maintenance is outsourced by the Department of Communities via a head maintenance contract.
  - Attachment two shows the interaction between these two systems along with the support for social housing tenants.
- The Department of Communities has the capacity to inspect social and government Regional Officer housing (GROH) properties up to four times a year. Advice from the Department is that most tenancies are inspected annually.

<sup>6</sup> Recent research includes Stuck in the Heat: Lived Experience of Public Housing Tenants in the Kimberley, 2023, Kimberley Community Legal Service; Reimagining Indigenous Housing, Health and Wealth, (2021) Kerry Arabena, Chris Holland and Shane Hamilton.



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- To support tenants who find it difficult to maintain and sustain their tenancies, the Department of Communities funds the THRIVE program. Nirrumbuk Aboriginal Corporation has the contract for THRIVE across the Kimberley.
- Public housing tenants who are evicted as they are not able to maintain their home often end up homeless or living with relatives, and / or children taken into care.
- Housing advocates have long raised concerns to the Department of Communities regarding the efficiency and effectiveness of the head maintenance contract, and the level of investment in the THRIVE program to deliver positive outcomes
- There is an opportunity for the KRG to develop an advocacy strategy to support better housing outcomes for tenants and communities in the Kimberley.

## Background

As above.

## Details

Andrew Waters, the Co-Ordinator of Environmental Health + Health Approval at the Shire of Broome has advised that local government has powers which are authorised under the following:

**1. Health Miscellaneous Provisions Act 1911 – Houses unfit for habitation.** (However, the crown is not bound by the Health (MP) Act) so crown agencies and activities (e.g. Dept Communities) are not bound by orders

**2. Health Local Laws** (these might vary across the local government authorities). Disease risk, harbourage of pests, waste and rubbish. **Provisions for containing food and wastes, measures to eradicate cockroaches, cleanliness, rats and other vectors of disease.**

**3. Public Health Act 2016 – General public health duty.** The Crown is bound by this legislation, but it is not fully enacted as yet. 'A person must take all reasonable and practicable steps to prevent or minimise any harm to public health that might foreseeably result from anything done or omitted to be done by the person'.

**4. Local Government Act 1995.** (The Crown is generally NOT bound - **Unsightly properties provisions** (see below)

**5. Emergency Management Act 2005.** This act binds the crown but at least in Shire of Broome, Environmental Health Officers are **NOT** authorised under this Act. Some provisions apply to cyclone areas. **Local government has power to destroy dangerous vegetation or premises in a cyclone area (under certain conditions).** Not all Kimberley local governments might be deemed cyclone risk.

The Department of Communities has hybrid maintenance and property and tenancy management models for social housing across the Kimberley. For Aboriginal communities the responsibility for property and tenancy management and maintenance depends on whether a Housing Management Agreement is in place. If a Housing Management Agreement is in place, the tenancy is regulated by the Residential Tenancies Act and the Department has a role.



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The lack of social homes, and poor housing design for the Kimberley climate and cultural and family ways of living, has led to chronically overcrowded homes. This has a detrimental economic and social impact on the Kimberley and contributes to anti-social behaviour.

The lack of investment in social housing and preventive and reactive maintenance by the State and Federal governments places the health and safety of social housing tenants at risk with many people living in squalor and extremely poor health conditions. This has led to increases of Rheumatic Heart Disease with currently over 800 cases in the Kimberley, over half the State's reported numbers. Poor living conditions is reflected by the number of people with glaucoma and hearing issues such as 'Glue ear'.

Community housing organisations provide an alternative to government property and tenancy management and maintenance responsibility for social housing. They take an integrated approach and research by the Productivity Commission shows they deliver better outcomes for tenants and communities.

**Department of Communities Model of Public Housing Maintenance**

Maintenance is undertaken via a head contractor model. Social housing tenants contact the Department's housing direct team to log a maintenance issue. Maintenance is issued to a head contractor, who may utilise sub-contractors to undertake the maintenance. Maintenance is undertaken on a priority basis, and often job lotted delaying the time for works to occur. Research by the Centre for Aboriginal Economic Policy Research (CAEPR) at Fitzroy Crossing has shown this maintenance model to be inefficient and detrimental to economic and social outcomes<sup>7</sup>.

Feedback from non-government agencies is that the head maintenance contractor model is not efficient or effective, in particular in remote Aboriginal communities, where contractors can only undertake approved work – ie they go to a community to fix one tap and can't fix other taps that are broken without a job order. Also, if the tenant is not home, they can't enter the house to do the approved work.

Repairs and maintenance jobs for WA Housing Authority managed properties are given an urgency rating: all the urgent jobs are classed as P2 (within 24 hours)<sup>14</sup>; P3 (48 hours or up to 10 days); or P4 (within 28 days). These urgency ratings are determined by the WA Housing Authority and generally relate to the level of risks and dangers to tenants.

The following is a snapshot of issues raised to Shelter WA from their members in 2023 in relation to the head maintenance contract:

- No relationship / accountability to the tenant – many times contractors do not inform tenants of arrival, and if tenants are not home work is delayed
- No complaints process for tenants
- No transparency for tenants when a job is logged
- Jobs are stockpiled – The time frame for job completion impacts on tenants and the situation often deteriorates

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<sup>7</sup> 'Normalising' Aboriginal housing in the Kimberley: challenges at the interface of new public management approaches J Hunt CAEPR WORKING PAPER NO. 123/2018 caepr.cass.anu.edu.au.



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- Scope issues: the contract states the contractor only works on the specific work order, nothing else related - The process to get something out of scope approved is long-winded
- No transparency if there are audit of jobs and work done
- Concern there are no consequences for maintenance providers if jobs are not fixed
- No one accountable for maintenance time frame of completion
- Travel expenses and payment per trade / priority category is very high and not efficient
- All maintenance has to go through housing direct
- Helpline access is poor
- Gaps between who's responsible for maintenance reporting
- Continual changing of department staff and contract managers
- Lack of communication and collaboration between property manager/maintenance contractor/ Department
- Excessive charge for maintenance to tenants
- Impact on Regional Service Providers of maintenance process
- Negative Impact of the health, wellbeing, education and employment aspects of tenants of living in poorly maintained homes

Social housing tenants pay rent, and the government as landlord has an obligation to provide a home that is fit for purpose under the Act. Tenants too have obligations under the Act.

The Santa Theresa Aboriginal Community in the Northern Territory won a legal case against the Northern Territory Government as the government was not complying with their Residential Tenancies Act, by providing substandard homes.

In 2023 Slater and Gordon announced a class action investigation into housing justice for Aboriginal tenants living in remote communities in Western Australia<sup>8</sup>.

The Department's head maintenance model is under review. Aboriginal organizations want a return to the previous model where property and tenancy management and maintenance are managed at a local level. There is a precedence for this in WA. The Ngaanyatjarra Council developed a new model of maintenance for housing on their communities, and now directly manage housing maintenance.

### **Department of Communities Public Housing Property and Tenancy Management**

Property and tenancy management, i.e. collecting rent and undertaking property inspections, is separate from housing maintenance. Attachment One outlines who undertakes property and tenancy management services in towns and remote communities across WA.

A key issue raised by Regional Service Providers is that the separation of property and tenancy management from maintenance is ineffective and inefficient. They have a relationship with the tenants, yet can't progress maintenance issues when they inspect properties, having to report to the head maintenance contractor.

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<sup>8</sup> [https://www.slatergordon.com.au/class-actions/current-class-actions/wa-housing-class-action?utm\\_source=vanity&utm\\_medium=redirect&utm\\_campaign=wa-housing-ca&utm\\_id=vanity](https://www.slatergordon.com.au/class-actions/current-class-actions/wa-housing-class-action?utm_source=vanity&utm_medium=redirect&utm_campaign=wa-housing-ca&utm_id=vanity).



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**Department of Communities support for social housing tenants.**

The Department of Communities THRIVE program for Aboriginal housing and public housing tenants aims to assist tenant to improve their life skills, increase their ability to manage their household independently and participate in their community.

Nirrumbuk Environmental Health and Services co-ordinate a consortium of THRIVE providers across the Kimberley. Consortium providers include

- Winun Ngari's in Derby
- Marra Worra Worra Aboriginal Corporation in Fitzroy Crossing
- Jungarni Jutiya in Halls Creek
- Waringarri Aboriginal Corporation in Kununurra and surrounds.

The key services THRIVE providers offer include

- Tailored case coordination and management that addresses the wider needs of client
- Culturally and linguistically appropriate support
- Direct support provision
- Regular home visits
- Support service navigation and referral facilitation assistance. Potentially providing the opportunity for the greater community services sector to play its part.

Managing severely overcrowded housing is difficult. Also, many of the tenants who are supported have underlying challenges including a disability, mental health challenges, domestic violence, intergenerational trauma and grief.

Community Housing Organizations use a supportive landlord model approach to support their tenants. The WA Government has invested \$49 million for a Regional Supportive Landlord Model, largely funded from a \$46 million draw down from the Social Housing Investment Fund.

Evicting tenants is often a last resort taken by the Department given the dire impact on tenants. It is interesting to note that the majority of evictions are due to unpaid rent and bills, followed by poor property standards and disruptive behaviour<sup>9</sup>.

Some Councils have initiatives to support housing tenants such as bulk rubbish collections. The Shire of Halls Creek undertakes a twice weekly rubbish collection for all houses to assist facilitate waste management in overcrowded homes.

**Department of Health Aboriginal Environmental Health program**

The Department of Health has funded environmental health activities in remote Aboriginal communities for many years. The program was reviewed in 2022 with the recommendation that WA Health commits to sustained investment for ongoing funding of the AEH Program. The Department has advised that it will work closely with the Aboriginal health sector and environmental health service

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<sup>9</sup>

[https://www.parliament.wa.gov.au/C8257837002F0BA9/\(Report+Lookup+by+Com+ID\)/C8AF9D47E61BB69E482589D60008A3B0/\\$file/ef.fah.230622.rpf.088.xx+Web+ready.pdf](https://www.parliament.wa.gov.au/C8257837002F0BA9/(Report+Lookup+by+Com+ID)/C8AF9D47E61BB69E482589D60008A3B0/$file/ef.fah.230622.rpf.088.xx+Web+ready.pdf)



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providers to co-design the program moving forward, including its focus, expectations, outcomes and reporting requirements – all of which will be reflected in future contract tenders and terms.

**Local Government Powers**

Local government has powers under the Public Health Act 2016 and Public Health Local Laws, Local Government Act 1995 and the Emergency Management Act 2005 in relation to public health, fit and habitable homes and the management of risk in emergency management preparation, response and recovery. The following is a summary of powers provided by the Shire of Broome environmental health staff:

**Health (Miscellaneous Provisions) Act 1911** (for social housing this Act is limited in that it does not bind the crown and Department of Communities is a crown entity), the following provisions are relevant:

**Part V — Dwellings Division 1 — Houses unfit for occupation**

- 135. Dwellings unfit for habitation
- 136. Such house not to be let or occupied
- 137. Condemned building to be amended or removed
- 138. Land to be cleaned up after removal of house or building therefrom
- 139. Owner may be required to clean or repair house
- 140. Local government may act in default of owner

**Health Local Laws (these might not be uniform across the 4 local governments)****6.3.3 Food and Wastes to be kept in rodent proof Receptacles**

6.3.3 A person shall not place or cause to be placed in or on any premises, and an owner or occupier of premises shall not permit to remain in or on the premises -

- (a) any stored food, refuse, or other waste matter which might attract rodents to the premises or which might afford harbourage for rodents; or
- (b) any stored food intended for birds or other animals, unless it is contained in a rodent proof receptacle or a compartment which is kept effectively protected against access by rodents.

**6.4.2 Measures to be taken to eradicate Cockroaches****6.4.2**

- (1) An owner or occupier of premises shall take effective measures to eradicate any cockroaches in or on the premises.
- (2) An Environmental Health Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action that, in the opinion of the Environmental Health Officer, is necessary or desirable to prevent or deter the presence of cockroaches in or on the premises.
- (3) An owner or occupier shall within the time specified comply with any direction given by an Environmental Health Officer under this Section.

**9.2.2 Cleanliness****9.2.2 The occupier shall -**

- (a) keep or cause to be kept in a clean and sanitary condition and in a state of good repair the floors, walls and ceilings and all other portions of the premises;
- (b) keep or cause to be kept in a clean and sanitary condition and in a state of good repair all fittings, fixtures, appliances, machinery, implements, shelves, counters, tables, benches, bins, cabinets, sinks, drain boards, drains, grease traps, tubs, vessels and other things used on or in connection with the premises;
- (c) keep the premises free from any unwholesome or offensive odour arising from the premises;



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- (d) maintain in a clean and tidy condition all yards, footpaths, passage ways, paved areas, stores or outbuildings used in connection with the premises; and
- (e) clean daily and at all times keep and maintain all sanitary conveniences and all sanitary fittings and grease traps on the premises in a clean and sanitary condition.

**9.2.3 Rats and Other Vectors of Disease**

9.2.3 The occupier shall -

- (a) ensure that the premises are kept free from rodents, cockroaches, flies and other vectors of disease; and
- (b) provide in and on the premises all effective means and methods for the eradication and prevention of rodents, cockroaches, flies and other vectors of disease.

**General public health duty of occupiers/owners**

**Public Health Act 2016** (general provisions) The *Public Health Act* does bind the crown but is not fully enacted yet (for example, reference to 'regulations' is moot as the regulations have not been drafted yet).

**Part 3 — General public health duty**

34. General public health duty

(1) A person must take all reasonable and practicable steps to prevent or minimise any harm to public health that might foreseeably result from anything done or omitted to be done by the person.

(2) In determining what is reasonable and practicable for the purposes of subsection (1), regard must be had, amongst other things, to the objects of this Act, and to the following —

- (a) the potential impact of a failure to comply with the duty;
- (b) any environmental, social, economic or practical implications;
- (c) any degrees of risk that may be involved;
- (d) the nature, extent and duration of any harm;
- (e) any matter prescribed by the regulations.

(3) A person will be taken not to be in breach of subsection (1) if the person is acting

- (a) in a manner or in circumstances that accord with generally accepted practices taking into account community expectations and prevailing environmental, social and economic practices and standards; or
- (b) in circumstances prescribed by the regulations.

35. Consequences of failure to comply with general public health duty

(1) A failure to comply with the general public health duty does not of itself —

- (a) give rise to any right or remedy; or
- (b) constitute an offence.

(2) However, a failure to comply with the general public health duty may constitute grounds for action to be taken under this Act, including the issue of an improvement notice or enforcement order

**Removal of cyclone hazards**

**Emergency Management Act 2005** This Act binds the crown but in Shire of Broome environmental health officers have not been authorised under this Act. Note that Section 16 describes Designation of cyclone areas. Shires of Halls Creek and Wyndham East Kimberley might not be included. I don't know if Shire Derby West Kimberley is captured.



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45. Exercise of powers under this Division The powers given to a local government by this Division can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers.

46. Power of local government to destroy dangerous vegetation or premises in cyclone area If a local government is of the opinion that any vegetation or premises on land in a cyclone area in the district of the local government may, as a result of the cyclonic activity —

(a) cause loss of life, prejudice to the safety, or harm to the health, of persons or animals; or

(b) destroy or damage property or any part of the environment, the local government may remove or destroy the vegetation or remove, dismantle or destroy the premises.

47. Local government may require owner or occupier of land to take action

(1) If a local government is of the opinion that any vegetation or premises on land in a cyclone area in the district of the local government may, as a result of the cyclonic activity —

(a) cause loss of life, prejudice to the safety, or harm to the health, of persons or animals; or

(b) destroy or damage property or any part of the environment, the local government may give a person who is the owner or the occupier of the land a direction in writing requiring the person to take measures specified in the direction to prevent or minimise the loss, prejudice, harm, destruction or damage.

(2) A person who is given a direction under subsection (1) is not prevented from complying with it because of the terms on which the land is held.

### Unsightly properties

**Local Government Act 1995.** (1.6. Crown not generally bound: This Act does not bind the Crown except to the extent expressly stated in this Act)

Schedule 3.1 — Powers under notices to owners or occupiers of land [Section 3.25(1)] Division 1 — Things a notice may require to be done

1. Prevent water from dripping or running from a building on the land onto any other land.

2. Place in a prominent position on the land a number to indicate the address.

3. Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause.

4. (1) Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law —

(a) is suitably enclosed to separate it from the public place; and

(b) where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place.

(2) The notice cannot be given to an occupier who is not an owner.

5. (1) Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly.

(2) In this item — unsightly, in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality.

(3) The notice cannot be given to an occupier who is not an owner.



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5A. (1) Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy.

(2) In this item — disused material includes disused motor vehicles, old motor vehicle bodies and old machinery.

### Points for Discussion

There is an opportunity for the KRG to develop and advocacy strategy in partnership with other organisations such as Shelter WA and the Kimberley Aboriginal Medical Service for better health outcomes for tenants through the management of maintenance, property and tenancy management, tenant support and social housing supply. Based on this the following points are put forward for discussion:

- The use of local government's powers in relation to housing under the Public Health Act 2016, Public Health Local Laws, Local Government Act 1995 and the Emergency Management Act 2005.
- Working in partnership with Nirumbuk to for increased investment for social housing tenancy support programmes, including funding for practical activities such as support to clean homes and yards.
- Working with the Kimberley Regional Service Providers for a new Kimberley place-based model of social housing maintenance
- Advocating for increased investment for the Department of Health Aboriginal Environmental Health Program
- Support Shire of Broome discussions with Edith Cowen University CU regarding their diploma in Env Health program and the possibility of engaging Aboriginal Environmental Health Workers, who are not generally employed in local government, in that course and identifying qualified EHOs in local government to mentor them.
- Advocating for appropriate social housing design to increase liveability and energy efficiency
- Advocacy for increased investment into social housing to reduce overcrowding
- Engaging with community housing providers regarding their management of public housing in the Kimberley.

Community Housing is demonstrated as a good alternative to the management of social housing tenants by the WA Department of Communities. Community housing does not have a large presence in the Kimberley compared to other regions which have regionally based Aboriginal and non-Aboriginal community housing providers. There is an opportunity for the KRG to facilitate discussions with government and NGOs to drive the growth of the community housing sector in the Kimberley.

### Risk

- **Reputational:** With an agreed strategy and tactics advocacy effort may be unaligned and opportunities to drive change lost.



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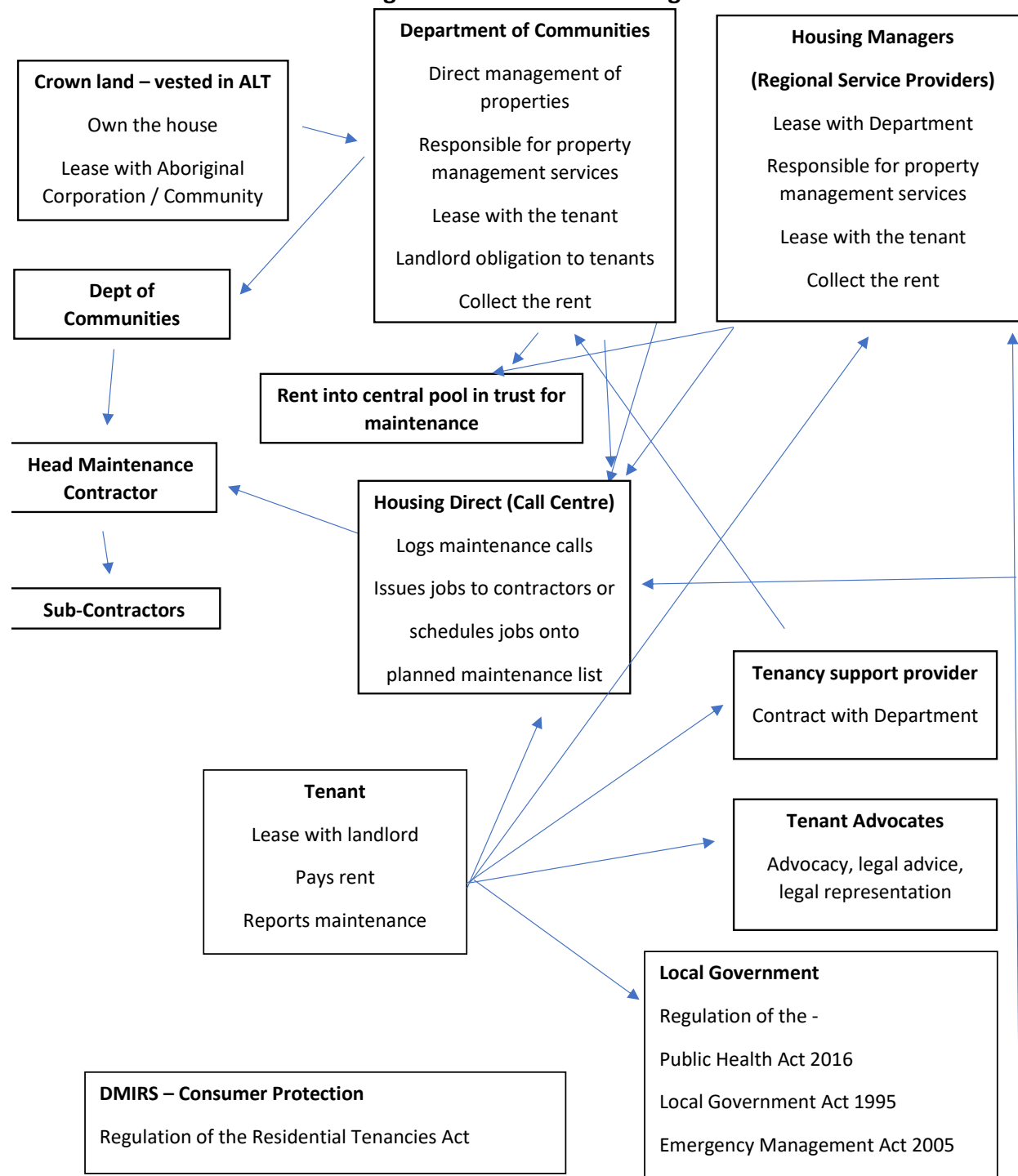
Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People Place Prosperity Performance</div> <div> <div>Advocate Partner Promote</div> <div>Facilitate Fund Monitor</div> </div> </div>			
Resolution/s		Action(s)	
That the KRG discuss an advocacy strategy to support the better management and maintenance of social housing in the Kimberley.		Executive Officer to develop a strategy and discuss at the April 2024 meeting.	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Team
Seconded:	Shire of Halls Creek	Due date:	19/04/2024
Carried: 4/0			





Attachment 15 Maintenance and property management process

**Public Housing Maintenance and Management Model**







## 11. Alcohol Restrictions

### Item for Discussion

Submitted by: Executive Team

### Purpose

To provide an opportunity to discuss the lack of uniformity of liquor sale restrictions across Kimberley and implementation of Liquor Control Amendment (Banned Drinkers Register) Act.

### In summary

- On 8 January 2024, the Director of Liquor Licensing (DLL) issued 'show-cause' notices to licensees in respect of 37 licensed premises in the Kimberley towns of Broome and Derby outlining proposed liquor sales restrictions under Section 64 of the Liquor Control Act 1988 (the Act). Separate notices proposed different restrictions for the two towns.
- The licensees have until 23 February 2024 in which to respond to the proposed restrictions and provide reasons why they should not be imposed, before a final decision is made.
- Concerns have been raised about the impact of different liquor restrictions in Derby and Broome and their impact on sly grogging and people travelling to access alcohol.
- Access to drug and alcohol services remains a key issue across the Kimberley with most towns not having a drug and alcohol rehabilitation service.
- The Liquor Control Amendment (Banned Drinkers Register) Act was passed in December 2023.
- The Banned Drinkers Register (BDR) is a register of people prohibited from purchasing and possessing packaged (takeaway) liquor in Western Australia
- Key advocacy positions of the KRG have been introduced in the legislation such as:
  - Medical practitioners and others can apply to the Director to put someone on the BDR.
  - A Police officer above the rank of sergeant can put someone on the BDR
  - Provision to allow the Police to provide the details of a banned person to the liquor outlets.
  - The offences outlined for placing someone on the BDR.
  - The periods for which someone can be put on the BDR are specified.
  - The BDR order must be revoked if the charge is withdrawn, the person is found not guilty, a restraining order is removed, or no sentence is imposed by the judge.

### Background

As above.

### Details

As above.



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## Risk

- That advocacy is not informed or consistent

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>		
Resolution/s		Action(s)	
<p><b>That the KRG:</b></p> <p><b>1. Discuss the impact of the lack of uniformity of alcohol restrictions on Kimberley towns; and</b></p>		<p>Executive Team to work with RCAWA and Hotels Association (AHA) on advocacy and submission letter.</p>	
<b>Moved:</b>	Shire of Halls Creek	<b>Responsible:</b>	Executive Team
<b>Seconded:</b>	Shire of Wyndham East Kimberley	<b>Due date:</b>	23/02/2024
<b>Carried:</b>	4/0		



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## 12. Kimberley Regional Group Priority Action List

### Item for Discussion

Submitted by: Executive Team

Attachment 16 Status Report, KRG Prioritised Action List

### Purpose

To provide a status update on the progression of action items.

### In summary

- The Priority Action List for 2023/24 was developed from a November 2022 workshop, and presented to members for feedback and become a standing item on the agenda
- The Executive Team is allocating resources to drive actions, and scoping out project costings for additional consultancy work as required.
- This paper provides a status update on priority actions.
- It must be noted that the priority actions do not preclude other activities from occurring, in particular seizing opportunities as they arise.

### Background

As above

### Details

As above.

### Risk

- **Operational:** Without agreement on the priority work to be progressed by KRG members and the Executive Team opportunities may be missed

Link to Key Pillar/s and Strategies:		Budget Implications
<div>People</div> <div>Place</div> <div>Prosperity</div> <div>Performance</div>	<div>Advocate</div> <div>Partner</div> <div>Promote</div> <div>Facilitate</div> <div>Fund</div> <div>Monitor</div>	Additional consultancy money to progress some actions to be considered after a scope of works has been presented for endorsement



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Resolution/s		Action(s)	
<b>1. That the KRG notes the progress of the action items</b>			
<b>Moved:</b>	Shire of Broome	<b>Responsible:</b>	Executive Team
<b>Seconded:</b>	Shire of Wyndham East Kimberley	<b>Due date:</b>	As appropriate
<b>Carried:</b>	4/0		

Attachment 16 KRG Prioritised Action List Status February 2024

Legend

Ongoing		Complete	On track	Pending	Behind
Type of Activity	Actions		Within contract scope	Status Update	
Facilitate and partner	Develop a collective Kimberley Housing Investment Strategy and pitch that outlines what's been done to date and future opportunities including: <ul style="list-style-type: none"> <li>List of priority projects</li> <li>Cost to deliver these homes and partnership opportunities.</li> <li>Funding strategy to implement identified projects.</li> </ul>		60%	<ul style="list-style-type: none"> <li>Strategy endorsed at November 2023 meeting.</li> <li>Item on February 2024 Agenda</li> </ul>	
Advocate	<ul style="list-style-type: none"> <li>Review the KRG land policy and strategy</li> <li>Advocate for policy changes to the transfer of Crown land to freehold for the provision of housing, with savings allocated for headworks or other activities to facilitate development.</li> </ul>		Yes	<ul style="list-style-type: none"> <li>Adopted paper to be updated</li> </ul>	
Partner	<ul style="list-style-type: none"> <li>Develop a joint project to quantify shire expenditure on vandalism/property crime.</li> <li>Develop a Local Government community safety package for Ministers Winton, Carey and Papalia – i.e., Street lighting (LED), CCTV, infrastructure, policing, child centred – preventative services and wrap around services.</li> </ul>		No	<ul style="list-style-type: none"> <li>Scope of works endorsed at November 2023 meeting.</li> <li>RFQ released by SWEK for consultants</li> </ul>	
Improve performance	<ul style="list-style-type: none"> <li>Improving performance by learning from others (Benchmarking Project)</li> <li>All services provided to improve efficiencies and learning from others</li> </ul>		No	<ul style="list-style-type: none"> <li>Benchmarking project endorsed at November 2023 meeting.</li> </ul>	
Monitor and Advocate	<ul style="list-style-type: none"> <li>Develop scope of works and commission research to understand the funding shortfall facing Kimberley Councils to inform an advocacy strategy for increased financial assistance (FAGS) from state and federal government.</li> </ul>		No	<ul style="list-style-type: none"> <li>Scope of works endorsed at November 2023 meeting</li> <li>RFQ released by SWEK for consultants</li> </ul>	
Advocate	Execute Pre-election strategy				



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	<ul style="list-style-type: none"> <li>Gather government election priorities</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Complete</li> </ul>
	<ul style="list-style-type: none"> <li>Create Investment Prospectus 2024</li> </ul>	No	<ul style="list-style-type: none"> <li>Information sought from Councils for updated projects.</li> </ul>
	<ul style="list-style-type: none"> <li>Develop pre-election summary document</li> </ul>	No	<ul style="list-style-type: none"> <li>Develop pitch and layout</li> </ul>
	<ul style="list-style-type: none"> <li>Develop communication and advocacy plan</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Key messages / key stakeholders</li> </ul>
	<ul style="list-style-type: none"> <li>Launch Pre-election document</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Joint meeting in Perth</li> </ul>
	<ul style="list-style-type: none"> <li>Undertake advocacy</li> </ul>	Some	<ul style="list-style-type: none"> <li>Meetings in Perth and Canberra</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Expansion of mental health services.</li> <li>Expansion of family and domestic violence services.</li> <li>Expansion of aged care services.</li> <li>Health facilities that are fit for purpose in Aboriginal communities.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Data needed – an opportunity to lead joint advocacy with NGOs</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Advocate for whole of family approach and wrap around services to be located in the Kimberley.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Roll into pre-election strategy.</li> <li>Benchmarking exercise to assist with this.</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Develop a stakeholder engagement, communications and advocacy strategy in line with the Policy Papers</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Roll into pre-election strategy.</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Develop advocacy strategies to encourage economic diversification including mining; tourism; agriculture; defence; creative Industries; small business; Indigenous business growth</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Ongoing advocacy and engagement</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Advocate for MOG initiatives around better place based regional service delivery to be progressed.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Ongoing advocacy and engagement.</li> </ul>
Advocate Facilitate	<ul style="list-style-type: none"> <li>Update KRG Investment Prospectus</li> </ul>	90%	<ul style="list-style-type: none"> <li>Complete</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Develop White Paper with clear positions</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Complete – Instead of White Paper individual Position Papers Developed-</li> <li>Prosperous and Diverse Economy</li> <li>Housing</li> <li>Management of Alcohol and Other Drugs</li> <li>Juvenile Justice</li> <li>Community Safety and Crime Prevention</li> <li>Provision of Government Services</li> <li>Emergency Management</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Increase support for mitigation measures, infrastructure replacement to be more resilient.</li> <li>Removal of the distinction between ordinary and additional costs in NDR payments.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Independent Review of Commonwealth Disaster Funding Submission endorsed and submitted.</li> <li>Senate Inquiry submission endorsed and submitted.</li> <li>EM Policy Paper endorsed and submitted.</li> </ul>



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	<ul style="list-style-type: none"> <li>Streamlined contracting and procurement processes, surety to payments, and immediate access to NDR funds.</li> </ul>		<ul style="list-style-type: none"> <li>These points included in submissions and EM Policy Paper.</li> </ul>
Facilitate and Partner	<ul style="list-style-type: none"> <li>Develop strong relationships with NHFIC (National Housing Finance Investment Corporation), Development WA and the Department of Communities – invite CEOs to KRG meeting to discuss partnership opportunities.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>NHFIC, now Housing Australia, attended November 2023 meeting.</li> <li>Will be engaged through Housing Advocacy Strategy.</li> </ul>
Advocate	<p>Develop a stakeholder engagement and communications plan, and advocacy strategy, to drive the actions identified in the Housing Policy Position, i.e.:</p> <ul style="list-style-type: none"> <li>State and federal social and affordable housing investment programs target the Kimberley</li> <li>Community housing partnerships.</li> <li>The DPLH support Shires to review housing needs in each town.</li> <li>Changes to Government Regional Officer Housing and Home Ownership Subsidy Scheme policies</li> <li>Government incentives for new supply</li> <li>Changes to finance lending practices for home purchase</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Item for November 2023 meeting</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Submission to Aviation Green Paper</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Submission endorsed at November 2023 meeting and submitted</li> </ul>
Performance	<ul style="list-style-type: none"> <li>Review KRG Governance Documents</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Governance documents endorsed at November 2023 meeting.</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>Submission to National Housing and Homelessness Plan</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Submission lodged based on Housing Policy Position</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>First Port of Entry Status</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Letters sent to State and Federal Government Ministers – continued to be raised in meetings with government.</li> </ul>



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## 13. Around the Grounds

### Item for Discussion

Submitted by: Executive Team

### Purpose

This session provides an opportunity for members to share information of a local or regional nature that may provide opportunities for collaboration or may serve the purposes of sharing a learning that could impact the region as a whole.

### In summary

- Since the inception of this agenda item in February 2023, two events were deemed major enough to steer discussion: the floods and the Canberra visit.
- For this meeting, it has been left to each Shire to introduce a topic/s of their choice that they deem relevant for the group. It is the intention that each Shire can hold the floor for up to 5 minutes, after which the item can either be followed up out of session or raised as an agenda item for the next meeting.

### Background

As above.

### Risk

**Operational and reputational:** if key issues facing KRG members are not understood by the KRG.

Link to Key Pillar/s and Strategies:		Budget Implications
People Place Prosperity <b>Performance</b>	<b>Advocate</b> Partner <b>Promote</b>	<b>Facilitate</b> Fund <b>Monitor</b>
Resolution/s		Action(s)
For information only		TBD





## 14. Kimberley Crime Statistics

### Item for Noting

Submitted by: Secretariat

**Attachment 17: 2023 crime data for each Kimberley town and annual trend data for Regional WA.**

### Purpose

To provide regional crime trend data to inform advocacy.

### In summary

- The KRG Priority Action Plan lists community safety and crime prevention and juvenile justice as a priority action area, with the presentation of regional crime statistics and trends at each KRG meeting.
- There are no Kimberley regional statistics on the WA Police website.
- 2023 data is presented for Kimberley towns including the type of crime per month and the
- Crime Statistics for Regional WA is presented as a benchmark comparison.
- These statistics are raw data with no data analysis.

### Background

- WA Police Crime statistics are updated onto the WA Police website on a quarterly basis in the last week of January, April, July and October, noting that offence count data is subject to revision as police investigations may not be finalised at the time the data is published.
- The crime statistics are reported based on the location the offence occurred.
- It must be noted that crime statistics may be influenced by a wide range of factors; including, but not limited to, population size, infrastructure (such as shopping centres and entertainment precincts), seasonal trends, and the extent to which crime is reported to or detected by police. Consideration should be given to factors influencing crime when interpreting statistics.

### Details

The trend data shows a significant increase in crime in Broome, Derby and Kununurra over the last three years.

Data indicates that the major offence across the Kimberley is Assault (Family), as is the case for regional WA. Other key offences include stealing, property damage, dwelling burglary and breaches of violence restraining orders. Broome has fraud and related offenses that are not seen in other towns, apart from Kununurra which is at a lower percentage. The key difference between the Kimberley and the regional statistics relates to graffiti and drug offences.

As reported by the ABC, the statistics reveal family violence in the Kimberley has escalated in the past two months. While arson and burglary were down, police recorded a surge in family violence in



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December. Officers recorded 453 family assaults in the final month of 2023. Instances of threatening behaviour and property damage rose, and breaches of restraining orders also hit a year high.

## Risk

- **Reputational:** Advocacy may not be credible if not informed by an evidence base.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div> <div>People Place Prosperity Performance</div> <div> <div>Advocate</div> <div>Facilitate</div> <div>Partner</div> <div>Fund</div> <div>Promote</div> <div>Monitor</div> </div> </div>			
Resolution/s		Action(s)	
That Members note the regional crime statistics as presented.			
Moved:	Shire of Wyndham East Kimberley	Responsible:	
Seconded:	Shire of Broome	Due date:	
Carried:	4/0		

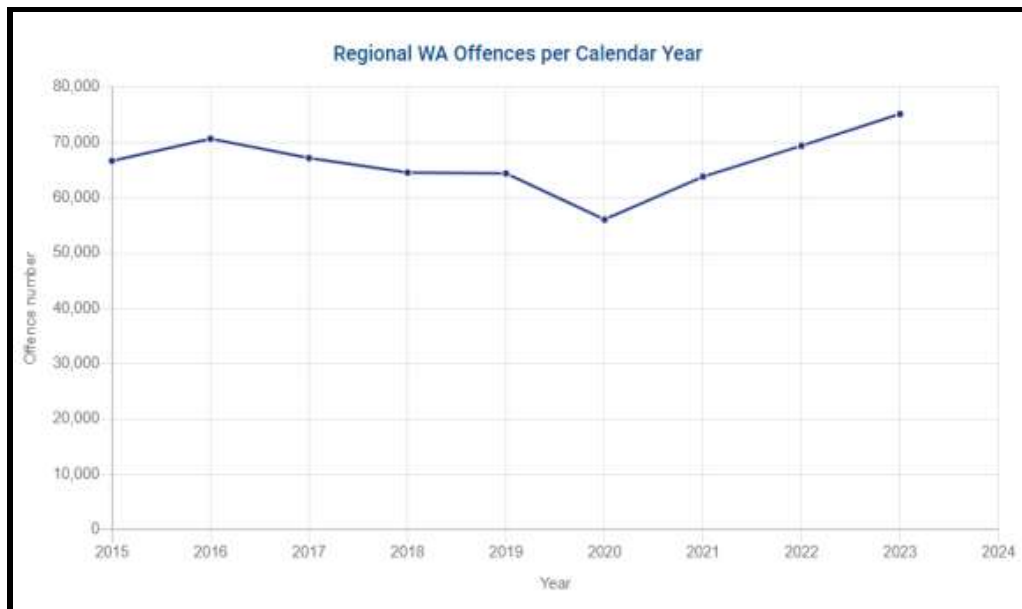


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## Attachment 17 2023 crime data for Kimberley towns and WA regional trend data

## WA REGIONAL CRIME STATISTICS



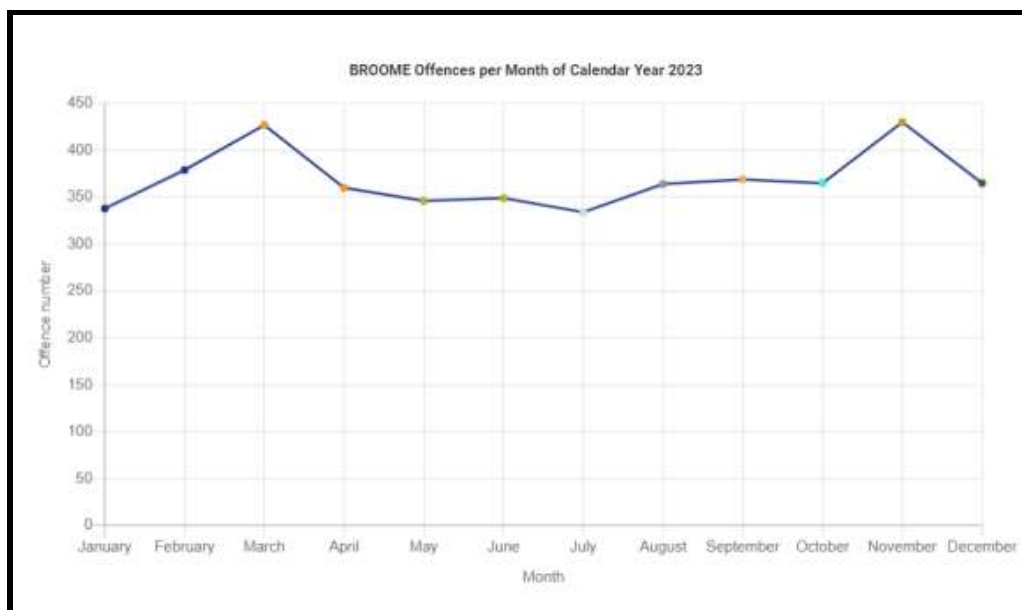
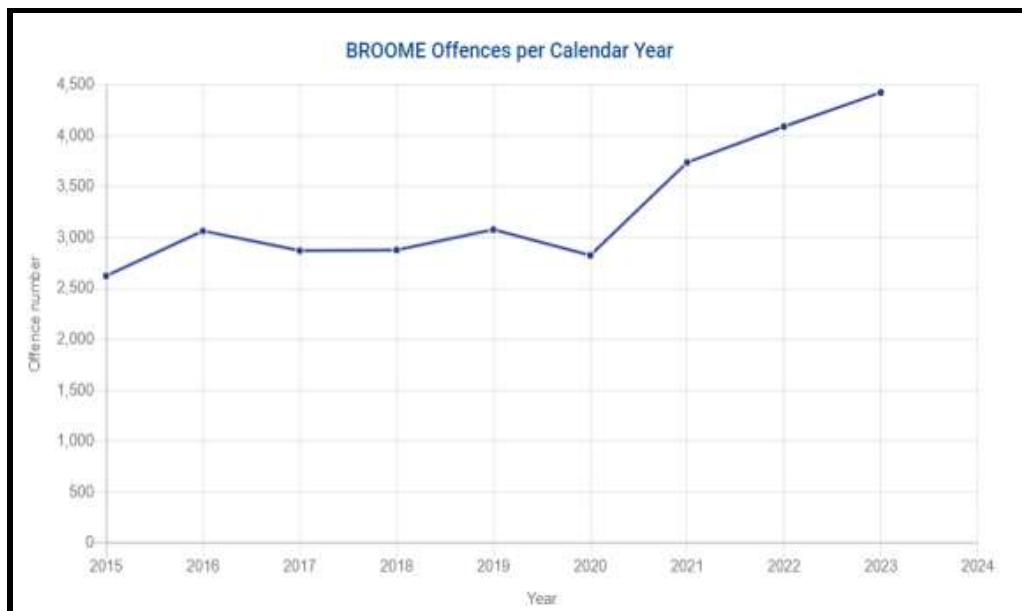
## Regional crime statistics by offence 2023

Type of Offence	January	February	March	April	May	June	July	August	September	October	November	December
Homicide		1	3			2	1	2	8	5	2	2
Sexual Offences	175	178	144	142	179	125	147	168	138	122	152	111
Assault (Family)	1,136	1,036	1,142	1,091	1,040	956	1,038	1,114	1,132	1,105	1,238	1,390
Assault (Non-Family)	448	408	472	426	457	390	391	444	473	478	443	540
Threatening Behaviour (Family)	253	239	249	243	261	263	259	250	298	294	297	381
Threatening Behaviour (Non-Family)	101	141	153	121	148	124	113	137	153	182	163	158
Deprivation of Liberty	4	5	9	3	4	12	1	6	16	7	15	6
Robbery	30	19	23	24	20	21	18	20	22	17	27	15
Dwelling Burglary	473	403	385	391	402	329	259	276	293	345	345	343
Non-Dwelling Burglary	250	250	221	226	186	170	116	152	207	227	242	193
Stealing of Motor Vehicle	204	173	180	189	160	129	113	148	137	172	162	151
Stealing	1,150	1,048	1,143	1,153	1,133	1,012	900	996	1,118	1,132	1,220	1,092
Property Damage	852	738	815	820	788	751	749	746	788	807	868	835
Arson	45	42	33	35	52	31	34	47	34	39	41	55
Drug Offences	604	702	667	717	780	603	765	857	608	543	547	671
Graffiti	95	42	59	36	55	32	31	29	22	30	41	39
Fraud & Related Offences	353	322	351	348	169	179	204	217	300	165	383	255
Breach of Violence Restraint Order	420	390	455	389	413	412	507	471	493	524	612	598
Total of Selected Offences	6,535	6,147	6,504	6,354	6,247	5,541	5,646	6,080	6,240	6,194	6,798	6,835

BROOME



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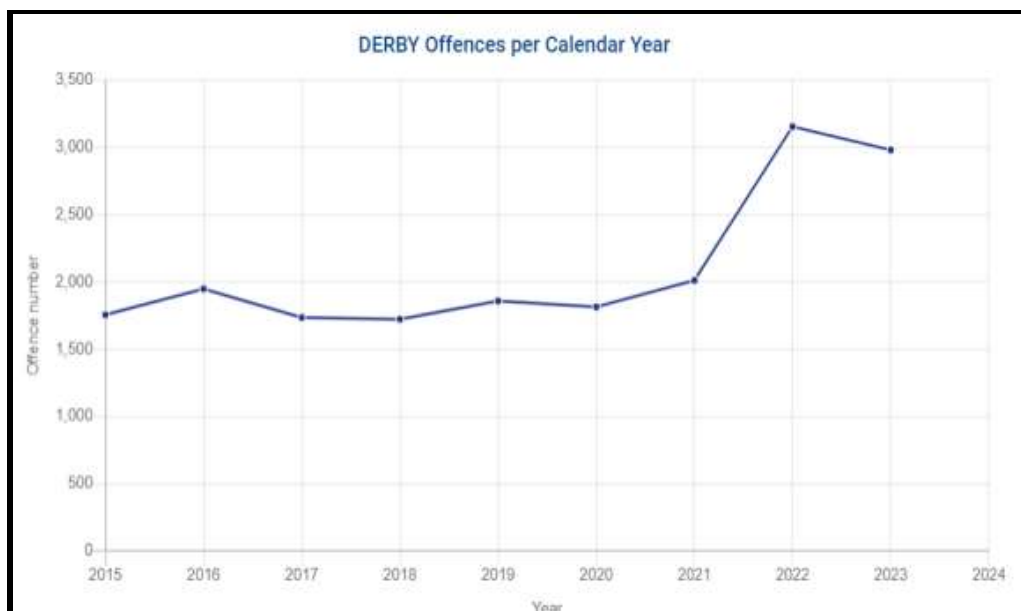
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## Broome crime statistics by offence 2023

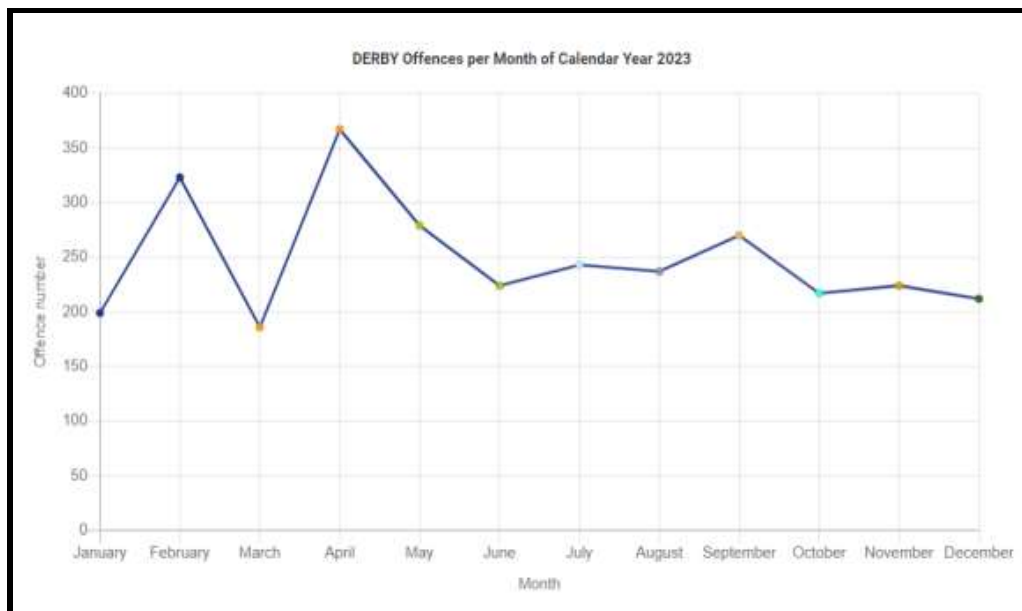
Type of Offence	January	February	March	April	May	June	July	August	September	October	November	December
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	4	2	10	7	6	11	6	6	5	2	13	1
Assault (Family)	76	108	113	75	78	79	77	74	65	65	96	82
Assault (Non-Family)	32	30	32	20	35	20	26	32	28	32	30	30
Threatening Behaviour (Family)	24	34	25	24	26	32	30	10	20	22	30	17
Threatening Behaviour (Non-Family)	3	6	6	7	10	10	6	11	10	6	13	8
Deprivation of Liberty	-	-	-	-	1	-	-	-	2	-	2	-
Robbery	1	2	1	1	1	-	1	-	1	1	1	-
Dwelling Burglary	40	36	38	23	19	26	18	24	37	33	24	26
Non-Dwelling Burglary	25	22	17	17	16	14	6	16	15	10	18	22
Stealing of Motor Vehicle	7	10	20	9	8	6	3	7	9	9	10	8
Stealing	36	29	46	57	47	64	49	41	73	57	66	45
Property Damage	30	37	31	35	28	30	25	36	31	56	32	41
Arson	-	1	2	2	2	1	1	3	1	5	4	-
Drug Offences	11	24	13	33	34	20	29	46	16	32	18	27
Graffiti	1	1	1	2	3	-	1	1	2	-	-	3
Fraud & Related Offences	27	8	32	21	5	3	11	9	17	4	47	10
Breach of Violence Restraint Order	21	29	40	27	27	33	45	48	37	30	26	45
<b>Total of Selected Offences</b>	<b>338</b>	<b>379</b>	<b>427</b>	<b>360</b>	<b>346</b>	<b>349</b>	<b>334</b>	<b>364</b>	<b>369</b>	<b>365</b>	<b>430</b>	<b>365</b>

## DERBY





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**Derby crime statistics by offence 2023**

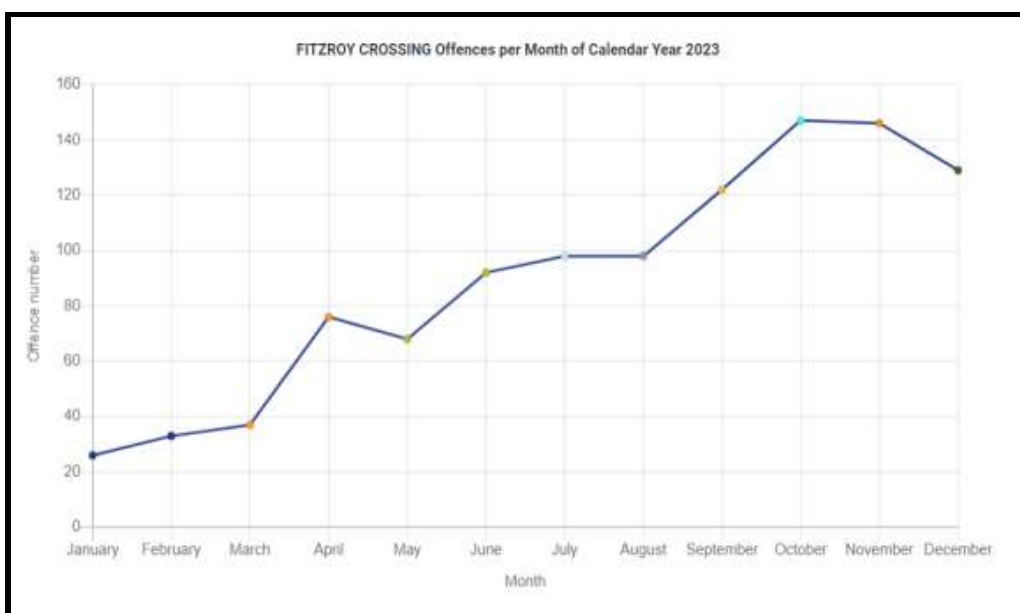
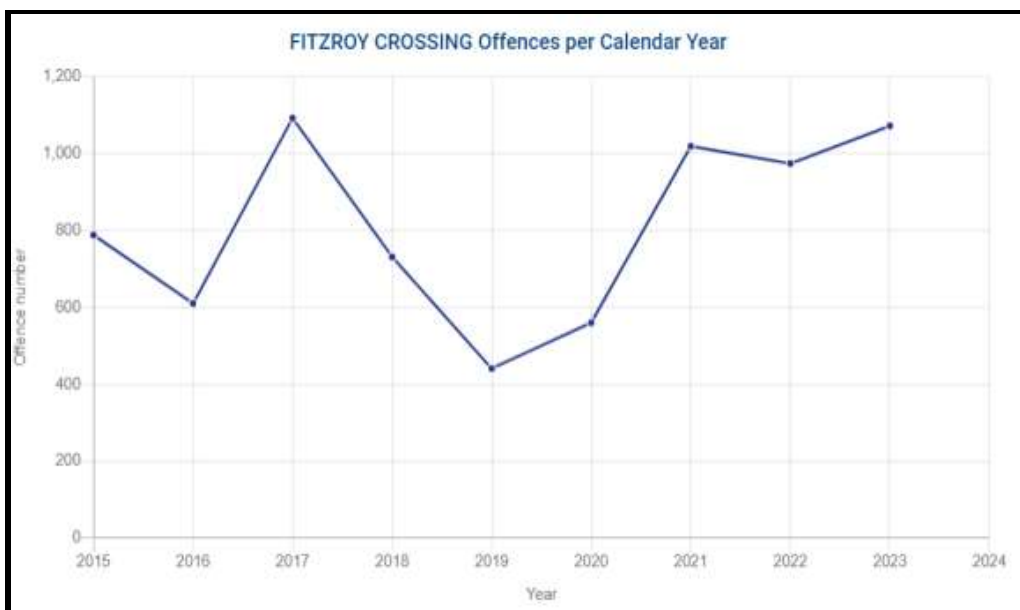
Type of Offence	January	February	March	April	May	June	July	August	September	October	November	December
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	3	5	4	8	4	3	6	-	3	-	4	3
Assault (Family)	47	53	59	95	78	61	89	94	98	73	79	82
Assault (Non-Family)	17	8	18	27	20	15	25	8	15	15	15	15
Threatening Behaviour (Family)	30	29	17	28	32	26	18	20	27	19	19	23
Threatening Behaviour (Non-Family)	3	12	1	2	-	4	2	2	2	6	2	-
Deprivation of Liberty	-	-	-	-	-	-	1	1	1	-	-	-
Robbery	-	1	-	-	-	2	1	-	1	-	-	-
Dwelling Burglary	15	28	25	43	56	27	14	10	17	18	15	10
Non-Dwelling Burglary	6	13	1	5	6	7	3	6	8	7	4	5
Stealing of Motor Vehicle	7	3	5	10	5	4	14	6	3	7	2	4
Stealing	11	12	12	15	24	9	11	11	15	13	5	5
Property Damage	16	16	16	21	19	23	21	23	23	15	28	22
Arson	-	-	-	-	2	1	-	2	-	-	-	-
Drug Offences	20	120	9	79	5	8	7	19	14	10	14	-
Graffiti	-	-	-	-	2	-	1	1	-	3	-	2
Fraud & Related Offences	-	-	-	-	2	-	-	1	2	-	5	3
Breach of Violence Restraint Order	24	23	19	34	24	34	30	33	41	31	32	38
<b>Total of Selected Offences</b>	<b>199</b>	<b>323</b>	<b>186</b>	<b>367</b>	<b>279</b>	<b>224</b>	<b>243</b>	<b>237</b>	<b>270</b>	<b>217</b>	<b>224</b>	<b>212</b>



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**FITZROY CROSSING**





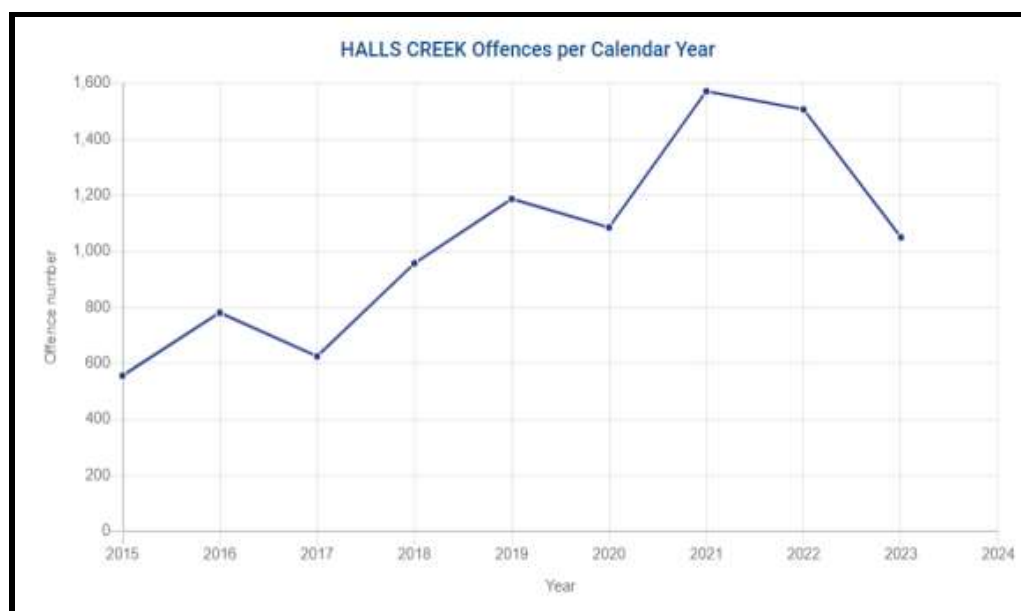
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## Fitzroy Crossing crime statistics by offence 2023

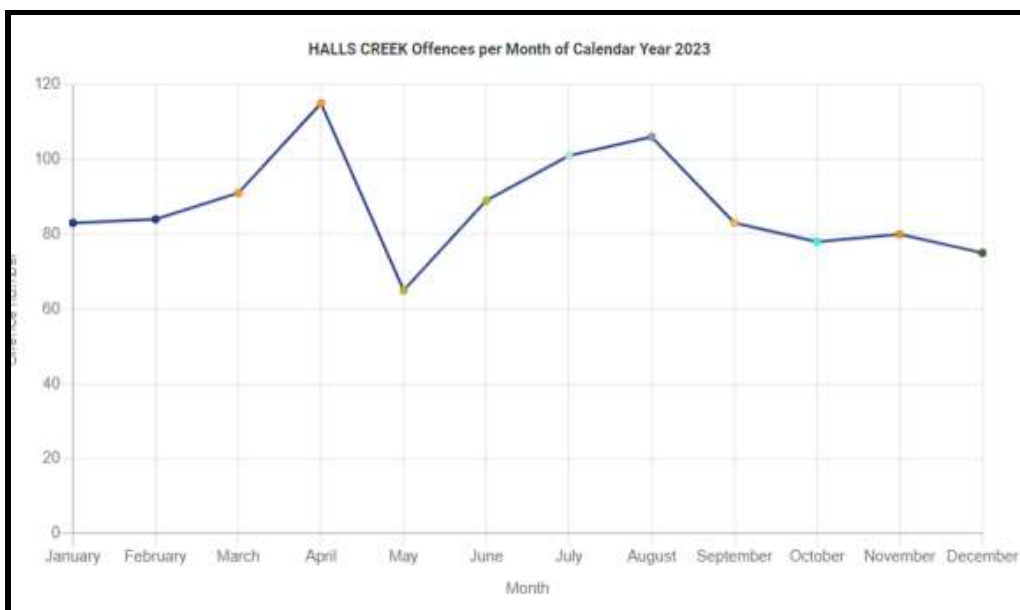
Type of Offence	January	February	March	April	May	June	July	August	September	October	November	December
Homicide	-	-	-	-	-	-	-	1	-	-	-	-
Sexual Offences	-	-	-	2	7	1	1	-	-	1	-	-
Assault (Family)	6	16	14	19	18	31	34	40	49	41	41	45
Assault (Non-Family)	1	1	2	4	4	19	12	8	10	9	15	18
Threatening Behaviour (Family)	3	3	2	9	6	8	11	7	11	15	8	18
Threatening Behaviour (Non-Family)	-	1	-	-	1	-	1	-	3	5	3	1
Deprivation of Liberty	-	-	-	-	-	-	-	-	2	-	-	-
Robbery	-	-	-	-	-	-	-	-	1	-	-	-
Dwelling Burglary	3	1	-	9	6	3	5	9	4	9	14	3
Non-Dwelling Burglary	5	1	-	4	-	-	1	2	7	4	9	1
Stealing of Motor Vehicle	1	1	1	4	2	1	2	4	6	11	6	3
Stealing	2	1	4	6	3	10	2	5	1	14	6	4
Property Damage	4	2	5	8	11	17	16	8	12	14	25	19
Arson	-	-	1	-	-	-	-	-	-	-	1	1
Drug Offences	-	-	4	-	2	-	5	4	1	3	4	3
Graffiti	-	1	-	-	-	-	2	1	-	1	1	1
Fraud & Related Offences	-	-	-	2	-	-	-	-	-	-	-	-
Breach of Violence Restraint Order	1	5	4	9	8	2	6	9	15	20	13	12
Total of Selected Offences	26	33	37	76	68	92	98	98	122	147	146	129

## HALLS CREEK





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**Halls Creek crime statistics by offence 2023**

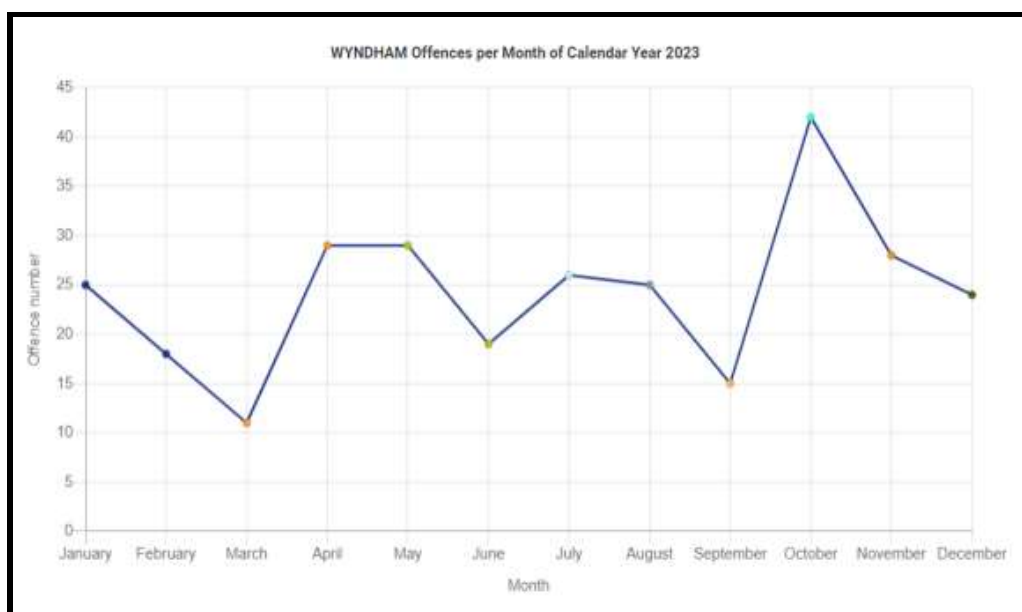
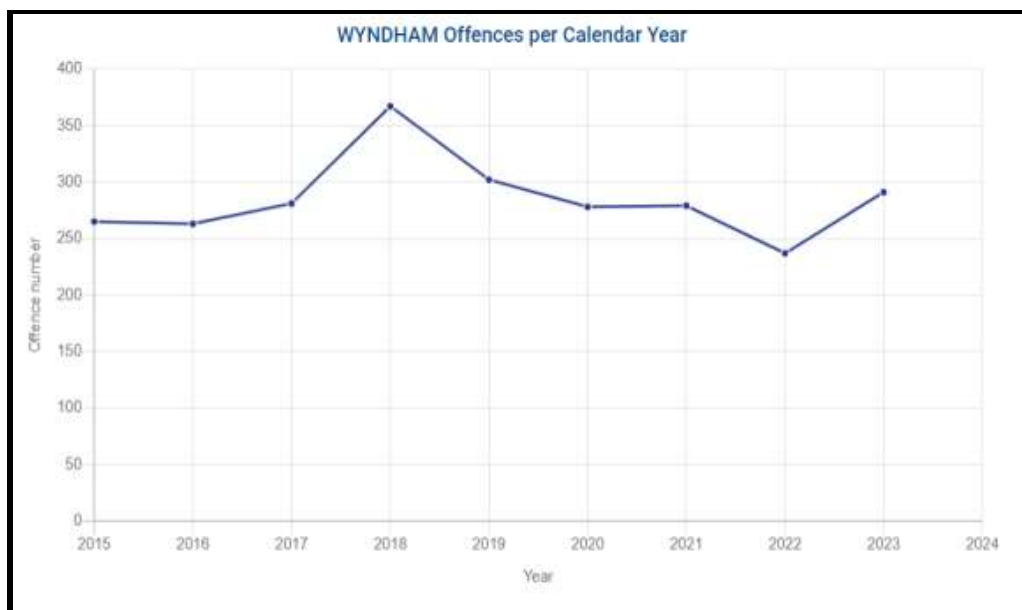
Type of Offence	January	February	March	April	May	June	July	August	September	October	November	December
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	-	1	2	-	2	3	2	2	2	1	2	-
Assault (Family)	20	21	18	25	22	27	24	23	22	30	28	35
Assault (Non-Family)	9	5	8	14	10	12	10	21	14	8	6	6
Threatening Behaviour (Family)	4	2	3	2	3	5	3	4	2	2	4	6
Threatening Behaviour (Non-Family)	1	1	2	-	1	4	2	-	2	2	2	1
Deprivation of Liberty	-	1	-	-	-	1	-	-	1	1	-	-
Robbery	-	1	1	2	1	-	1	-	1	-	-	-
Dwelling Burglary	12	9	7	16	9	1	10	12	5	8	14	5
Non-Dwelling Burglary	9	7	6	2	1	-	1	1	-	-	2	2
Stealing of Motor Vehicle	4	4	7	4	-	-	5	1	2	4	-	-
Stealing	5	5	10	13	6	3	13	7	6	1	4	3
Property Damage	9	11	23	26	2	22	19	21	14	14	12	8
Arson	1	-	-	-	2	-	-	-	2	1	-	1
Drug Offences	1	1	-	-	2	3	5	6	2	1	1	2
Graffiti	-	-	-	-	-	-	2	1	1	-	-	-
Fraud & Related Offences	-	12	3	8	1	-	-	-	-	-	-	-
Breach of Violence Restraint Order	8	3	1	3	3	8	4	7	7	5	5	6
<b>Total of Selected Offences</b>	<b>83</b>	<b>84</b>	<b>91</b>	<b>115</b>	<b>65</b>	<b>89</b>	<b>101</b>	<b>106</b>	<b>83</b>	<b>78</b>	<b>80</b>	<b>75</b>



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**WYNDHAM**





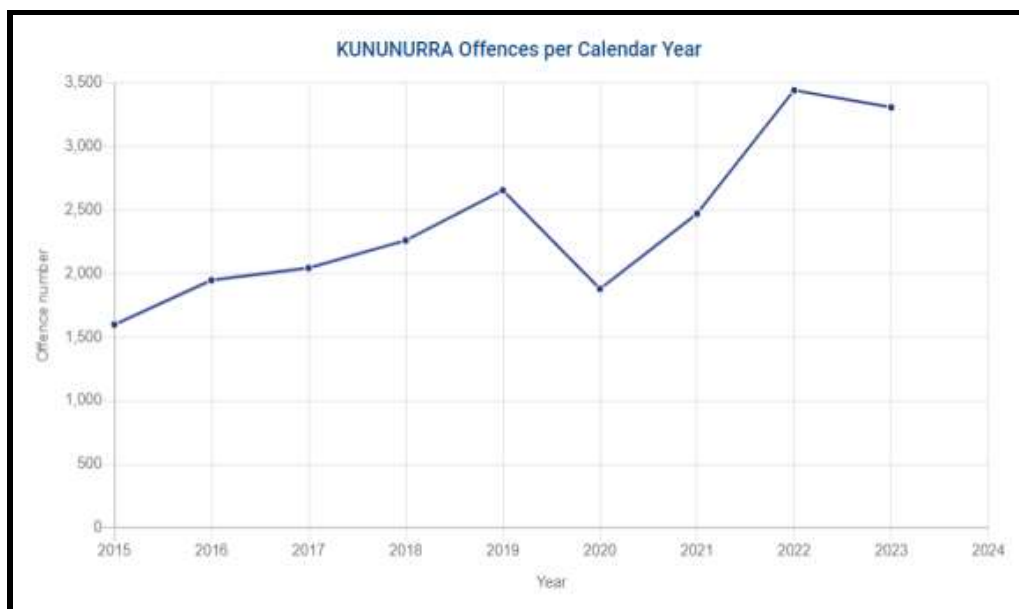
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## Wyndham crime statistics by offence 2023

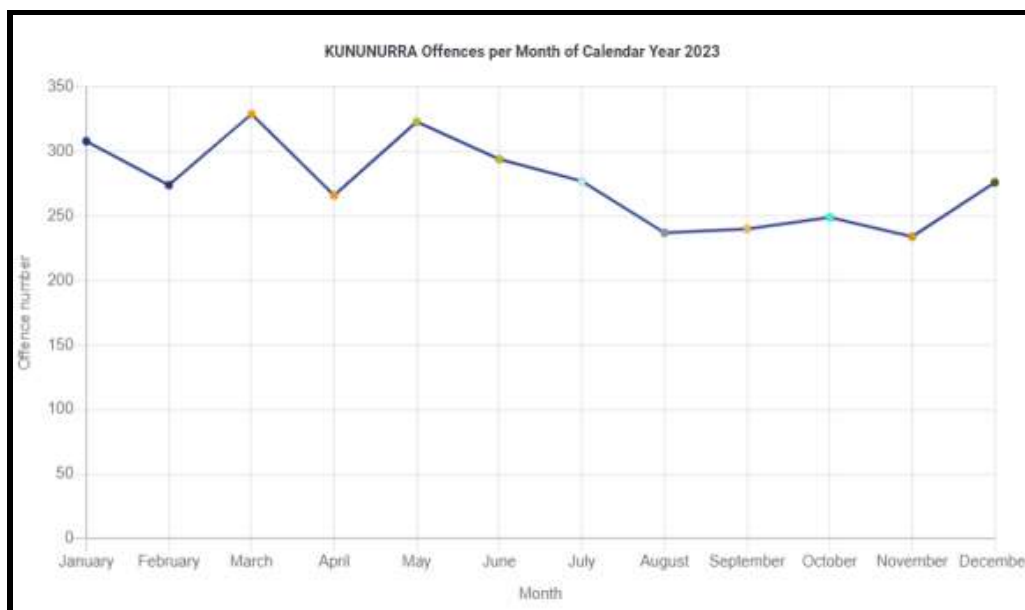
Type of Offence	January	February	March	April	May	June	July	August	September	October	November	December
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	1	-	-	1	-	1	-	-	-	-	1	-
Assault (Family)	6	6	6	5	9	6	6	8	4	13	9	4
Assault (Non-Family)	1	-	-	5	-	1	1	4	1	3	4	5
Threatening Behaviour (Family)	-	-	-	5	2	-	3	3	-	6	-	3
Threatening Behaviour (Non-Family)	-	-	-	-	-	-	-	-	-	5	-	2
Deprivation of Liberty	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-	-	-
Dwelling Burglary	3	4	-	4	2	1	2	3	1	1	1	-
Non-Dwelling Burglary	6	-	1	-	2	-	1	2	-	4	1	-
Stealing of Motor Vehicle	-	-	-	-	-	1	1	-	-	1	-	-
Stealing	2	-	-	2	-	1	1	-	2	1	1	-
Property Damage	3	4	2	4	9	4	5	2	4	3	6	3
Arson	-	-	-	-	-	1	-	2	-	-	-	-
Drug Offences	-	-	-	1	1	-	-	-	-	-	-	1
Graffiti	-	-	-	-	-	-	-	-	1	-	1	-
Fraud & Related Offences	-	-	-	-	-	-	2	-	1	-	-	-
Breach of Violence Restraint Order	3	4	2	2	4	3	4	1	1	5	4	6
Total of Selected Offences	25	18	11	29	29	19	26	25	15	42	28	24

## KUNUNURRA





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**Kununurra crime statistics by offence 2023**

Type of Offence	January	February	March	April	May	June	July	August	September	October	November	December
Homicide	-	-	-	-	-	-	1	-	-	-	-	-
Sexual Offences	2	1	4	5	9	6	4	3	4	2	2	3
Assault (Family)	83	71	93	76	81	82	87	58	74	62	79	87
Assault (Non-Family)	14	19	29	22	40	18	22	22	13	18	19	23
Threatening Behaviour (Family)	17	17	13	11	10	11	16	10	19	17	22	17
Threatening Behaviour (Non-Family)	3	5	5	4	5	11	5	2	5	7	5	17
Deprivation of Liberty	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	2	-	-	1	-	2	-	1
Dwelling Burglary	47	17	27	16	27	25	8	18	13	19	5	12
Non-Dwelling Burglary	10	4	6	10	6	4	5	7	7	12	3	11
Stealing of Motor Vehicle	8	11	14	17	18	7	7	10	5	16	4	5
Stealing	25	26	41	29	34	27	31	27	19	20	10	15
Property Damage	51	37	40	37	48	47	38	24	23	35	37	36
Arson	-	-	-	-	2	1	3	2	-	1	1	-
Drug Offences	2	9	16	4	7	14	13	18	6	2	11	16
Graffiti	2	2	1	4	1	8	1	4	1	3	10	8
Fraud & Related Offences	9	20	4	9	5	6	3	2	21	18	7	1
Breach of Violence Restraint Order	35	35	36	22	28	27	33	29	30	15	19	24
<b>Total of Selected Offences</b>	<b>308</b>	<b>274</b>	<b>329</b>	<b>266</b>	<b>323</b>	<b>294</b>	<b>277</b>	<b>237</b>	<b>240</b>	<b>249</b>	<b>234</b>	<b>276</b>





## 15. Kimberley Volunteer Resource Centre

### Item for Noting

**Submitted by: Executive Team**

**Attachment 18 Kimberley Zone and Kimberley Regional Group Volunteering Strategy 2020 (attached separately)**

### Purpose

To discuss how the Broome Circle Volunteer Resource Centre can best link with any Kimberley local government volunteering initiatives to enable them to leverage and to optimise state government funding to support and implement volunteering across the region.

### In summary

- The Kimberley Zone and Kimberley Regional Group developed the Volunteering Strategy 2020.
- The aim of this initiative is to establish a framework for Local Government involvement in volunteering services that guides a consistent, coordinated approach while allowing for the different operating contexts and delivery methods of each Shire in the Kimberley Zone.
- Page 2 of the Strategy provides the overview and key initiatives identified by each Shire to support local volunteering.
- The Strategy outlines initiatives to facilitate more integrated regional volunteering and collaboration and how this could be supported by Shires.
- Broome CIRCLE has operated the only Volunteer Resource Service (funded by the Department of Communities in the Kimberley since 2009)
- Broome Circle have negotiated a significant increase in funding that will potentially include outreach support across the Kimberley shires.
- They are keen to learn how they can best link in with Kimberley local governments' volunteering initiatives to leverage and optimise state government funding to support and implement volunteering across the region.

### Background

As above

### Details

The localised initiatives outlined for each Shire in the strategy are:

- For Halls Creek, implement the Olabud Doogethu Project to build local community cohesion, capacity, leadership and infrastructure.
- For Derby, consolidate events and events volunteering.
- For Broome, expand the reach and scope of volunteering.



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- For Fitzroy Crossing, explore and support more flexible volunteering opportunities.
- For Kununurra and Wyndham, improve the resourcing for volunteers.

## Risk

- Reputational – the Regional Development Minister is the Minister for Volunteering.

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>			
Resolution/s		Action(s)	
That the KRG note the Regional Volunteering Strategy 2020.		Members to take strategy to their individual council meetings for endorsement and to report back to Executive Officer to action a whole of KRG endorsement.	
<b>Moved:</b>	Shire of Wyndham East Kimberley	<b>Responsible:</b>	Members
<b>Seconded:</b>	Shire of Halls Creek	<b>Due date:</b>	As appropriate
<b>Carried:</b>	4/0		



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## 16. Executive Officer Report

### Item for Noting

**Submitted by:** Executive Officer

**Attachment 19: EO Report January 2024**

### Purpose

To update the KRG on the Executive Officer services provided for the period January 2024 inclusive.

### Background

The attached report provides information about the services provided, activities undertaken and time allocation over the past two months.

### Details

As in included attachment.

### Risk

Nil

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity <b>Performance</b>	<b>Advocate</b> Partner <b>Promote</b>	<b>Facilitate</b> Fund <b>Monitor</b>	
Resolution/s		Action(s)	
<b>That the Executive Officers Report be received and endorsed</b>		As per Outstanding Actions	
<b>Moved:</b>	Shire of Broome	<b>Responsible:</b>	
<b>Seconded:</b>	Shire of Halls Creek	<b>Due date:</b>	
<b>Carried:</b>	4/0		



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## Attachment 19: EO Report – January 2024

## Project Work / Activity

Refer to business arising and KRG action lists for all activities the Executive is working on.

Project / Activity	Status	Item
Administrative Matters and Meetings	Ongoing	-
Website and social media	LinkedIn posts continuing	-
State and Federal Government Election Strategy	Implementing Strategy	9
Strategic Planning	Implementation of the KRG Prioritized Action List	12
Housing Advocacy Strategy	Implementing Strategy	
Kimberley Housing Roundtable	For decision	8
General Stakeholder Engagement	Ongoing – see Stakeholder list	16
Benchmarking	Preparation of material	-



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## Stakeholders

Stakeholders	Purpose
Office of the Premier	KRG meeting
Office of the Minister for Local Government and Youth	KRG meeting
Office of the Minister for Police' Corrective Services; Racing and Gaming; Defence Industry; Veterans Issues	KRG meeting
Office of the Minister for Regional Development	KRG meeting
Office of the Minister for Emergency Services	KRG meeting
Sybillie Rodgers, Strategy Officer Department of Local Government, Sport and Cultural Industries	KRG meeting agenda with the Minister for Local Government
Michele Pucci, Director People and Place, KDC	Housing advocacy strategy, Kimberley priority projects
Chuck Berger, CEO KDC	Election Strategy, priority projects
Janine Hatch, Director, RDA Kimberley	Housing advocacy strategy Putting Halls Creek on the Office of Northern Australia Map
Dean Haynes - Assistant Director – Engagement, Office of Northern Australia Partnerships and Projects Division	Putting Halls Creek on the Office of Northern Australia Map
KRG members	Investment Prospectus, banned drinkers register updates, finance and budget
Sarah Crawford - Journalist - The Kimberley Echo	Overview of KRG and current priorities
Mike Rowe, Director General Department of Communities	KRG Update
Amy Noon, Ethan Redshaw, Leah Horton - Department of Local Government, Sport and Cultural Industries	Local government, legislative update, benchmarking tool, FAG
KRG Secretariat	Agenda items, advocacy discussions, finance administrative matters



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## Time Allocation September 2022 – January 2024

Total 2-Yearly Contract: 1,728 Hours: Monthly from 8<sup>th</sup> of the month to 7<sup>th</sup> of the next month

	Paul Rosair		Michelle Mackenzie		Jane Lewis		Support	
	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	15	12.5	10	26.25	10	1.5	2	0
Jan 23	15	19	10	11	10	36	2	0
Feb 23	32	15.5	20	9	23	25.5	4	0
Mar 23	32	34	20	9.25	23	14.5	4	0
Apr 23	32	19	20	9.5	23	24	4	0
May 23	32	35	20	23.5	23	18.5	4	0
June 23	32	37.5	20	21.25	23	27	4	0
July 23	32	46	20	14.25	23	45	4	0
Aug 23	32	54.5	20	35	23	58	4	6
Sept 23	29	34.5	22	21.25	26	13	4	0
Oct 23	29	30	22	27.5	26	25	4	8
Nov 23	29	26	22	14.75	26	41.5	4	4
Dec 23	15	18	11	12.50	14	6.5	2	10
Jan 24	15	12	11	12	14	5	2	13.5
<b>TOTALS</b>	<b>467</b>	<b>489.5</b>	<b>308</b>	<b>309</b>	<b>356</b>	<b>422</b>	<b>60</b>	<b>44.5</b>
<b>OVERALL CONTRACT: 1191 ACTUALS: 1265</b>								

Note: as can be seen from the hours above, there has been a lot of time invested in determining the KRG strategic agenda, getting a prospectus in place, organising the governance documents, producing policy papers, writing submissions, organising and attending external meetings as well as the general running of the KRG and Zone meetings. With 63 hours over budgeted time, the Executive Team have now laid the foundations for future work, which will entail some core hours, and some hours that will be deemed as project work outside of core hours. It is hoped that the members acknowledge that some project work (whether completed by NAJA as extra work or by an external supplier) cannot be accommodated within budgeted Executive Officer hours.



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## 17. General Business

Item	Responsible	Comments /Actions Arising
Canberra Visit 2024	Vernon Lawrence	To be discussed
Benchmarking	Executive Team	RCAWA have approved the use of the template and emails have been sent out to the CEO'S requesting a contact.
Guests / representatives to be invited to the Zone or KRG meetings in 2024		Executive Team requested by CEO group to bring this topic up for discussion. Who the members would like to have reports from on a regular basis at the Zone meetings. Currently: <ul style="list-style-type: none"> <li>• WALGA</li> <li>• Regional Development Australia</li> <li>• Kimberley Development Commission</li> <li>• Australia's Northwest</li> <li>• DLGSCI</li> <li>• Roads – position currently vacant</li> </ul>
Tanami Road Activation Plan		See Election Strategy Item
Review of Financial Assistance Grant (FAG)	Vernon Lawrence	SWEK is running a procurement process and has issued a RFQ
Community Safety and Crime Prevention Investment Package	Vernon Lawrence	SWEK is running a procurement process and has issued a RFQ



## Kimberley Regional Group: Minutes 16 February 2024



## Attachment 20 2024 Meeting dates

CEO Ringaround	In Person Meetings	Zoom meetings	State Council
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Month	Meeting	Date	Time	Location	Notes
February	CEO Ringaround	9/2/24	8.30am – 9.00am	Zoom	
	Dinner	15/2/24	6.30-9.30pm	Perth - TBD	Parliament sitting 13-15 Meetings to be organised
	Kimberley Zone	16/2/24	9-10.30am		
	KRG		10.30am-12.30pm		
March	State Council meeting	6/3/24	-	WALGA	
April	CEO Ringaround	12/4/24	8.30am – 9.00am	Zoom	
	Kimberley Zone	19/4/24	1-2.30pm	Zoom	
	KRG		2.30am-4.30pm		
May	State Council meeting	1/5/24	-	North Metropolitan Zone	

CEO Ringaround	In Person Meetings	Zoom meetings	State Council
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Month	Meeting	Date	Time	Location	Notes
June	CEO Ringaround	13/6/24	8.30am – 9.00am	Zoom	
	KRG	20/6/24	9-10.30am	City of Vincent	
	Kimberley Zone		10.30am-12.00		
June	Government Forum	20/6/24	12 – 2pm	City of Vincent	
	Dinner		6.30-9.30pm	Le Vivant or similar	
July	State Council meeting	3/7/24	-	WALGA	
August	CEO Ringaround	8/8/24	8.30am – 9.00am	Zoom	
	Kimberley Zone	15/8/24	1pm - 2.30am	Zoom	
	KRG		2.30pm – 4.30pm		
September	State Council meeting	5-6/9/24	-	South West Country Zone	



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CEO Ringaround	In Person Meetings	Zoom meetings	State Council
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Month	Meeting	Date	Time	Location	Notes
October	CEO Ringaround	3/10/24	8.30am - 9.00am	Zoom	
	KRG	9/10/24	9am - 5pm	Shire of Halls Creek	Travel
		10/10/24	9 - 11.00am		Strategic Planning
			11.30-3pm		Meeting and lunch
			3-5pm		Tour
			6-10pm		Dinner
		11/11/24	9am - 5pm		Travel
November	Kimberley Zone	15/11/24	1-3.30pm	Zoom	
December	State Council meeting	4/12/24	-	WALGA	

**Meeting Closure: 12:28pm**



### 13.3 DELIVERY OF VISITOR SERVICING (DERBY)

**File Number:** 0150

**Author:** Mark Davis, Executive Services Project Director

**Responsible Officer:** Amanda Dexter, Chief Executive Officer

**Authority/Discretion:** Administrative

#### SUMMARY

Until recently, visitor servicing to the West Kimberley was provided by the Derby Tourist Bureau Inc from the Shire's Loch Street facility. At the request of remaining board members in early 2023, the Shire delivered visitor services for the remainder of the tourist season. This report seeks Council endorsement of visitor servicing options for the 2024 tourist season and beyond.

#### DISCLOSURE OF ANY INTEREST

Nil.

#### BACKGROUND

##### Visitor Servicing

Visitor servicing refers to the various activities and amenities provided to visitors in order to enhance their experience and satisfaction during their visit to a particular destination, venue, or attraction. It plays a crucial role in creating a positive and memorable experience for visitors, which can contribute to their satisfaction, repeat visitation, and positive word-of-mouth recommendations.

This can encompass a wide range of services and support, including but not limited to:

- *Information provision:* Offering accurate and up-to-date information about the destination, such as maps, brochures, guidebooks, and signage, to help visitors navigate and explore the area effectively.
- *Assistance and guidance:* Providing assistance to visitors with inquiries, directions, recommendations, and any other help they may need to make their visit enjoyable and hassle-free.
- *Customer service:* Offering high-quality customer service by training staff to be courteous, knowledgeable, and responsive to visitors' needs and concerns.

Until recently, in Derby the key channel for the provision of information, assistance and guidance has been face-to-face in the Derby Visitor Centre (DVC) through the operations of the Derby Tourist Bureau Inc (DTB).

##### Derby Tourist Bureau Inc

The DTB is a body independent of the Shire, which previously leased the Derby Visitor Centre on Loch Street to provide visitor services for Derby and the West Kimberley region. The most recent management and operations of the DTB included a manager, tourist officer and a vehicle. The vehicle is currently unlicensed and stored at the Shire Depot.

Since the departure of a long term manager in 2021, the organisation experienced difficulties in attracting key staff and board members. In December 2022, the DTB was left without a manager



and around this time the existing board of members ceased to function. The organisation, its bank accounts, assets and creditors became stagnant.

The Shire met with remaining board members in January and May 2023. It was agreed for the Shire to provide visitor servicing for the remainder of the 2023 tourist season, and to assess options to deliver visitor servicing moving forward.

Following staffing the centre throughout the tourist season as agreed, as of December 2023, the Shire provided basic information to visitors from the Shire administration building. This arrangement is intended to remain until the commencement of the 2024 visitor season.

In parallel, officers have been assessing options for visitor servicing in Derby – which forms the basis of this report.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

Policy (ES5) Community Leases and Licence Agreements

While the DTB currently holds a lease with the Shire, its inactivity and unpaid costs provides grounds for extinguishment.

## **FINANCIAL IMPLICATIONS**

No additional staffing costs are anticipated it is proposed to deliver visitor servicing alongside the Shire's Customer Service and Administrative functions.

Minor fit out costs will be incurred to ensure the Derby Visitor Centre is fit for purpose to accommodate these functions, in addition to annual utilities and other asset maintenance requirements.

## **STRATEGIC IMPLICATIONS**

<b>STRATEGIC AREA</b>	<b>OUR PRIORITIES</b>	<b>WE WILL</b>
1. LEADERSHIP AND GOVERNANCE	1.2 Capable, inclusive and effective organisation.	1.2.2 Provide strong governance.
2. COMMUNITY	2.2 Healthy communities.  2.3 Vibrant and culturally rich communities.	2.2.2 Facilitate a range of accessible sporting and recreational activities  2.3.2 Facilitate and/ or contribute to community events, cultural activities and festivals.

## **RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Business Interruption:</b> Loss of social and	Likely	Moderate	Medium	Shire delivers visitor servicing in Derby.



economic benefits through loss of DTB				
<b>Reputation:</b> Shire is perceived to be unsupportive of tourism by not supporting DTB	Possible	Minor	Low	Clear communications are disseminated, to clarify the Shire's role in providing ongoing support to the tourism sector despite the DTB being unable to function.

## CONSULTATION

- **Council Workshop – August 2024**

Officers provided an update on the status of the DTB, and flagged the investigation of the two visitor servicing models in noting that the current model (DTB) was not considered viable:

- Shire delivers visitor servicing and administration through the current Loch Street facility
- Shire delivers visitor servicing at a sustainable level as part of a community hub in the current Loch Street facility

- **Department of Energy, Mines, Industry Regulation and Safety**

Officers have engaged with the department regarding the status of the DTB, and monies owing to various creditors. Due to the DTB's inactivity and absence of board members, cancellation (closure) of the organisation sits with the department or may be pursued by creditors at their own cost through application to the Supreme Court – an option which is considered costly and which would likely outweigh any compensation by creditors received from an administrator.

- **Council Workshop – March 2024**
- **Broome and Kununurra Visitor Centres**

## COMMENT

The traditional model for delivering visitor servicing has been through Visitor Centres, and consists of:

- The provision of local knowledge and information
- Maintaining a retail function (sales of gifts, souvenirs, keepsakes)
- Taking bookings for accommodation, tours or attractions on a commission basis

The increasing reliance and utilisation of online bookings has significantly reduced the revenue flowing through to Visitor Centres – challenging their sustainability and seeing an increased reliance on local government involvement in the sector through funding or assumption of operations.

This scenario has played out in Derby, and it provides the Shire with an opportunity to shape the delivery of visitor servicing to respond to changes in consumer behaviour – whilst continuing to recognise the flow of social and economic benefits that tourism offers to Derby and West Kimberley.



Whilst the creation of a community hub based in the Loch Street facility is a long-term vision still under investigation, officers consider that a combination of an increased online presence and a modified face-to-face offering provides the most appropriate model to move forward.

The Derby Visitors Centre facility will be the centre of this new visitor servicing model that will integrate face-to-face local expertise with an expanded online presence.

At the physical centre, visitors will encounter knowledgeable and affable staff ready to offer personalised assistance, insider tips, and recommendations tailored to individual interests. These staff members, deeply embedded in the local community, will provide invaluable insights into hidden gems, cultural nuances, and off-the-beaten-path experiences, enhancing visitors' understanding and appreciation of Derby and its surroundings.

Simultaneously, the centre will bolster its online presence through a comprehensive regional promotional portal. This portal is anticipated to be released by mid-May and will serve as a one-stop destination for trip planning, offering up-to-date information on road conditions, accommodation options, attractions, events, tours, and more. Through intuitive interfaces and interactive features, visitors can effortlessly craft bespoke itineraries, seamlessly transitioning from virtual exploration to real-world adventures.

By combining the warmth and expertise of face-to-face interactions with the convenience and accessibility of online resources, this innovative model ensures that visitors will receive support and guidance at every stage of their journey. Local business and providers will continue to benefit through direct referrals.

Pending Council endorsement, this approach will commence in sync with the launch of the online portal – and investigations into the development of a community hub will continue.

## **VOTING REQUIREMENT**

Simple majority

## **ATTACHMENTS**

Nil

### **RESOLUTION 36/24**

**Moved:** Cr Brett Angwin

**Seconded:** Cr Paul Bickerton

**That Council:**

- 1. Endorses the delivery of face-to-face visitor servicing to be undertaken moving forward by the Shire, and absorbed by the Customer Service Team.**
- 2. Notes that visitor servicing will be delivered by Shire staff from the Derby Visitor Centre on Loch Street, Derby alongside the Shire's administrative and Department of Transport services.**

**In Favour:** Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

**Against:** Nil

**CARRIED 8/0**



**13.4 CHIEF EXECUTIVE OFFICER ANNUAL LEAVE AND ACTING CHIEF EXECUTIVE OFFICER ARRANGEMENTS****File Number:** 5355**Author:** Sarah Smith, Executive Services Coordinator**Responsible Officer:** Amanda Dexter, Chief Executive Officer**Authority/Discretion:** Executive**SUMMARY**

For Council to approve a request from the Chief Executive Officer (CEO) to take annual leave from the 5<sup>th</sup> August 2024 to 10 September 2024 inclusive and to appoint an Acting Chief Executive Officer (Acting CEO) for the duration.

**DISCLOSURE OF ANY INTEREST**

The CEO declares a financial interest as they are the person requesting the leave.

**BACKGROUND**

The Shire of Derby/West Kimberley CEO is requesting Council to approve the following leave from 5 August 2024 to 10 September 2024 inclusive and has adequate leave and time in lieu provision to do so.

**STATUTORY ENVIROMENT**

**S. 5.36 (*Local government employees*)** of the Local Government Act 1995 requires that every local government employs a Chief Executive Officer.

**S. 5.39 (*Contracts for CEO and senior employees*)** permits a Council to appoint a person to act in the position of a CEO for a term not exceeding one year without a written contract for that position.

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

The Acting CEO will receive a higher duties allowance during the term. Provision has been made in the 2023/24 Annual Budget for the CEO's leave and this allowance.

**STRATEGIC IMPLICATIONS**

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



**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Business Interruption:</b> Not appointing an Acting CEO will limit the Shire's capacity to satisfactorily manage the organisation and undertake the Council's directions.	Rare	Major	Low	Appoint a suitably qualified Acting CEO to support operations and efficient decision making.

**CONSULTATION**

Shire President.

**COMMENT**

The CEO has requested leave from 5 August 2024 to 10 September 2024 inclusive adequate annual leave is accrued to take the requested leave.

It is a requirement under the *Local Government Act 1995* that an Acting Chief Executive Officer be appointed during these periods of absence.

The Deputy Chief Executive Officer, Tamara Clarkson is adequately qualified and supported by a strong Executive Team who can provide sound support and strategic direction if required, during the CEO's absence.

**VOTING REQUIREMENT**

Simple majority

**ATTACHMENTS**

Nil



**RESOLUTION 37/24****Moved: Cr Brian Ellison****Seconded: Cr Kerrissa O'Meara****That Council:**

- 1. Approve the executive and annual leave of the Chief Executive Officer, Amanda Dexter for the period commencing on the 5 August 2024 to 10 September 2024, inclusive;**
- 2. Appoint the Deputy Chief Executive Officer, Tamara Clarkson as the Acting Chief Executive Officer for the period from 5 August 2024 to 10 September 2024, inclusive; and**
- 3. Approve the payment of higher duties to the Deputy Chief Executive Officer, equivalent to the current Chief Executive Officer, during this period.**

**In Favour:** Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

**Against:** Nil

**CARRIED 8/0**



**14      TECHNICAL SERVICES**

Nil



**15 DEVELOPMENT SERVICES****15.1 LOCAL PLANNING SCHEME NO. 9 REVIEW - SCHEDULE OF SUBMISSIONS AND MODIFICATIONS****File Number:** 7060**Author:** Mark Chadwick, Manager of Development Services**Responsible Officer:** Jess Karlsson, Executive Director of Operations and Strategic Development**Applicant:** Shire of Derby / West Kimberley**Owner:** Various**Proposal:** Preparation of a new local planning scheme**Location:** Whole of the Shire**Authority/Discretion:** Legislative**SUMMARY**

At the Ordinary Meeting of Council on 24 February 2022, Council resolved to adopt the Shire's proposed new draft Local Planning Scheme No.9 for the purposes of proceeding to public advertising. The Shire received certification from the Western Australian Planning Commission (WAPC) to advertise the draft Scheme and the formal advertising period commenced on 27 January, 2023 and closed on 26 May 2023.

This report presents the submissions received on the draft Scheme during public advertising.

It is recommended that Council adopt Local Planning Scheme No.9 (LPS9) with modifications as outlined in the Schedule of Submissions (**Attachment 2**) and the Schedule of Modifications (**Attachment 3**) and forwards the relevant documents to the WAPC for formal consideration and the Minister of Planning's final determination.

**DISCLOSURE OF ANY INTEREST**

Director of Technical and Development Services owns property in the new Scheme Area.

Manager Development Services – Nil.

**BACKGROUND**

The following Council resolutions have informed the Scheme review process:

- 22 April 2021; Initial Council Briefing concerning draft LPS9
- 22 July 2021; Second Council Briefing on draft LPS9. It was generally agreed that draft LPS9 would be 'policy neutral'. The briefing discussed the need to replace TPS No. 5, TPS No. 7 and IDO No.9 with draft LPS9 in order to:
  - Meet a statutory requirement to review Schemes regularly;
  - Ensure consistency with the Model Scheme Text and Regulations;
  - Reflect local and regional strategic directions;
  - Align with the Shire's Local Planning Strategy;



- Not propose dramatic changed to anticipated land use;
  - Reduce the number of prohibited land uses in the 'use class table';
  - Improve planning outcomes; and
  - Improve assessment efficiencies.
- 26 August 2021; Council resolved to not proceed with the previous Local Planning Scheme No. 8 and initiated preparation of Local Planning Scheme No. 9.
  - 22 February 2022; Council resolved to advertise the draft Local Planning Scheme No. 9 without modification.

## STATUTORY ENVIRONMENT

### Planning and Development Act 2005

- 1) Subject to section 71, a local government may –
  - a. Prepare a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district; or
  - b. Adopt, with or without modifications, a local planning scheme proposed by all or any of the owners of any land with respect to which the local government might itself have prepared a scheme.
- 2) A local government and another local government may –
  - a. Jointly prepare a local planning scheme with respect to land that is partly in the district of the first-mentioned local government and partly in the district of the other local government; or
  - b. Jointly adopt, with or without modifications, a local planning scheme proposed by all or any of the owners of any land with respect to which the local governments might themselves have prepared a scheme
- 3) Where a local planning scheme is prepared or adopted under subsection (2) a reference in this Act to the local government or responsible authority that is preparing or has prepared the scheme is to be read as a reference to the local governments that join in the preparation or adoption of the scheme.

## POLICY IMPLICATIONS

Draft LPS9 is required to be consistent with a wide range of State policies and guidelines and are also based on a range of regional and local strategies, structure plans, policies, etc. As noted, draft LPS9 is essentially 'policy-neutral' reflecting the existing State, regional and local strategic planning framework and existing planning strategies. The Shire 'strategies' of relevance are as follows:

### ***Fitzroy Futures Town Plan (March 2009)***

The *Fitzroy Futures Town Plan* was prepared by the Department for Planning and Infrastructure on behalf of the WAPC in conjunction with the Shire of Derby–West Kimberley and Bunuba Dawangarri Aboriginal Corporation. The *Fitzroy Futures Town Plan* was published for public comment in December 2004.

Following amendments to the document in accordance with the comments received, a *Final Fitzroy Futures Town Plan* was produced in November 2005 and endorsed by the Shire of Derby–



West Kimberley. A final updated document was endorsed by the Western Australian Planning Commission (WAPC) in March 2009.

### ***Shire of Derby/West Kimberley Local Planning Strategy (2013)***

The *Local Planning Strategy* provides the vision and a framework for long-term planning and development in the Shire over the next 15 years and provides the basis for the zoning and reservation of land in the draft LPS9. It is based on community needs and aspirations as expressed in the Shire's Strategic Community Plan through the five key focus areas of Leadership, Community, Economy, Environment and Infrastructure.

The *Local Planning Strategy* comprises two parts:

Part 1 – The Strategy summarises the Shire's key planning and development issues, sets the vision and strategic objectives for land use and development, and sets out individual strategies and actions required to achieve the vision over 15 years. The *Local Planning Strategy* depicts land use, development, environmental assets and other key issues in a visual form; and

Part 2 – Background Information and Analysis includes the detailed information and maps, along with the identification of key issues which help to support the high-level strategies, actions and plans in Part 1.

The *Local Planning Strategy* forms the interface between regional and local planning, and provides a strategic basis and rationale for the land use and development controls in draft LPS9.

### **FINANCIAL IMPLICATIONS**

Nil.

### **STRATEGIC IMPLICATIONS**

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.2.2 Provide strong governance

### **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Legal &amp; Compliance:</b> Council is obligated to progress finalisation of the new Scheme to satisfy the specific requirements of the <i>Planning and Development Act 2005</i> .	Unlikely	Moderate	Low	The Shire has followed the procedures established in the <i>Planning and Development Act 2005</i> and associated regulations for the preparation of a new local planning scheme.



## CONSULTATION

Since adoption of LPS9 for public advertising, which occurred at the February 2022 Council meeting, LPS9 was referred to the Heritage Council of Western Australia and the Environmental Protection Authority pursuant to Section 79 and 81 of the *Planning and Development Act 2005*.

The public comment period for draft LPS9 (**Attachment 1** – Draft LPS9) commenced on 27 January 2023 and concluded on 26 May 2023. Draft LPS9 was advertised for public comment in the following manner:

- A public notice in the West Australian on Friday 20 January 2023;
- Display of documents and public notice on the Shire's website;
- Display of documents and public notice at the Shire Administration Centre;
- Notice in the Shire's news and newsletters; and
- Updates on social media platforms.

As part of the public advertising process a number of community engagement meetings were held on Tuesday 21 March 2023 and Wednesday 22 March 2023, in Derby and Fitzroy Crossing respectively to engage with a wide range of stakeholders in order to obtain any feedback/comment and enhance understanding of the Scheme process in the local community. DPLH representatives were also present at these workshops to answer any questions from community stakeholders. Extended consultation was offered to the community in Fitzroy Crossing.

## COMMENT

### Local Planning Scheme

The Local Planning Scheme is the local government's statutory planning instrument and forms the basis of which every subdivision or development application is assessed. The Local Planning Scheme has the status of 'subsidiary legislation' which means that unlike policies and other planning instruments, schemes have legislative effect and must be treated as 'law'. The Scheme contains the 'scheme text', the 'deemed provisions' from the *Planning and Development Regulations (Local Planning Schemes) 2015* (automatically inserted into all Schemes) and 'scheme maps'.

### Local Planning Scheme Review

The review of the Shire's current TPS Nos.5 and 7 and Local Interim Development Order No.9 provides the Shire with an opportunity to ensure consistency with State legislation and State Planning Policies, as well as make sure the Scheme is fit-for-purpose, reflecting the broad land use and development direction of both the State Government and Council.

A copy of the advertised draft version of the LPS9 scheme text and maps can be found in **Attachment 1**.

Draft LPS9 has been developed to generally reflect the short-term zoning and classification of land and associated development set out in the Shire's Local Planning Strategy. Preparation of draft LPS9 has also been informed by the now superseded process undertaken to prepare draft LPS8 (now cancelled).

### Regulatory Requirements

A significant part of the Scheme review process is to ensure regulatory compliance with State legislation and associated State policy. *The Planning and Development (Local Planning Scheme)*



*Regulations 2015* (the Regulations) set out the way in which Local Planning Schemes are prepared, consolidated and amended. The two key components of the Regulations that inform the structure and content of the new Scheme are the ‘model provisions’ and ‘deemed provisions’.

### **Deemed Provisions**

The gazettal of the Regulations in 2015 resulted in significant operational changes to Local Planning Schemes across Western Australia. The Regulations introduced ‘deemed provisions’, meaning that they have direct effect and are to be read as if they form part of all local planning schemes. The Deemed provisions introduced uniform processes and procedures to schemes, such as structure plan preparation and development assessment. These apply automatically to all schemes and cannot be altered, varied or excluded.

### **Model Provisions**

Another significant change introduced by the Regulations was the ‘Model Provisions’. These are intended to standardise the form and content of local planning schemes, providing local government greater certainty of the State Government’s expectations as well as ensuring a more consistent approach to decision making. The model provisions set out the structure and numbering to be included within the Scheme and identify uniform reserves, zoning and land uses.

In order to reflect the model provisions, a new LPS9 has been prepared to ensure its structure and content are compliant with the Regulations. Reserves, land use definitions and zones have all been updated to be generally consistent with the model provisions.

The report presented to Council in February 2022 provided an overview of the higher-level changes proposed in draft LPS9 which are not repeated in this report. The comments below focus on all the submissions received during public advertising and an analysis of the matters raised in submissions.

### **Submissions received**

As previously mentioned the Shire advertised draft LPS9 from 27 January until 26 May 2023. During this period a total of 11 submissions were received, 8 of which were from State government agencies, 1 from the Shire of Broome, 1 from the Shire of Derby/West Kimberley, and 1 from local landowners (**Attachment 2 – Schedule of Submissions**).

An extension of the statutory timeframe within which Council is required to consider all submissions was approved by the Minister for Planning until 30 March 2024 to allow for the consideration of any late submissions. An online meeting with the CEO of Bunuba Dawangarri Aboriginal Corporation was held on 21 February 2024 inviting a submission if necessary, following a letter received late last year. To date no additional submissions have been received or can be accepted given the need for Council to comply with the 30 March statutory deadline referred to above.

Overall the majority of submissions were supportive of the strategic and statutory intent of draft LPS9 and requested that a range of mostly minor modifications be made.

The following key themes were raised in the submissions:

- Addressing Bushfire provisions of State Planning Policy 3.7 Planning in Bushfire Prone Areas;
- Comment on zone objectives;
- Minor edits to land use permissibility in the zoning table;
- Separation of incompatible land uses;



- Proposed Reserves;
- Modifications to Special Control Area provisions to reflect new or changed buffer requirements;
- Minor grammatical edits (including updates to references to government Departments).

#### Addressing bushfire requirements

A submission was received from the Department of Fire and Emergency Services noting that it is unclear from the documentation provided if the Shire of Derby/West Kimberley has applied *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* (SPP 3.7).

SPP 3.7 seeks to reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process. It is considered that the requirements at this level of planning have met SPP 3.7 as it is be read into the Scheme (Part 4 of LPS9). SPP3.7 will be applied in the usual manner for proposed subdivision and development within existing zoned areas within the local planning framework.

#### Zone Objectives

The Department of Primary Industries and Regional Development and Department of Water and Environmental Regulation recommended several minor changes to zone objectives in LPS9 (see **Attachment 2**). This included minor changes to the objectives of the 'Rural', 'Rural Residential', 'Rural Smallholdings' and 'Cultural and Natural Resource Use' zones.

The current zones and objectives within the LPS9 are the 'model' zones and objectives as per the *Planning and Development (Local Planning Schemes) Regulations 2015*. The preferred approach of the Western Australian Planning Commission is to use these model zones, and modification of the zones or objectives is discouraged. Therefore, it is recommended that no modifications to the zone objectives are made.

#### Modifications to Land Use Permissibility in the Zoning Table

The submission from the Department of Primary Industries and Regional Development further recommended a number of changes to the permissibility of certain land uses within the zoning table of LPS9 (see **Attachment 2**). The proposed changes and the proposed recommendation are listed below:

- Mining operations: Submission requested 'mining operations' an 'X' use across multiple zones. Recommendation is for no change, as the current permissibility shown in all zones is consistent with State Planning Policy 2.5 – Rural Planning.
- Hospital and place of worship: Submission recommended as an 'X' in the 'Rural' and 'Cultural and Natural Resource' zones. Recommendation to dismiss as both uses will require a development application with supporting evidence to show why any such proposal would be viable in the applicable zones;
- Residential aged care facility: Submission recommended 'X' use in the Cultural and Natural Resource zone as these facilities requires services and infrastructure not provided for in this zone. Recommendation to dismiss as the applicant would be required to provide supporting evidence showing this was viable in the subject zone. The Shire would be required to use discretion in approving the proposal; and
- Winery; Submission recommends 'X' use in the 'Rural Residential', 'Light Industry' and 'Tourism' zones as the use is potentially not consistent with the objectives of these zones. It is recommended to support this submission in part, with a change to 'X' in the 'Rural



Residential' and 'Light Industry' zones. It is considered appropriate to leave winery as an 'A' use within the 'Tourism' zone.

#### Separation of incompatible land uses.

The Department of Water and Environmental Regulation (DWER) raised in submissions 9.4 and 9.5 that a number of lots, proposed to be zoned 'urban development', in the Fitzroy Crossing townsite, are within either Public Drinking Water Source Protection Areas or the Wellhead Protection Zone for town water supply purposes.

Submission 9.4 recommends that Lots 103 and Lot 500 not be zoned 'urban development' so as to not intensify land use within the Public Drinking Water Source Area (P3) and the Well Head Protection zone. This submission is recommended to be supported in part. The zoning of both lots is consistent with the Shire's Local Planning Strategy, further, structure planning will be required at subsequent stages, which could address concerns raised by DWER. It is recognised that Lot 103 is within a wellhead protection zone and is currently reserved for water supply purposes for the benefit of the Water Corporation. Therefore, a modification is recommended to reclassify Lot 103 to 'Public Purposes – Infrastructure Reserve'.

In regard to DWER's submission 9.5 for Lot 401 on Plan 76782, it is recommended that it be dismissed given that a structure plan will be required at subsequent planning stages which will include detailed investigations regarding effluent disposal and stormwater flows from any future possible development and the minimum separation distance requirements from Well Head Protection Zones, all of which must and will be scrutinised by DWER during the structure planning process.

#### Proposed Reserves

The Department of Water and Environmental Regulation (DWER) did not support 'urban development' zonings for Lot 8000, 51, 52 and 33 in the locality bounded by Guildford Street and Fitzroy Street. These reserves supported stormwater management functions and serve important public open space functions. In light of this advice it is recommended that LPS9 be amended to reclassify these lots as 'Public Open Space'.

The Department of Water and Environmental Regulation also noted that Lot 156 on Plan 213655 in Fitzroy Crossing should be reclassified from 'Rural' as proposed in the draft LPS9 to 'Infrastructure Services' reserve to reflect the Water Corporation's application for land tenure to develop a new waste water treatment plant at this location. It is recommended that this submission be supported and Lot 156 be reclassified 'Infrastructure Services' reserve (**Attachment 3 – Schedule of Modifications**).

#### Modifications to Special Control Area provisions

The Water Corporation and DWER both submitted proposed changes to provisions in relation to Special Control Areas and buffer requirements.

The Water Corporation noted that the Waste Water Treatment Plant odour buffer should be slightly modified to match the 500m requirements (see **Attachment 2**). The Water Corporation further recommended that the name of Special Control Area 2 be changed to 'Waste Water Treatment Plant Buffer'. These recommendations are supported and modifications have been proposed accordingly (**Attachment 3 – Schedule of Modifications**).

Submission 9.9 (see Attachment 2) notes that Special Control Area No. 1 (SCA1) (Public Drinking Water Source Area) does not recognise the whole of the defined Public Drinking Water Source



Areas (P1, P2 and P3) and only identifies the Priority 1 area. DWER recommends that SCA 1 be modified to encompass the Priority 1, 2 and 3 areas, rename to 'Special Control Area 1 – Public Drinking Water Source Area' and modify the maps accordingly. It is recommended these modifications be noted but not supported immediately given this issue is to be investigated further as part of the Local Planning Strategy review. It is further noted that draft SPP2.9 stipulates that within P3 areas, drinking water sources co-exist with higher intensity land uses. Key elements in the protection of P3 areas include the need for deep sewerage and implementing best management practices. The requirements of the P3 area will be enacted as part of normal development approval processes, therefore expansion of the SCA is not warranted at this time.

The DWER has further clarifications regarding Special Control Area 4 Environment (Groundwater Protection Area), in that it should be removed from Map 5 (as this statutory tool is not appropriate for a confined aquifer) and added to Maps 12 and 15 to reflect the well head protection zones. These modifications are recommended for support, with proposed modifications found in **Attachment 3**.

As DWER are also in the process of finalising a Floodplain Management Strategy following the January flood event, it has been recommended that a new 'Special Control Area 5 – Flood Prone Land' be inserted into Table 7 of LPS9. This special control area would ultimately reflect the outcomes of the finalised Floodplain Management Strategy, with the LPS9 maps to be updated via a future scheme amendment (see **Attachment 2**). It is recommended that this submission also be noted as the mapping extents will be captured within the process to develop a new Local Planning Strategy, incorporating the updated DWER flood modelling and mapping. Once identified through the Strategy this can be included into both the Scheme maps and text as a future amendment to LPS9.

#### Proposed change to Special Use 3

Submission 10 (in relation to 5 Maxted Street (Lot 12)) requested the inclusion of the 'workforce accommodation' use into Special Use 3 (Table 6 within LPS9). As there is currently a shortage of workforce accommodation within the region, the proposed modification is recommended for support.

#### **Additional Modifications**




Additional modifications to land use permissibility within the zoning table and various corrections to address typographical or grammatical errors and remove redundant clauses or schedules are proposed following a detailed review of LPS9 and all the submissions received during public advertising. Most land use permissibility changes are to either reflect on-ground reality of use, or to enhance flexibility within the Shire for considering future development proposals.

These additional modifications are considered minor in nature and are listed in **Attachment 3 – Schedule of Modifications**.

#### **VOTING REQUIREMENT**

Simple majority

#### **ATTACHMENTS**

1. **Attachment 1 - Draft Local Planning Scheme No. 9** [!\[\]\(05a3150ca7eafd44fce8deaa48838121\_img.jpg\)](#) 
2. **Attachment 2 - Schedule of Proposed Submissions** [!\[\]\(9bc524f09d89ff34ea77fbf6b37ad4f3\_img.jpg\)](#) 
3. **Attachment 3 - Schedule of Proposed Modifications** [!\[\]\(ee4b3385b5a317d3d780c06e4893dbbf\_img.jpg\)](#) 



**RESOLUTION 38/24****Moved:** Cr Geoff Davis**Seconded:** Cr Geoff Haerewa**That Council:**

1. Pursuant to Regulation 25(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, acknowledge all submissions received public advertising of the Shire of Derby/West Kimberley Local Planning Scheme No.9 and endorse the recommendations contained in Attachment 2 – Schedule of Submissions prepared in respect of the new Scheme;
2. Pursuant to Regulation 25 (3)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, support the Shire of Derby/West Kimberley Local Planning Scheme No.9 subject to the various modifications contained in Attachment 3 – Schedule of Proposed Modifications;
3. Pursuant to Regulation 28 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, forward the advertised version of the Shire of Derby/West Kimberley Local Planning Scheme No.9, the Schedule of Submissions (i.e. Attachment 2), the Schedule of Proposed Modifications (i.e. Attachment 3), and a copy this resolution to the Western Australian Planning Commission for formal consideration and the Hon. Minister for Planning's final determination;
4. Authorise the Chief Executive Officer to make any additional minor modifications to the Shire of Derby/West Kimberley Local Planning Scheme No.9 Scheme Text and/or Maps as may be required by the Western Australian Planning Commission or authorised person to address any spelling, grammar, legibility issues or mapping anomalies/errors as well as all modifications required by the Hon. Minister for Planning; and
5. Authorise the Chief Executive Officer and President to endorse all final revised documentation required to be prepared in respect of the Shire of Derby/West Kimberley Local Planning Scheme No.9 in due course by affixing the Shire's common seal and signing the documentation accordingly.

**In Favour:** Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

**Against:** Nil

**CARRIED 8/0**



# **SHIRE OF DERBY/WEST KIMBERLEY**

## **LOCAL PLANNING SCHEME NO. 9**

### **DISCLAIMER**

This is a copy of the Local Planning Scheme produced from an electronic version of the Scheme held and maintained by the Department of Planning. Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.

Consultation with the respective Local Government Authority should be made to view a legal version of the Scheme.

Please advise the Department of Planning of any errors or omissions in this document.

**LOCAL PLANNING SCHEME GAZETTAL DATE: [INSERT DATE]**



**SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO. 9 -  
AMENDMENTS**

AMD NO.	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	



## SCHEME DETAILS

### **SHIRE OF DERBY/WEST KIMBERLEY** **LOCAL PLANNING SCHEME NO. 9**

The Shire of **Derby/West Kimberley** under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.



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**Adoption Page**



## Part 1 - Preliminary

### 1.1 Citation

This local planning scheme is the Shire of Derby/West Kimberley Scheme No.9

### 1.2 Commencement

Under section 87(4) of the Act, this local planning scheme comes into operation on the day on which it is published in the *Gazette*.

### 1.3 Schemes revoked

The following local planning schemes are revoked -

Shire of Derby/West Kimberley Town Planning Scheme No.5 – Derby  
Gazettal date 25 September 2001

Shire of Derby/West Kimberley Town Planning Scheme No.7 – for a Special Rural  
Zone: Birdwood Rise & A Rural Zone  
Gazettal date 14 July 1998

Shire of Derby/West Kimberley Interim Development Order No.9  
Gazettal date 17 November 2020

### 1.4 Notes do not form part of Scheme

Notes, and instructions printed in italics, do not form part of this Scheme.

Note: The *Interpretation Act 1984* section 32 makes provision in relation to whether headings form part of the written law.

### 1.5 Responsibility for Scheme

The Shire of Derby/West Kimberley is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

### 1.6 Scheme area

This Scheme applies to the area shown on the Scheme Maps.

### 1.7 Contents of Scheme

1.7.1 In addition to the provisions set out in this document (the **scheme text**), this Scheme includes the following -

- (a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);



- (b) the supplemental provisions to the deemed provisions contained in Schedule A of the scheme (if any);
- (c) the Scheme Maps (sheets 1 to 15); and
- (d) the Subdivision Guide Plan of Birdwood Rise (Schedule 5).

1.7.2 This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

## **1.8 Purposes of Scheme**

The purposes of this Scheme are to -

- (a) set out the local government's planning aims and intentions for the Scheme area; and
- (b) set aside land as local reserves for public purposes; and
- (c) zone land within the Scheme area for the purposes defined in this Scheme; and
- (d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans; and
- (e) set out procedures for the assessment and determination of development applications; and
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (g) make provision for the administration and enforcement of this Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

## **1.9 Aims of Scheme**

The aims of this Scheme are -

- To encourage an appropriate balance between economic and social development, conservation of the natural environment, provision of infrastructure and services, and improvements in lifestyle and amenity;
- To recognise and provide for the cultural practices and traditions of the traditional owners in the Shire;
- To provide sufficient zoned land for residential, commercial, retail, industrial, rural and civic uses, suitable to service the long term growth of the Shire;
- To implement strategic planning for the municipality, including the recommendations of the Shire's Local Planning Strategy, Fitzroy Futures Town Plan, WAPC adopted Aboriginal Layout plans, relevant regional plans and policies including the State Planning Strategy;



- To reserve certain portions of land required for public purposes;
- To zone the balance of the land within the Scheme Area for purposes described in the Scheme as recommended by the Shire's local planning strategy;
- To define the uses and types of development to be permitted on land within the Scheme Area; and
- To control and regulate the development and use of land throughout the Shire.

**1.10 Relationship with local laws**

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

**1.11 Relationship with other local planning schemes**

There are no other local planning schemes of the Shire of Derby/West Kimberley which apply to the Scheme area.

**1.12 Relationship with region planning scheme**

There are no region planning schemes which apply to the Scheme area.



## Part 2 - Reserves

### 2.1. Regional Reserves

There are no regional reserves in the Scheme area.

Note: The process of reserving land under a regional planning scheme is separate from the process of reserving land under the *Land Administration Act 1997* section 41.

### 2.2 Local reserves

2.2.1 In this clause -

**Department of Main Roads** means the department principally assisting in the administration of the *Main Roads Act 1930*;

**Western Australian Road Hierarchy** means the document of that name available on the website maintained by the Department of Main Roads.

2.2.2 Local reserves are shown on the Scheme Map according to the legend on the Scheme Map.

2.2.3 The objectives of each local reserve are as follows -

**Table 1 - Reserve objectives**

Reserve name	Objectives
Public Open Space	<ul style="list-style-type: none"> <li>To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152.</li> <li>To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.</li> </ul>
Environmental conservation	<ul style="list-style-type: none"> <li>To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision.</li> <li>To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.</li> </ul>
Civic and Community	<ul style="list-style-type: none"> <li>To provide for a range of community facilities which are compatible with surrounding development.</li> <li>To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.</li> </ul>
Social Care Facilities	<ul style="list-style-type: none"> <li>Civic and Community which specifically provide for a range of essential social care facilities.</li> </ul>
Cultural Facilities	<ul style="list-style-type: none"> <li>Civic and Community which specifically provide for a range of essential cultural facilities.</li> </ul>



Reserve name	Objectives
Public Purposes	<ul style="list-style-type: none"> <li>To provide for a range of essential physical and community infrastructure.</li> </ul>
Medical Services	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential medical services.</li> </ul>
Infrastructure Services	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential infrastructure services.</li> </ul>
Education	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential education facilities.</li> </ul>
Emergency Services	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential emergency services.</li> </ul>
Heritage	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of heritage purposes.</li> </ul>
Government Services	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of government services.</li> </ul>
Recreational	<ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of public recreational facilities.</li> </ul>
Cemetery	<ul style="list-style-type: none"> <li>To set aside land required for a cemetery.</li> </ul>
Drainage / Waterway	<ul style="list-style-type: none"> <li>To set aside land required for significant waterways and drainage.</li> </ul>
Primary Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.</li> </ul>
Local Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.</li> </ul>
Local Road	<ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.</li> </ul>
Strategic infrastructure	<ul style="list-style-type: none"> <li>To set aside land required for port or airport facilities.</li> </ul>
Special Purpose	<ul style="list-style-type: none"> <li>To set aside land for a special purpose.</li> <li>Purposes that do not comfortably fit in any other reserve classification.</li> </ul>

## 2.3 Additional uses for local reserves

2.3.1 There are no additional uses for land in local reserves that apply to this Scheme.



## Part 3 - Zones and use of land

### 3.1 Zones

3.1.1 Zones are shown on the Scheme Map according to the legend on the Scheme Map.

3.1.2 The objectives of each zone are as follows -

**Table 2 Zone objectives**

Zone name	Objectives
Residential	<ul style="list-style-type: none"> <li>To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</li> </ul>
Urban Development	<ul style="list-style-type: none"> <li>To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> <li>To provide an intermediate transitional zone following the lifting of an urban deferred zoning.</li> <li>To identify areas where a structure plan, activity centre plan or local development plan are required.</li> </ul>
Settlement	<ul style="list-style-type: none"> <li>To identify existing and proposed Aboriginal settlements and to collaboratively plan for the orderly and proper development of those places by — <ul style="list-style-type: none"> <li>(a) requiring preparation and endorsement of a layout plan in accordance with State Planning Policy 3.2; and</li> <li>(b) ensuring that development accords with a layout plan.</li> </ul> </li> </ul>



Zone name	Objectives
Rural	<ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul>
Rural Residential	<ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 1 ha to 4 ha.</li> <li>• To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>
Rural Smallholdings	<ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 4 ha to 40 ha.</li> <li>• To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>
Rural Townsite	<ul style="list-style-type: none"> <li>• To provide for a range of land uses that would typically be found in a small country town.</li> </ul>
Cultural and Natural Resource	<ul style="list-style-type: none"> <li>• Provide for development associated with the extraction of mineral and natural resources.</li> <li>• Ensure the preservation of Aboriginal heritage and culturally significant areas.</li> <li>• Provide for the conservation of significant landscape and environmental areas and values.</li> <li>• Allow for low impact tourism development including limited tourist accommodation and camping areas.</li> <li>• Allow land uses associated with Aboriginal heritage, traditional law and culture.</li> </ul>



Zone name	Objectives
Light Industry	<ul style="list-style-type: none"> <li>• To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.</li> <li>• To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.</li> </ul>
General Industry	<ul style="list-style-type: none"> <li>• To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.</li> <li>• To accommodate industry that would not otherwise comply with the performance standards of light industry.</li> <li>• Seek to manage impacts such as noise, dust and odour within the zone.</li> </ul>
Commercial	<ul style="list-style-type: none"> <li>• To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.</li> <li>• To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades or improve the existing streetscape.</li> <li>• To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</li> </ul>
Mixed Use	<ul style="list-style-type: none"> <li>• To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.</li> <li>• To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</li> </ul>
Tourism	<ul style="list-style-type: none"> <li>• To promote and provide for tourism opportunities.</li> <li>• To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.</li> <li>• To allow limited residential uses where appropriate.</li> <li>• To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.</li> </ul>



Zone name	Objectives
Service Commercial	<ul style="list-style-type: none"><li>• To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</li><li>• To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.</li></ul>
Special Use	<ul style="list-style-type: none"><li>• To facilitate special categories of land uses which do not sit comfortably within any other zone.</li><li>• To enable the Council to impose specific conditions associated with the special use.</li></ul>



### 3.2 Zoning table

The zoning table for this Scheme is as follows -

**Table 3 - Zoning Table**

USE and DEVELOPMENT CLASS	ZONE														
	Residential	Urban Development	Settlement	Rural	Rural Residential	Rural Smallholdings	Rural Townsite	Cultural and Natural Resource Use	Light Industry	General Industry	Commercial	Mixed Use	Service Commercial	Tourism	
Abattoir	X	All development in the Urban Development Zone shall be in accordance with a Structure Plan prepared in accordance with the provisions of Part 4 of the deemed provisions.  In the event that an approved Layout Plan has not been prepared in accordance with State Planning Policy No. 3.2 – Aboriginal Settlements, assessment and consideration is to be carried out based upon the objectives and intentions of this scheme		A	X	X	X	D	X	X	X	X	X	X	
agriculture – extensive	X			P	X	X	X	P	X	X	X	X	X	X	X
agriculture – intensive	X			P	X	A	X	P	X	X	X	X	X	X	X
amusement parlour	X			X	X	X	A	X	X	X	X	A	A	X	D
ancillary dwelling	P			D	D	D	P	D	X	X	X	X	D	X	X
animal establishment	X			D	D	D	X	A	X	X	X	X	X	X	X
animal husbandry – intensive	X			A	X	X	X	A	X	X	X	X	X	X	X
art gallery	X			D	X	X	D	D	D	D	X	D	D	D	D
bed and breakfast	A			A	A	A	A	A	X	X	X	X	A	A	A
betting agency	X			X	X	X	D	D	D	X	X	D	D	X	D
Brewery	X			D	X	X	D	D	D	D	D	D	A	D	D
bulky goods showroom	X			X	X	X	D	X	X	P	X	D	X	P	X
caravan park	X			A	X	X	A	P	P	X	X	X	X	X	P
caretaker's dwelling	X			D	X	D	D	D	D	D	D	D	D	D	D



USE and DEVELOPMENT CLASS	ZONE													
	Residential	Urban Development	Settlement	Rural	Rural Residential	Rural Smallholdings	Rural Townsite	Cultural and Natural Resource Use	Light Industry	General Industry	Commercial	Mixed Use	Service Commercial	Tourism
car park	I	All development in the Urban Development Zone shall be in accordance with a Structure Plan prepared in accordance with the provisions of Part 4 of the deemed provisions.	In the event that an approved Layout Plan has not been prepared in accordance with State Planning Policy No. 3.2 – Aboriginal Settlements, assessment and consideration is to be carried out based upon the objectives and intentions of this scheme	X	X	X	P	X	P	P	P	D	P	D
child care premises	A			A	A	A	A	A	X	X	D	D	A	D
cinema/theatre	X			X	X	X	D	D	D	X	P	D	X	P
civic use	D			D	X	X	P	D	A	A	P	P	A	P
club premises	X			X	A	A	P	D	A	X	D	D	D	D
commercial vehicle parking	X			A	D	D	A	D	D	D	D	D	D	D
community purpose	D			D	A	A	A	D	D	X	P	D	D	D
consulting rooms	X			X	X	X	P	D	X	X	P	P	X	X
convenience store	A			D	X	X	P	X	D	X	P	P	P	P
corrective institution	X			A	X	X	X	X	X	X	X	X	X	X
dwelling - single	P			P	P	P	P	P	X	X	X	D	X	D
dwelling - grouped	D			X	X	X	D	P	X	X	X	D	X	X
dwelling - multiple	D			X	X	X	D	P	X	X	X	D	X	X
education establishment	A			A	X	X	A	A	X	X	A	A	A	X
exhibition centre	X			D	X	X	D	D	D	X	D	D	D	D
family day care	A			A	A	X	A	A	A	X	D	D	A	D
fast food outlet	X			X	X	X	A	A	D	D	D	D	D	D
fuel depot	X			A	X	X	A	X	A	A	X	X	X	X
funeral parlour	X			X	X	X	A	X	A	A	A	A	A	X
garden centre	X			P	A	A	D	D	D	D	A	A	D	A



USE and DEVELOPMENT CLASS	ZONE													
	Residential	Urban Development	Settlement	Rural	Rural Residential	Rural Smallholdings	Rural Townsite	Cultural and Natural Resource Use	Light Industry	General Industry	Commercial	Mixed Use	Service Commercial	Tourism
holiday accommodation	A	All development in the Urban Development Zone shall be in accordance with a Structure Plan prepared in accordance with the provisions of Part 4 of the deemed provisions.	In the event that an approved Layout Plan has not been prepared in accordance with State Planning Policy No. 3.2 – Aboriginal Settlements, assessment and consideration is to be carried out based upon the objectives and intentions of this scheme	A	A	A	A	A	X	X	A	A	X	A
holiday house	A			A	A	A	A	A	X	X	A	A	X	A
home business	A			P	A	A	A	A	A	A	A	A	A	A
home occupation	A			P	A	A	A	A	A	A	A	A	X	X
home office	P			P	P	P	P	P	A	A	A	P	A	A
home store	A			A	A	A	A	A	X	X	X	A	X	X
Hospital	X			D	X	X	D	D	X	X	P	D	X	X
Hotel	X			X	X	X	A	A	X	X	A	A	X	P
industry	X			X	X	X	A	X	A	P	X	X	X	X
industry – extractive	X			A	X	X	X	A	A	A	X	X	X	X
industry – light	X			X	X	X	A	A	P	P	X	X	A	X
industry – primary production	X			P	X	X	A	D	D	D	X	X	X	X
liquor store – large	X			X	X	X	D	X	X	X	D	D	D	X
liquor store – small	X			X	X	X	D	X	X	X	D	D	X	D
lunch bar	A			X	X	X	D	X	D	X	P	D	A	P
Market	X			D	X	D	D	A	D	X	A	X	D	D
medical centre	X			X	X	X	D	X	X	X	P	D	A	X
mining operations	D			D	D	D	A	D	D	D	D	D	D	D
Motel	X			X	X	X	D	X	X	X	D	D	D	P



USE and DEVELOPMENT CLASS	ZONE													
	Residential	Urban Development	Settlement	Rural	Rural Residential	Rural Smallholdings	Rural Townsite	Cultural and Natural Resource Use	Light Industry	General Industry	Commercial	Mixed Use	Service Commercial	Tourism
motor vehicle, boat or caravan sales	X	All development in the Urban Development Zone shall be in accordance with a Structure Plan prepared in accordance with the provisions of Part 4 of the deemed provisions.	In the event that an approved Layout Plan has not been prepared in accordance with State Planning Policy No. 3.2 – Aboriginal Settlements, assessment and consideration is to be carried out based upon the objectives and intentions of this scheme	X	X	X	D	X	P	X	A	X	P	X
motor vehicle repair	X			X	X	X	D	D	P	P	A	X	P	X
motor vehicle wash	X			X	X	X	D	X	P	P	A	A	P	X
nightclub	X			X	X	X	D	X	X	X	D	X	X	X
office	X			X	X	X	D	X	I	I	P	D	I	D
park home park	X			X	X	X	D	X	X	X	X	X	X	D
place of worship	A			D	A	A	A	A	D	X	D	A	D	X
reception centre	X			A	X	X	A	D	X	X	D	D	A	D
recreation – private	X			D	X	A	A	D	A	X	D	D	D	D
renewable energy facility	X			D	X	X	D	D	D	D	X	X	D	X
repurposed dwelling	D			D	D	D	D	D	D	D	D	D	D	D
residential aged care facility	D			X	X	X	D	D	X	X	A	A	X	X
residential building	A			D	D	X	A	D	X	X	A	A	X	X
resource recovery centre	X			X	X	X	D	X	D	D	X	X	D	X
restaurant/café	X			D	A	X	A	D	X	X	P	D	X	D
restricted premises	X			X	X	X	A	X	X	X	A	A	X	X
road house	X			A	X	X	A	A	X	X	X	X	X	X
rural home business/industry cottage	X			D	A	A	X	X	X	X	X	X	X	X



USE and DEVELOPMENT CLASS	ZONE													
	Residential	Urban Development	Settlement	Rural	Rural Residential	Rural Smallholdings	Rural Townsite	Cultural and Natural Resource Use	Light Industry	General Industry	Commercial	Mixed Use	Service Commercial	Tourism
rural pursuit/hobby farm	X	All development in the Urban Development Zone shall be in accordance with a Structure Plan prepared in accordance with the provisions of Part 4 of the deemed provisions.	In the event that an approved Layout Plan has not been prepared in accordance with State Planning Policy No. 3.2 – Aboriginal Settlements, assessment and consideration is to be carried out based upon the objectives and intentions of this scheme	P	D	P	X	D	X	X	X	X	X	X
secondhand dwelling	D			D	D	D	D	D	X	X	X	D	X	A
serviced apartment	A			X	X	X	A	D	X	X	X	D	X	D
service station	X			X	X	X	D	X	D	D	A	A	D	A
shop	X			X	X	X	P	D	I	I	P	A	I	D
small bar	X			X	X	X	A	X	X	X	A	A	X	A
tavern	X			X	X	X	A	X	X	X	A	A	A	A
telecommunications infrastructure	A			D	A	A	A	D	D	D	A	A	A	A
tourist development	X			D	X	X	D	D	X	X	D	A	X	P
trade display	X			X	X	X	A	X	D	D	X	X	A	X
trade supplies	X			X	X	X	D	X	D	D	D	X	D	X
transport depot	X			X	X	X	A	D	P	P	X	X	D	X
tree farm	X			D	X	D	X	D	X	X	X	X	X	X
veterinary centre	X			D	A	A	D	D	A	X	D	X	A	X
warehouse/storage	X			X	X	X	D	D	P	P	X	A	P	X
waste disposal facility	X			A	X	X	X	X	X	X	X	X	X	X
waste storage facility	X			A	X	X	X	X	A	A	X	X	X	X
winery	X			A	A	A	X	X	D	X	X	X	X	A
workforce accommodation	A			A	X	X	A	X	A	X	A	A	A	A



### 3.3 Interpreting zoning table

3.3.1 The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

3.3.2 The symbols used in the zoning table have the following meanings -

- P means that the use is permitted if it complies with all relevant development standards and requirements of this Scheme;
- I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of this Scheme;
- D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
- A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;
- X means that the use is not permitted by this Scheme.

*Notes for this clause:*

1. *The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances 1 application is made for both the carrying out of works on, and the use of, land.*
2. *Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.*
3. *Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the local government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.*

3.3.3 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

3.3.4 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table -



- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

3.3.5 If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.

3.3.6 If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land -

- (a) a structure plan;
- (b) a local development plan;
- (c) a layout plan;
- (d) the objectives of the zone.

### 3.4 Additional uses

3.4.1 Table 4 sets out -

- (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
- (b) the conditions that apply to that additional use.

**Table 4 - Specified additional uses for zoned land in Scheme area**

No.	Description of land	Additional use	Conditions
A1	Lot 1 Derby Highway, Derby	Tearooms and Nursery	As determined by the local government
A2	Lot 170 Windjana Road, Derby	Dog Kennels (Boarding and Breeding)	As determined by the local government
A3	Pt of Derby Lot 24 Fitzroy Street, Derby	Bus Depot	As determined by the local government
A4	Lot 399 Clarendon Street, Derby	Nursery	As determined by the local government



- 3.4.2 Despite anything contained in the zoning table, land that is specified in Table 4 to subclause 3.4.1 may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

### 3.5 Restricted uses

3.5.1 Table 5 sets out -

- (a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
- (b) the conditions that apply to that restricted use.

**Table 5 - Restricted uses for land in Scheme area**

No.	Description of land	Restricted use	Conditions
R1	Birdwood Rise, Derby  (Schedule 5)	<p>As a 'P' use:</p> <ul style="list-style-type: none"> <li>• Agriculture - Intensive</li> <li>• Caretaker's Dwelling</li> <li>• Dwelling - single</li> <li>• Rural Pursuit/Hobby Farm</li> <li>• Home Occupation</li> <li>• Industry-Cottage</li> <li>• Industry- Rural Industry- Primary Production</li> <li>• Public Utility</li> </ul> <p>Uses not listed may be deemed to be prohibited within this zone</p>	<p><b>Objective</b> To allow the closer subdivision of land in a rural setting that may be used for rural residential living with limited rural pursuits and retention of rural landscape.</p> <p><b>Provisions</b> 1. Within the zone no building may be erected closer than: a) 20m (twenty metres) to the road frontage of the lot; and b) 15m (fifteen metres) to the side and rear boundaries of the lot.</p> <p>2. Not more than one private dwelling house and a caretaker's house will be permitted to be erected on a lot.</p> <p>3. Within the zone a building may not be occupied as a residence unless the building has been approved by the local government in conformity with the Building Code of Australia and the provisions of this Scheme and is connected to an adequate supply of potable water.</p> <p>4. Noise emitted from electricity generators and engine driven bore pumps shall comply with maximum noise levels set by the Environmental Protection (Noise) Regulations 1997. Noise attenuation shall be achieved through the use of acoustic enclosures, earth mounds and separation from dwellings.</p>



			<p>5. Biodegradable waste may be composted onsite in a manner approved by the local government.</p> <p>6. No dumping or burning of waste materials permitted.</p> <p>7. Fire breaks are to be maintained in accordance with the directions of the Fire Control officer and the Bush Fires Board. These include observing prohibited burning times, obtaining permits for burning and immediate notification of any wildfires to the Fire Control Officer and Bush Fires Board.</p> <p>8. Any agricultural use must be in keeping with the principles of sound agricultural practice and in this respect the Council may request the advice of the Department of Agriculture before determining any application.</p> <p>9. No person shall use or permit to be used any lot for the grazing of animals at an intensity which would adversely affect the pastures of and other vegetation on the lot concerned, the neighbouring lots or be likely to result in soil erosion. Stocking rates shall be in accordance with those specified by the Department of Agriculture.</p> <p>10. In order to conserve the natural beauty of the locality, native trees including White Gums and Boabs are to be left standing. Bauhenia, Woollybutts, and Bloodwood trees can be removed only for direct home and outbuilding construction, and are otherwise to be retained. The Wattle Scrub tree may be removed.</p> <p>11. No subdivision of lots shall be permitted.</p> <p>12. The land contained within the Scheme area is located within the proclaimed Canning/Kimberley Groundwater Area and therefore, the establishment of all wells and bores will be subject to the approval and licensing of the Department of Water and Environmental Regulation.</p> <p>13. The total water draw for each lot shall be subject to the approval of the Department of Water and Environmental Regulation and shall not in any case exceed a maximum of 40,000 litres per day.</p>
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			<p>16. On-site effluent disposal shall be by a method approved by the Department of Health, Western Australia.</p> <p>17. Domestic water supply methods shall be in accordance with the Shire of Derby/West Kimberley Health Local Law 1998 and Shire of Derby/West Kimberley Health Amendment Local Law 2010.</p>
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- 3.5.2 Despite anything contained in the zoning table, land that is specified in Table 5 to subclause 3.5.1 may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

### 3.6 Special use zones

#### 3.6.1 Table 6 sets out -

- (a) special use zones for specified land that are in addition to the zones in the zoning table; and
- (b) the classes of special use that are permissible in that zone; and
- (c) the conditions that apply in respect of the special uses.

**Table 6 - Special use zones in Scheme area**

No.	Description of land	Special use	Conditions
SU1	Lots 9 & 10 Derby Highway, Derby	Short Stay Accommodation	Development is subject to connection to town sewer system or other approved system and reticulated water supply.
SU2	Lot 84 Loch Street, Derby	Service Station Motor Repair Station Convenience Store	As determined by local government.
SU3	Lots 538 & 1210 Maxted Street, Derby	Art gallery Caravan Park Caretakers dwelling Convenience store Restaurant/cafe Shop Tourist development Rural Residential	Tourist accommodation development is subject to connection to the town sewer system or alternative as approved by the Health Department of WA.  Any development application is required to be advertised for public comment.
SU4	100 & 101 Lovegrove Street, Derby	Short stay Accommodation Rural Residential	Connection to reticulated water supply. Effluent disposal system subject to Department of Water and Health Department approval. Any development application is required to be advertised for public comment.



- 3.6.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

*Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.*

### **3.7 Non-conforming uses**

- 3.7.1 Unless specifically provided, this Scheme does not prevent -

- (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
- (b) the carrying out of development on land if -
  - (i) before the commencement of this Scheme, the development was lawfully approved; and
  - (ii) the approval has not expired or been cancelled.

- 3.7.2 Subclause 3.7.1 does not apply if -

- (a) the non-conforming use of the land is discontinued; and
- (b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.

- 3.7.3 Subclause 3.7.1 does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government -

- (a) purchases the land; or
- (b) pays compensation to the owner of the land in relation to the non-conforming use.

### **3.8 Changes to non-conforming use**

- 3.8.1 A person must not, without development approval-

- (a) alter or extend a non-conforming use of land; or
- (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
- (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
- (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.



- 3.8.2 An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- 3.8.3 A local government may only grant development approval for a change of use of land referred to in subclause 3.8.1(d) if, in the opinion of the local government, the proposed use -
- (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
  - (b) is closer to the intended purpose of the zone in which the land is situated.

### **3.9 Register of non-conforming uses**

- 3.9.1 The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- 3.9.2 A register prepared by the local government must set out the following -
- (a) a description of each area of land that is being used for a non-conforming use;
  - (b) a description of any building on the land;
  - (c) a description of the non-conforming use;
  - (d) the date on which any discontinuance of the non-conforming use is noted.
- 3.9.3 If the local government prepares a register under subclause 3.9.1 the local government -
- (a) must ensure that the register is kept up-to-date; and
  - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
  - (c) may publish a copy of the register on the website of the local government.
- 3.9.4 An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.



## **Part 4 - General development requirements**

### **4.1 R-Codes**

- 4.1.1 The R-Codes, modified as set out in clause 4.2, are to be read as part of this Scheme.
- 4.1.2 The local government must ensure that the R-Codes are published in accordance with clause 87 of the deemed provisions.
  - (a) Subclause (4.1.2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.
- 4.1.3 The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- 4.1.4 The R-Codes apply to an area if —
  - (a) the area has a coding number superimposed on it in accordance with subclause (4.1.3); or
  - (b) a provision of this Scheme provides that the R-Codes apply to the area.

### **4.2 Modification of R-Codes**

The following variations to the R-Codes apply in the Scheme area:

- 4.2.1 Where a site has a dual coding specified on the Scheme Map, the local government may approve residential development to the higher code, providing the development is connected to a reticulated sewerage system and Local government is satisfied that development proposals have been prepared which take into account:
  - (a) the effect the proposal will have on the residential amenity of the locality with regard to streetscape, building form, servicing, privacy, overshadowing and traffic circulation both on and off site;
  - (b) any other matter to be considered under the provisions of the appropriate Residential Density Code.
- 4.2.2 Local government may permit Aged or dependent persons' dwelling in accordance with the R30 Code.
- 4.2.3 Any application for development approval for any residential building other than a single dwelling shall be accompanied by a landscape plan showing the proposed landscaping on the site.

The landscape plan shall show:

  - (a) the location and general nature of planted areas;
  - (b) the location and nature of materials to be used on non-planted areas;
  - (c) the location and size of any outbuildings or other minor proposed structures; and



- (d) the implementation schedule of the landscape plan including, though not limited to, the applicant commencing the implementation of the landscape plan within six calendar months of the completion of all other approved works and the applicant completing the implementation of the landscape plan no later than six calendar months following approval to occupy any building.

4.2.4 Notwithstanding any other provision of the Scheme Local government may:

- (a) where residential development is proposed as a component of a mixed use commercial development in the Town Centre Zone consent to the residential development at a density up to a maximum of R35 subject to the:
  - (i) residential component not occupying the ground floor at the street frontage; and
  - (ii) site area occupied by the commercial development shall be excluded from the site area used for the determination of residential unit yield;
- (b) for residential development in the Town Centre Zone consent to the reduction of the front setback to nil where this is in the opinion of Local government consistent with the existing streetscape.

#### **4.3 State Planning Policy 3.6 to be read as part of Scheme**

- 4.3.1 *State Planning Policy 3.6 - Development Contributions for Infrastructure*, modified as set out in clause 4.4, is to be read as part of this Scheme.
- 4.3.2 The local government must ensure that State Planning Policy 3.6 is published in accordance with clause 87 of the deemed provisions.
- 4.3.3 Subclause 4.3.2 is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions."

#### **4.4 Modification of State Planning Policy 3.6**

There are no modifications to State Planning Policy 3.6.

#### **4.5 Other State planning policies to be read as part of Scheme**

- 4.5.1 There are no other State planning policies that are to be read as part of this Scheme.

#### **4.6 Modification of State planning policies**

There are no modifications to a State planning policy that, under clause 4.5 is to be read as part of the Scheme.

#### **4.7 Environmental conditions**

There are no environmental conditions imposed under the *Environmental Protection Act 1986* that apply to this Scheme.



#### **4.8 General development standards and requirements**

- 4.8.1 Schedule 3 sets out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans , local development plans or State or local planning policies.
- 4.8.2 To the extent that a requirement referred to in subclause 4.8.1 is inconsistent with a requirement in the R-Codes, a precinct structure plan, a local development plan or a State or local planning policy the requirement referred to in clause 4.9 prevails.

#### **4.9 Site specific development standards and requirements**

There are no additional requirements that apply to this Scheme.

#### **4.10. Variations to site and development requirements**

- 4.10.1 In this clause - general site and development requirements means requirements set out in clauses 4.8.
- 4.10.2 The local government may approve an application for development approval that does not comply with the general site and development requirements.
- 4.10.3 An approval under subclause 4.10.2 may be unconditional or subject to any conditions the local government considers appropriate.
- 4.10.4 If the local government is of the opinion that the non-compliance with an general site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must -
  - (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64(4) of the deemed provisions; and
  - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- 4.10.5 The local government may only approve an application for development approval under this clause if the local government is satisfied that -
  - (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67(2) of the deemed provisions; and
  - (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.



#### 4.11. Restrictive covenants

4.11.1 A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.

4.11.2 If subclause 4.11.1 operates to extinguish or vary a restrictive covenant

- (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
- (b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

### Part 5 - Special control areas

#### 5.1 Special control areas

5.1.1 Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.

5.1.2 The purpose, objectives and additional provisions that apply to each special control area is set out in Table 7.

5.1.3 In respect of a Special Control Area shown on a Scheme Map, the objectives and additional provisions applying to the Special Control Area apply in addition to the provisions applying to any underlying zone or reserve and any other provisions of the Scheme.

**Table 7 - Special control areas in Scheme area**

Name of area	Purpose	Objectives	Additional provisions
Public Drinking Water Source Area – Priority 1 (SCA 1)	Protection of Priority 1 Public Drinking Water Source Areas	(i) To provide a basis for the protection of public drinking water resources through the control of land use or development which has the potential to prejudice the quality of water	(a) Despite any other provision of the Scheme development approval is required for all use and development within the Environment - Public Drinking Water Source Area – Priority 1 Special Control Area including a single house, removal of vegetation, earthworks or the use of land for the keeping of or grazing animals, and shall be subject to discretion of the local government, notwithstanding that the use may be designated as a 'P' use under the Scheme.



		<p>supplies for public use;</p> <p>(ii) To identify land that has been designated as a public drinking water resource;</p> <p>(iii) To ensure that any land use does not detrimentally impact on a public drinking water resource;</p> <p>(iv) To implement Scheme controls that are designed to mitigate any adverse effects on a public drinking water resource.</p>	<p>(b) The local government may refuse any application for development approval or impose conditions on any development approval so as to –</p> <p>(i) protect the groundwater resource; and</p> <p>(ii) require the registration of a notification under section 70A of the <i>Transfer of Land Act 1893</i> on the title to the land giving notice of any limitations or constraints associated with the protection of groundwater resources at the applicant's cost.</p> <p><i>Note: There will be a general presumption against development or use of land which involves a significant risk to the groundwater resource. The onus will be on the proponent of development to demonstrate that the proposed activity will not prejudice the groundwater resource.</i></p> <p>(c) The local government shall refer applications for development approval within the Environment - Public Drinking Water Source Area – Priority 1 Special Control Area to the Department of Water and Environmental Regulation, any other agency or organisation the local government deems necessary, and the local government shall have due regard to any advice received.</p> <p>(d) In addition to other provisions of the Scheme, in considering any application for rezoning, subdivision or development approval within the Environment - Public Drinking Water Source Area – Priority 1 Special Control Area, the local government is to have due regard to –</p> <p>(i) any water resource management plan, strategy or guideline of the Department of Water and Environmental Regulation, and any advice received from the Department of Water and Environmental Regulation;</p> <p>(ii) the potential impact of the proposal on the quality of the water resource;</p> <p>(iii) the practicability and cost of any ameliorative measures proposed for the protection of the resource;</p> <p>(iv) the existing level of protection of the resource provided, with reference to</p>
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			<p>management of land and location of development;</p> <p>(v) the nature, location and performance of any existing or proposed effluent disposal system; and</p> <p>(e) the drainage characteristics of the land, including surface and groundwater flow, and the adequacy of proposed measures to manage run-off and drainage.</p>
Sewer Treatment Plant Odour Buffer (SCA 2)	Protection of the Sewer Treatment Plant Odour Buffer	<p>i) The objective of the Sewer Treatment Plant Odour Buffer Special Control Area is to avoid the establishment of incompatible or odour-sensitive land uses or development within the buffer and protect the long term operation of the Derby and Fitzroy Crossing Waste Water Treatment Plants.</p>	<p>(a) Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any development or use of land within the Sewer Treatment Plant Odour Buffer Special Control Area without first having applied for and obtained the development approval of the local government under Part 9 of the deemed provisions.</p> <p>(b) The local government in considering an application for development approval within the Infrastructure - Sewer Treatment Plant Odour Buffer Special Control Area is to have due regard to:</p> <p>(i) the compatibility of the use or development with wastewater treatment plant infrastructure with regard to potential odour and noise emissions from the waste water treatment plant;</p> <p>(ii) whether the use or development would have a detrimental impact on the long term operation of the waste water treatment plant;</p> <p>(iii) the advice and recommendations of the Water Corporation and the Department of Water and Environmental Regulation and any relevant policies of the Department of Water and Environmental Regulation and the Western Australian Planning Commission, including State Planning Policy 4.1 (State Industrial Buffer Policy).</p>
Coastal Hazard Risk Area (SCA 3)	Reflect the Coastal Processes Setback from the Coastal hazard risk management and adaptation planning guidelines	<p>i) To ensure land in the coastal zone is continuously provided for coastal foreshore management, public access, recreation and conservation.</p> <p>ii) To ensure public safety and reduce</p>	<p>(a) Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any development or use of land within the Coastal Hazard Risk Area Special Control Area without first having applied for and obtained the development approval of the local government under Part 9 of the deemed provisions.</p>



		<p>risk associated with coastal erosion and inundation.</p> <p>iii) To avoid inappropriate land use and development of land at risk from coastal erosion and inundation.</p> <p>iv) To ensure land use and development does not accelerate coastal erosion or inundation risks; or have a detrimental impact on the functions of public reserves.</p> <p>v) To ensure that development addresses the Derby Townsite Coastal Hazard Risk Management and Adaptation Plan prepared in accordance with State Planning Policy No. 2.6 State Coastal Planning Policy (as amended) and any relevant local planning policy prepared in accordance with this Scheme.</p>	
Environment (Groundwater Protection Area) (SCA 4)	The purpose of identifying land on the scheme map as being within a Groundwater Protection Area is to control the development of certain land uses with the potential to contaminate	<p>(i) provide a basis for the protection of public drinking water resources through the control of land use or development which has the potential to prejudice the quality of water supplies for public use;</p> <p>(ii) identify land that has been designated as a wellhead protection zone;</p>	<p>(a) Despite any other provision of the Scheme development approval is required for all use and development within the Environment - Wellhead Protection Zone Special Control Area including a single house, removal of vegetation, earthworks or the use of land for the keeping of or grazing animals, and shall be subject to discretion of the local government, notwithstanding that the use may be designated as a 'P' use under the Scheme.</p> <p>(b) The local government may refuse any application for development approval or</p>



	water resources.	(iii) ensure that any land use does not detrimentally impact on a public drinking water resource; implement Scheme controls that are designed to mitigate any adverse effects on a public drinking water resource.	<p>impose conditions on any development approval so as to –</p> <ul style="list-style-type: none"> <li>(i) protect the groundwater resource; and</li> <li>(ii) require the registration of a notification under section 70A of the Transfer of Land Act 1893 on the title to the land giving notice of any limitations or constraints associated with the protection of groundwater resources at the applicant's cost.</li> </ul> <p>Note: There will be a general presumption against development or use of land which involves a significant risk to the groundwater resource. The onus will be on the proponent of development to demonstrate that the proposed activity will not prejudice the groundwater resource.</p> <ul style="list-style-type: none"> <li>(c) The local government shall refer applications for development approval within the Environment - Wellhead Protection Zone Special Control Area to the Department of Water and Environmental Regulation, any other agency or organisation the local government deems necessary, and the local government shall have due regard to any advice received.</li> <li>(d) In addition to other provisions of the Scheme, in considering any application for rezoning, subdivision or development approval within the Environment - Wellhead Protection Zone Special Control Area, the local government is to have due regard to – <ul style="list-style-type: none"> <li>(i) any water resource management plan, strategy or guideline of the Department of Water and Environmental Regulation, and any advice received from the Department of Water and Environmental Regulation;</li> <li>(ii) the potential impact of the proposal on the quality of the water resource;</li> <li>(iii) the practicability and cost of any ameliorative measures proposed for the protection of the resource;</li> <li>(iv) the existing level of protection of the resource provided, with reference to management of land and location of development;</li> <li>(v) the nature, location and performance of any existing or proposed effluent disposal system; and</li> <li>(vi) the drainage characteristics of the land, including surface and groundwater flow, and the adequacy of proposed measures to manage run-off and drainage.</li> </ul> </li> </ul>
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## Part 6 - Terms referred to in Scheme

### Division 1 - General definitions used in Scheme

#### 6.1 Terms used

6.1.1 If a word or expression used in this Scheme is listed in this clause, its meaning is as follows -

<b>building envelope</b>	means the area of land within which all buildings and effluent disposal facilities on a lot must be contained.
<b>building height</b>	in relation to a building - (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes.
<b>cabin</b>	means a dwelling forming part of a tourist development or caravan park that is - (a) an individual unit other than a chalet; and (b) designed to provide short-term accommodation for guests.
<b>chalet</b>	means a dwelling forming part of a tourist development or caravan park that is - (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and (b) designed to provide short-term accommodation for guests.
<b>commencement day</b>	means the day this Scheme comes into effect under section 87(4) of the Act.
<b>commercial vehicle</b>	means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including - (a) a utility, van, truck, tractor, bus or earthmoving equipment; and (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).
<b>floor area</b>	has meaning given in the Building Code.
<b>minerals</b>	has the meaning given in the <i>Mining Act 1978</i> section 8(1).
<b>plot ratio</b>	means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located.
<b>precinct</b>	means a definable area where particular planning policies, guidelines or standards apply.
<b>predominant use</b>	means the primary use of premises to which all other uses carried out on the premises are incidental.
<b>retail</b>	means the sale or hire of goods or services to the public.



<b>short-term accommodation</b>	means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.
<b>wholesale</b>	means the sale of goods or materials to be sold by others.

**6.1.2** A word or expression that is not defined in this Scheme -

- (a) has the meaning it has in the *Planning and Development Act 2005*; or
- (b) if it is not defined in that Act- has the same meaning as it has in the R-Codes.

**Division 2 - Land use terms used in Scheme**

**6.2 Land use terms used**

If this Scheme refers to a category of land use that is listed in this provision, the meaning of that land use is as follows -

<b>abattoir</b>	means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.
<b>agriculture - extensive</b>	means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture - intensive or animal husbandry - intensive.
<b>agriculture - intensive</b>	means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following - <ul style="list-style-type: none"> <li>(a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;</li> <li>(b) the establishment and operation of plant or fruit nurseries;</li> <li>(c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);</li> <li>(d) aquaculture.</li> </ul>
<b>amusement parlour</b>	means premises - <ul style="list-style-type: none"> <li>(a) that are open to the public; and</li> <li>(b) that are used predominantly for amusement by means of amusement machines including computers; and</li> <li>(c) where there are 2 or more amusement machines.</li> </ul>
<b>ancillary dwelling</b>	means ancillary dwelling as defined in the R-Codes
<b>animal establishment</b>	means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.
<b>animal husbandry - intensive</b>	means premises used for keeping, rearing or fattening of alpacas, beef and dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), sheep or other livestock in feedlots, sheds or rotational pens. .
<b>art gallery</b>	means premises - <ul style="list-style-type: none"> <li>(a) that are open to the public; and</li> <li>(b) where artworks are displayed for viewing or sale.</li> </ul>



<b>bed and breakfast</b>	means a dwelling - (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and (b) containing not more than 2 guest bedrooms.
<b>betting agency</b>	means an office or totalisator agency established under the <i>Racing and Wagering Western Australia Act 2003</i> .
<b>brewery</b>	means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the <i>Liquor Control Act 1988</i> .
<b>bulky goods showroom</b>	means premises - (a) used to sell by retail any of the goods and accessories of the following types (but not limited to) that are principally used for domestic purposes - (i) automotive parts and accessories; (ii) camping, outdoor and recreation goods; (iii) electric light fittings; (iv) animal supplies including equestrian and pet goods; (v) floor and window coverings; (vi) furniture, bedding, furnishings, fabrics, manchester and homewares; (vii) household appliances, electrical goods and home entertainment goods; (viii) party supplies; (ix) office equipment and supplies; (x) babies' and children's goods, including play equipment and accessories; (xi) sporting, cycling, leisure, fitness goods and accessories; (xii) swimming pools; or (b) and used to sell goods and accessories by retail if - (i) a large area is required for the handling, display or storage of the goods; or (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.
<b>caravan park</b>	means premises that are a caravan park as defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> section 5 (1).
<b>caretaker's dwelling</b>	means a dwelling on the same site as a building, operation or plant, and occupied by a supervisor of that building, operation or plant.
<b>car park</b>	means premises used primarily for parking vehicles whether open to the public or not but does not include - (a) any part of a public road used for parking or for a taxi rank; or (b) any premises in which cars are displayed for sale.
<b>child care premises</b>	means premises where - (a) an education and care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> Section 5(1), other than a family day care service as defined in that section, is provided; or (b) a child care service as defined in the <i>Child Care Services Act 2007</i> section 4 is provided.
<b>cinema/theatre</b>	means premises where the public may view a motion picture or theatrical production.



<b>civic use</b>	means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.
<b>club premises</b>	means premises used by a legally constituted club or association or other body of persons united by a common interest.
<b>commercial vehicle parking</b>	means premises used for parking of one or 2 commercial vehicles but does not include - (a) any part of a public road used for parking or for a taxi rank; or (b) parking of commercial vehicles incidental to the predominant use of the land.
<b>community purpose</b>	means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.
<b>consulting rooms</b>	means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<b>convenience store</b>	means premises - (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and (b) operated during hours which include, but may extend beyond, normal trading hours; and (c) the floor area of which does not exceed 300 m <sup>2</sup> net lettable area.
<b>corrective institution</b>	means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.
<b>educational establishment</b>	means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.
<b>exhibition centre</b>	means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.
<b>family day care</b>	means premises where a family day care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> is provided.
<b>fast food outlet</b>	means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten - (a) without further preparation; and (b) primarily off the premises.



<b>freeway service centre</b>	<p>means premises that has direct access to a freeway and which provides all the following services or facilities and may provide other associated facilities or services but does not provide bulk fuel services -</p> <ul style="list-style-type: none"> <li>(a) service station facilities;</li> <li>(b) emergency breakdown repair for vehicles;</li> <li>(c) charging points for electric vehicles;</li> <li>(d) facilities for cyclists;</li> <li>(e) restaurant, café or fast food services, excluding the sale or consumption of alcohol under the <i>Liquor Licensing Act 1988</i>;</li> <li>(f) take-away food retailing, without a drive-through facility;</li> <li>(g) public ablution facilities, including provision for disabled access and infant changing rooms;</li> <li>(h) parking for passenger and freight vehicles;</li> <li>(i) outdoor rest stop facilities such as picnic tables and shade areas; and</li> <li>(j) dump points for the disposal of black and/or grey water from recreational vehicles.</li> </ul>
<b>fuel depot</b>	<p>means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used -</p> <ul style="list-style-type: none"> <li>(a) as a service station; or</li> <li>(b) for the sale of fuel by retail into a vehicle for use by the vehicle.</li> </ul>
<b>funeral parlour</b>	<p>means premises used</p> <ul style="list-style-type: none"> <li>(a) to prepare and store bodies for burial or cremation;</li> <li>(b) to conduct funeral services.</li> </ul>
<b>garden centre</b>	<p>means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.</p>
<b>holiday accommodation</b>	<p>means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.</p>
<b>holiday house</b>	<p>means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.</p>
<b>home business</b>	<p>means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession -</p> <ul style="list-style-type: none"> <li>(a) does not involve employing more than 2 people who are not members of the occupier's household; and</li> <li>(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and</li> <li>(c) does not occupy an area greater than 50 m<sup>2</sup>; and</li> <li>(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and</li> <li>(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and</li> <li>(f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and</li> <li>(g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.</li> </ul>
<b>home occupation</b>	<p>means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that -</p> <ul style="list-style-type: none"> <li>(a) does not involve employing a person who is not a member of the occupier's household; and</li> </ul>



- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
  - (c) does not occupy an area greater than 20 m<sup>2</sup>; and
  - (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m<sup>2</sup>; and
  - (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
  - (f) does not -
    - (i) require a greater number of parking spaces than normally required for a single dwelling; or
    - (ii) result in an increase in traffic volume in the neighbourhood; and
  - (g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
  - (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
  - (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.
- home office** means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation -
- (a) is solely within the dwelling; and
  - (b) does not entail clients or customers travelling to and from the dwelling; and
  - (c) does not involve the display of a sign on the premises; and
  - (d) does not require any change to the external appearance of the dwelling.
- home store** means a shop attached to a dwelling that -
- (a) has a net lettable area not exceeding 100 m<sup>2</sup>; and
  - (b) is operated by a person residing in the dwelling.
- hospital** means premises that are a hospital within the meaning given in the *Health Services Act 2016* section 8(4).
- hotel** means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises.
- industry** means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes -
- (a) the storage of goods;
  - (b) the work of administration or accounting;
  - (c) the selling of goods by wholesale or retail;
  - (d) the provision of amenities for employees;
  - (e) incidental purposes.
- Industry - cottage** means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which -
- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
  - (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;
  - (c) is conducted in an outbuilding which is compatible with the principal uses to which land in the zone in which it is located may be put;
  - (d) does not occupy an area in excess of 50 square metres; and
  - (e) does not display a sign exceeding 0.2 square metres in area.



<b>industry - extractive</b>	means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes - (a) the processing of raw materials including crushing, screening, washing, blending or grading; (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.
<b>industry - light</b>	means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed.
<b>industry - primary production</b>	means premises used - (a) to carry out a primary production business as that term is defined in the <i>Income Tax Assessment Act 1997</i> (Commonwealth) section 995-1; or (b) for a workshop servicing plant or equipment used in primary production businesses.
<b>liquor store - large</b>	means premises the subject of a liquor store licence granted under the <i>Liquor Control Act 1988</i> with a net lettable area of more than 300 m <sup>2</sup> .
<b>liquor store - small</b>	means premises the subject of a liquor store licence granted under the <i>Liquor Control Act 1988</i> with a net lettable area of not more than 300 m <sup>2</sup> .
<b>lunch bar</b>	means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.
<b>marina</b>	means - (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services.
<b>marina filling station</b>	means premises used for the storage and supply of liquid fuels and lubricants for marine craft.
<b>market</b>	means premises used for the display and sale of goods from stalls by independent vendors.
<b>medical centre</b>	means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<b>mining operations</b>	means premises where mining operations, as that term is defined in the <i>Mining Act 1978</i> section 8(1), is carried out.
<b>motel</b>	means premises, which may be licensed under the Liquor Control Act 1988 — (a) used to accommodate guests in a manner similar to a hotel; and (b) with specific provision for the accommodation of guests with motor vehicles.
<b>motor vehicle, boat or caravan sales</b>	means premises used to sell or hire motor vehicles, boats or caravans.



<b>motor vehicle repair</b>	means premises used for or in connection with - (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or (b) repairs to tyres other than recapping or re-treading of tyres.
<b>motor vehicle wash</b>	means premises primarily used to wash motor vehicles.
<b>nightclub</b>	means premises the subject of a nightclub licence granted under the <i>Liquor Control Act 1988</i> .
<b>office</b>	means premises used for administration, clerical, technical, professional or similar business activities.
<b>park home park</b>	means premises used as a park home park as defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> Schedule 8.
<b>place of worship</b>	means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.
<b>reception centre</b>	means premises used for hosted functions on formal or ceremonial occasions.
<b>recreation - private</b>	means premises that are - (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
<b>renewable energy facility</b>	means premises used to generate energy from a renewable energy source predominantly for use offsite and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource, where energy is being produced (i.e. solar farms as opposed to solar panels).
<b>repurposed dwelling</b>	means a building or structure not previously used as a single house which has been repurposed for use as a dwelling.
<b>residential aged care facility</b>	a residential facility providing personal and/or nursing care primarily to aged or dependent persons which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. This may consist of multiple components that include residential respite (short-term) care, aged or dependent persons dwellings and a retirement village, but does not include a hospital, rehabilitation or psychiatric facility.
<b>resource recovery centre</b>	means premises other than a waste disposal facility used for the recovery of resources from waste.
<b>restaurant/cafe</b>	means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the <i>Liquor Control Act 1988</i> .
<b>retirement village</b>	a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and land uses incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential aged care facility.



<b>restricted premises</b>	means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of - (a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> (Commonwealth); and (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or (c) smoking-related implements.
<b>road house</b>	means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services - (a) a full range of automotive repair services; (b) wrecking, panel beating and spray painting services; (c) transport depot facilities; (d) short-term accommodation for guests; (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies; and (f) dump points for the disposal of black and/or grey water from recreational vehicles.
<b>rural home business</b>	means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or occupation - (a) does not involve employing more than 2 people who are not members of the occupier's household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 200 m <sup>2</sup> ; and (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle more than 30 tonnes gross weight.
<b>rural pursuit/hobby farm</b>	means any premises, other than premises used for agriculture - extensive or agriculture - intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household - (a) the rearing, agistment, stabling or training of animals; (b) the keeping of bees; and (c) the sale of produce grown solely on the premises.
<b>second-hand dwelling</b>	means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular home or transportable dwelling.
<b>serviced apartment</b>	means a group of units or apartments providing - (a) self-contained short-stay accommodation for guests; and (b) any associated reception or recreational facilities.



<b>service station</b>	means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for — (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or (a) (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.
<b>shop</b>	means premises other than a bulky goods showroom, a liquor store large or a liquor store - small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.
<b>small bar</b>	means premises the subject of a small bar licence granted under the <i>Liquor Control Act 1988</i> .
<b>tavern</b>	means premises the subject of a tavern licence granted under the <i>Liquor Control Act 1988</i> .
<b>telecommunications infrastructure</b>	means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.
<b>tourist development</b>	means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide - (a) short-term accommodation for guests; and (b) onsite facilities for the use of guests; and (c) facilities for the management of the development;
<b>trade display</b>	means premises used for the display of trade goods and equipment for the purpose of advertisement.
<b>trade supplies</b>	means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for any of the following purposes including goods which may be assembled or manufactured off the premises - (a) automotive repairs and servicing; (b) building including repair and maintenance; (c) industry; (d) landscape gardening; (e) provision of medical services; (f) primary production; and (g) use by government departments or agencies, including local government.
<b>transport depot</b>	means premises used primarily for the parking or garaging of 3 or more commercial vehicles including - (a) any ancillary maintenance or refuelling of those vehicles; and (b) any ancillary storage of goods brought to the premises by those vehicles; and (c) the transfer of goods or persons from one vehicle to another.
<b>tree farm</b>	means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the <i>Carbon Rights Act 2003</i> section 5.



<b>veterinary centre</b>	means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.
<b>warehouse/ storage</b>	means premises including indoor or outdoor facilities used for (a) the storage of goods, equipment, plant or materials; or (b) the display or the sale by wholesale of goods.
<b>waste disposal facility</b>	means premises used - (a) for the disposal of waste by landfill; or (b) the incineration of hazardous, clinical or biomedical waste.
<b>waste storage facility</b>	means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale.
<b>winery</b>	means premises used for the production of viticultural produce and associated sale of the produce.
<b>workforce accommodation</b>	means premises, which may include modular or relocatable buildings, used - (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.



## Schedule A - Supplemental provisions to the deemed provisions

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- Clause 61(2)(i)** (i) the erection or extension of a single house on a lot if a single house is a permitted ("P") use in the zone where the R Codes do not apply, in which that lot is located and where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is -entered in the State Register of Heritage Places under the *Heritage Act 2018*; or
- (ii) the subject of an order under Part 4 of the *Heritage Act 2018 and Heritage Regulations 2019*; or
- (iii) included on a heritage list prepared in accordance with this Scheme; or
- (iv) within an area designated under the Scheme as a heritage area; or
- (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.
- Clause 61(2)(j)** the erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted ("P") in the zone where the R Codes do not apply and where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is -
- (i) entered in the State Register of Heritage Places under the *Heritage Act 2018*; or
- (ii) the subject of an order under Part 4 of the *Heritage Act 2018 and Heritage Regulations 2019*; or
- (iii) included on a heritage list prepared in accordance with this Scheme; or
- (iv) within an area designated under the Scheme as a heritage area; or
- (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.
- Clause 61(2)(k)** The signage and advertisements contained in Schedule 2 of this Scheme do not require development approval.
- Clause 61(2)(l)** The erection of a boundary fence in a zone where the R Codes do not apply.
- Clause 61(2)(m)** The carrying out of works urgently necessary to ensure public safety, for the safety or security of plant or equipment or for the maintenance of essential services.



## Schedule 1 – Car Parking Requirements

[Refer to Schedule 3 for further requirements]

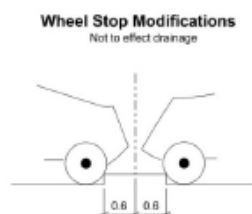
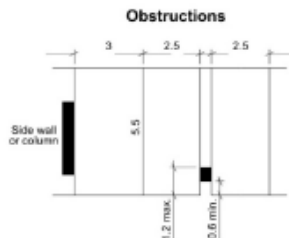
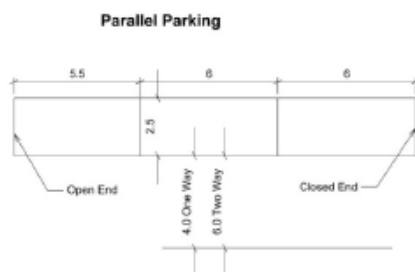
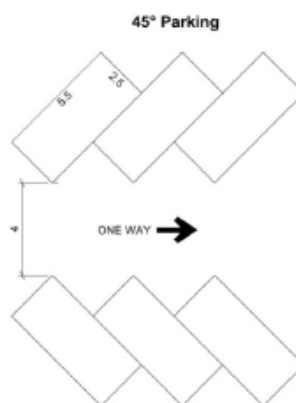
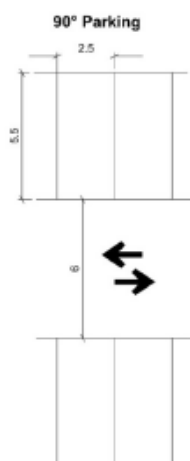
USE	NUMBER OF CAR PARKING SPACES
Betting Agency	1 bay for every 10m <sup>2</sup> NLA floor area
Caravan parks / Camping grounds	1 bay per caravan site and 1 bay per 2 campsites plus 1 bay per 20 sites for visitor parking with a minimum of 2 provided
Child care premises / Family day care	1 bay per 4 patrons plus 1 bay for every person employed
Civic use / Community purpose	1 bay for every 35m <sup>2</sup> NLA floor area
Club Premises	1 bay for every 4 persons to be accommodated
Consulting rooms	4 bays per practitioner
Education establishment	1 car bay for every person employed plus adequate pickup / set down areas on site plus 2 bays for visitors
Fast food outlet / lunch bar	1 bay for every 10m <sup>2</sup> NLA floor area
Hospital	1 bay for every bed provided plus 1 bay for every person employed
Hotel	1 bay for every bedroom plus 1 bay for every 4m <sup>2</sup> of public bar / lounge NLA floor area
Industry - general	1 bay for every 100m <sup>2</sup> NLA floor area
Medical centre	3 bays for every consulting room
Motel	1 bay for every bedroom plus 1 bay for every 25m <sup>2</sup> gross floor area of service building
Motor repair / Service station	2 bays for every working bay plus 1 bay for every person employed
Office	1 bay for every 40m <sup>2</sup> NLA floor area
Place of worship	1 bay for every 4 persons to be accommodated
Residential building	1 bay for every bedroom plus 1 bay for every staff member
Restaurant	1 bay for every 4 persons to be accommodated
Shop	1 bay for every 15m <sup>2</sup> NLA floor area
Single house / Grouped dwelling / Multiple dwelling	As prescribed in the R-Codes
Tavern	1 bay for every 4m <sup>2</sup> of public floor area (NLA).
Warehouse / showroom	1 bay for every 100m <sup>2</sup> NLA floor area



## Schedule 1 – Car Parking Requirements

[Refer to Schedule 3 for further requirements]

### CAR PARKING LAYOUTS





## Schedule 2 — Signage and advertisements for which development approval not required

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Dwellings	One professional name plate as appropriate	0.2m <sup>2</sup>
Home Occupation	One advertisement describing the nature of the home occupation	0.2m <sup>2</sup>
Places of Worship, Meeting Halls and Place of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m <sup>2</sup>
Cinemas, Theatres and Drive-in Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed	Each advertisement sign not to exceed 5m <sup>2</sup>
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.	N/A
Industrial and Warehouse Premises	<p>A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building.</p> <p>A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.</p>	<p>Total area of any such advertisements shall not exceed 15m<sup>2</sup></p> <p>Maximum permissible total area shall not exceed 10 m<sup>2</sup> and individual advertisement signs shall not exceed 6m<sup>2</sup></p>
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.	N/A
Public Place and Reserves	<p>(a) Advertisement signs (illuminated or non-illuminated) relating to the functions of government, a public authority or local government of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body; and</p> <p>(b) Advertisement signs (illuminated or non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a government department, public authority or the local government of a municipality; and</p> <p>(c) Advertisement signs (illuminated or non-illuminated) required to be exhibited by or pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	N/A
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m <sup>2</sup> in area
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A



## Schedule 2 — Signage and advertisements for which development approval not required

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m <sup>2</sup>

TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Building Construction Sites (advertisement signs displayed only the duration of the construction as follows:  (i) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m <sup>2</sup>
(ii) Multiple Dwellings, Shops, Commercial & Industrial projects	One sign as for (i) above.	5m <sup>2</sup>
(iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	One sign as for (i) above.  One additional sign showing the name of the project builder.	5m <sup>2</sup>
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m <sup>2</sup>
Property Transactions Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows:  (a) Dwelling	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property.	Each sign shall not exceed an area of 2m <sup>2</sup>
(b) Multiple dwellings, shops, Commercial & Industrial Properties	One sign as for (a) above.	Each sign shall not exceed an area of 5m <sup>2</sup>
(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha	One sign as for (a) above.	Each sign shall not exceed an area of 10m <sup>2</sup>
Display Homes	i) One sign as for each dwelling on display.	2m <sup>2</sup>
Advertisement signs displayed or the period over which homes are on display for public inspection.	ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	5m <sup>2</sup>



### **Schedule 3 - General development standards and requirements**

#### **General Considerations**

- (1) Development on land without constructed or dedicated road frontage or access
  - (a) Notwithstanding any other provision of the Scheme, development of the local government is required for any development on land abutting an unconstructed road, or a lot or location which does not have frontage to a constructed public road. In considering an application for the development of land abutting an unconstructed road or a lot which does not have frontage to a constructed road the local government may:
    - (i) Refuse the application until the road has been constructed or access by means of a constructed road is provided;
    - (ii) Grant approval to the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose; or
    - (iii) Grant approval to the application subject to the following conditions, or any other conditions the local government see fit to impose -
      - Arrangements are to be made for permanent access, to the satisfaction of the local government;
      - The location of any legal access shall be to the satisfaction of the local government;
      - Access must be constructed and maintained to the satisfaction of the local government; and
      - A notification is to be placed on the title of the land alerting landowners that the lot does not have access to a constructed public road and alternative access arrangements must be maintained, both physically and legally.
- (2) Site with frontage to more than one street
  - (a) Where a development site has frontage to more than one street (except in the 'Residential' zone or 'Urban Development' zone with an adopted Structure Plan), the local government may: –
    - (i) Designate one of the streets to be a primary street for the purpose of determining front setbacks;
    - (ii) Require that the specified front setbacks shall apply to each road;
    - (iii) Permit the setback on a secondary street to be reduced to half of the specified front setback or averaged unless the site is adjacent to a State Highway, Limited Access Road, Primary Distributor Road or Local Distributor Road unless other more specific provisions in the Scheme apply; or
    - (iv) Refuse vehicular access to one of the roads.
- (3) Setbacks requirements
  - (a) Schedule 4 sets out the minimum setback requirements for land in zones within the Scheme which may be supplemented by the local government's specific requirements.
  - (b) The local government in determining applications for any development may require such development to comply generally with the minimum setbacks



required for the zone as required in Schedule 4 to ensure that the scale, nature, design, general appearance and impact of such uses is compatible with the objectives of the zone in which the development is proposed and the general purposes and aims of the Scheme.

- (c) The site and development requirements for development within zones not referred to in Schedule 4 shall be in accordance with the local government's specific requirements in each particular case.

(4) Parking of Commercial Vehicles in Residential Areas

- (a) No person shall park within the Residential zone a commercial vehicle without the planning approval of the local government. Where the commercial vehicle parking use is proposed in the Residential zone it shall comply with the following:
  - (i) not more than one such vehicle is to be parked on a lot;
  - (ii) the vehicle is to form an essential part of the lawful occupation of an occupant of the dwelling and that occupation if carried on upon the lot does not contravene the Scheme;
  - (iii) the vehicle is to be parked behind the front building line and effectively screened from view from outside the lot;
  - (iv) no part of the vehicle is to be parked on any portion of a right-of-way or public road contiguous with the lot;
  - (v) the vehicle is not to exceed 3.0 metres in height or 8.0 metres in length;
  - (vi) no major/minor servicing of vehicles shall be undertaken on the lot; and
  - (vii) the vehicle is not brought to or taken from the lot between the hours of midnight and 6.00 am.

(5) Car parking requirements

- (a) The minimum number and dimensions of car parking spaces to be provided on a residential lot shall be in accordance with the provisions of the R-Codes.
- (b) Car parking bay dimensions for other uses shall be in accordance with Schedule 1. If a use is not listed in Schedule 1 then Car parking bay dimensions shall be in accordance with Australian Standard AS2890.1.
- (c) A person shall not develop or use any land or erect, use or adopt any building unless car parking spaces specified by the local government are provided and such spaces are constructed and maintained in accordance with the Scheme.
- (d) The car parking spaces required under the provisions of the Scheme shall measure not less than the dimensions specified by Schedule 1.
- (e) All areas utilised for vehicle parking, manoeuvring, access, egress and storage are to be sealed, marked and formalised as per Australian Standard 2890.1-2004 as amended.
- (f) Where the maximum dimension of any open car parking area exceeds twenty metres in length or width, one car parking space in ten shall be used for garden and tree planting to provide visual relief and so long as the garden and tree planting areas shall be maintained in good order, those car parking spaces shall be included in calculations as car parking and not as landscaping.



- (g) Where the owner can demonstrate to the satisfaction of the local government that there is not the demand for the number of parking spaces specified in subclauses (a) and (b), landscaping may be provided in lieu of car parking spaces not constructed and the said landscaping shall be included in the calculations as car parking but not as landscaping provided that the local government may from time to time require that the additional parking spaces be provided.
- (h) All areas utilised for storage in the General Industry zone may be constructed to a suitable unsealed standard that permits all-weather access by two-wheel drive vehicles and that does not result in gravel, sand or other forms of earth leaving the site.
- (i) In the 'Commercial' zone and 'Mixed Use' zone where a developer can satisfy the local government that the maximum car parking requirement cannot be provided on the site the local government may accept a cash payment in lieu of the provision of car parking spaces but subject to the requirements of this clause:
  - (i) A cash-in-lieu payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by the Scheme, plus the value, as determined by either the Valuer-General or by a licensed valuer appointed by the local government, of the area of his land which would have been occupied by the parking spaces.
  - (ii) Before the local government agrees to accept a cash payment in lieu of the provision of car parking spaces, the local government must either have already provided a public car park nearby, or must have firm proposals for providing a public car park area nearby within a period of not more than eighteen (18) months from the time of agreeing to accept the cash payment.
  - (iii) Payments made under this clause shall be paid into a special purpose fund to be used for the provision of public carparking facilities and the local government may use this fund to provide or maintain public parking facilities anywhere within the 'Commercial' zone and 'Mixed Use' zone.
- (j) Where public off street parking facilities are located or are proposed to be located in the near vicinity of land or building being the subject of an application for development approval the local government may approve such application notwithstanding that the required number of car parking spaces are not to be provided on site subject to:
  - (i) the local government being satisfied that off street parking facilities are sufficient to cater for the requirements of the land or buildings, and
  - (ii) the applicant entering into an agreement with the local government to pay for the cost of providing and maintaining the required number of car parking spaces as required.
- (k) Where the number of car parking spaces proposed to be provided on land or in a building the subject of an application for development approval is less than the number required to be provided pursuant to the Scheme, the local government may approve the application if it can be demonstrated that off street parking facilities in the near vicinity are available to cater for the requirements of the proposal and that arrangements to the satisfaction of the local government have been made to enable those facilities to be used for that purpose.



- (l) The owner or occupier of premises on which car parking spaces are provided shall ensure that the parking area is landscaped with shade trees, the car parking is laid out, drained and maintained in accordance with the approved plans relating thereto.
- (6) Development of land subject to dampness or flooding
  - (a) Where, in the opinion of the local government, the dampness of the site on which a building is proposed to be constructed so warrants the local government may require that one or all of the following measures shall be carried out:
    - (i) the subsoil shall be effectively drained;
    - (ii) the surface of the ground beneath the building shall be regraded or filled and provided with adequate outlets to prevent any accumulation of water beneath the building;
    - (iii) the surface of the ground beneath the building shall be covered with an approved damp-resisting material.
  - (b) A building shall not be constructed upon any land defined by the local government as being liable to flooding or inundation.
- (7) Effluent Disposal
 

Where access to a reticulated sewerage disposal system is demonstrated to not be available, on-site effluent disposal facilities are to be provided to treat and dispose of any effluent generated on the site in accordance with the Government Sewerage Policy 2019.
- (8) Building Height
  - (a) The height limit of any building that is not industrial in nature or in the Residential, Commercial or Mixed Use zones shall be limited to 9 metres.
  - (b) The height limit of any building that is industrial in nature shall be limited to 15 metres.
  - (c) The height limit of any building that is in the Commercial or Mixed Use zones shall only be limited by plot ratio.
  - (d) The height limit in subclauses (a), (b) or (c) shall not be exceeded unless considered in accordance with clause 64 of the deemed provisions.
- (9) Landscaping within the 'Mixed Use' zone
  - (a) Access driveways between a street alignment and buildings may be included in any landscaping requirement of this Scheme but otherwise car parking areas and driveways shall not be included in this requirement.
  - (b) The local government may in a landscaped area restrict the use of concrete, gravel, pebble and similar hard materials and require the planting of lawns, trees or shrubs in lieu thereof.
- (10) Disability services
  - (a) The local government may require the provision of facilities for the disabled when considering applications for development approval.



(11) Caretaker's Dwellings

- (a) Where a caretaker's dwelling use is proposed it shall comply with the following:
- (i) A caretaker's dwelling must be incidental to the predominant use of the site.
  - (ii) Only one caretaker's dwelling is permitted on each lot.
  - (iii) The total floor area of a caretaker's dwelling does not exceed 100m<sup>2</sup>, measured from the external face of walls excluding verandahs and carports.
  - (iv) In industry zones, the caretaker's dwelling is not to consist of more than two bedrooms and a small office.
  - (v) Verandahs and carports may be permitted, but if enclosed will form part of the total calculated floor area.
  - (vi) The local government may consider the use of notifications on title to advise prospective purchasers of potential impacts from noise, dust, odour or amenity that may arise from the location of a caretaker's dwelling within the zone.
  - (vii) The local government will not consider applications for caretakers' dwellings prior to the primary site activity being either approved or constructed.
  - (viii) Where simultaneous approval has been granted by the local government for both a caretaker's dwelling and the main activity on the same lot, the main activity must be developed and operational prior to occupation of the dwelling.
  - (viii) Caretaker's dwellings should be carefully sited and constructed so the potential site (or estate) impacts from noise, dust, odour or amenity are minimised.
  - (ix) A caretaker's dwelling may only be occupied by the owner, manager, lessee or employee (and immediate family thereof) of the lawfully established or approved land use.
  - (x) Where the primary site activity has ceased the occupation of the caretaker's dwelling is to cease.

(12) Repurposed Dwelling Requirements

- (a) Where a repurposed dwelling use is proposed it shall comply with the following:
- (i) Within the Rural Residential zone only one repurposed dwelling may be approved on a lot.
  - (ii) The repurposed dwelling should be carefully sited and constructed so the potential impacts from noise, dust, odour or amenity are minimised.
  - (iii) For the purposes of establishing whether a grouped dwelling is proposed a repurposed dwelling will count as one dwelling.
  - (iv) Regardless of external wall materials, all roofs over the main portion of the repurposed dwelling are to have a pitch of 10° or greater.

(13) Second-hand Dwelling Requirements



- (a) Notwithstanding any other requirement of the Scheme, all second-hand dwellings require the planning approval of the local government.
- (b) Where a second-hand dwelling use is proposed it shall comply with the following in addition to any other relevant provision of the Scheme:
  - (i) A building that has a roof or wall sheeting or any other material such as sound proofing or insulation, that contains asbestos, is not permitted to be relocated until those materials containing asbestos are removed and disposed of in the appropriate manner, prior to transportation.
  - (ii) The void area between the floor and natural ground levels is to be enclosed with brickwork, battens or other suitable materials as approved by the local government.
- (c) When considering an application for planning approval for a second-hand dwelling, the local government may impose conditions concerning:
  - (i) The external appearance and material finishes, the screening of sub-floor spaces, the addition to or modification to the existing dwelling and the time frame imposed to complete specified work and connect the dwelling or building to lot services;
  - (ii) The provision of landscaping and/or screening of the building and/or site; and
  - (iii) The provision of a bond or bank guarantee in favour of the local government as surety for the completion of the building to a standard of presentation acceptable to the local government within a specified time.

Where the provision of a bond or bank guarantee is required, the local government shall refund the payment upon satisfactory completion of the necessary works.

(15) Bed and Breakfast

- (a) Bed and breakfast uses shall be permitted to be operated from single houses but only where the development in the opinion of the local government:
  - (i) does not adversely affect the amenity of the area;
  - (ii) provides a tourist facility;
  - (iii) is in a location approved by the local government;
  - (iv) has been advertised for public comment in conformity with the advertising requirements specified in clause 64 of the deemed provisions and no significant objections have been received during the advertising period; and
  - (v) the proposal complies with all other Scheme requirements and any relevant local government policy.



(16) Tourist Facilities

(a) In this clause the tourist facilities refers to the following uses defined in this Scheme:

- Caravan park
- Holiday accommodation
- Holiday house
- Hotel
- Motel
- Park home park
- Serviced apartment
- Tourist development

(b) The local government may approve tourist facilities in accordance with the zoning table but only where the development, in the opinion of the local government:

- (i) does not adversely affect the amenity of the area;
- (ii) has no significant environmental impact;
- (iii) complies with all other Scheme requirements and any relevant local government policy; and
- (iv) has been advertised for public comment in conformity with the advertising requirements specified in clause 64 of the deemed provisions and no significant objections have been received during the advertising period.

(17) Vehicles, caravans, trailers in residential areas

(a) Except as hereinafter provided, no person within a Residential Zone may without the written approval of the local government:

- (i) allow any commercial vehicle or truck to remain or be parked for a period of more than forty eight hours consecutively;
- (ii) repair, maintain, service or clean a commercial vehicle or truck;
- (iii) keep, park, repair or store any boat, trailer, caravan or any material not specifically for the immediate use by the occupant in front of the building setback line.

(18) Derelict vehicles

(a) Local government shall not permit the storage and/or wrecking of any vehicle on any street verge or on any lot between the front boundary and the front setback line within any Zone.

(19) Home occupation / Industry-cottage

(a) Local government shall not approve any Home Occupation or Industry - Cottage use unless:

- (i) development approval is granted in accordance with the Scheme. The local government may limit the period of validity of a permitted Industry-cottage and shall review the register from time to time as the local government deems fit;
  - the applicant provides the following information;
  - location of the home occupation/industry;
  - the area of the floor space to be devoted to the activity;



- the times and conditions of the operation;
- demonstrate that there is a demand for the goods and services.

(20) Rear access and loading docks

- (a) When considering any application for development approval the local government shall have regard to and may require the provision of loading docks or rear access. In particular, the local government may impose conditions concerning:
  - (i) the size of loading docks
  - (ii) the means of providing rear access of adequate width and design so as to ensure that transport vehicles shall be able to proceed in a forward direction.

(21) Amenity

- (a) No building shall be so constructed, finished or left unfinished that its external appearance would significantly detract from the amenity of the locality or tend to depreciate the value of adjoining property. All land and buildings shall be so used and maintained as to preserve the local amenity.
- (b) No land, building or appliance shall be used in such a manner as to permit the escape therefrom of smoke, dust, fumes, odour, noise, glare, vibration or waste products in such quantity or extent or in such a manner as will create or be a nuisance to any inhabitant, or to traffic or persons using any land or roads in the vicinity.
- (c) If the local government forms the opinion that there has been a breach of the requirements of the preceding subclauses it may, by notice in writing, require the owner to make good the breach in the manner and within the time stated in the notice. The notice may be served on the owner personally or by posting it to the last address of the owner known to the local government, and if served by post, shall be deemed to have been served three (3) clear days after the date of posting.
- (d) Any person upon whom a notice is served pursuant to this clause may, within 28 days of the date of service of the notice on that person, appeal pursuant to Part 14 of the Act against the requirements of the notice and, where any such appeal is lodged the effect of the notice shall be suspended until a decision to uphold, quash or vary the notice has been made on the appeal or the appeal has been withdrawn, whereupon the time stated in the notice shall again begin to run.
- (e) Failure to comply with a notice under this clause shall be a breach of the provisions of the Scheme.

(22) Where a strata-titled development containing more than one unit is destroyed either wholly or partially that development may be rebuilt to the density existing before its destruction subject to compliance with the Building Code of Australia and issue of a development approval by Local government and notwithstanding that a lower density may apply to the land under the scheme.

(23) Where landscaping is required as a condition of development approval this shall be established in accordance with the approved landscape plan and shall be maintained thereafter in accord with the approved plan. Unless otherwise approved by local government a minimum of 10% of the site area of all commercial and industrial developments shall be landscaped.



- (24) To maintain and enhance the character of the Town of Derby, no person shall remove a Boab Tree from any land within the scheme area without the prior written consent of the local government. For the purpose of this Clause:
- (a) the consent of local government shall not be unreasonably withheld and shall be issued where the tree is dead, dying or dangerous;
  - (b) it shall be sufficient defence to show that a tree that has been removed was dead, dying or dangerous prior to its removal.
- (24) When considering an application for development approval the local government shall determine whether any Boab tree or other vegetation on the subject site has landscape or environmental significance and should be retained and in granting consent to an application may:
- (a) impose a condition on the development approval requiring the retention or relocation of the tree or trees;
  - (b) request a modification of the proposal; and/or
  - (c) permit a variation of the site development requirements to provide for retention of the tree or trees.



**Table 8 - Zone Development Requirements**

Development in all zones shall comply with the objectives and requirements set out in Part 3 - Zones and use of land.

<b>Zone</b>	<b>Development Requirements</b>
Commercial Zone	<ol style="list-style-type: none"> <li>1. Development in the Commercial zone shall not exceed two (2) storeys.</li> <li>2. Where the ground floor of a two-storey building is used for commercial purposes, the upper floors of such building may be used for such purposes as may be permitted by local government and may include shops, offices or residential development.</li> <li>3. Residential uses in such circumstances are to be confined to the upper storey only.</li> <li>4. Residential development within the Commercial zone shall conform to the standards prescribed for the Residential zone and the provisions of the R50 code of the R-Codes.</li> </ol>
Rural Townsite Zone	<ol style="list-style-type: none"> <li>1. Development in the Rural Townsite zone shall comply with the objective for that zone as outlined in Part 3, and with such requirements as the local government considers appropriate relative to the proposed use.</li> </ol>
Settlement Zone	<ol style="list-style-type: none"> <li>1. Development will not be approved by the local government, and the local government will not support subdivision unless a structure plan or a layout plan has been approved for the relevant part of the zone.</li> <li>2. Development shall be in accordance with any adopted layout plan prepared in accordance with State Planning Policy No. 3.2 – Aboriginal Settlements.</li> <li>3. In the event that an approved Layout Plan has not been prepared in accordance with State Planning Policy No. 3.2 – Aboriginal settlements, assessment and consideration is to be carried out based upon the objectives and intentions of this Scheme.</li> </ol>
Cultural and Natural Resource Zone	<ol style="list-style-type: none"> <li>1. For the purpose of orderly and proper planning of a particular site the local government may require the preparation and approval of a structure plan or local development plan in accordance with the deemed provisions.</li> </ol>
General Industry Zone	<ol style="list-style-type: none"> <li>1. Where a building is approved upon a lot and is set back from the front boundary of that lot local government shall require the provision of landscape treatment between the frontage of any building and the front boundary. Where a lot has frontage to two streets the local government may vary the landscaping requirement only where the setback is reduced in</li> </ol>



	<p>which case the whole of the setback so reduced shall be landscaped to the satisfaction of the local government.</p> <p>Such landscape treatment may include a car parking area. Implementation of an approved landscaped plan shall occur within six calendar months of;</p> <ul style="list-style-type: none"> <li>(i) the completion of any other approved works; or</li> <li>(ii) the date of occupancy, if occupancy commences prior to the completion of the development.</li> </ul> <p>2. All development in the General Industry zone shall be subject to the following requirements:</p> <ul style="list-style-type: none"> <li>(i) No building shall exceed two storeys in height without the consent of the Civil Aviation Safety Authority, and not to have highly reflective roofing material.</li> <li>(ii) Adequate screening of work, service and storage areas;</li> <li>(iii) All loading and unloading of materials, parking and the operation of all business associated with any industry shall take place within the boundaries of the site;</li> <li>(iv) Minimum fencing standard shall be 1.8m security fence unless otherwise approved by the local government; and</li> <li>(v) New buildings proposed adjacent to the Residential zone shall be compatible in scale, materials and appearance with any existing residential development.</li> </ul> <p>3. No dumping, storage of waste or materials, or construction, servicing or maintenance shall be carried out between the building line and the street frontage unless approved by the local government. This does not prohibit the display of finished goods or goods for sale or ready for delivery.</p> <p>4. The wrecking or storage of wrecked vehicles or parts thereof shall not be permitted in front of the building setback as prescribed in Schedule 4.</p> <p>5. The development of built strata lots, for the purpose of providing multiple factory units in one lot, shall not be permitted in the General Industry zone unless the following requirements are complied with:</p> <ul style="list-style-type: none"> <li>(i) all built strata lots shall have a floor area greater than 100m<sup>2</sup>.</li> <li>(ii) each built strata lot shall have a service yard appurtenant to it which shall be a minimum of 50% of the unit floor area.</li> <li>(iii) access to the office attached to each built strata lot and the major access to the built strata lot.</li> </ul>
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	<p>(iv) off street parking may be provided as an overall area on site and shall provide for all employees with a minimum staff parking requirement of four bays per built strata lot. Customer parking shall be provided as an additional figure of one bay per built strata lot.</p> <p>(v) all facades of built strata lots are to be of masonry construction or other material approved by the local government.</p> <p>6. Local government may permit the development and occupancy of a single house upon a lot for the purposes of caretaker's dwelling</p>
Mixed Use Zone	<p>1. Side setbacks shall:</p> <p>(i) be a minimum of 5 metres on any one side to permit access to the rear of the lot; and</p> <p>(ii) on any other side, a minimum of 1.2 metres on any other side; or depending upon the building height and materials as prescribed in the Building Code of Australia; or zero in the case of a parapet wall with a satisfactory fire rating in accordance with the Building Code of Australia.</p> <p>2. Minimum building setbacks shall be:</p> <p>(i) in accordance with R-Code R20 for residential development.</p> <p>(ii) for non-residential development the front setback shall be 9 metres; and</p> <p>(iii) the rear and side setbacks shall be as determined by the Local government in accordance with the Building Code of Australia.</p> <p>3. Development shall not exceed 2 storeys in height except where the Local government considers that particular circumstances may warrant an exception being made and provided the 'Mixed Use' zone objectives are not compromised.</p> <p>4. Where a building is approved upon a lot and is set back from the front boundary of that lot Local government shall require the provision of landscape treatment between the frontage of any building and the front boundary. Such landscape treatment may include a car parking area. Implementation of an approved landscaped plan shall occur within six calendar months of:</p> <p>(i) the completion of any other approved works; or</p> <p>(ii) the date of occupancy, if occupancy commences prior to the completion of the development.</p>



Residential Zone	<ol style="list-style-type: none"> <li>1. No horse or other hoofed animal shall be kept on any lot in the Residential zone.</li> <li>2. Except as hereinafter provided, no person within any lot zoned Residential zone may without the written approval of the Local government:                         <ol style="list-style-type: none"> <li>(i) allow any commercial vehicle or truck to remain or be parked for a period of more than forty eight hours consecutively;</li> <li>(ii) repair, maintain, service or clean a commercial vehicle or truck;</li> <li>(iii) keep, park, repair or store any boat, trailer, caravan or any material not specifically for the immediate use by the occupant in front of the building setback line.</li> </ol> </li> </ol>
Rural Zone	<ol style="list-style-type: none"> <li>1. Development in the Rural zone shall comply with the requirements of Table 2 and the objectives for that zone as outlined in Part 3.</li> <li>2. No more than one single dwelling shall be permitted on any lot in the Rural zone unless the development approval of local government is granted.</li> <li>3. The maximum number of single dwellings (not including ancillary accommodation) which the local government may permit is restricted to two (2). The approval of the development of two dwellings on a Rural lot does not imply approval for subdivision of that lot.</li> <li>4. The construction of dams and the extraction of surface water from drainage lines requires development approval the local government where the local, government may request the advice of the Department of Water Environment and Regulation before determining any application.</li> <li>5. Animal Husbandry - Intensive uses are not permitted:                         <ol style="list-style-type: none"> <li>(i) in the Rural zone where such use is proposed to be located within a five (5) kilometre radius of an established townsite;</li> <li>(ii) in the Rural zone unless such a use is proposed to be located more than five (5) kilometres from an established townsite and more than two (2) kilometres from an existing residential dwelling; and</li> <li>(iii) within two (2) kilometres of an existing neighbouring residential dwelling unless the local government has exercised its discretion by granting development approval after considering a site specific study provided by the applicant addressing the proximity of sensitive land uses and potential impacts, and giving notice in accordance with clause 64 of the deemed provisions.</li> </ol> </li> </ol>



	<p>6. Notwithstanding 5. Above or any other provision of the scheme the keeping of pigs on land zoned Rural within the Derby Townsite is prohibited.</p>
Rural Residential Zone	<p>1. Prior to the subdivision of land in the Rural Residential zone the local government shall require a Structure Plan.</p> <p>2. Notwithstanding 1. above, local government may approve any development within a Rural Residential zone consistent with the zoning of the land without the preparation of a Structure Plan, where in the opinion of local government the development will not adversely affect the future subdivision and development of the land.</p> <p>3. Lot sizes for land zoned Rural Residential should generally not be less than 2 hectares in area.</p> <p>4. All development in the Rural Residential zone shall comply with the following specific requirements:</p> <ul style="list-style-type: none"> <li>(i) not more than one (1) dwelling per lot shall be permitted but the local government may, at its discretion, permit an ancillary accommodation;</li> <li>(ii) in order to conserve the rural environment and features of natural beauty all trees shall be retained unless their removal is authorized by the local government;</li> <li>(iii) in order to enhance the rural amenity of the land in areas the local government considers deficient in tree cover it may require, as a condition of any development approval, the planting of such trees and groups of trees and species as specified by the local government;</li> <li>(iv) any person who keeps an animal or animals or who uses any land for the exercise or training of an animal or animals shall be responsible for appropriate measures to prevent noise, odour, or dust pollution or soil erosion to the satisfaction of the local government; and</li> <li>(v) with the intention of preventing overstocking, erosion and any other practice detrimental to the amenity of a Rural Residential zone, the local government may take any action which in the opinion of the local government is necessary to reduce or eliminate adverse effects on the environment caused wholly or partly by the stocking of animals and any costs incurred by the local government in taking such action shall be recoverable by the local government from the landowner.</li> </ul> <p>5. The construction of dams and the extraction of surface water from drainage lines requires development approval the local government where the local, government may request the</p>



	<p>advice of the Department of Water Environment and Regulation before determining any application.</p> <p>6. Except for:</p> <ul style="list-style-type: none"> <li>(i) the establishment of a firebreak required to comply with a regulation or by-law; or</li> <li>(ii) the provision of access to a building site; or</li> <li>(iii) the area of building; or</li> <li>(iv) cash crops;</li> </ul> <p>not more than 2,000m<sup>2</sup> on any lot shall be cleared of indigenous trees or substantial vegetation. If the local government is satisfied upon receipt of a submission the clearing of an area greater than 2,000m<sup>2</sup> will not adversely affect the amenity, character and landscape qualities of the locality it may approve such land to be cleared subject to conditions as may be required by the local government.</p>
Tourism Zone	<p>A Local Development Plan prepared in accordance with the local development plan framework may be required in the Tourism zone.</p> <p>Local government may approve the use of a tourist site in the Tourism zone for permanent residential purposes to a maximum of 30% of the number of units, rooms or caravans/cabins approved for the site.</p>



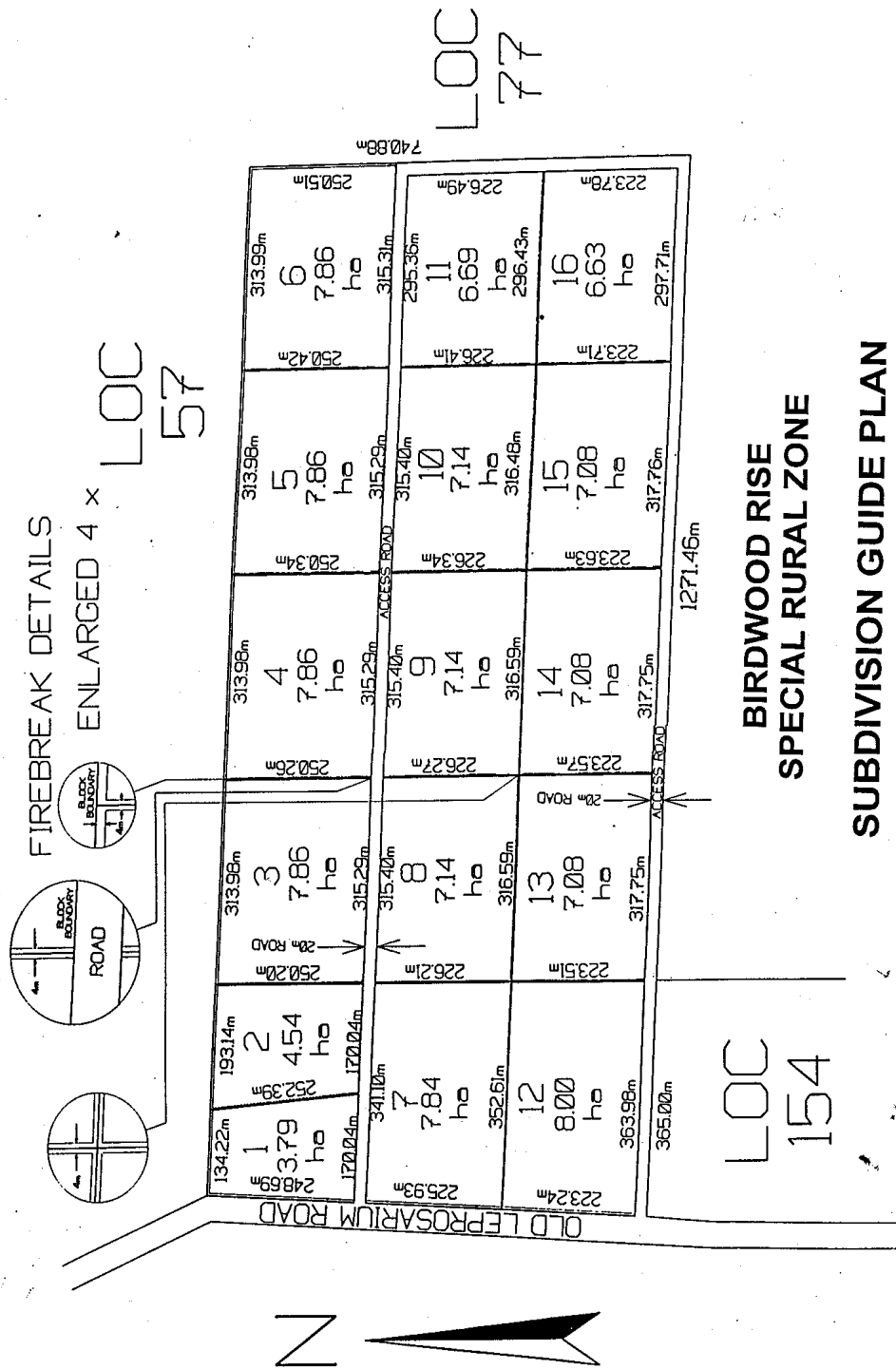
**Schedule 4 — Minimum setbacks from boundaries**

ZONE	STREET	REAR	SIDE	MINIMUM LANDSCAPING REQUIREMENT
Commercial	Nil setback which may be varied at the discretion of the Local Government.	In accordance with the Building Code of Australia	In accordance with the Building Code of Australia	<div>1. Canopy shade trees at the rate of 1 tree for every 4 open air parking bays.</div> <div>2. Screen landscaping as required by the Local Government.</div> <div>3. Additional landscaping as required by the Local Government.</div>
Mixed Use	Nil to 3 metres at the discretion of Local Government.	*	*	<div>1. Canopy shade trees at the rate of 1 tree for every 4 open air parking bays.</div> <div>2. Screen landscaping as required by the Local Government.</div> <div>3. Additional landscaping as required by the Local Government.</div>
Residential	To be assessed in accordance with the Residential Design Codes of Australia.			
General Industrial	7.5m	Subject to Building Code of Australia		3 metre landscape strip abutting all streets.
Light Industrial	7.5m	Subject to Building Code of Australia		3 metre landscape strip abutting all streets.
Rural Townsite	At the discretion of the Local Government.			
Rural	At the discretion of the Local Government.			
Rural-Residential	10m	10m	5m	At the discretion of the Local Government.

*Note - \*means to be setback from a common boundary with residential zoned land in accordance with the requirements of the applicable R-Code for that land. Otherwise in accordance with the Building Code of Australia.*



**Schedule 5 — Birdwood Rise Special Rural Subdivision Guide Plan**





**COUNCIL RESOLUTION TO ADVERTISE LOCAL PLANNING SCHEME**

Adopted by resolution of the Council of the **Shire of Derby West Kimberley** at the **Ordinary** Meeting of Council held on the **[DATE]**

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**CHIEF EXECUTIVE OFFICER**

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**PRESIDENT**



**COUNCIL RESOLUTION TO SUPPORT / NOT SUPPORT\* SCHEME FOR APPROVAL**

Council resolved to **support / not support\*** approval of the draft Scheme of **the Shire of Derby West Kimberley** at the **[INSERT MEETING TYPE]** Meeting of Council held on the

**[DATE]**

The Common Seal of the **Shire of Derby West Kimberley** was

hereunto affixed by authority of a resolution

of the Council in the presence of:

\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

\_\_\_\_\_  
**PRESIDENT/ MAYOR**

WAPC Recommended for Approval

\_\_\_\_\_  
**Delegated under S.16 of the Planning  
and Development Act, 2005**

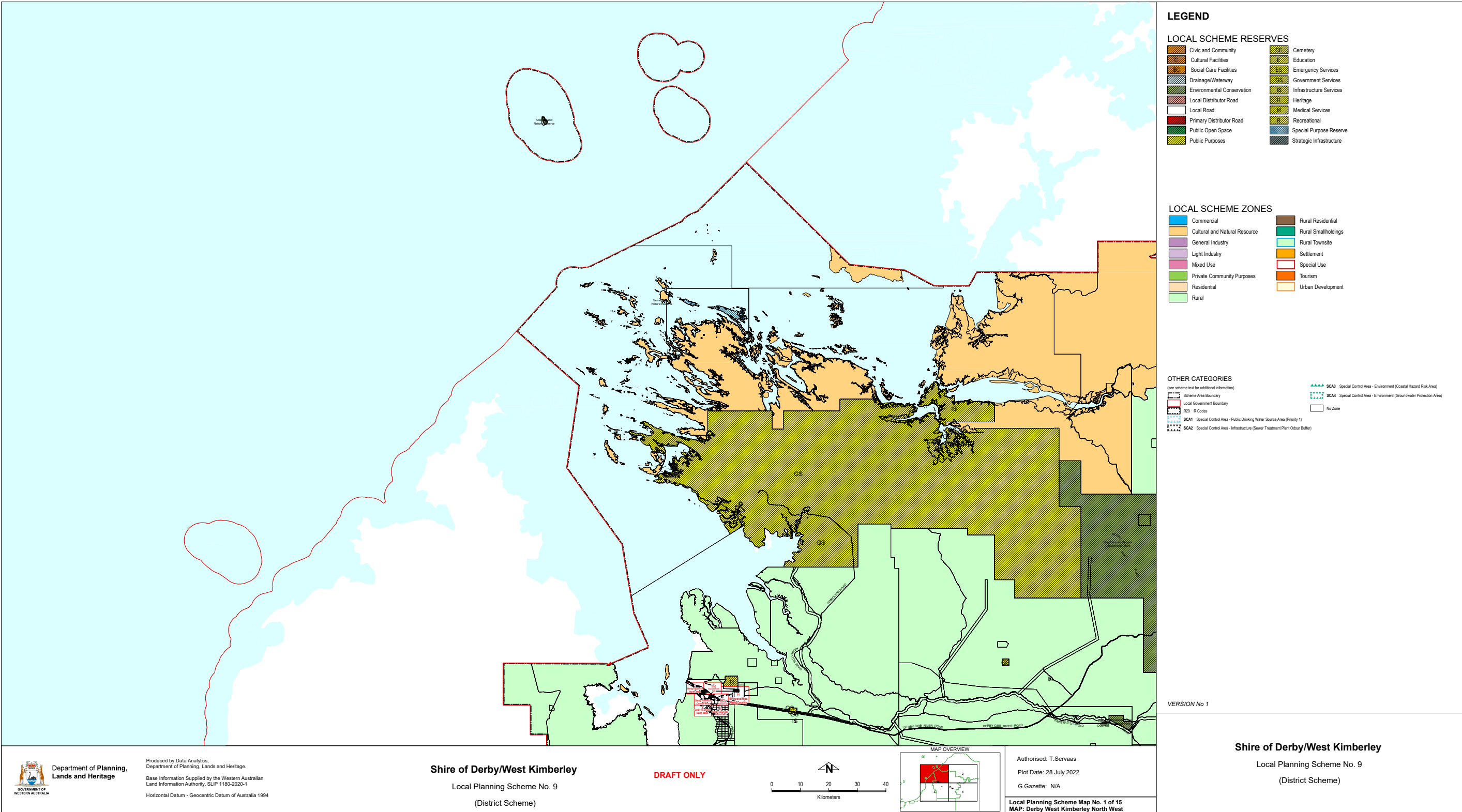
**Date:** \_\_\_\_\_

Approval Granted

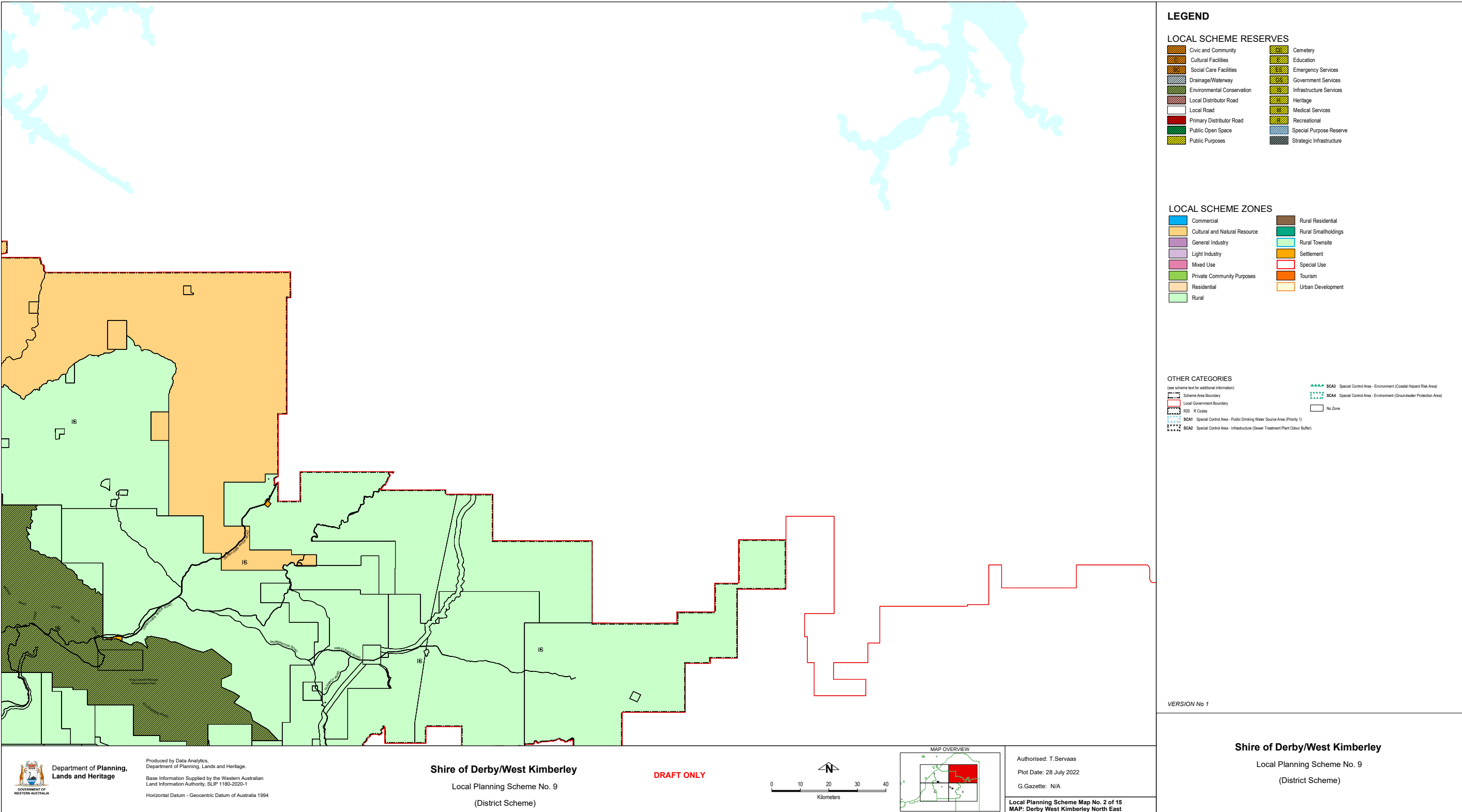
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**MINISTER FOR PLANNING**

**Date:** \_\_\_\_\_

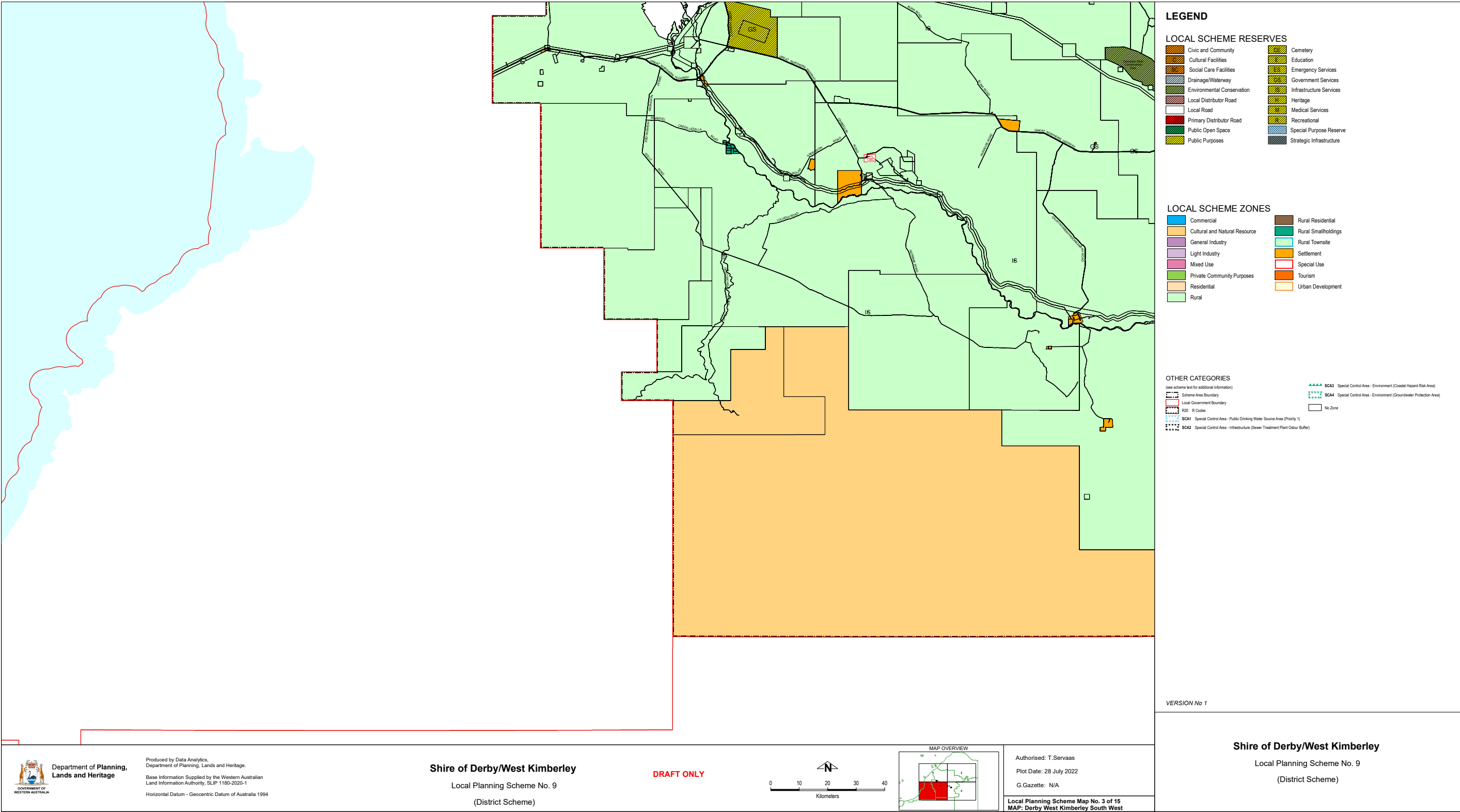




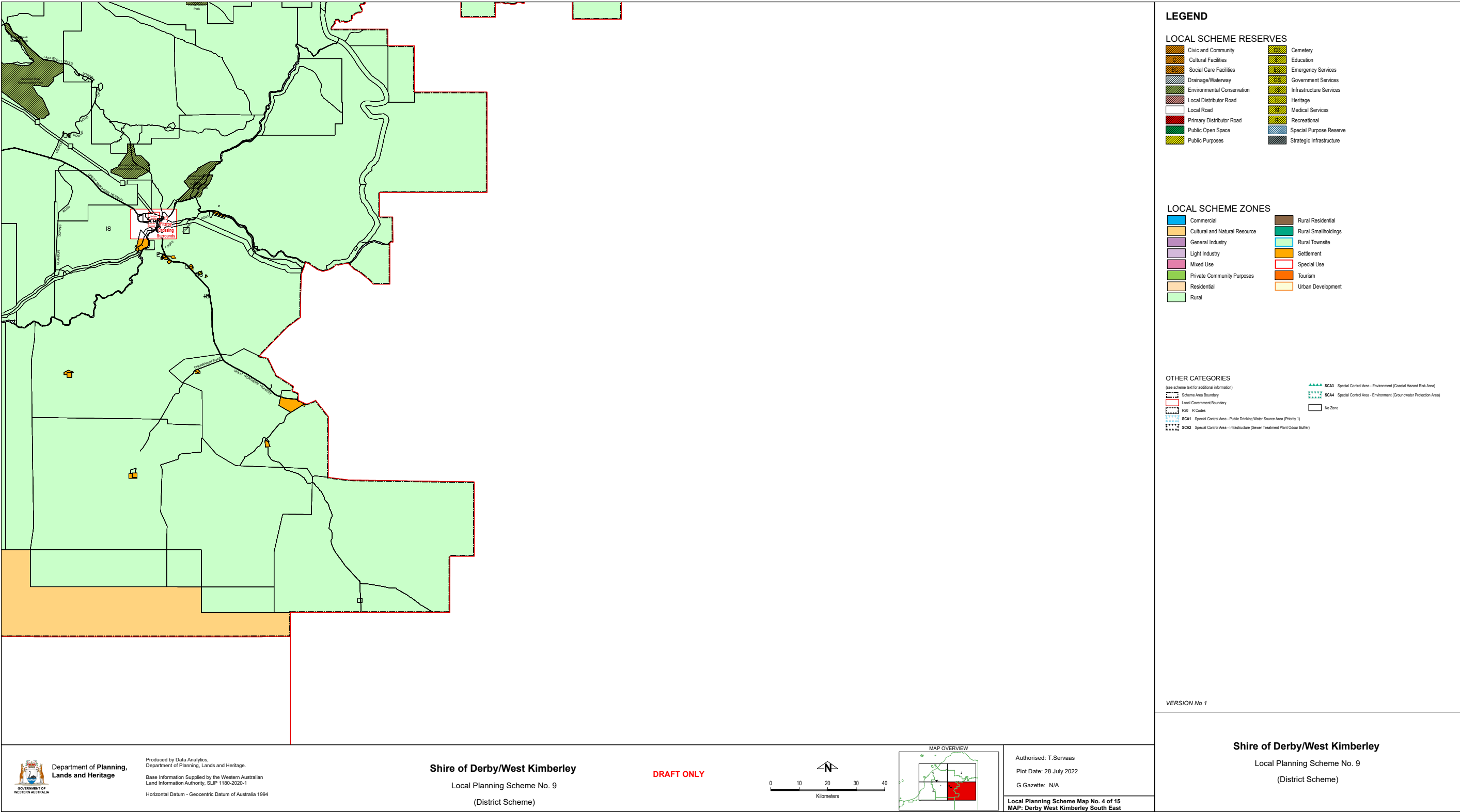




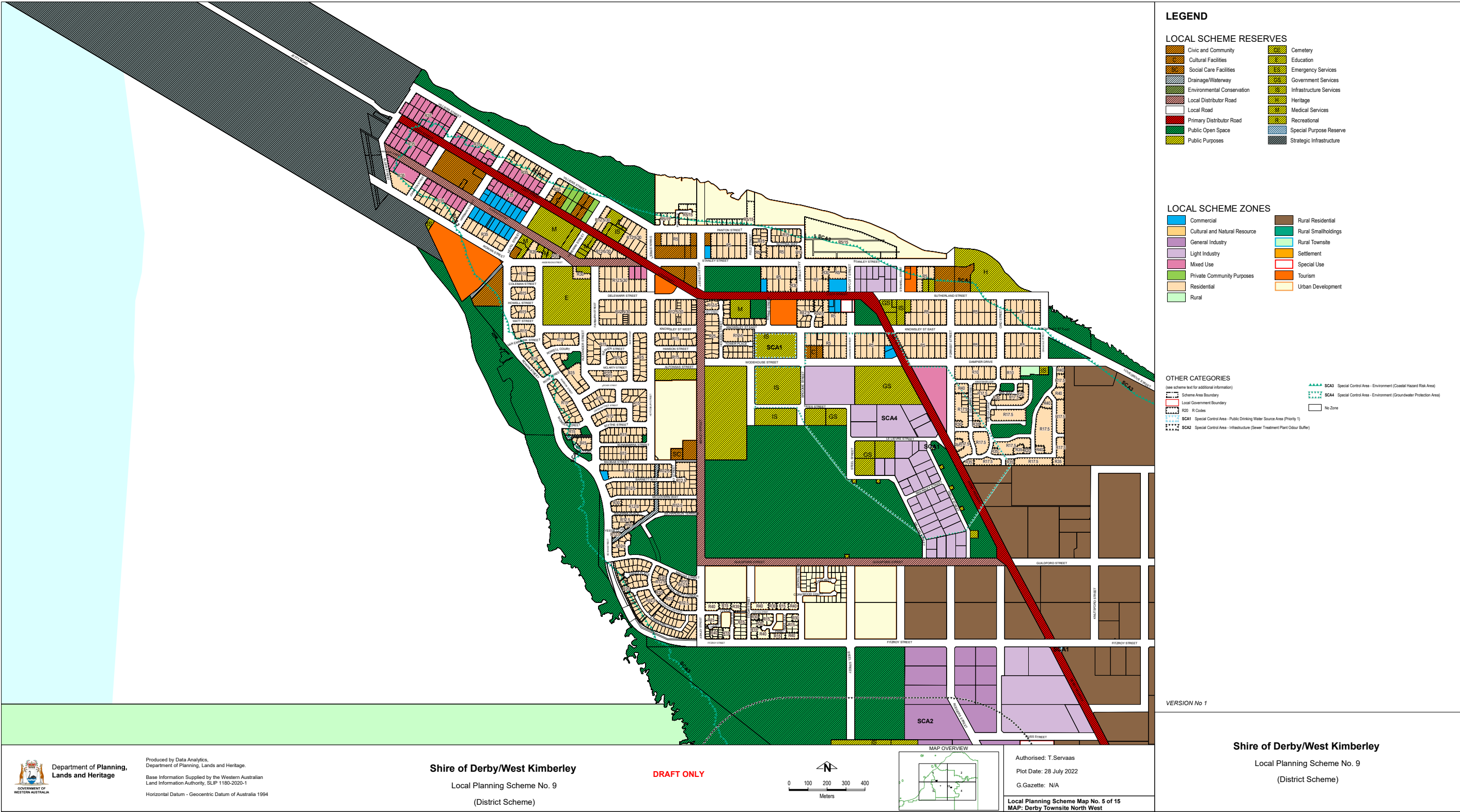




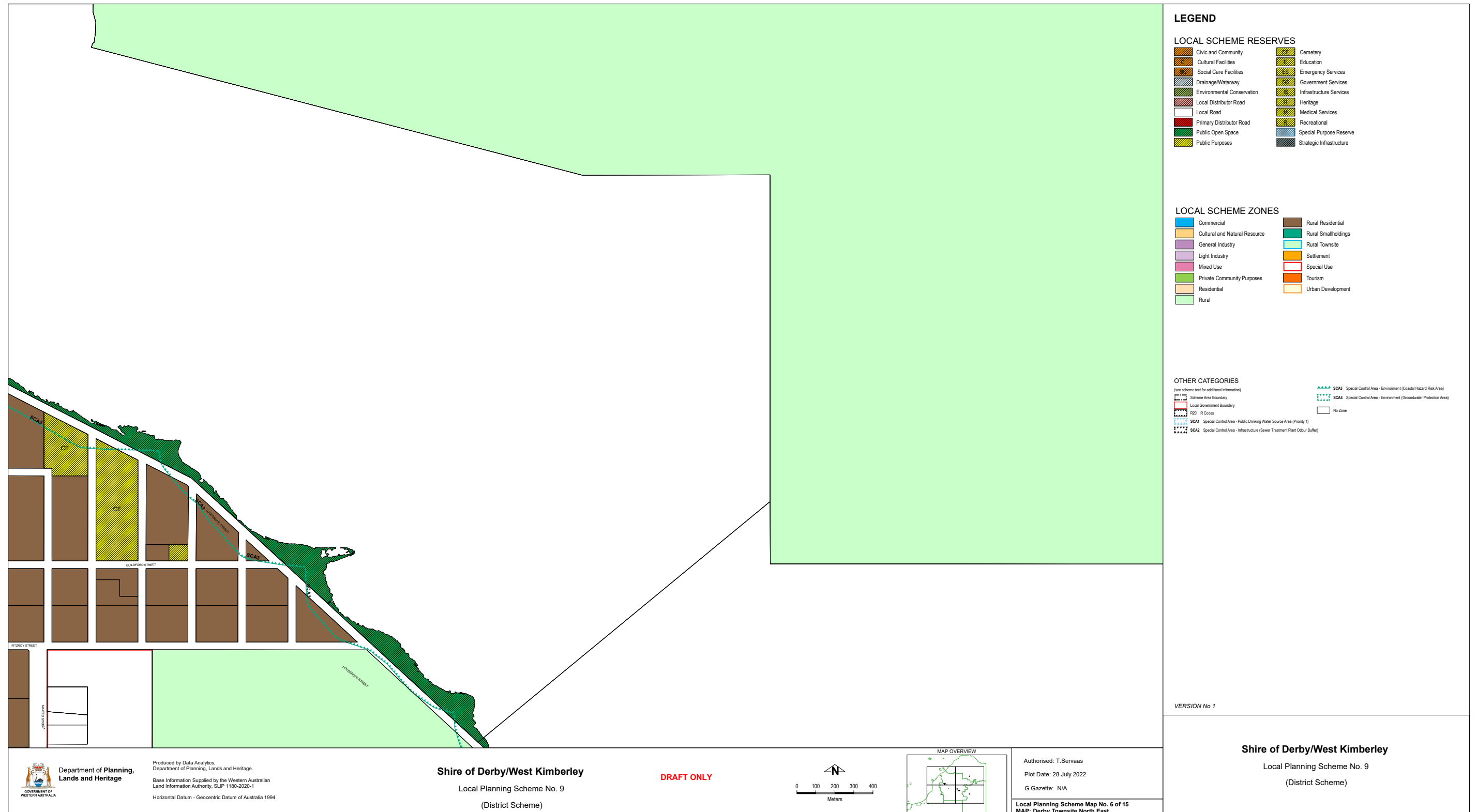




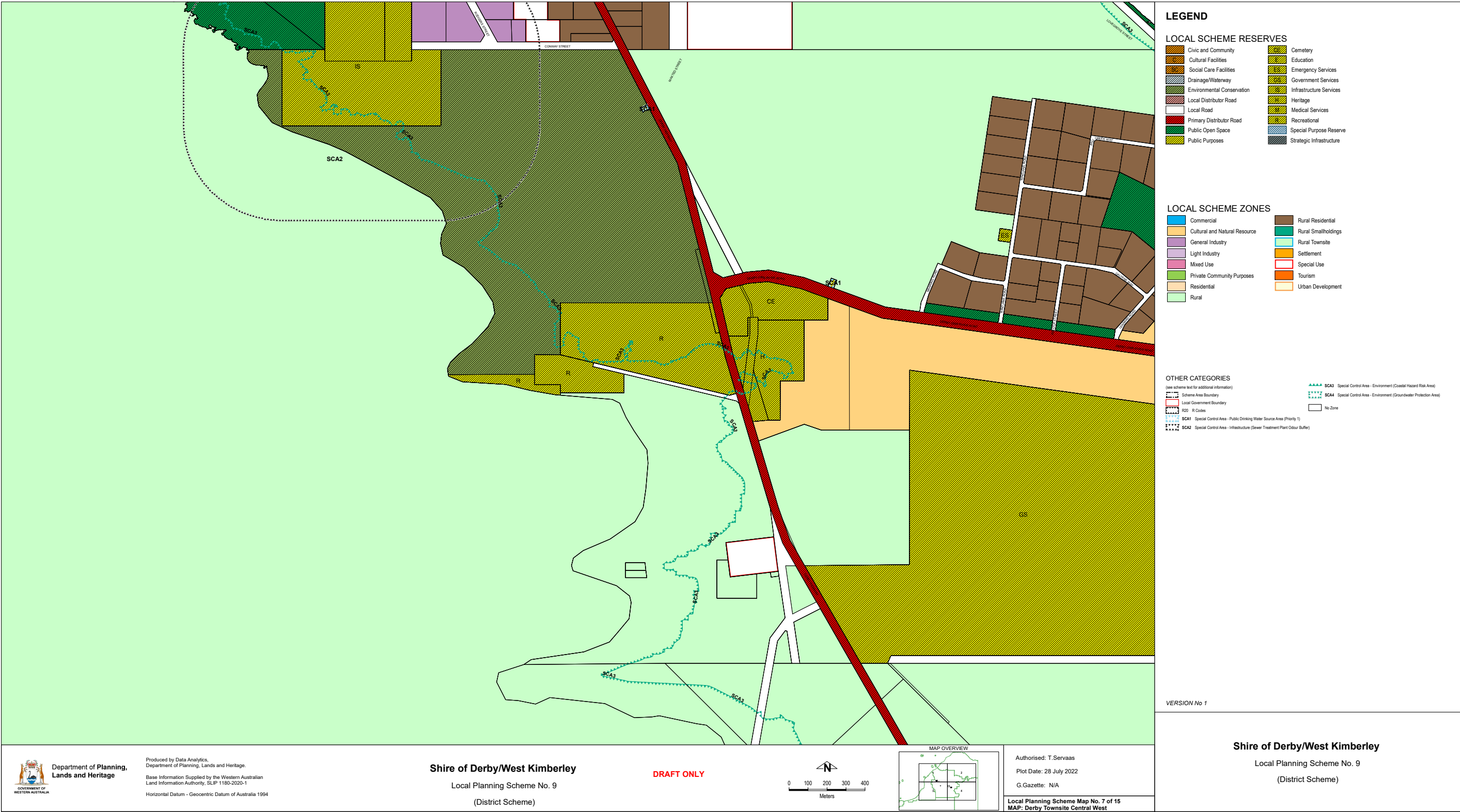




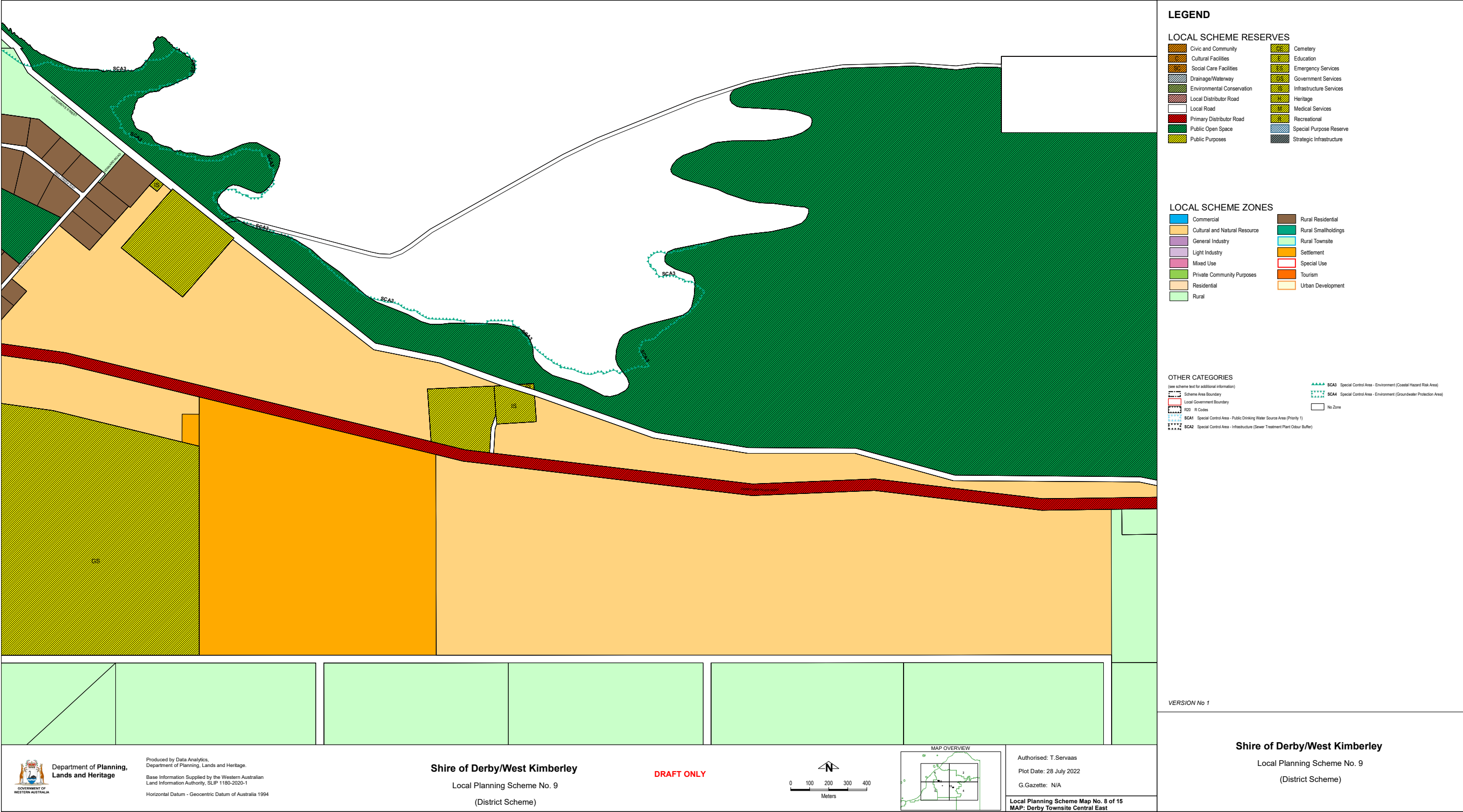




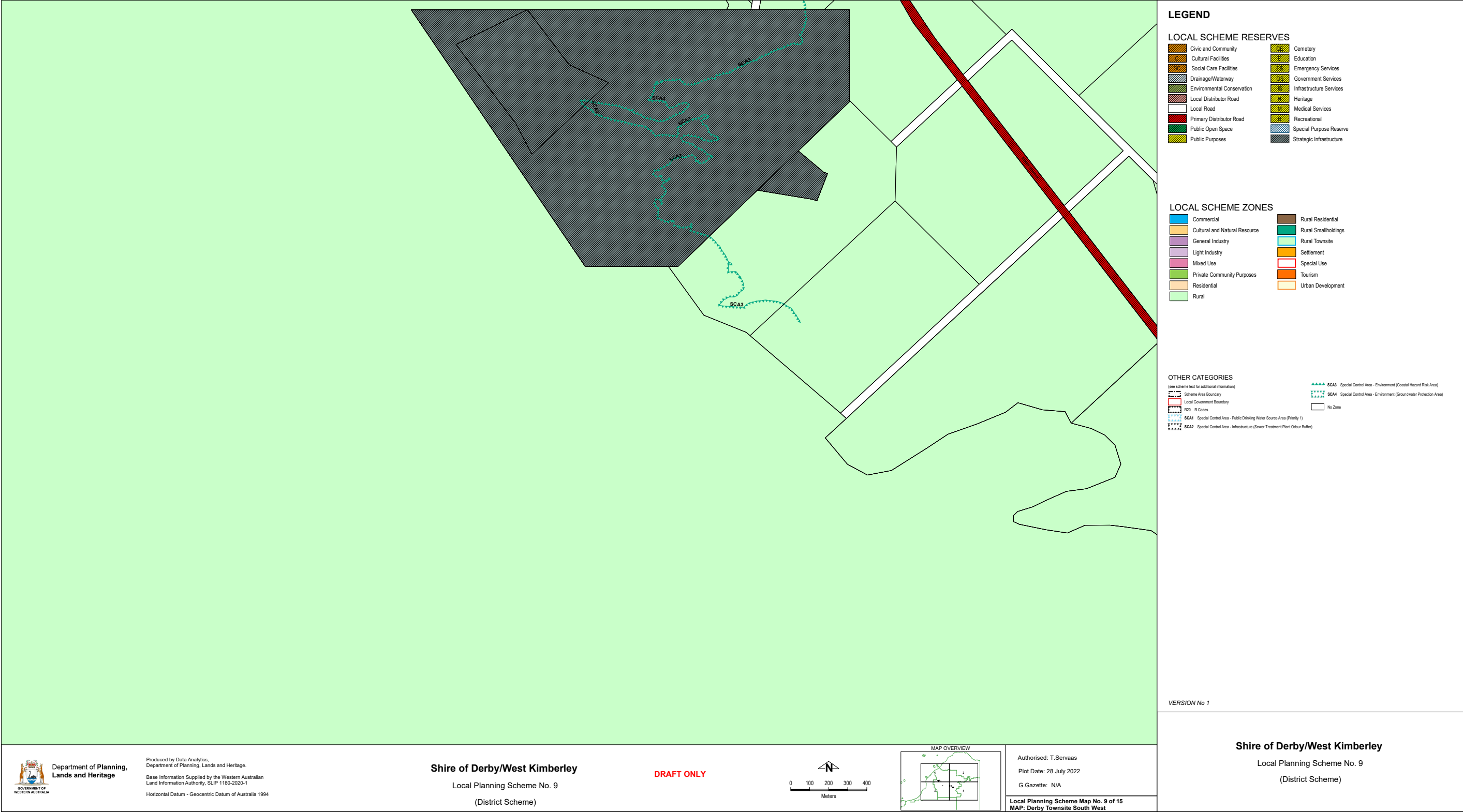




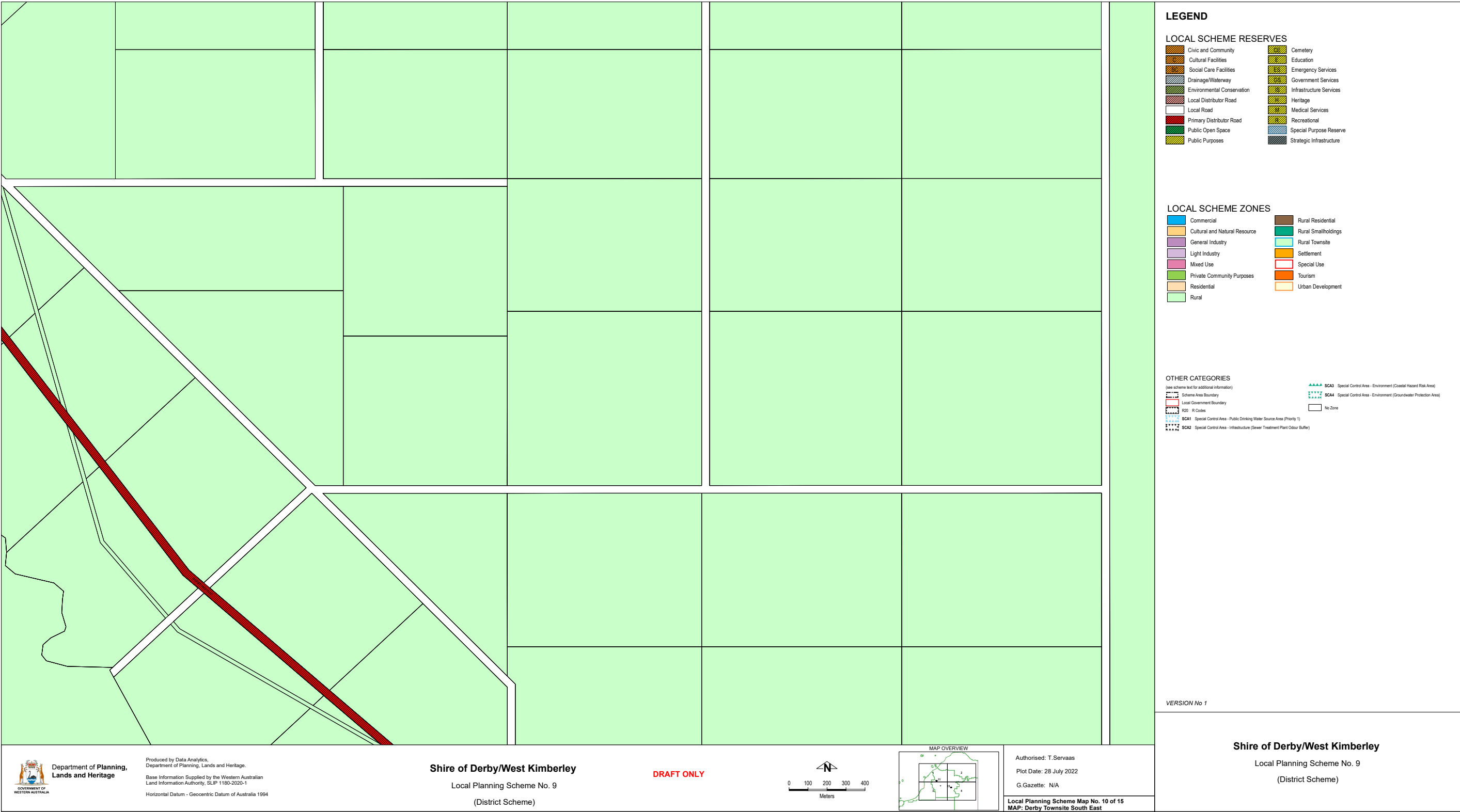




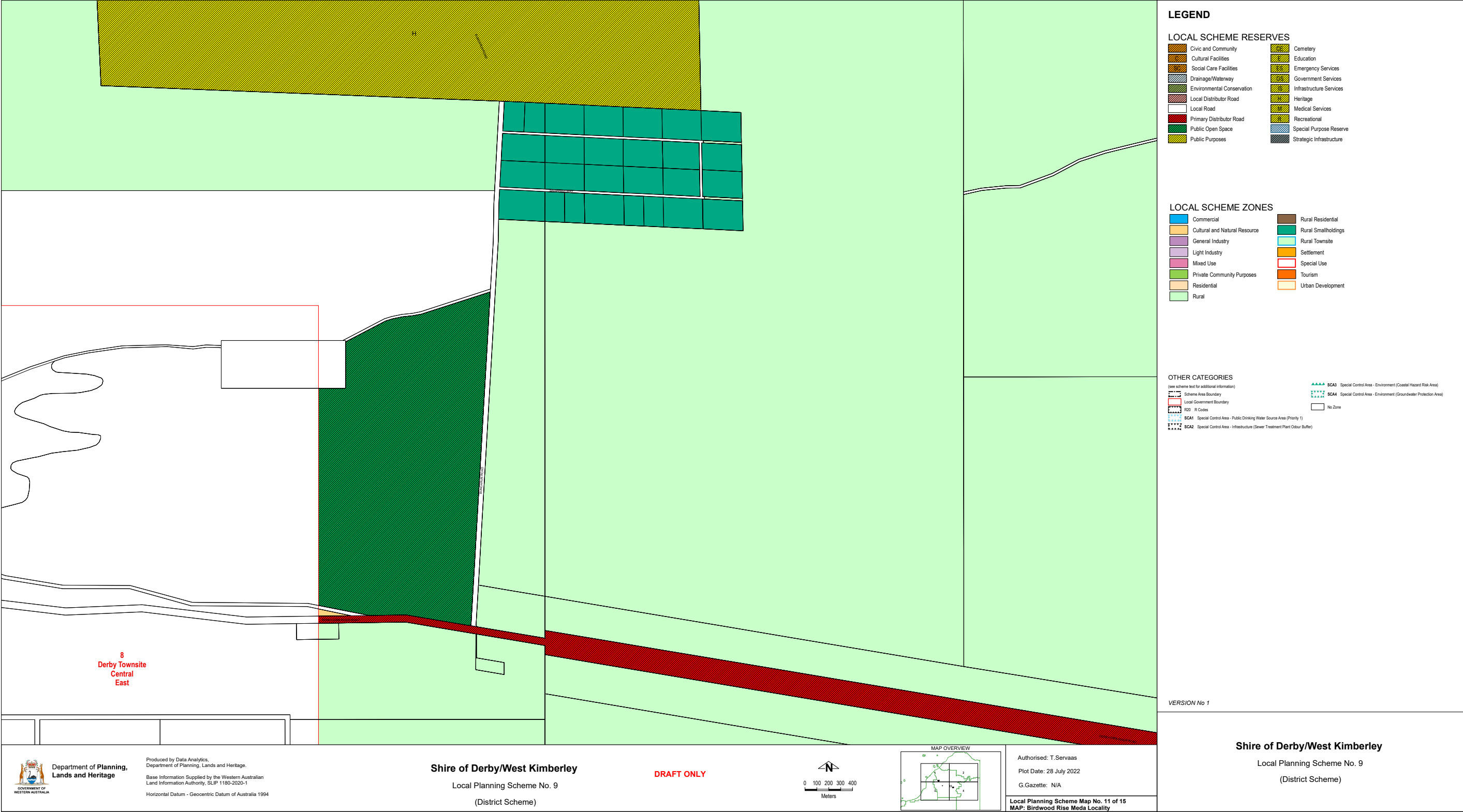




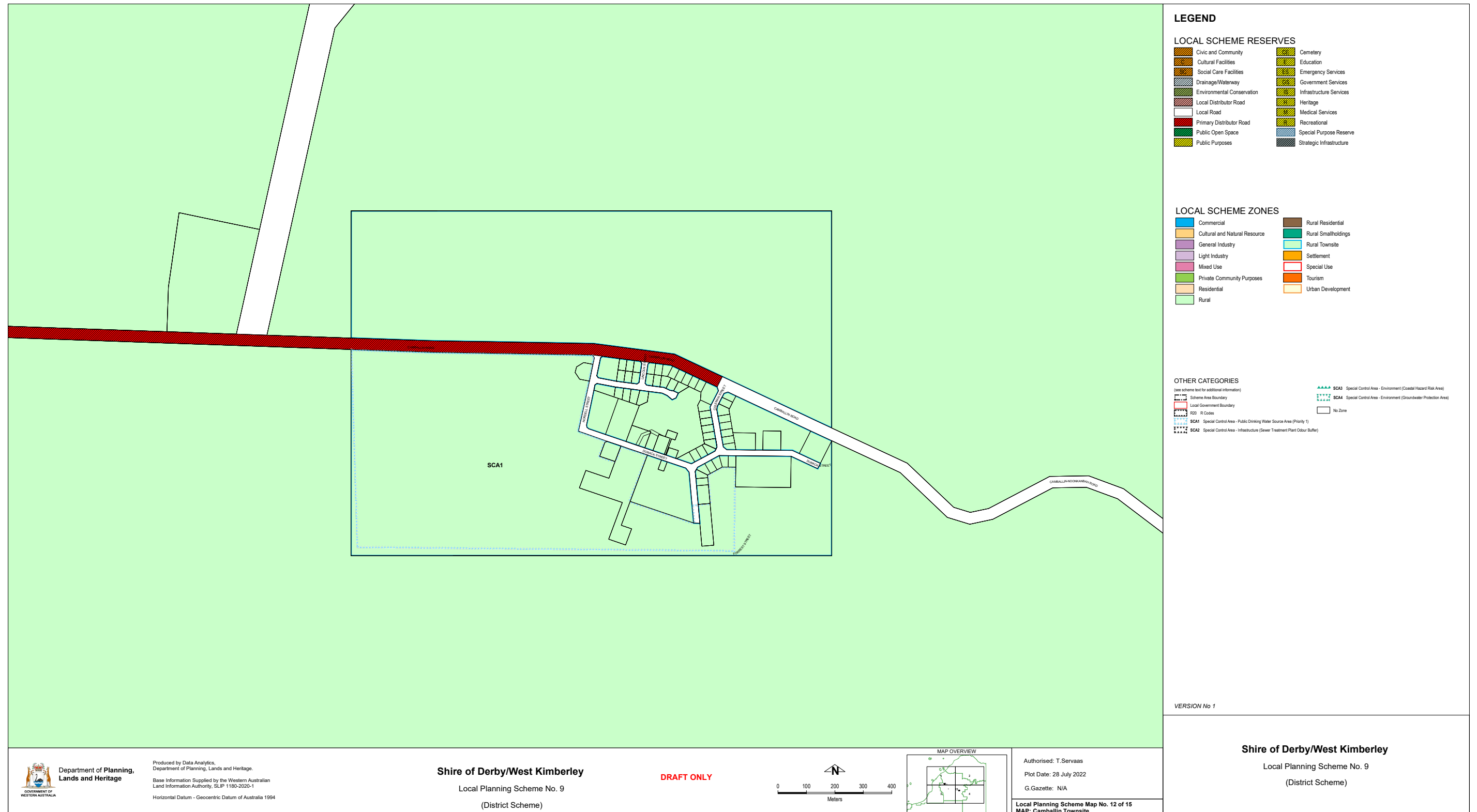




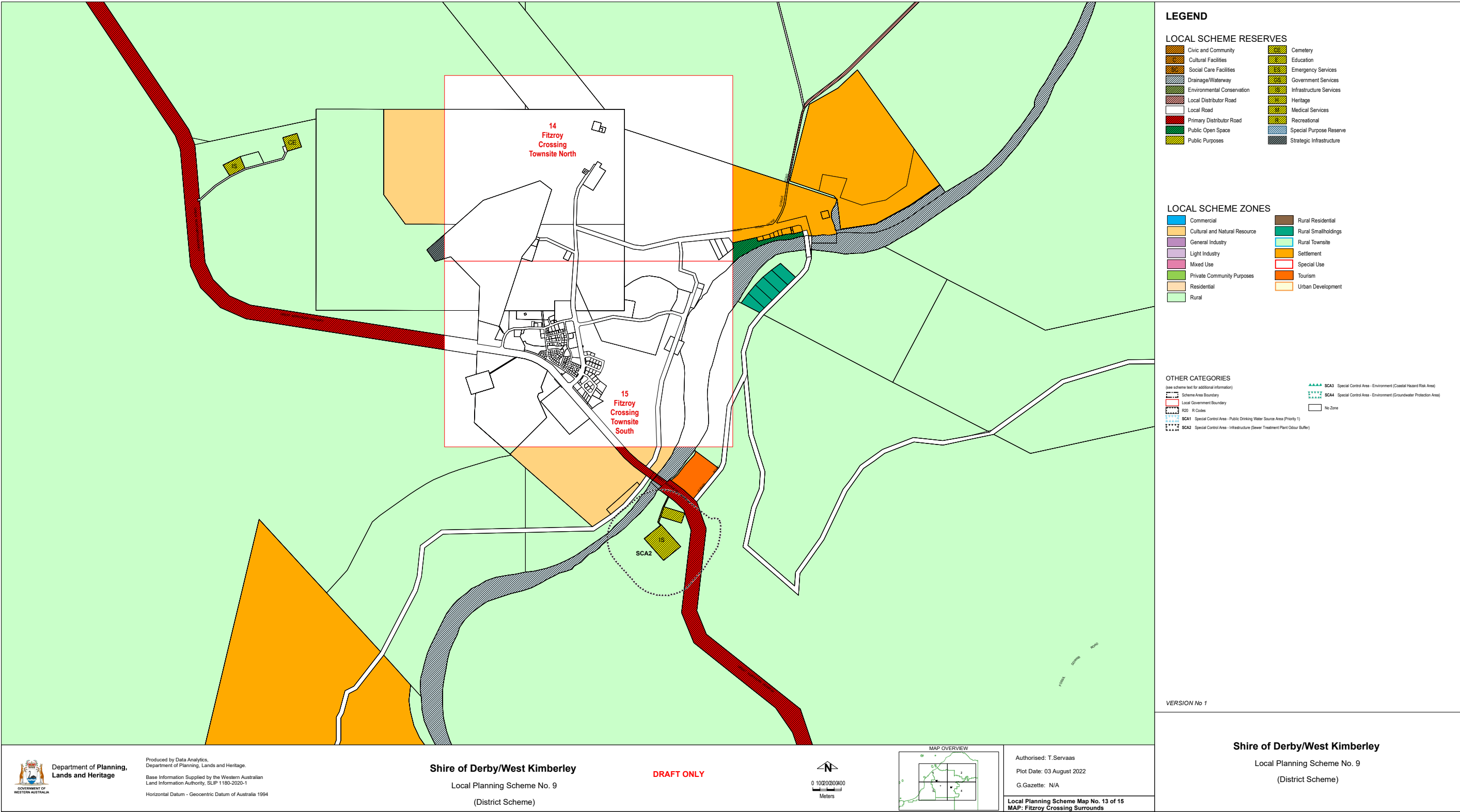




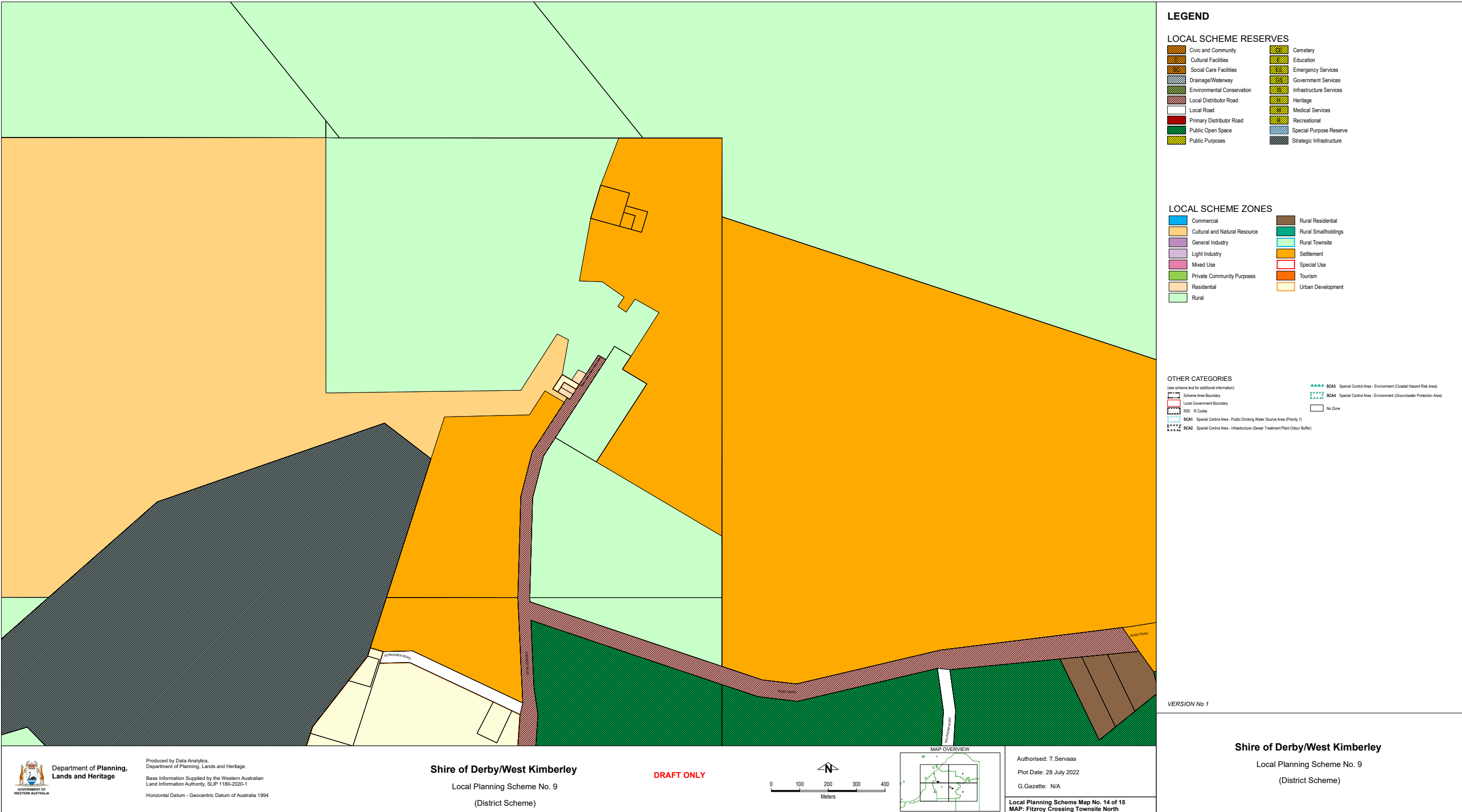




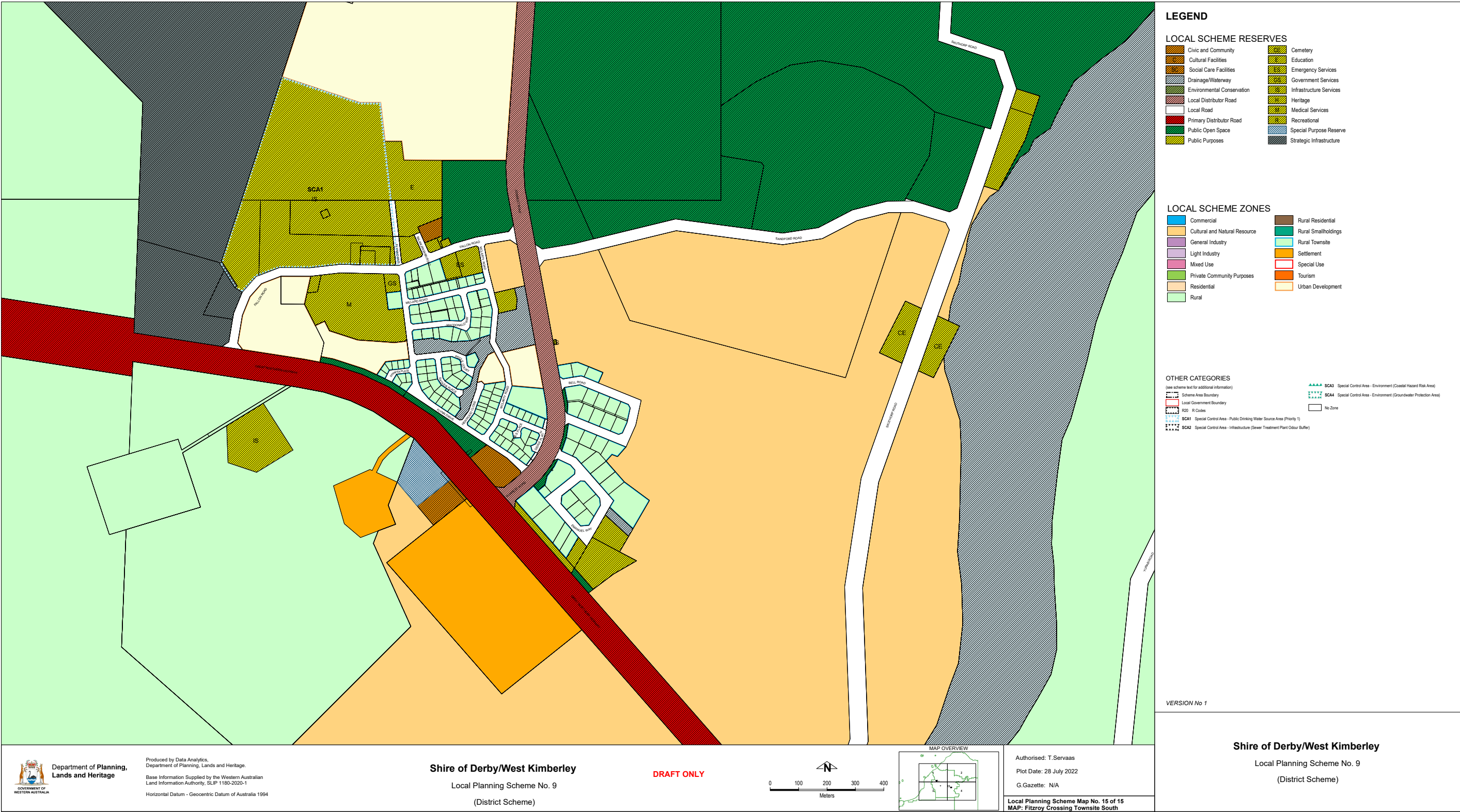














**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
1.	Department of Mines, Industry Regulation & Safety Resource and Environmental Regulation (DMIRS) Locked Bag 100 East Perth WA 6892	Not applicable	The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials. As such, it raises no objections to the proposed new Scheme.	Note.
2.	Shire of Broome PO Box 44 Broome WA 6725	Not applicable	Shire of Broome Officers have reviewed the Shire of Derby/West Kimberley's draft Local Planning Scheme No. 9. Officers are satisfied that the proposed zoning and potential development within the Shire of Derby/West Kimberley would be compatible with land uses and potential development on adjoining land that is subject to the Shire of Broome's draft Local Planning Scheme No. 7. As such, the Shire of Broome offers no objections to the draft Local Planning Scheme No. 9.	Note.
3.	DFES 20 Stockton Bend Cockburn Central Perth WA 6164	Not applicable	<p>DFES Ref: D27316</p> <p>It is unclear from the documentation provided if the Shire of Derby/West Kimberley has applied <i>State Planning Policy 3.7 – Planning in Bushfire Prone Areas</i> (SPP 3.7) to this proposal.</p> <p>Given the Local Planning Scheme will guide development within the Local Government area, the Local Planning Scheme provides an opportune mechanism for the coordination of bushfire risk to ensure that it does not result in the introduction or intensification of development or land use in an area that has or will, on completion, have an extreme BHL and/or BAL-40 or BAL-FZ.</p> <p>SPP 3.7 seeks to reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.</p> <p>A Bushfire Management Plan (BMP) is required to accompany strategic planning proposals, subdivision and development applications in areas above BAL-LOW or areas with a bushfire hazard level above low (refer to clause 6.2b). A BMP includes the bushfire assessment,</p>	Support. State Planning Policy 3.7 (SPP3.7) Planning in Bushfire Control Areas is to be read into the Scheme. SPP3.7 will be applied in the usual manner for proposed subdivision and development within existing zoned areas.

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**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
			<p>identification of the bushfire hazard issues arising from the relevant assessment and a clear demonstration that compliance with the bushfire protection criteria contained within Appendix 4 of these Guidelines, is or can be achieved.</p> <p>The BMP should be prepared as early as possible in the planning process and progressively refined or reviewed as the level of detail increases. The level of detail provided within a BMP should be commensurate with the applicable planning stage and scale of the proposal or application.</p> <p>Should you apply SPP 3.7 then, we request the relevant information pursuant to this policy be forwarded to DFES to allow us to review and provide comment prior to the Shire endorsement of the Local Planning Scheme.</p> <p>Land Use Planning staff are available to discuss planning proposals and provide general bushfire advice at any stage of the planning process. Please do not hesitate to contact me on the number below, should you require clarification of any of the matters raised.</p>	
<b>4.1</b>	Shire of Derby West Kimberley	Lot 538 (No.1), Lot 11 (No.3), Lot 12 (No.5) & Lot 13 (No.7) Maxted Street, Derby	The correct lot and street address for all lots comprising Special Use Zone No.8 in Town Planning Scheme No.5 need to be reflected in Table 6 of proposed Local Planning Scheme No.9.	Support. Modification recommended to re-word the description of land for SU3 in Table 6 to "Lot 538 (No.1), Lot 11(No. 3), Lot 12 (No. 5) & Lot 13 (No. 7) Maxted Street, Derby."
<b>4.2</b>			Special Use Zone No.3 contained in proposed Local Planning Scheme No.9 as it applies specifically to these lots also needs to be reflected on Scheme Maps Nos.6 & 7 prepared in support of the new Scheme (i.e. there is currently no Special Use zone number allocated on the draft Scheme Maps).	Support. Modification proposed to reflect Special Use No. 3 within applicable scheme maps.
<b>5.</b>	Main Roads Western Australia PO Box 6202 East Perth WA 6892	Not applicable	<p><b>Response to draft Local Planning Scheme No. 9 (LPS No. 9)</b></p> <p>In response to your public notice 'Draft Shire of Derby/West Kimberley Local Planning Scheme No. 9 (LPS No. 9)' Main Roads has reviewed the documents and advise we have no comments or objections to the</p>	Note. Future planning for a by-pass can be considered through the future local planning strategy process.

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**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
			proposed scheme. For consideration it may be needed to consider future planning for a heavy vehicle bypass to provide access to the Derby Port facility.	
<b>6.1</b>	Department of Primary Industries and Regional Development 1 Verschuer Place Bunbury WA 6230	Not applicable	<p>Part 3 - Zones and use of land, 3.1 Zones (p13), Rural</p> <p>'To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.'</p> <p>DPIRD agrees with this objective as it is important to support current and future pastoral uses (grazing) and permit opportunities to diversify and, where appropriate, intensify agricultural land use.</p> <p>'To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.'</p> <p>DPIRD supports this objective as it is consistent with the Soil and Land Conservation Act 1945 and the Biosecurity and Agricultural Management Act 2007, which DPIRD administers on behalf of the State government.</p> <p>'To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.'</p> <p>This is important as conflicting sensitive land uses has the potential to severely limit the agricultural potential of the land.</p> <p>'To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.'</p> <p>It is important that non-rural uses do not have any</p>	Note. Definitions and objectives are consistent with model provisions within the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .

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**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
			negative impact on the surrounding rural land uses. Non-rural uses include tourism, industrial uses and renewable energy facilities, which are not necessarily limited to rural land.	
<b>6.2</b>		Not applicable	<p>Rural Residential</p> <p>'To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.'</p> <p>DPIRD notes that livestock cannot be sustainably kept on lots in the range of 1 to 4 ha, without stabling close to 24 hours a day, seven days a week, to prevent land degradation.</p> <p>Lots will need to be irrigated to maintain pasture ground cover above the minimum threshold of 50% and to suppress dust.</p>	Note. Definitions and objectives are consistent with model provisions within the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
<b>6.3</b>		Not applicable	<p>Rural Smallholdings</p> <p>'To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.'</p> <p>DPIRD notes that the keeping of livestock on rural small holdings will also be challenging in the Derby/West Kimberley shire. Landholders will need to apply careful management and use stabling to prevent land degradation. If water is available for irrigation, rural smallholdings offer a greater opportunity for rural land uses.</p>	Note. Definitions and objectives are consistent with model provisions within the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
<b>6.4</b>		Not applicable	DPIRD notes that the Mining operations use is listed as a Discretionary use across all zones in the Draft LPS9, including the Residential, Rural Residential, Rural Smallholdings, Commercial and Tourism Zones, even though mining is not referred to in the objectives of these zones.	Note. This is consistent with State Planning Policy 2.5 Rural Planning, as the <i>Mining Act 1978</i> overrules the <i>Planning and Development Act 2005</i> .



**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
6.5		Not applicable	<p>The Department of Planning, Lands and Heritage is currently undertaking consultation as part of the Planning Reform process on consistent Local Planning Schemes and is proposing to introduce a new zone: Cultural and natural resource use. Appendix B includes the following information about the proposed zone, its objectives and the reason for its introduction.</p> <p>A new 'cultural and natural resource use' zone is proposed. It is expected that the zone would typically cover Aboriginal Land Trust land where a variety of land use rights and interests apply over the land as part of Indigenous land use agreements under the Native Title Act 1993, such as traditional hunting and camping, management of land and economic ventures.</p> <p>It is suggested that the objectives for a 'cultural and natural resource use' zone address the following principles:</p> <ul style="list-style-type: none"> <li>• Ensure the preservation of Aboriginal heritage and culturally significant areas.</li> <li>• Provide for the conservation of significant landscape and environmental areas and values.</li> <li>• Allow for low impact tourism and economic development opportunities.</li> <li>• Allow land uses associated with Aboriginal heritage, traditional law and culture. (Source: Appendix B Proposed changes to zones and reserves Draft</li> </ul> <p>DPIRD suggests that the objective relating to the extraction of mineral and natural resources is deleted for this zone.</p>	Note. The proposed objectives have been previously endorsed by the WAPC. It should be noted that the reform package is a draft for community consultation and subject to change.
6.6		Not applicable	<p>Tourism</p> <p>'To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.'</p>	Dismiss. Zone and objective is consistent with model definition with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .



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			As tourist developments are sensitive land uses, they should be well separated/buffered from agricultural land.	
<b>6.7</b>		Not applicable	3.2 Zoning table (p16 - 20) Commercial Service is not a zone in the Draft LPS9. However, it is included in the Zoning table. DPIRD recommends removing this Zone from the table.	Dismiss. Possible incorrect interpretation of the zoning Table; submission refers to 'Service Commercial' zone. It is also recommended that despite there being no land zoned 'Service Commercial' within the Shire, this zone should be kept in the Scheme in case of future inclusion. Zone to be added to legend on Scheme Maps in case of future inclusion. Modification recommended.
<b>6.8</b>		Not applicable	Agriculture-Intensive DPIRD notes that this a permitted use in the Rural zone, and that development approval may still be required for buildings and irrigation infrastructure.  This use is also permitted in the Cultural and Natural Resource Use zone. DPIRD recommends changing this use from a 'P' use to a 'D' or an 'A' use to ensure proposed development aligns with the zone's planning objectives and avoids land use conflict, for example, with the cultural values of the proposed development area or with low impact tourism.	Supported in part. Modification recommended to change 'Agriculture-Intensive' to a 'D' use in the 'Cultural and Natural Resource Use' zone.
<b>6.9</b>		Not applicable	Brewery Breweries are facilities used to manufacture alcoholic beverages including beer, cider and spirits. They require a secure potable water supply and systems to dispose of solid and liquid wastes produced during manufacturing. DPIRD recommends that brewery be changed to an 'A' use in the Cultural and Natural Resource Use zone to ensure the objectives of this zone are considered and appropriate consultation occurs.	Dismiss. Breweries should remain a 'D' use in the Cultural and Natural Resource zone. If there was a proposal for a Brewery in this zone, the applicant would be required to provide supporting evidence showing this was viable. The Shire would be required to use discretion in approving the proposal.
<b>6.10</b>		Not applicable	Consulting Rooms - means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.	Dismiss. Consulting rooms should remain a 'D' use in the Cultural and Natural Resource zone. If there was a proposal for Consulting Rooms in this zone, the applicant would be required to provide



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			DPIRD is unclear why this use is listed as 'D' in the Cultural and Natural Resource Use zone. It may be that this use is required for mining operations.	supporting evidence showing this was viable. The Shire would be required to use discretion in approving the proposal.
<b>6.11</b>		Not applicable	Mining Operations - means premises where mining operations, as that term is defined in the Mining Act 1978 section 8(1), is carried out.  DPIRD suggest that mining operations are an 'X' use in Residential, Rural Residential, Rural Smallholdings, Rural Townsite, Commercial, Mixed use and Tourism zones. This would reflect the planning objectives of these zones, prevent land use conflict and be consistent with the use permissibility for Industry – extractive use.	Dismiss, current permissibilities are consistent with State Planning Policy 2.5 (Rural Planning) and the associated guidelines. Schemes cannot purport to prohibit Mining Operations, as the Mining Act is the enabling legislation.
<b>6.12</b>			Hospital  DPIRD recommends changing this use from a 'D' use to an 'X' use in the Rural zone as a hospital requires services and infrastructure not provided for in Rural zones. As a sensitive use, hospitals are better located in serviced zones close to residential populations zones such as Commercial or Rural Townsite zones. This comment also applies to the Cultural and Natural Resource Use zone.	Dismiss. Hospitals should remain a 'D' use in both the Rural and Cultural and Natural Resource zones. If there was a proposal for a Hospital in these zones, the applicant would be required to provide supporting evidence showing this was viable. The Shire would be required to use discretion in approving the proposal.
<b>6.13</b>			Place of Worship - means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.  DPIRD recommends this is an 'X' use in the Rural and Cultural and Natural Resource Use zones as this use does not align with the objectives of these zones.	Dismiss. Places of Worship should remain a 'D' use in the Rural and Cultural and Natural Resource zone. If there was a proposal for a Place of Worship in this zone, the applicant would be required to provide supporting evidence showing this was viable. The Shire would be required to use discretion in approving the proposal.
<b>6.14</b>			Residential Aged Care Facility - means a residential facility providing personal and/or nursing care primarily to aged or dependent persons which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. This may consist of multiple components that include residential respite (short-term) care, aged or dependent persons dwellings and a retirement	Dismiss. Residential Aged Care Facility should remain a 'D' use in the Rural and Cultural and Natural Resource zone. If there was a proposal for a Residential Aged Care Facility in this zone, the applicant would be required to provide supporting evidence showing this was viable. The Shire would be required to use discretion in approving the proposal.



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			village, but does not include a hospital, rehabilitation or psychiatric facility.  DPIRD recommends changing this use from a 'D' use to an 'X' use in the Cultural and Natural Resource Use zone as these facilities requires services and infrastructure not provided for in this zone.	
<b>6.15</b>			Winery - means premises used for the production of viticultural produce and associated sale of the produce.  The climate of the Shire of Derby/West Kimberley does not suit viticulture (growing of grapes), so it is unclear why this land use, which uses grapes to produce wine, is included in the Zoning table in the Draft LPS9.  If included, DPIRD recommends changing this use from a 'D' use to an 'X' use in the Rural Residential, Light Industry and Tourism zones to be consistent with the prohibition on the commercial growing of grapes (agriculture-intensive) in these zones.	Supported in part. It is considered appropriate that wineries should become an 'X' use in the Rural Residential and Light Industry zones. Modification recommended to the zoning table. However, wineries may be appropriate in the Tourism zone. Should a proposal arise, the applicant would be required to provide supporting evidence showing this was viable. Currently, Wineries in the Tourism zone are listed as an 'A' use. The Shire would be required to publicly advertise a proposal and use discretion in its approval.



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6.16			<p>3.5 Restricted uses (p23-24)</p> <p>Restricted uses apply to Birdwood Rise Derby (R1). These uses permit agriculture intensive, rural pursuit/hobby farm and industry-rural industry-primary production, among other uses, subject to conditions listed in Table 5.</p> <p>Conditions include:</p> <p>8.Any agricultural use must be in keeping with the Principles of sound agricultural practice and in this Respect the Council may request the advice of the Department of Agriculture before determining any application.</p> <p>9.No person shall use or permit to be used any lot for the grazing of animals at an intensity which would adversely affect the pastures of and other vegetation on the lot concerned, the neighbouring lots or be likely to result in soil erosion.</p> <p>Stocking rates shall be in accordance with those specified by the Department of Agriculture.</p> <p>In provisions 8 and 9, please change the 'Department of Agriculture' to the 'Department of Primary Industries and Regional Development'</p>	Support. Modification recommended to change references to 'Department of Agriculture' to 'Department of Primary Industries and Regional Development'.
6.17			<p>Schedule 3 - General development standards and requirements</p> <p>Table 8 - Zone Development Requirements</p> <p>Cultural and Natural Resource Zone</p> <p>Given the range of land uses in the zoning table for this zone, DPIRD supports the development requirement:</p> <p>1. That local government may require the preparation and approval of a structure plan or local development plan for a particular site, in accordance with the deemed provisions.</p>	Note.
6.18			Residential Zone	Note.

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			DPIRD supports the development requirement: 1. That 'no horse or other hoofed animal shall be kept on any lot in the Residential zone'.	
<b>6.19</b>			Rural Zone DPIRD supports the development requirements for the Rural zone relating to: 4. The construction of dams and the extraction of surface water from drainage lines 5. Locating Animal Husbandry - Intensive uses away from townsites and residential dwellings. 6. Prohibiting the keeping of pigs on Rural zoned land in the Derby townsite.	Note.
<b>6.20</b>			Rural Residential Zone DPIRD supports the development requirements 4(iv) and (v) relating to the keeping on livestock and prevention of overstocking and erosion, and other nuisance issues.	Note.
<b>7.</b>	Department of Education 151 Royal Street East Perth WA 6004	Derby District High School & Fitzroy Valley District High School	The Department notes draft LPS 9 will replace the Shire's Local Planning Schemes No. 5 and No. 9 and various modifications are proposed. These include, but not limited to, setting aside land as local reserves for public purpose, rezoning land outside of the Derby townsite and making provision for administration matters in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. In addition, the LPS 9 will reflect the Shire's Local Planning Strategy (Strategy) for land use direction.  Within the Shire's Strategy there is a vision to increase residential lots within Derby and West Kimberley by way of proposing changes to residential zoning and progressing with pockets of residential infill. Both Derby District High School and Fitzroy Valley District High School cater for kindergarten to year 12 students and have sufficient student accommodation capacity	Note. The Shire will consult with the Department of Education should there be significant increases for residential land within the Shire's municipality.



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			<p>at this stage.</p> <p>Should there be any significant increases to residential demand within the Shire's municipality which results in an increase to the projected student yield, the Department requests the Shire to consult with the Department. By monitoring public educational needs, it enables the provision of adequate facilities in accordance with the Western Australian Planning Commission's Operational Policy 2.4 – Planning for School Sites.</p>	
<b>8.</b>	Water Corporation PO Box 100 Leederville WA 6902		<p>It is noted that the proposed Scheme includes Special Control Areas denoted on the scheme maps and associated scheme text provisions to recognise the extent of the Derby and Fitzroy Crossing wastewater treatment plant odour buffers. The Water Corporation supports these aspects of the scheme and thanks the Shire for its ongoing support in protecting these critical community infrastructure assets.</p>	Note.
<b>8.1</b>	Water Corporation		<p>The SCA for the Fitzroy Crossing WWTP odour buffer should be slightly modified to be consistent with the plan attached.</p> <p align="center">             Water Corp - Plan.pdf         </p>	Support. Modification recommended. Modification to Map 13 to reflect Fitzroy Crossing WWTP odour buffer.
<b>8.2</b>	Water Corporation		<p>The naming convention for these SCAs could also perhaps be modified to read            "Wastewater Treatment Plant Odour Buffer" or "Water Resource Precinct", consistent with contemporary terminology used in other jurisdictions.</p>	Support. Modification recommended. SCA 2 'Special Control Area – Infrastructure (Sewer Treatment Plant Odour Buffer)' to be renamed to 'Wastewater Treatment Plant Odour Buffer' on both Maps and within Table 7.
<b>8.3</b>	Water Corporation		<p>There are several small scale wastewater treatment plants dotted through the Shire that serve small, standalone catchments associated with remote Aboriginal settlements (e.g. Mowanjum, Looma, Bayulu, Muludja). These plants are small and don't currently warrant the need for SCA's to protect odour buffers.</p>	Support. Layout plans are the appropriate mechanism to capture details planning in remote Aboriginal settlements.

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NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION									
			Land use separation from these plants will presumably be addressed through the layout plans for these communities.										
8.4	Water Corporation		The Corporation also notes and supports the recognition of gazetted groundwater protection areas as a Special Control Area. This will ensure ongoing protection of the Shire's drinking water source. The accuracy of the groundwater resource mapping and any specific text provisions should be confirmed by DWER's submission on the Scheme.	Note.									
9.1	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743	N/A	<p>The Department of Water and Environmental Regulation (the Department) has reviewed the Draft LPS9 and supports the development of a Scheme that covers the entire local government area; however, refinement of the document is recommended to ensure the environment and water resources are appropriately considered and protected.</p> <p>The following modifications to the document are recommended:</p> <p><b><u>Part 2 - Reserves</u></b></p> <table><tr><th>Issue</th><th>Reference</th><th>Advice</th></tr><tr><td>There are actions in the SDWK Local Planning Strategy (2013) seeking to identify and protect natural areas of significance, including wetlands and mound springs and in particular, better protect the Munkayarra wetland.</td><td>Actions 51 and 52 in section 3.6 <i>Natural Resource Management of Local Planning Strategy</i>.  Draft LPS9 Map no. 1 of 15</td><td>The Munkayarra wetland is zoned <i>Rural</i>. To better reflect the strategic land use objectives and address related actions identified in the Shire's Local Planning Strategy (2013), development of area specific provisions to protect locally significant wetlands</td></tr></table> <table><tr><td>These strategic actions are not clearly reflected in Draft LPS9.</td><td></td><td>should be considered. For example; - Set aside Munkayarra (and other locally significant wetlands/mound springs) as local reserve - <i>Environmental Conservation</i>. - A special control area for ecological protection. - Identifying lots that wetlands are located on in a schedule.</td></tr></table>	Issue	Reference	Advice	There are actions in the SDWK Local Planning Strategy (2013) seeking to identify and protect natural areas of significance, including wetlands and mound springs and in particular, better protect the Munkayarra wetland.	Actions 51 and 52 in section 3.6 <i>Natural Resource Management of Local Planning Strategy</i> .  Draft LPS9 Map no. 1 of 15	The Munkayarra wetland is zoned <i>Rural</i> . To better reflect the strategic land use objectives and address related actions identified in the Shire's Local Planning Strategy (2013), development of area specific provisions to protect locally significant wetlands	These strategic actions are not clearly reflected in Draft LPS9.		should be considered. For example; - Set aside Munkayarra (and other locally significant wetlands/mound springs) as local reserve - <i>Environmental Conservation</i> . - A special control area for ecological protection. - Identifying lots that wetlands are located on in a schedule.	Note. Reflects current lease arrangements. This submission will be addressed through future Strategy review process.
Issue	Reference	Advice											
There are actions in the SDWK Local Planning Strategy (2013) seeking to identify and protect natural areas of significance, including wetlands and mound springs and in particular, better protect the Munkayarra wetland.	Actions 51 and 52 in section 3.6 <i>Natural Resource Management of Local Planning Strategy</i> .  Draft LPS9 Map no. 1 of 15	The Munkayarra wetland is zoned <i>Rural</i> . To better reflect the strategic land use objectives and address related actions identified in the Shire's Local Planning Strategy (2013), development of area specific provisions to protect locally significant wetlands											
These strategic actions are not clearly reflected in Draft LPS9.		should be considered. For example; - Set aside Munkayarra (and other locally significant wetlands/mound springs) as local reserve - <i>Environmental Conservation</i> . - A special control area for ecological protection. - Identifying lots that wetlands are located on in a schedule.											



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9.2	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		<p><u>Part 3 – Zones and use of land</u></p> <p>Recommended changes to text in Table 2 Zone Objectives</p> <table><tr><th>Zone</th><th>Suggested change (red text)</th><th>Rationale</th></tr><tr><td>Rural zone</td><td>To maintain and enhance the environmental qualities of the landscape, vegetation, soils and <b>water resources (including necessary buffers)</b> to protect sensitive areas especially the natural valley and watercourse systems from damage.</td><td>The use of 'water resources' terminology is recommended, consistent with the definition in State Planning Policy 2.9 to ensure all water values are considered and protected. The words, 'including necessary buffers' makes it clear that council can consider provisions for the protection of ecosystems or landscape components that contribute to the physical condition and ecological health of a water resource (also defined under 'water resource' in SPP 2.9).</td></tr></table>	Zone	Suggested change (red text)	Rationale	Rural zone	To maintain and enhance the environmental qualities of the landscape, vegetation, soils and <b>water resources (including necessary buffers)</b> to protect sensitive areas especially the natural valley and watercourse systems from damage.	The use of 'water resources' terminology is recommended, consistent with the definition in State Planning Policy 2.9 to ensure all water values are considered and protected. The words, 'including necessary buffers' makes it clear that council can consider provisions for the protection of ecosystems or landscape components that contribute to the physical condition and ecological health of a water resource (also defined under 'water resource' in SPP 2.9).	Dismiss. Current objectives are aligned with the objective contain with the model provisions within the Planning and Development (Local Planning Schemes) Regulations 2015.			
Zone	Suggested change (red text)	Rationale											
Rural zone	To maintain and enhance the environmental qualities of the landscape, vegetation, soils and <b>water resources (including necessary buffers)</b> to protect sensitive areas especially the natural valley and watercourse systems from damage.	The use of 'water resources' terminology is recommended, consistent with the definition in State Planning Policy 2.9 to ensure all water values are considered and protected. The words, 'including necessary buffers' makes it clear that council can consider provisions for the protection of ecosystems or landscape components that contribute to the physical condition and ecological health of a water resource (also defined under 'water resource' in SPP 2.9).											
9.3	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		<p>Recommended changes to proposed zonings and scheme maps.</p> <table><tr><th>Location/zone</th><th>Suggested change</th><th>Rationale</th></tr><tr><td>Lot 8000 on Plan 71424 Lot 51 on Plan 67088 Lot 52 on Plan 67093 Lot 33 on Plan 61353  Current POS/drainage areas for residential developments bounded by Guildford Street, Steel Street, Fitzroy Street and Ashley Street in Derby.</td><td>The Department does not support changing these locations from <i>Public Open Space Reserve</i> to <i>Urban Development</i> zone.  These areas should be reserved as <i>Parks Recreation and Drainage</i> to clearly reflect their multipurpose use. As a</td><td>These areas serve important stormwater management functions for existing development. They were assessed and designed in accordance with the <i>Better Urban Water Management Framework</i> and infill development could cause localised flooding or stormwater management issues.</td></tr></table> <table><tr><td>Proposed as <i>Urban Development</i> zoning on scheme map no. 5 of 15.</td><td>minimum, they should stay reserved as <i>Public Open Space</i>.</td><td></td></tr></table>	Location/zone	Suggested change	Rationale	Lot 8000 on Plan 71424 Lot 51 on Plan 67088 Lot 52 on Plan 67093 Lot 33 on Plan 61353  Current POS/drainage areas for residential developments bounded by Guildford Street, Steel Street, Fitzroy Street and Ashley Street in Derby.	The Department does not support changing these locations from <i>Public Open Space Reserve</i> to <i>Urban Development</i> zone.  These areas should be reserved as <i>Parks Recreation and Drainage</i> to clearly reflect their multipurpose use. As a	These areas serve important stormwater management functions for existing development. They were assessed and designed in accordance with the <i>Better Urban Water Management Framework</i> and infill development could cause localised flooding or stormwater management issues.	Proposed as <i>Urban Development</i> zoning on scheme map no. 5 of 15.	minimum, they should stay reserved as <i>Public Open Space</i> .		Support. Recommend modification to reclassify lots 8000 (plan 71424), 51 (Plan 67088), 52 (Plan 67093) and 33 (Plan 61353) to 'Public Open Space' reserve.
Location/zone	Suggested change	Rationale											
Lot 8000 on Plan 71424 Lot 51 on Plan 67088 Lot 52 on Plan 67093 Lot 33 on Plan 61353  Current POS/drainage areas for residential developments bounded by Guildford Street, Steel Street, Fitzroy Street and Ashley Street in Derby.	The Department does not support changing these locations from <i>Public Open Space Reserve</i> to <i>Urban Development</i> zone.  These areas should be reserved as <i>Parks Recreation and Drainage</i> to clearly reflect their multipurpose use. As a	These areas serve important stormwater management functions for existing development. They were assessed and designed in accordance with the <i>Better Urban Water Management Framework</i> and infill development could cause localised flooding or stormwater management issues.											
Proposed as <i>Urban Development</i> zoning on scheme map no. 5 of 15.	minimum, they should stay reserved as <i>Public Open Space</i> .												



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NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
9.4	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		<p>Lot 103 on Plan 213652 Lot 500 on Plan 75404</p> <p><i>Urban Development</i> zone adjacent to Fallon Road, Fitzroy Crossing.</p> <p>Scheme map no. 15 of 15</p> <p>Urban Development zoning is not supported in this location.</p> <p>Zoning should be changed to better reflect and protect the current land use as a wellhead protection zone.</p> <p>The lots are within a Priority 3 Public Drinking Water Source Protection Area (P3). In addition, all of Lot 103 and the majority of Lot 500 is within a Wellhead Protection Zone (WHPZ) for town water supply bores. These bores are the sole water supply for Fitzroy Crossing and are subject to contamination from overlying land uses. Landuse intensification within wellhead protection zones should be avoided.</p>	Support for Lot 103. Modification recommended. Dismiss for Lot 500. There is strong demand for housing, despite constraints on a significant portion of the town's land. Structure planning is required within the Urban Development zone, which DWER will be involved in. This structure planning process may be used to address concerns DWER may have. This may include requirements to connect to reticulated sewerage and for stormwater run-off to be directed away from the bore field. Lot 500 is outside of the P1 Public Drinking Water Source Area.
9.5	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		<p>Lot 401 on Plan 76782, Fitzroy Crossing</p> <p><i>Urban Development</i> zoning on scheme map no. 15 of 15</p> <p>Urban Development zoning is not supported in this location.</p> <p>Zoning should be changed to better reflect and protect the current land use as a wellhead protection zone and stormwater management flow path. The stormwater flow path should be reserved <i>Drainage/Waterway</i>.</p> <p>The lot is within a P3 area and the northwest corner is within a WHPZ. Landuse intensification within wellhead protection zones should be avoided.</p> <p>The southwest portion is a stormwater flow path, receiving water from the drainage/waterway reserve east of Flynn Drive. This area serves an important stormwater management function and development could cause localised flooding or stormwater management issues.</p> <p>If there is a critical need for development in this area, detailed investigations would be required to determine land capability and ensure enough land could be set aside for stormwater management. The WHPZ would need to be excluded from development.</p>	Note. A structure plan will be required to be prepared over the subject lot prior to any development taking place. This will address buffers to wellhead protection zones as well as stormwater flow through the site.
9.6	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		<p><i>Urban Development</i> zones (all)</p> <p>Structure Plans should be supported by relevant Water Management Reports prepared in accordance with draft <i>State Planning Policy</i></p> <p>Integrated water management should be applied in planning and development decision-making to ensure the environmental, social, cultural and economic values of water resources are recognised and maintained. Total water cycle</p>	Support. In accordance with draft State Planning Policy 2.9 Planning for Water local structure plans should be supported by local water management reports.



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				2.9 Planning for Water Guidelines.	management should be considered, including: sustainable drinking and non-drinking water supplies; stormwater, groundwater and wastewater management; flood and inundation risk management; protection of water quality (including PDWSAs) and water-dependent ecosystems.	
9.7	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		Lot 156 on Plan 213655 Proposed Rural zoning	Possibly reserved Infrastructure Services	Water Corporation has applied for land tenure and a works approval under Part V of the Environmental Protection Act to construct a waste water treatment plant (WWTP) at this location following the damage to wastewater infrastructure in the January 2023 floods. If the new WWTP is approved, further consideration should be given to appropriate zoning of this location.	Support. Modification proposed to reclassify Lot 156 on Plan 213655 as 'Infrastructure Services' reserve.
9.8	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		Birdwood Rise, Derby Table 5 – Restricted uses for land in scheme area Condition 12 and 13.	Condition 13 limits the water draw from each lot to a maximum of 40,000L per day. No information is given on the decision-making process for this but is assumedly to manage neighbour impacts, cumulative draw or the risk of seawater intrusion. The draft Derby Groundwater Allocation Plan has no local licensing policies or management zones relevant to this area.  Condition 12 should be reworded to: The land contained within the scheme area is within the Canning-Kimberley Groundwater area proclaimed under the Rights in Water and Irrigation Act 1914 (RIWI Act). Property owners require a licence to	Given condition 13 appears to be carried over from the previous TPS, the SDWK should review it to ensure the intended outcomes are still applicable. Review should consider shire records or communications from property owners identifying issues with salinity in their bores. There are three groundwater licences issued under the Rights in Water and Irrigation Act 1914 in this location, but the Department does not have salinity monitoring data for these bores.  Condition 12 needed further clarification of legislation and the roles of the Department and Local Government.	<b>Condition 13:</b> Note. Condition has been carried over from previous scheme.  <b>Condition 12:</b> Support. Modification proposed to re-word condition 12 to: "The land contained within the scheme area is within the Canning-Kimberley Groundwater area proclaimed under the Rights in Water and Irrigation Act 1914 (RIWI Act). Property owners require a licence to construct/alter a well and a licence to take groundwater, unless it is for water uses exempt under the RIWI Act (e.g. household use, small gardens or watering stock). The Department of Water and Environmental Regulation can be contacted to find out if the exemptions apply. Bores and water abstraction exempt from licencing under the RIWI are still subject to the Shire's Health Local Laws 1998."



**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION						
			<div><div></div><div>construct/alter a well and a licence to take groundwater, unless it is for water uses exempt under the RiWI Act (e.g. household use, small gardens or watering stock). The Department of Water and Environmental Regulation can be contacted to find out if the exemptions apply to you. Bores and water abstraction exempt from licencing under the RiWI Act are still subject to the Shire's <i>Health Local Laws 1998</i>.</div><div></div></div>							
9.9	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		<p><b><u>Part 5 – Special Control Areas</u></b></p> <p>Recommended changes to Special Control Areas.</p> <table><tr><th>Issue/location</th><th>Reference</th><th>Advice</th></tr><tr><td>Special Control Area 1 - Public Drinking Water Source Area – Priority 1 (SCA 1) does not recognise whole Public Drinking Water Source Areas.</td><td>Table 7  Scheme map no.'s 12 and 15</td><td>Consistent with <i>draft State Planning Policy 2.9 Planning for Water</i> SCA 1 should recognise PDWSAs, not just priority 1 areas. Reference to Priority 1 should be removed and scheme maps updated with special control areas expanded to include Priority 2 and 3 areas.</td></tr></table>	Issue/location	Reference	Advice	Special Control Area 1 - Public Drinking Water Source Area – Priority 1 (SCA 1) does not recognise whole Public Drinking Water Source Areas.	Table 7  Scheme map no.'s 12 and 15	Consistent with <i>draft State Planning Policy 2.9 Planning for Water</i> SCA 1 should recognise PDWSAs, not just priority 1 areas. Reference to Priority 1 should be removed and scheme maps updated with special control areas expanded to include Priority 2 and 3 areas.	<p>Note. No change recommended to this Special Control Area at this time. This issue is to be investigated further as part of the Local Planning Strategy review.</p> <p>It is noted that draft SPP2.9 stipulates that P3 areas (a P3 area covers the entirety of the Fitzroy townsite) are located over land zoned urban, commercial and light industrial. The objective in P3 areas is to manage water quality contamination risks so that the drinking water source is maintained for as long as possible. Within P3 areas, drinking water sources co-exist with higher intensity land uses. Key elements in the protection of P3 areas include the need for deep sewerage and implementing best management practices.</p> <p>ement practices.</p> <p>The requirements of the P3 area will be enacted as part of normal development approval processes, therefore expansion of the SCA is not warranted at this time.</p>
Issue/location	Reference	Advice								
Special Control Area 1 - Public Drinking Water Source Area – Priority 1 (SCA 1) does not recognise whole Public Drinking Water Source Areas.	Table 7  Scheme map no.'s 12 and 15	Consistent with <i>draft State Planning Policy 2.9 Planning for Water</i> SCA 1 should recognise PDWSAs, not just priority 1 areas. Reference to Priority 1 should be removed and scheme maps updated with special control areas expanded to include Priority 2 and 3 areas.								




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NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS			COUNCIL'S RECOMMENDATION
9.10	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		Special Control Area 4 – Environment (Groundwater Protection Area) (SCA 4) Derby PDWSA has no WHPZ's because the water source is a confined aquifer.	Scheme map no. 5 of 15	The current drinking water supply is sourced from a confined aquifer system. Source contamination risk from land-use activities is reduced due to the confining layer and depth of the Lower Erskine Sandstone Formation, which provides a natural protection for water quality. Wellhead protection zones are not used as a land use planning tool for confined aquifer drinking water sources. The SCA4 boundary shown on Scheme map no. 5 can be removed. A SCA 1 is still required over the PDWSA boundary.	Support. Modification proposed to remove SCA4 boundary on Scheme Map No. 5.
			Special Control Area 4 – Environment (Groundwater Protection Area) (SCA 4)  Camballin and Fitzroy Crossing WHPZ's are not identified on scheme maps as SCA 4.	Scheme map no.'s 12 and 15.	The WHPZ's in Camballin and Fitzroy Crossing should be identified as SCA 4 on the scheme maps to ensure protection of the public drinking water source.	Support. Modification proposed to include Special Control Area 4 – Environment (Groundwater Protection Area) within Scheme Maps No. 12 and 15 to reflect the well head protection zones.
9.11	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		Protection of Aboriginal Community Water Supplies	N.A.	The State Government is committed to improving water supplies for Western Australians living in Aboriginal communities. Government and current service providers are working on a proposal to transfer responsibility for water supply to Water Corporation. This would mean equity of water services with similar sized communities elsewhere. This work will likely include regularisation into the standard water source protection framework and legislation. Future amendments to LPS9 may be required to recognise and protect these PDWSA's through Special Control Areas in the Scheme or in Community Layout Plans.	Noted. This can be addressed through future amendments to the Scheme once public drinking water source areas have been identified and included within the standard water source protection framework.



**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION						
9.12	Department of Water and Environmental Regulation 27 Victoria Highway Kununurra WA 6743		<p>The Department recommends an additional Special Control Area be included for flood-prone land. Understanding the development capability of the land in relation to the full range of flood risk leads to more sustainable floodplain development and improved resilience of future development. Schedule 3 – General development standards and requirements (6) <i>Development of land subject to dampness or flooding</i> is not sufficient on its own to address flood risk and control development within floodplains.</p> <p>The Department notes the SDWK has been engaging with the Department's Flood Risk Science Branch following the January 2023 flood event. The department is currently refining the modelling and mapping of the area and developing a Floodplain Management Strategy based on new information from the recent flood event. When finalised, it is recommended that floodplain management strategy areas are designated as a Special Control Areas in LPS9 (preferentially prior to finalisation of the document otherwise as an amendment).</p> <p>Suggested wording for the SCA is as follows:</p> <table><tr><th>Name of area</th><th>Purpose</th><th>Objectives</th></tr><tr><td>Special Control Area 5 – Flood Prone Land</td><td>To minimise the potential risk to people and flood damage resulting from decisions relating to land use and development on defined floodplains</td><td><p>1. To identify land within the Scheme area at risk of being affected by flooding;</p><p>2. To assist in the protection of life, property and community infrastructure from flood hazard;</p><p>3. To assist the natural flood carrying capacity of floodplains by ensuring any use or development maintains the free passage and temporary storage of flood waters;</p><p>4. To protect water resources in accordance with <i>State Planning Policy 2.9 Water Resources</i>.</p></td></tr></table>	Name of area	Purpose	Objectives	Special Control Area 5 – Flood Prone Land	To minimise the potential risk to people and flood damage resulting from decisions relating to land use and development on defined floodplains	<p>1. To identify land within the Scheme area at risk of being affected by flooding;</p> <p>2. To assist in the protection of life, property and community infrastructure from flood hazard;</p> <p>3. To assist the natural flood carrying capacity of floodplains by ensuring any use or development maintains the free passage and temporary storage of flood waters;</p> <p>4. To protect water resources in accordance with <i>State Planning Policy 2.9 Water Resources</i>.</p>	Note. The mapping extents will be captured within the process to develop a new local planning strategy, incorporating the updated DWER flood modelling and mapping. Once identified through the Strategy this can be included into both the Scheme maps and text as a future amendment.
Name of area	Purpose	Objectives								
Special Control Area 5 – Flood Prone Land	To minimise the potential risk to people and flood damage resulting from decisions relating to land use and development on defined floodplains	<p>1. To identify land within the Scheme area at risk of being affected by flooding;</p> <p>2. To assist in the protection of life, property and community infrastructure from flood hazard;</p> <p>3. To assist the natural flood carrying capacity of floodplains by ensuring any use or development maintains the free passage and temporary storage of flood waters;</p> <p>4. To protect water resources in accordance with <i>State Planning Policy 2.9 Water Resources</i>.</p>								
10.	David Preedy & Paul Montauban Monsada Pty Ltd 12A Strickland Rd Ardross WA 6153	Lot 12, No. 5 Maxted St, Derby	<p>We note the current town planning schedule (TPS 5) asserts the site purpose for Lot 12 is S8 – Tourism Accommodation Uses and Rural Residential. The draft LPS 9 rezones Lot 12 to SU3 – Art Gallery, Caravan Park, Caretakers Dwelling, Convenience Store, Restaurant/Café Shop, Tourist Development, Rural Residential. We ask the Shire of Derby/West Kimberley to consider our request to add a work camp to the Special Use in the proposed LPS No. 9.</p> <div> DOC260523-260520 23094903.pdf</div>	Support. Modification recommended to include 'Workforce Accommodation' as a use listed within Special Use 3.						

March 2024

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**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
11.	WA Country Health Service Kimberley Regional Office Locked Bag 4011 Broome WA 6725	Various as listed in submission.	<p>The WACHS owned properties listed below have been earmarked for refurbishment or redevelopment to address the accommodation needs of our staff. It is imperative these properties are appropriately zoned to allow for their intended use, as this directly impacts our ability to provide quality housing options for our workforce:</p> <p>i) Lots 1393, 1394 &amp; 1395 (No.14) Nevil Street, Derby;  ii) Lot 390 (No.95) Loch Street, Derby;  iii) Lot 391 (No.91) Loch Street, Derby;  iv) Lot 500 (No.74) Clarendon Street, Derby;  v) Lot 511 (No.82) Clarendon Street, Derby;  vi) Lot 1288 (No.6) Hensman Street, Derby;  vii) Lot 1257 (No.49) Stanley Street, Derby;  viii) Lot 448 (No.57) Stanley Street, Derby.</p>	<p>Support the proposed amendments as follows:</p> <p>i) Lots 1393, 1394 &amp; 1395 (No.14) Nevil Street, Derby – Amend Table 4 in the Scheme Text to include additional use rights for single house, grouped dwellings and multiple dwellings subject to conditions to be determined by the local government;</p> <p>ii) Lot 390 (No.95) Loch Street, Derby – Amend the relevant Scheme Map to change the land's classification from 'Cultural Facilities' reserve to 'Residential' zone with a density coding of R35;</p> <p>iii) Lot 391 (No.91) Loch Street, Derby - Amend the relevant Scheme Map to change the land's classification from 'Cultural Facilities' reserve to 'Residential' zone with a density coding of R35;</p> <p>iv) Lot 500 (No.74) Clarendon Street, Derby - Amend the relevant Scheme Map to change the land's classification from 'Medical Services' reserve to 'Residential' zone with a density coding of R20;</p> <p>v) Lot 511 (No.82) Clarendon Street, Derby - Amend the relevant Scheme Map to change the land's classification from 'Medical Services' reserve to 'Residential' zone with a density coding of R20;</p> <p>vi) Lot 1288 (No.6) Hensman Street, Derby - Amend the relevant Scheme Map to change the land's classification from 'Public Purposes' reserve to 'Residential' zone with a density coding of R35;</p> <p>vii) Lot 1257 (No.49) Stanley Street, Derby - Amend the relevant Scheme Map to change the land's density coding from R5 to R15; and</p> <p>viii) Lot 448 (No.57) Stanley Street, Derby - Amend</p>



**ATTACHMENT 1 - SCHEDULE OF SUBMISSIONS**  
**PROPOSED SHIRE OF DERBY-WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

NO	NAME / ADDRESS	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION DETAILS	COUNCIL'S RECOMMENDATION
				the relevant Scheme Map to change the land's density coding from R5 to R15.



**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

<b>PROPOSED AMENDMENTS - SCHEME TEXT</b>			
<b>No.</b>	<b>SECTION</b>	<b>PROPOSED AMENDMENT</b>	<b>JUSTIFICATION</b>
<b>1</b>	Table 6 - Special Use	Modify the description within Special Use 3 (Table 6) to: "Lot 538 (No.1), Lot 11(No. 3), Lot 12 (No. 5) & Lot 13 (No. 7) Maxted Street, Derby."	As a result of submission 4.1 & 4.2
<b>2</b>	Part 3 Zoning Table	Modify 'Agriculture-Intensive' to a 'D' use in the 'Cultural and Natural Resource Use' zone	As a result of submission 6.8
<b>3</b>	Part 3 Zoning Table	Modify 'Winery' to an 'X' use in the 'Rural Residential' and 'Light Industry' zones	As a result of submission 6.15
<b>4</b>	Throughout Scheme	Modify all references to 'Department of Agriculture' to 'Department of Primary Industries and Regional Development'	As a result of submission 6.16
<b>5</b>	Table 7 Special Control Areas	Modify reference to Special Control Area 2 within Table 7 from "Sewer Treatment Plant Odour Buffer" to "Wastewater Treatment Plant Odour Buffer"	As a result of submission 8.2
<b>6</b>	Table 5 – Restricted Uses	Modification to re-word condition 12 of R1 in Table 5 to: "The land contained within the scheme area is within the Canning-Kimberley Groundwater area proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> (RIWI Act). Property owners required a licence to construct/alter a well and a licence to take groundwater, unless it is for water uses exempt under the RIWI Act (e.g. household use, small gardens or watering stock). The Department of Water and Environmental Regulation can be contacted to find out if the exemptions apply. Bores and water abstraction exempt from licencing under the RIWI are still subject to the Shire's <i>Health Local Laws 1998</i> ."	As a result of submission 9.8
<b>7</b>	Table 6 – Special uses	Modification to include the 'Workforce Accommodation' use within Table 6, Special Use 3.	As a result of submission 10.
<b>8</b>	Part 1, clause 1.7 - Contents of Scheme and Schedule 5 - Birdwood Rise Special Rural Subdivision Guide Plan	Delete Clause 1.7.1 (d), and Schedule 5 Birdwood Rise Special Rural Subdivision Guide Plan. Update Table of Contents accordingly.	All 16 lots shown on the Subdivision Guide Plan have been created as well as an additional 11 lots along the Birdwood Rise Estate's eastern and southern boundaries. No further



**SCHEDULE OF PROPOSED AMENDMENTS  
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PROPOSED AMENDMENTS - SCHEME TEXT			
No.	SECTION	PROPOSED AMENDMENT	JUSTIFICATION
			subdivision is permitted as per Condition 11 in Table 5 of the Scheme Text as it applies to all lots in the Birdwood Rise Estate. As such, there is no longer any need to reference the Birdwood Rise Subdivision Guide Plan in the Scheme as it has no meaningful or beneficial planning purpose.
9	Part 3, clause 3.2, Table 3 - Zoning Table	Remove the word 'use' from the end of the heading for the Cultural and Natural Resource zone.	Correction to typographical error.
10	Part 3, Zoning Table	Change the permissibility of the use class 'Ancillary Dwelling' from 'D' to 'P' in the Rural, Rural Residential and Rural Smallholdings zones.	To create more flexibility to accommodate demand for ancillary dwellings in the in the Rural, Rural Residential and Rural Smallholdings zones.
11	Part 3, Zoning Table	Change the permissibility of the use class 'Bed and Breakfast' from 'A' to 'X' in the Service Commercial zone.	No dwellings are permitted within this zone aside from caretaker's dwellings.
12	Part 3, Zoning Table and Part 6, clause 6.2 – Land Use Terms Used	<p>Introduce the use class 'Camping Ground' and assign the following use class permissibility for each zone:</p> <p>Residential – 'X'</p> <p>Rural – 'A'</p> <p>Rural Residential – 'X'</p> <p>Rural Smallholdings – 'X'</p> <p>Rural Townsite – 'A'</p> <p>Cultural and Natural Resource – 'A'</p> <p>Light Industry – 'X'</p> <p>General Industry – 'X'</p> <p>Commercial – 'X'</p> <p>Mixed Use – 'X'</p> <p>Service Commercial – 'X'</p> <p>Tourism – 'A'</p> <p>Include the following definition for Camping Ground into section 6.2 "Camping Ground means an area for a camping ground as defined in the <i>Caravan Parks and Camping Grounds Act 1995 section 5(1).</i>"</p>	To accommodate demand for the development of camping grounds in the Shire and avoid the need to have to deal with development applications received as complex applications (i.e. a use not listed in the Zoning Table). It should be noted the definition for the use class 'Caravan Park' does not include camping ground which is defined separately in the <i>Caravan Parks and Camping Grounds Act 1995</i> . The use class camping ground is also already referenced in Schedule 1 - Car Parking Requirements.
13	Part 3, Zoning Table	<p>Change the permissibility of the use class 'Commercial Vehicle Parking' as follows:</p> <p>Residential – 'X' to 'A'</p> <p>Rural – 'A' to 'P'</p> <p>Light Industry – 'D' to 'P'</p> <p>General Industry – 'D' to 'P'</p> <p>Commercial – 'D' to 'P'</p> <p>Service Commercial – 'D' to 'P'</p>	To allow for the parking of up to two (2) commercial vehicles in the Residential zone as permitted by clause 4 in Schedule 3 and create more flexibility for the establishment of this use in the Rural, Light Industry, General Industry, Commercial and Service Commercial zones where demand is likely to arise and any associated impacts can be suitably managed.



**SCHEDULE OF PROPOSED AMENDMENTS  
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<b>PROPOSED AMENDMENTS - SCHEME TEXT</b>			
<b>No.</b>	<b>SECTION</b>	<b>PROPOSED AMENDMENT</b>	<b>JUSTIFICATION</b>
<b>14</b>	Part 3, Zoning Table	Change the permissibility of the use class 'Convenience Store' from 'X' to 'D' in the Cultural and Natural Resource zone.	This use could be beneficial to tourism development within the zone which is a key zoning objective.
<b>15</b>	Part 3, Zoning Table	Amend the wording for the use class 'Education Establishment' to 'Educational Establishment' to reflect the definition in Part 6, clause 6.2 of the Scheme Text.	Correction to typographical error.
<b>16</b>	Part 3, Zoning Table	Change the permissibility of the use classes 'Grouped' and 'Multiple Dwelling' from 'P' to 'D' in the Cultural and Natural Resource zone.	Developments of this type are not entirely consistent with the key zoning objectives and may have negative impacts.
<b>17</b>	Part 3, Zoning Table	Change the permissibility of the use classes 'Holiday Accommodation' and 'Holiday House' from 'A' to 'X' in the Commercial zone.	No dwellings are permitted in the Commercial zone aside from caretaker's dwellings.
<b>18</b>	Part 3, Zoning Table	Change the permissibility of the use classes 'Holiday Accommodation' and 'Holiday House' from 'A' to 'D' in the Tourism zone.	Public advertising of development applications for these use class in a zone that supports and encourages tourism development is considered unnecessary.
<b>19</b>	Part 3, Zoning Table	Change the permissibility of the use class 'Home Business' from 'A' to 'D' in the Rural Smallholdings zone.	Create more flexibility for the development of home businesses on rural type lots ranging in size from 4 to 40 hectares where potential impacts are more manageable and do not warrant mandatory public advertising of all development applications received.
<b>20</b>	Part 3, Zoning Table	Change the permissibility of the use class 'Home Business' from 'A' to 'X' in the Light Industry, General Industry, Commercial and Service Commercial zones.	No dwellings are permitted in the Light Industry, General Industry, Commercial and Service Commercial zones aside from caretaker's dwellings.
<b>21</b>	Part 3, Zoning Table	Change the permissibility of the use class 'Home Occupation' from 'A' to 'D' in the Residential, Rural Residential, Rural Smallholdings, Rural Townsite, and Cultural and Natural Resource and Mixed Use zones.	Create more flexibility for the development of home occupations in the nominated zones without the need for mandatory public advertising of all development applications received. The potential impacts associated with home occupation in the zones are likely to be limited and manageable under various legislation.
<b>22</b>	Part 3, Zoning Table	Change the permissibility of the use class 'Home Occupation' from 'A' to 'X' in the Light Industry, General Industry and Commercial zones.	No dwellings are permitted in the Light Industry, General Industry, Commercial and Service Commercial zones aside from caretaker's dwellings. It is also noted the use class 'Home Occupation' is already designated as an 'X' use in the Service Commercial zone.
<b>23</b>	Part 3, Zoning Table	Change the permissibility of the use class 'Home Office' from 'A' to 'X' in the Light Industry, General Industry, Commercial and Service Commercial zones.	No dwellings are permitted in the Light Industry, General Industry, Commercial and Service Commercial zones aside from caretaker's dwellings.



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PROPOSED AMENDMENTS - SCHEME TEXT			
No.	SECTION	PROPOSED AMENDMENT	JUSTIFICATION
24	Part 3, Zoning Table	Change the permissibility of the use class 'Park Home Park' from 'X' to 'A' in the Rural zone and from 'D' to 'A' in the Tourism zone.	Align permissibility with the use class 'Caravan Park' in the Rural and Tourism zone given both uses are similar in nature, are regulated under the <i>Caravan Parks and Camping Grounds Act 1995</i> and associated regulations, and require public advertising pursuant to the requirements of clause 16(b)(iv) in Schedule 3.
25	Part 3, Zoning Table	Change the permissibility of the use class 'Repurposed Dwelling' from 'D' to 'X' in the Light Industry, General Industry, Commercial and Service Commercial zones.	No dwellings are permitted in the Light Industry, General Industry, Commercial and Service Commercial zones aside from caretaker's dwellings. It is also noted the use class 'Second Hand Dwelling' is already designated as an 'X' use in these zones.
26	Part 3, Zoning Table	Change the permissibility of the use class 'Restaurant/Cafe' and 'Shop' from 'D' to 'P' in the Tourism zone.	The development of restaurants/cafes and shops in the Tourism zone is consistent with the relevant zoning objectives and will support the development and growth of the tourism industry.
27	Part 3, Zoning Table	Separate the use classes 'Rural Home Business / Cottage Industry' which are currently listed as one entry in the Zoning Table.	The uses classes 'Rural Home Business' and 'Cottage Industry' are by definition in Part 6, clause 6.2 quite different from each other with their own specific standards and requirements.
28	Part 3, Zoning Table	Change the permissibility of the use class 'Cottage Industry' from 'X' to 'A' in the Rural Townsite zone.	Align permissibility with the use class 'Light Industry' in the Rural Townsite zone given 'Cottage Industry' is by definition a light industry.
29	Part 3, Zoning Table	Change the permissibility of the use class 'Cottage Industry' from 'X' to 'A' in the Mixed Use zone.	Align permissibility with the objectives for the Mixed Use zone as they apply specifically to allowing for the development of appropriate industrial uses with limited impacts.  It is significant to note all industrial type uses currently listed in the Zoning Table are expressly prohibited in the Mixed Use zone which is not consistent with the zone objectives.  Creating opportunity for the development of cottage industries on a case-by-case basis in the Mixed Use zone where it can be demonstrated all potential impacts can be suitably managed is considered to be beneficial and consistent with the zone objectives.
30	Part 3, Zoning Table	Change the permissibility of the use class 'Workforce Accommodation' from 'X' to 'A' in the Rural Smallholdings zone.	Create opportunity for the development of workforce accommodation on rural-type lots ranging in size from 4 to 40 hectares on a case-by-case basis where it can be demonstrated there is a genuine need for accommodation of



**SCHEDULE OF PROPOSED AMENDMENTS  
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PROPOSED AMENDMENTS - SCHEME TEXT			
No.	SECTION	PROPOSED AMENDMENT	JUSTIFICATION
			this type and all potential impacts can be suitably managed in accordance with local community expectations.
31	Part 3, clause 3.4, Table 4 - Additional Uses	Amend additional use 'A1' so it reads Lot 1 (No.34) Derby Highway, Derby and change the additional use 'Tea Rooms' to 'Restaurant/Café'	Inclusion of the correct street address number will make administration of the Scheme easier and more efficient.  The use class 'Tea Rooms' is not included and defined in clause 6.2 whereas 'Restaurant/Café' is.
32	Part 3, clause 3.4, Table 4 - Additional Uses	Amend additional use 'A2' so it reads 'Lot 170 (No.11) Windjana Road, Derby' and change the additional use 'Dog Kennels (Boarding and Breeding)' to 'Animal Establishment'.	Inclusion of the correct street address number will make administration of the Scheme easier and more efficient.  The use class 'Dog Kennels (Boarding and Breeding)' is not included and defined in clause 6.2 whereas 'Animal Establishment' is.
33	Part 3, clause 3.4, Table 4 - Additional Uses	Amend additional use 'A3' so it reads 'Pt Lot 24 (No.41) Fitzroy Street, Derby' and change the additional use 'Bus Depot' to 'Transport Depot'.	Inclusion of the correct street address number will make administration of the Scheme easier and more efficient.  The use class 'Bus Depot' is not included and defined in clause 6.2 whereas 'Transport Depot' is.
34	Part 3, clause 3.4, Table 4 - Additional Uses	Amend additional use 'A4' so it reads 'Lot 399 (No.116) Clarendon Street, Derby'.	Inclusion of the correct street address number will make administration of the Scheme easier and more efficient.
35	Part 3, clause 3.5, Table 5 - Restricted Uses	Amend restricted use 'R1' so it reads 'Lots 1 to 27 Savannah Way, Meda (Birdwood Rise Estate)' and remove all reference to 'Schedule 5'.	Inclusion of the correct lot numbers, road name and locality will make administration of the Scheme easier and more efficient.  See proposed amendment No.1 above as it applies to removing all reference to the Birdwood Rise Subdivision Guide Plan contained in 'Schedule 5'.
36	Part 3, clause 3.5, Table 5 - Restricted Uses	Include 'Veterinary Centre' as a permitted (i.e. P) use in the list of Restricted Uses.	To account for the fact Lot 27 on DP66307 Savannah Way, Meda is being used to diagnose and treat injured and sick native fauna and create opportunity to formalise and potentially expand the use subject to the local government's development approval.
37	Part 3, clause 3.5, Table 5 - Restricted Uses	Amend the wording at the bottom of the list of Restricted Uses to read as follows: Any uses not listed above are prohibited within this zone.	To remove any ambiguity or uncertainty regarding the ability to obtain development approval for any uses not listed in Table 5 for which there is no clear legal mechanism or process to allow the local government to consider and approve them (i.e. only those Restricted Uses listed in Table 5 can be lawfully approved).
38	Part 3, clause 3.6, Table 6 - Special Use Zones	Amend special use zone 'SU1' so it reads 'Lot 9 on DP222383 Derby Highway and Lot 10 (No.54) Guildford Street, Derby'.	Inclusion of the correct lot reference details and street address number will



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		remove the special use 'Short Stay Accommodation' and replace with 'Bed and Breakfast, Dwelling – Single, Dwelling – Grouped, Holiday Accommodation, Holiday House and Tourist Development'.	make administration of the Scheme easier and more efficient.  The special use 'Short Stay Accommodation' is not included and defined in sub-clause 6.1.1 or clause 6.2 whereas all uses proposed to replace it are included and defined in clause 6.2.
<b>39</b>	Part 3, clause 3.6, Table 6 - Special Use Zones	Amend special use zone 'SU2' so it reads 'Lot 84 (No.138) Loch Street, Derby' and change the use class 'Motor Repair Station' to 'Motor Vehicle Repair'.	Inclusion of the correct street address number will make administration of the Scheme easier and more efficient.  The use class 'Motor Repair Station' is incorrect and has been replaced by 'Motor Vehicle Repair' as listed in the Zoning Table and defined in clause 6.2.
<b>40</b>	Part 3, clause 3.6, Table 6 - Special Use Zones	Amend special use zone 'SU3' so it reads 'Lot 538 (No.1), Lot 11 (No.3), Lot 12 (No.5) and Lot 13 (No.7) Maxted Street, Derby', include the use class 'workforce accommodation' for Lot 12 (No.5) Maxted Street only, and change the use class 'Rural Residential' to 'Dwelling – Single' and 'Rural Pursuit/Hobby Farm'.	Inclusion of the correct street address number will make administration of the Scheme easier and more efficient.  Allow for the development of workforce accommodation in special use zone 'SU3' to reflect the submission received from the landowner Monsada Pty Ltd.  The special use 'Rural Residential' is not included and defined in sub-clause 6.1.1 or clause 6.2 whereas all uses proposed to replace it are included and defined in clause 6.2.
<b>41</b>	Part 3, clause 3.6, Table 6 - Special Use Zones	Amend special use zone 'SU4' so it reads 'Lots 100 & 101 on DP75164 Lovegrove Street, Derby', remove the special use 'Short Stay Accommodation' and replace with 'Bed and Breakfast, Dwelling – Single, Dwelling – Grouped, Holiday Accommodation, Holiday House and Tourist Development', and change the use class 'Rural Residential' to 'Dwelling – Single' and 'Rural Pursuit/Hobby Farm'.	Inclusion of the correct lot reference details will make administration of the Scheme easier and more efficient.  The special use 'Short Stay Accommodation' is not included and defined in sub-clause 6.1.1 or clause 6.2 whereas all uses proposed to replace it are included and defined in clause 6.2.  The special use 'Rural Residential' is not included and defined in sub-clause 6.1.1 or clause 6.2 whereas all uses proposed to replace it are included and defined in clause 6.2.
<b>42</b>	Part 4, clause 4.2 - Modification of R-Codes, sub-clause 4.2.4 a) and b)	Remove all reference to 'Town Centre' zone and replace with 'Commercial' zone.	Correction to drafting error. All land classified 'Town Centre' zone in Town Planning Scheme No.5 has been classified 'Commercial' zone in Local Planning Scheme No.9.
<b>43</b>	Part 4, clause 4.8 – General Development Requirements, sub-clause 4.8.1.	Include reference to Schedules 1 and 4 as well as Schedule 3 to which sub-clause 4.8.1 relates.	Schedules 1 and 4 also set out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies.



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<b>44</b>	Part 6, clause 6.1 - Terms used, sub-clause 6.1.1	Include the term 'net lettable area (NLA)' and the following definition: means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas: a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas; b) lobbies between lifts facing other lifts serving the same floor; c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building; d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building.	The term 'net lettable area (NLA)' is used in Schedule 1 - Car Parking requirements but is not listed and defined in sub-clause 6.1.1.
<b>45</b>	Part 6, clause 6.1 - Terms used, sub-clause 6.1.1	Include the term 'R-Codes' and the following definition: means State Planning Policy 7.3 - Residential Design Codes	The term 'R-Codes' is used throughout the Scheme Text and in the Scheme Maps but is not listed and defined in sub-clause 6.1.1.
<b>46</b>	Part 6, clause 6.2 - Land use terms used	Remove the land use term 'freeway service centre' and associated definition.	There are no existing or proposed freeways in the Scheme Area and the use class 'freeway service centre' is not listed in the Zoning Table.
<b>47</b>	Part 6, clause 6.2 - Land use terms used	Include the land use term 'camping ground' as recommended in amendment No.5 above and the following definition: means premises that are a camping ground as defined in the Caravan Parks and Camping Grounds Act 1995 section 5(1).	See justifications provided in amendment No.5 above.
<b>48</b>	Part 6, clause 6.2 - Land use terms used	Include the land use term 'dwelling - single' and the following definition: means single house as defined in the R-Codes.	The use class 'dwelling - single' is listed in the Zoning Table but is not included and defined in clause 6.2.
<b>49</b>	Part 6, clause 6.2 - Land use terms used	Include the land use term 'dwelling - grouped' and the following definition: means grouped dwelling as defined in the R-Codes.	The use class 'dwelling - grouped' is listed in the Zoning Table but is not included and defined in clause 6.2.
<b>50</b>	Part 6, clause 6.2 - Land use terms used	Include the land use term 'dwelling - multiple' and the following definition: means multiple dwelling as defined in the R-Codes.	The use class 'dwelling - multiple' is listed in the Zoning Table but is not included and defined in clause 6.2.
<b>51</b>	Part 6, clause 6.2 - Land use terms used	Include the land use term 'residential building' and the following definition:	The use class 'residential building' is listed in the Zoning Table but is not included and defined in clause 6.2.



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		means residential building as defined in the R-Codes.	
52	Part 6, clause 6.2 - Land use terms used	Include the land use term 'nursery' and the following definition from Town Planning Scheme No.5: means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.	The use class 'nursery' is listed in Table 4 as it applies to Additional Use Nos.1 and 4 but is not included and defined in clause 6.2.
53	Part 6, clause 6.2 - Land use terms used	Include the land use term 'Industry - Rural' and the following definition from Town Planning Scheme No.5: means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality but excludes the packing only of product for transport where that product is harvested on the same lot.	The use class 'Industry - Rural' is listed in Table 5 as it applies to Restricted Use No.1 but is not included and defined in clause 6.2.
54	Part 6, clause 6.2 - Land use terms used	Include the land use term 'Public Utility' and the following definition from Town Planning Scheme No.5: means any work or undertaking constructed or maintained by a public authority or the Local government as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.	The use class 'Public Utility' is listed in Table 5 as it applies to Restricted Use No.1 but is not included and defined in clause 6.2.
55	Schedule A - Supplemental provisions to the deemed provisions.	Amend clause 61(2)(i) to include reference to the erection or extension of an ancillary dwelling in addition to a single house as well as the following additional criterion:  vi) any land without constructed or dedicated road frontage or access;  vii) the proposed development involves the use of repurposed or second-hand dwellings;  viii) the proposed development will be undertaken in a Special Control Area; and/or  ix) development approval is required pursuant to Part 10A, clause 78d, sub-clauses (3) and (4) in Schedule 2 (Deemed Provisions) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> as they apply specifically to bushfire risk management	To reflect the requirement to seek and obtain development approval prescribed in other parts of the Scheme Text under certain circumstances and Part 10A of the (Deemed Provisions) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> as it applies specifically to bushfire risk management.
56	Schedule A - Supplemental provisions to the deemed provisions.	Amend clause 61(2)(j) to remove reference to the erection or extension of an ancillary dwelling which is now	To avoid the need to include the additional criterion proposed by amendment No.48 above in clause



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		covered by proposed amendment No.48 above.	61(2)(j) to account for the erection or extension of ancillary dwellings noting that all other works listed in this clause do not need to be subject to the additional criterion proposed given they are all non-habitable in nature.
57	Schedule A - Supplemental provisions to the deemed provisions.	<p>Include a new clause 61(2)(n) which reads as follows:</p> <p>The carrying out of works required in response to natural disasters to provide for the reestablishment and continuation of any previously approved use/s of the same size and scale in the same location and development footprint unless the development is located in a place that is:</p> <ul style="list-style-type: none"> <li>(i) entered in the State Register of Heritage Places under the <i>Heritage Act 2018</i>; or</li> <li>(ii) the subject of an order under Part 4 of the <i>Heritage Act 2018</i> and <i>Heritage Regulations 2019</i>; or</li> <li>(iii) included on a heritage list prepared in accordance with this Scheme; or</li> <li>(iv) within an area designated under the Scheme as a heritage area; or</li> <li>(v) the subject of a heritage agreement entered into under the <i>Heritage Act 2018</i> section 90 or</li> <li>(vi) designated by the Department of Water and Environmental Regulation as being flood prone; or</li> <li>(vii) located in a Special Control Area as described in Part 5 of the Scheme and shown on the Scheme Maps; or</li> <li>(viii) designated by the Fire and Emergency Services Commissioner as being bushfire prone and any habitable building proposed to be reconstructed has a bushfire attack level (BAL) risk rating of BAL-40 or BAL-Flame Zone (FZ).</li> </ul>	To allow for the carrying out of works required in response to natural disasters to provide for the reestablishment and continuation of any previously approved use/s as quickly as possible without the need to seek and obtain the local government's development approval subject to certain criterion being satisfied.
58	Schedule A - Supplemental provisions to the deemed provisions.	<p>Include a new clause 61(2)(o) which reads as follows:</p> <p>The construction and use of non-habitable structures on any land classified 'Rural' zone used for extensive and intensive agricultural purposes where:</p> <ul style="list-style-type: none"> <li>(a) The works are required as part of the agricultural operation or are incidental thereto;</li> <li>(b) The works do not alter or affect existing waterways or water table or</li> </ul>	To provide greater flexibility for the development of non-habitable structures on any land classified 'Rural' zone used for extensive and intensive agricultural purposes without the need for development approval subject to certain criterion being satisfied.



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		involve removal of remnant vegetation; (c) All stormwater drainage is managed and disposed on-site; (d) Any buffer separation distance requirements prescribed in the Environmental Protection Authority's Guidance Statement No.3 are satisfied; and (e) Any structure is not more than 15 metres in height.	
<b>59</b>	Schedule A - Supplemental provisions to the deemed provisions.	Include a new clause 61(2)(p) which reads as follows: The parking of commercial vehicles in the Rural, Light Industry, General Industry, Commercial and Service Commercial zones where no works are required to accommodate the use and all the standards and requirements prescribed in Schedule 3 are satisfied.	To provide greater flexibility for the parking of up to two (2) commercial vehicles in the Rural, Light Industry, General Industry, Commercial and Service Commercial zones without the need for development approval subject to certain criterion being satisfied.
<b>60</b>	Schedule 1 – Car Parking Requirements	Amend the wording for the following use classes in the car parking requirements table to reflect their definitions in Part 6, clause 6.2 of the Scheme Text: - 'Education Establishment' to 'Educational Establishment'; - 'Motor Repair' to 'Motor Vehicle Repair'; - 'Restaurant' to 'Restaurant/Café'; and - 'Warehouse/Showroom' to 'Bulky Goods Showroom' and 'Warehouse/Storage'.	Corrections to typographical errors.
<b>61</b>	Schedule 1 – Car Parking Requirements	Add the term 'Special Purpose Dwellings' to the use class listing 'Single House / Grouped Dwelling / Multiple Dwelling' in the car parking requirements table.	To recognise and account for the car parking requirements applicable to 'Special Purpose Dwellings' in the R-Codes (i.e. Ancillary Dwellings, Aged or Dependent Persons Dwellings and Single Bedroom Dwellings).
<b>62</b>	Schedule 3 - General development standards and requirements, clause 1(a)	Amend the first sentence so it reads as follows: Notwithstanding any other provision of the Scheme, an application for development approval is required for any development on land abutting an unconstructed road, or a lot or location which does not have frontage to a constructed public road.	Correction to typographical error that did not clearly explain development approval is required for any development on land without constructed or dedicated road frontage or access.
<b>63</b>	Schedule 3 - General development standards and requirements, clause 3(c).	Remove clause 3(c) in its entirety.	Clause 3(c) is considered unnecessary given the various proposed amendments to Table 8 described below which propose to include general development standards and/or



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			requirements to account for <u>all</u> of the zones listed in Table 3 – Zoning Table.
64	Schedule 3 - General development standards and requirements, clause 4(a)	Amend clause 4(a) so it reads as follows: (a) No person shall park a commercial vehicle in the Residential, Rural Residential, Rural Smallholdings, Rural Townsite, Cultural and Natural Resource, Mixed Use or Tourism zones without the local government's development approval. All commercial vehicle parking shall comply with the following: (i) not more than two (2) such vehicles are to be parked on a lot;	To account for the changes to land use permissibility for commercial vehicle parking proposed by amendment No.6 above and the fact up to two (2) commercial vehicles have scope to be approved as per the definition for commercial vehicle parking in Part 6, clause 6.2.
65	Schedule 3 - General development standards and requirements, clause 5(b)	Amend clause 5(b) to include the complete, correct reference to Australian Standard 2890.1-2004 (as amended).	Correction to typographical error.
66	Schedule 3 - General development standards and requirements, clause 5(l)	Delete clause 5(l) in its entirety as it applies to requiring the owner or occupier of premises on which car parking spaces are provided to ensure that the parking area is landscaped with shade trees, the car parking is laid out, drained and maintained in accordance with the approved plans relating thereto.	This clause is considered unnecessary as the requirement to comply with the relevant requirements is dealt with prior to occupancy of any given development through conditions of development approval. It is also considered unreasonable, impractical and potentially unlawful to require the occupier of premises to comply with these requirements given they have no lawful rights to undertake works on land they don't own.
67	Schedule 3 - General development standards and requirements, clause 6(b)	Amend clause 6(b) so it reads as follows: The local government may refuse to grant development approval for the construction and use of buildings upon any land designated by the Department of Water and Environmental Regulation as being liable to flooding or inundation.	The current wording of this clause is too restrictive given there is scope to allow for the development of land designated by the Department of Water and Environmental Regulation as being liable to flooding or inundation subject to suitable risk mitigation measure being implemented as a condition of development approval.
68	Schedule 3 - General development standards and requirements, clause 8	Amend sub-clause 8(a) so it reads as follows: The height limit of any building that is not industrial in nature or not located in the Residential, Rural, Commercial or Mixed Use zones shall be limited to 9 metres. Include a new sub-clause 8(d) that reads as follows: The height limit of any habitable building in the Rural zone shall be limited to 9 metres. Include a new sub-clause 8(e) that reads as follows:	To include height limits for the development of habitable and non-habitable structures in the Rural zone.



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		<p>The height limit of any non-habitable building in the Rural zone shall be limited to 15 metres with the exception of telecommunications towers.</p> <p>Renumber sub-clause 8(d) to 8(f) and amend its wording to read as follows:</p> <p>The height limits in subclauses (a), (b), (c), (d) or (e) shall not be exceeded unless considered and approved by the local government in accordance with clause 64 of the Deemed Provisions.</p>	
<b>69</b>	Schedule 3 - General development standards and requirements, clause 11	<p>Amend sub-clause 11(ii) so it reads as follows:</p> <p>Only one (1) caretaker's dwelling is permitted to support the predominant use of the site.</p>	To ensure that only one (1) caretaker's dwelling is permitted irrespective of the number of lots upon which the predominant use is conducted and in so-doing limit the introduction of additional caretaker dwellings that could compromise the continued operation of the predominant use or other uses on other immediately adjoining or nearby land.
<b>70</b>	Schedule 3 - General development standards and requirements, clause 12	<p>Introduce a new replacement sub-clause 12(a) that reads as follows:</p> <p>Notwithstanding any other requirement of the Scheme, all repurposed dwellings require the local government's development approval.</p>	To reflect and clearly articulate the requirement to seek and obtain development approval prescribed in other parts of the Scheme Text.
<b>71</b>	Schedule 3 - General development standards and requirements, clause 12	<p>Renumber current sub-clause 12(a) to 12(b) and amend item (i) so it reads as follows:</p> <p>Only one (1) repurposed dwelling is permitted on a lot unless otherwise approved by the local government.</p>	To provide greater flexibility for the development of repurposed dwellings in all zones, including more than one repurposed dwelling per lot, where deemed appropriate by the local government.
<b>72</b>	Schedule 3 - General development standards and requirements, clause 13	<p>Amend sub-clause 13(a) so it reads as follows:</p> <p>Notwithstanding any other requirement of the Scheme, all second-hand dwellings require the local government's development approval.</p> <p>Amend sub-clause 13(c) to replace the term 'planning approval' with the term 'development approval'.</p>	The current use of the term 'planning approval' in this sub-clause is outdated and has been replaced with the term 'development approval'.
<b>73</b>	Schedule 3 - General development standards and requirements, clause 16	Amend sub-clause 16(a) to include the use class 'camping ground'.	To reflect proposed amendment nos.5 and 40 above which propose the introduction of this additional tourist related use class into the Scheme.
<b>74</b>	Schedule 3 - General development standards and requirements, clause 19	<p>Amend clause 19 in its entirety so it reads as follows:</p> <p>(19) Home Occupation, Home Business, Rural Home Business and Industry – Cottage</p>	To improve the wording and clarity of clause 19, account for all home-based business activities listed in the Zoning Table, and ensure there is a sufficient level of scrutiny and control, particularly in the event of a change of ownership of the land where home occupations,



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		<p>(i) Notwithstanding any other requirement of the Scheme, all home occupations, home businesses, rural home businesses and cottage industries require the local government's development approval.</p> <p>(ii) The local government may limit the period of approval for a home occupation, home business, rural home business or cottage industry if it considers a time limited approval is appropriate.</p> <p>(iii) An approval to conduct a home occupation, home business, rural home business or cottage industry is issued to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which a home occupation, home business, rural home business or cottage industry is issued, the approval is cancelled.</p>	home businesses, rural home businesses and cottage industries are conducted.
<b>75</b>	Schedule 3 - General development standards and requirements, clause 24	<p>Amend the first sentence of clause 24 so it reads as follows:</p> <p>To maintain and enhance the character of the Derby townsite, no person shall remove a Boab tree from any land within the townsite's designated boundaries without the local government's development approval.</p>	To clarify that the local government's development approval is required for the removal of Boab trees in the Derby townsite only, not the entire Scheme Area as the current wording of this clause suggests.
<b>76</b>	Schedule 3 - General development standards and requirements, clause 24 (duplicated)	Renumber clause 24 as it applies to what actions the local government may take when dealing with development applications for land containing Boab trees or other vegetation of landscape or environmental significance to clause 25.	Correction to typographical error.
<b>77</b>	Table 8	Amend Table 8 so the zones listed are in the same order as they appear in Table 3 – Zoning Table.	To improve consistency within and ease of use of the new Scheme.
<b>78</b>	Table 8 – Commercial Zone	Delete clause 1 as it applies to maximum permitted building height in its entirety.	Clause 1 in Table 8 is inconsistent with the building height standard already prescribed for the Commercial zone in Schedule 3, clause 8(c).
<b>79</b>	Table 8 – Service Commercial Zone	<p>Amend Table 8 to include the Service Commercial zone and the following development requirements:</p> <p>1. The front façade of all buildings in the Service Commercial zone shall reflect and be compatible with the</p>	To include development requirements for the Service Commercial zone and provide certainty regarding all requirements applicable to any future development within this zone.



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		<p>predominant existing streetscape and architectural style and the local government may impose conditions relating to building setbacks, design, scale, materials and finish to ensure compatibility with the existing streetscape and general architectural style.</p> <p>2. In considering any application for development approval within the Service Commercial zone the local government shall have regard to and may require the provision of loading docks and/or rear access. In particular, the local government may impose conditions relating to:</p> <p>(a) the size and location of loading docks; and</p> <p>(b) the means of providing rear access of adequate width and design to ensure transport vehicles can leave the development in a forward gear.</p> <p>3. The minimum standard fence for lots used for service commercial purposes shall be a 1.8 metre high Colorbond/Neetascreen style fencing unless otherwise approved by the local government.</p> <p>4. Fencing shall be provided to all boundaries abutting reserved land to prevent vehicular ingress and egress. Such fencing shall be of a uniform design, colour, material and height, to the satisfaction of the local government, so as to not detract from the amenity of the reserved land and the general amenity of the surrounding area.</p> <p>5. Landscaping shall be provided in accordance with the requirements of Schedule 4 and should be located in such positions on a site so as to enhance the appearance of any development or screen from view any open storage area, drying areas and any other space which, by virtue of its use, is likely to detract from the visual amenity of the surrounding area.</p>	
80	Table 8 – Rural Townsite Zone	<p>Include a new clause 2 that reads as follows:</p> <p>All residential development shall be in accordance with the R-Codes unless otherwise approved by the local government.</p>	To ensure all new residential development is undertaken in accordance with the R-Codes unless otherwise approved by the local government.



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<b>81</b>	Table 8 – General Industry Zone	Amend Table 8 as it applies to the General Industry Zone to include the Light Industry Zone	The standards for development in Table 8 as they apply to the General Industry zone are very similar in nature to the Light Industry zone and should therefore be applied to the Light Industry zone as well.
<b>82</b>	Table 8 – General Industry Zone	Delete sub-clause 2(i) as it applies to maximum permitted building height and external building finishes (i.e. roofing materials) in its entirety and renumber all following sub-clauses accordingly.	Clause 2(i) in Table 8 is inconsistent with the building height standard already prescribed for the General Industry zone in Schedule 3, clause 8(b). Any industrial development in close proximity to an existing or proposed airport, airfield or aerial landing ground in the Scheme Area will be considered on its individual merits following consultation with the Civil Aviation Safety Authority and/or Airservices Australia, including the need to control building heights and external construction materials (i.e. reflectivity).
<b>83</b>	Table 8 – Mixed Use Zone	Delete clauses 1, 2 and 3 in their entirety as they apply to minimum required lot boundary setbacks and maximum permitted building height.	These clauses are inconsistent with the minimum required lot boundary setbacks already prescribed for the Mixed Use zone in Schedule 4 and the building height standard already prescribed for the Mixed Use zone in Schedule 3, clause 8(c).
<b>84</b>	Table 8 – Rural Zone	<p>Delete clauses 2 and 3 in their entirety, replace with the following new clauses, and renumber all subsequent clauses accordingly:</p> <ol style="list-style-type: none"> <li>2. Within the Rural zone the local government will not generally support the erection of more than one (1) single house per lot (not including ancillary dwellings).</li> <li>3. The local government may consider granting development approval to additional single houses in the Rural zone in cases where the landowner clearly demonstrates that additional housing is required for farm management and/or other approved purposes. In any case the total number of single houses per lot shall not exceed four (4).</li> <li>4. Where an application is made for approval for the development of additional single houses in the Rural zone, the local government shall not grant development approval to that application unless notice of the application is first given in</li> </ol>	The current limitations in clauses 2 and 3 as they apply to the development of additional single houses on Rural zoned land are considered too restrictive as they do not recognise the significant size and scale of some Rural zoned lots in the Shire that could easily accommodate additional housing and the fact there are other uses that have scope to be approved within the zone that by definition involve the development of more than one (1) single house (e.g. holiday accommodation).



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<b>No.</b>	<b>SECTION</b>	<b>PROPOSED AMENDMENT</b>	<b>JUSTIFICATION</b>
		<p>accordance with Clause 64 of the Deemed Provisions.</p> <p>5. The existence of more than one (1) single house on a Rural zoned lot shall not be construed as a basis for the local government's support to the subdivision of the lot.</p>	
<b>85</b>	Table 8 – Rural Residential Zone	<p>Amend Table 8 as it applies to the Rural Residential Zone to include the Rural Smallholdings Zone and include the following new replacement clauses to account for future development in both of these zones:</p> <ol style="list-style-type: none"> <li>1. The subdivision of any land within the Scheme area classified Rural Residential or Rural Smallholdings zone shall generally be in accordance with an approved Structure Plan.</li> <li>2. The subdivision of existing Rural Residential or Rural Smallholdings zoned lots that do not have approved Structure Plans will generally not be supported.</li> <li>3. Lot sizes for all land in the Rural Residential zone shall not be less than two (2) hectares in area unless smaller sized lots are permitted by an approved Structure Plan.</li> <li>4. Lot sizes for all land in the Rural Smallholdings zone shall not be less than four (4) hectares in area.</li> <li>5. The subdivision of any land classified Rural Residential or Rural Smallholdings zone will be conditional upon the subdivider preparing and implementing an Environmental Management Plan to the satisfaction and approval of the local government. The plan shall include details of: <ol style="list-style-type: none"> <li>a) the location of all building envelopes;</li> <li>b) all vegetation protection areas;</li> <li>c) measures for the protection, revegetation and maintenance of landscape buffers along seasonal watercourse and wetlands;</li> <li>d) drainage, nutrient and salinity management arrangements;</li> <li>e) livestock management arrangements; and</li> </ol> </li> </ol>	<p>The current wording of the relevant section of Table 8 as it applies to the Rural Residential zone is not sufficiently comprehensive and does not include the Rural Smallholdings zone, the objectives and standards for which are very similar in nature to the Rural Residential zone.</p>



**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

PROPOSED AMENDMENTS - SCHEME TEXT			
No.	SECTION	PROPOSED AMENDMENT	JUSTIFICATION
		<p>f) ground, surface and scheme water management arrangements.</p> <p>6. The areas identified in the Environmental Management Plan are to be maintained by individual landowners in accordance with the terms and conditions of the approved Environmental Management Plan.</p> <p>7. All landscape buffer, tree preservation, revegetation and/or stream protection areas shown on an approved structure plan and/or Environmental Management Plan are to be protected from livestock by fencing or other means to the satisfaction of the local government and the requirements thereof are to be detailed within the Environmental Management Plan.</p> <p>8. The local government or the Western Australian Planning Commission may require the provision of building envelopes or building exclusion areas for any land proposed to be subdivided in the Rural Residential or Rural Smallholdings zone. These shall be:</p> <p>a) Shown on the approved Structure Plan, or separate detailed plan required as a condition of subdivision approval;</p> <p>b) at a size to be determined by the local government;</p> <p>c) located to avoid any native vegetation or any area recognised for protection or rehabilitation as shown on the approved structure plan and/or environmental management plan;</p> <p>d) located to ensure on site effluent disposal meets the minimum setback requirements from drainage lines, watercourses, wetlands and other areas as determined by the local government;</p> <p>e) located outside of any identified and/or designated buffer areas; and</p> <p>f) located in accordance with any bushfire management plan approved for the land.</p>	



**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

PROPOSED AMENDMENTS - SCHEME TEXT			
No.	SECTION	PROPOSED AMENDMENT	JUSTIFICATION
		<p>9. The local government may permit a variation to a previously approved building envelope, prior to the construction of any building, if it can be demonstrated to the satisfaction of the local government that the location of the proposed new building envelope will not be detrimental to the residential amenity and landscape and/or environmental qualities of the land and other adjoining properties.</p> <p>10. Unless otherwise approved by the local government, all buildings and on-site effluent disposal systems shall be confined to the building envelope indicated on the approved Structure Plan.</p> <p>11. The following development is not permitted within a distance of 50 metres on either side of the centre of any watercourse except with the approval of the local government:</p> <ul style="list-style-type: none"> <li>a) the construction of dams or artificial retention of flow, pumping, diversion of water or modification of stream course bed or banks; or</li> <li>b) the development of any buildings or other structures.</li> </ul> <p>12. Conventional effluent disposal facilities (i.e. septic tank and leach drains) shall be setback a minimum of 100 metres from any wetland or watercourse. Where an anaerobic treatment unit (ATU) is to be used, it shall be setback a minimum of 30 metres from any wetland or watercourse.</p> <p>13. The permissibility of uses shall be in accordance with Table 3 - Zoning Table unless specified otherwise in the Scheme.</p> <p>14. Not more than one (1) dwelling per lot shall be permitted but the local government may, at its discretion, permit one (1) ancillary dwelling.</p> <p>15. The local government may grant temporary development approval for the temporary occupation/habitation of an outbuilding on a Rural Residential or Rural Smallholdings zoned lot for a period not exceeding 12 months if a building permit for a dwelling is concurrently in force.</p> <p>16. In the Rural Residential and Rural Smallholding zones, a demonstrated</p>	



**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

PROPOSED AMENDMENTS - SCHEME TEXT			
No.	SECTION	PROPOSED AMENDMENT	JUSTIFICATION
		<p>and sustainable water supply is to be provided in accordance with State Policy.</p> <p>17. In order to conserve and protect the rural environment and features of natural beauty, all trees shall be retained unless their removal is authorized by the local government.</p> <p>18. Except for:</p> <ul style="list-style-type: none"> <li>i) the establishment of a firebreak required to comply with a regulation or by-law; or</li> <li>ii) the provision of access to a building site; or</li> <li>iii) the area of building; or</li> <li>iv) cash crops;</li> </ul> <p>not more than 2,000m<sup>2</sup> on any lot shall be cleared of indigenous trees or substantial vegetation. If the local government is satisfied upon receipt of a development application that the clearing of an area greater than 2,000m<sup>2</sup> will not adversely affect the amenity, character and landscape qualities of the locality, it may approve such land to be cleared subject to conditions as may be required by the local government.</p> <p>19. In order to enhance the rural amenity of the land in areas the local government considers deficient in tree cover it may require, as a condition of any development approval, the planting of such trees and groups of trees and species as specified by the local government.</p> <p>20. Any application for a rural pursuit or equestrian activity that involves the stabling and keeping of livestock (including horses) will be conditional upon compliance with the terms and conditions of the approved Environmental Management Plan.</p> <p>21. Any person who keeps an animal or animals or who uses any land in the Rural Residential or Rural Smallholdings zones for the exercise or training of an animal or animals shall be responsible for appropriate measures to prevent noise, odour, or dust pollution or soil erosion to the satisfaction of the local government.</p> <p>22. With the intention of preventing overstocking, erosion and any other practice detrimental to the amenity of</p>	



**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

<b>PROPOSED AMENDMENTS - SCHEME TEXT</b>			
<b>No.</b>	<b>SECTION</b>	<b>PROPOSED AMENDMENT</b>	<b>JUSTIFICATION</b>
		land in the Rural Residential or Rural Smallholdings zones, the local government may take any action which in the opinion of the local government is necessary to reduce or eliminate adverse effects on the environment caused wholly or partly by the stocking of animals and any costs incurred by the local government in taking such action shall be recoverable by the local government from the landowner.  23. The construction of dams and/or the extraction of surface water from drainage lines requires the local government's development approval. The local government may refer a development application to the Department of Water and Environmental Regulation before determining the application.	
<b>86</b>	Table 8 – Tourism Zone	Amend the second paragraph so it includes reference to 'park homes'.	Park homes, which are listed in the Zoning Table (i.e. Park Home Parks), are not currently included in the list of tourist related uses to be used as basis for calculating the total amount of permanent residential accommodation that may be permitted within the Tourism zone.
<b>87</b>	Schedule 4 - Minimum setbacks from boundaries	Amend Schedule 4 so the title reads as follows: Minimum setbacks from boundaries and landscaping.	To clarify the purpose of Schedule 4 which includes minimum landscaping requirements.
<b>88</b>	Schedule 4 - Minimum setbacks from boundaries	Amend Schedule 4 so the zones listed have the same names and are in the same order as they appear in Table 3 – Zoning Table with the exception of Rural Residential zone and Rural Smallholdings zone	To improve consistency within and ease of use of the new Scheme.
<b>89</b>	Schedule 4 - Minimum setbacks from boundaries	Amend Schedule 4 to combine the Rural Residential zone and Rural Smallholdings zone as one entry (i.e. Rural Residential / Rural Smallholdings).	To include the Rural Smallholdings zone in Schedule 4, the objectives and standards for which are very similar in nature to the Rural Residential zone.
<b>90</b>	Schedule 4 - Minimum setbacks from boundaries	Amend Schedule 4 to combine the Commercial zone and Service Commercial zone as one entry (i.e. Commercial / Service Commercial).	To include the Service Commercial zone in Schedule 4, the objectives and standards for which are very similar in nature to the Commercial zone.
<b>91</b>	Schedule 4 - Minimum setbacks from boundaries	Include the following entry for the Urban Development zone:  To be assessed in accordance with an approved Structure Plan or Local Development Plan.	To include reference to the Urban Development zone in Schedule 4 and the local government's requirements for on-site parking and landscaping.



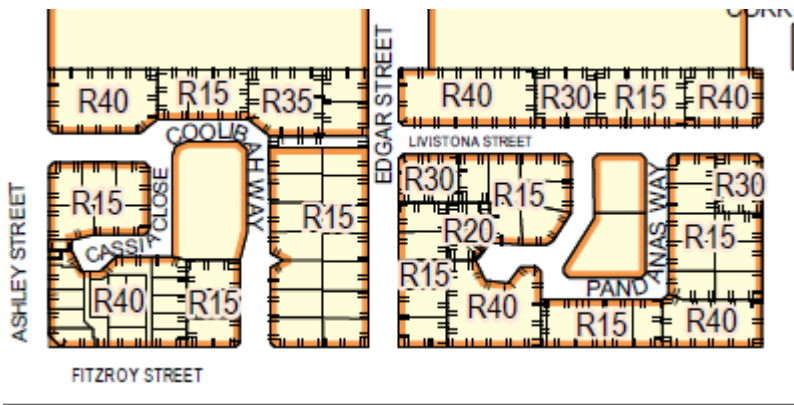
**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

<b>PROPOSED AMENDMENTS - SCHEME TEXT</b>			
<b>No.</b>	<b>SECTION</b>	<b>PROPOSED AMENDMENT</b>	<b>JUSTIFICATION</b>
<b>92</b>	Schedule 4 - Minimum setbacks from boundaries	Include the following entry for the Settlement zone:  To be assessed in accordance with an approved Layout Plan prepared in accordance with State Planning Policy No.3.2 – Aboriginal Settlements. In the event an approved Layout Plan has not been prepared in accordance with State Planning Policy No. 3.2, assessment and consideration is to be carried out based upon the objectives and intentions of this Scheme.	To include reference to the Settlement zone in Schedule 4 and the local government's requirements for on-site parking and landscaping.
<b>93</b>	Schedule 4 - Minimum setbacks from boundaries	Amend the assessment requirements for the Residential zone so it reads as follows:  To be assessed in accordance with the R-Codes.	The current reference to the 'Residential Design Codes of Australia' is incorrect.
<b>94</b>	Schedule 4 - Minimum setbacks from boundaries	Amend the assessment requirements for the Rural Townsite zone so it reads as follows:  All residential development to be assessed in accordance with the R-Codes. All other development will be at the discretion of the local government.	To include reference to the R-Codes so the minimum setbacks and landscaping requirements prescribed in the R-Codes can be applied to all new residential development in the Rural Townsite zone when assessing and determining development applications.

<b>PROPOSED AMENDMENTS - SCHEME MAPS</b>			
<b>No.</b>	<b>MAP NO.</b>	<b>PROPOSED AMENDMENT</b>	<b>JUSTIFICATION</b>
<b>1</b>	<b>7</b>	Include 'Additional Use' classification A1 for Lot 1 (No.34) Derby Highway, Derby as referenced in Part 3, clause 3.4, Table 4 - Additional Uses of the Scheme Text.	Correction to mapping error (i.e. omission)
<b>2</b>	<b>7</b>	Include 'Additional Use' classification A2 for Lot 170 (No.11) Windjana Road, Derby as referenced in Part 3, clause 3.4, Table 4 - Additional Uses of the Scheme Text.	Correction to mapping error (i.e. omission)
<b>3</b>	<b>5</b>	Include 'Additional Use' classification A3 for Pt Lot 24 (No.41) Fitzroy Street, Derby as referenced in Part 3, clause 3.4, Table 4 - Additional Uses of the Scheme Text.	Correction to mapping error (i.e. omission)
<b>4</b>	<b>5</b>	Include 'Additional Use' classification A4 for Lot 399 (No.116) Clarendon Street, Derby as referenced in Part 3, clause 3.4, Table 4 - Additional Uses of the Scheme Text.	Correction to mapping error (i.e. omission)
<b>5</b>	<b>11</b>	Include 'Restricted Use' classification R1 for Lots 1 to 27 Savannah Way, Meda (Birdwood Rise Estate) as referenced in Part 3, clause 3.5, Table 5 - Restricted Uses of the Scheme Text.	Correction to mapping error (i.e. omission)
<b>6</b>	<b>5</b>	Include special use zone 'SU1' for Lot 9 on DP222383 Derby Highway and Lot 10 (No.54) Guildford Street, Derby as referenced in Part 3, clause 3.6, Table 6 - Special Use Zones.	Correction to mapping error (i.e. omission)
<b>7</b>	<b>5</b>	Include 'SU2' for Lot 84 (No.138) Loch Street, Derby as referenced in Part 3, clause 3.6, Table 6 - Special Use Zones.	Correction to mapping error (i.e. omission)

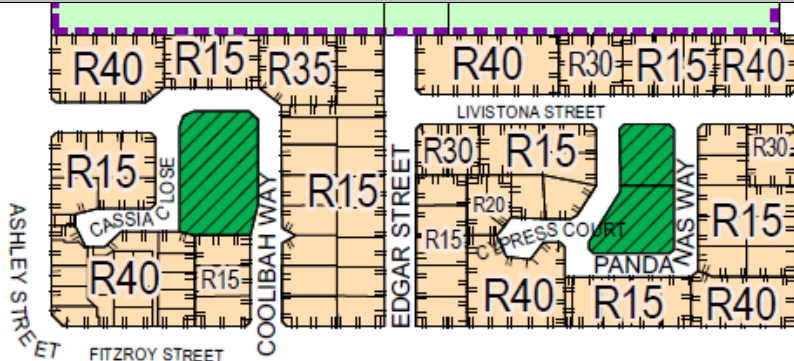

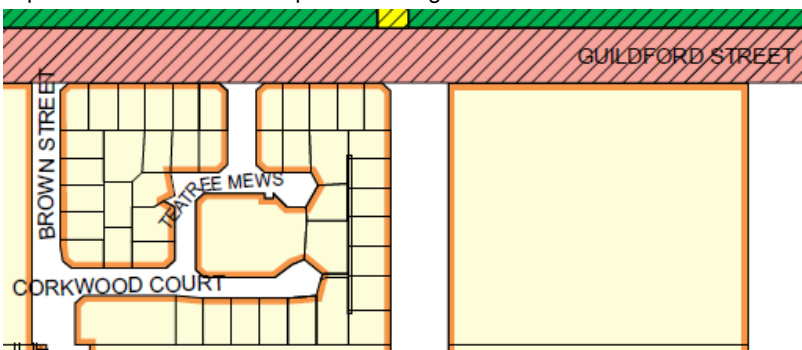
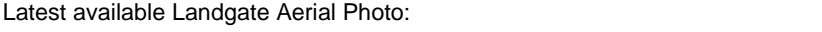


**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

PROPOSED AMENDMENTS - SCHEME MAPS			
No.	MAP NO.	PROPOSED AMENDMENT	JUSTIFICATION
8	5	Delete Lot 1137 (No.140) being Crown Reserve 37345 Loch Street, Derby from the area comprising 'SU2' as currently shown and reclassify as 'Public Open Space' reserve to reflect the current Crown Reserve purpose and usage.	Correction to mapping error (i.e. omission)
9	6 & 7	Include 'SU3' for Lot 538 (No.1), Lot 11 (No.3), Lot 12 (No.5) and Lot 13 (No.7) Maxted Street, Derby as referenced in Part 3, clause 3.6, Table 6 - Special Use Zones.	Correction to mapping error (i.e. omission) As a result of submissions 4.1 and 4.2
10	5 & 6	Change the zoning of Lots 100 & 101 on DP75164 Lovegrove Street, Derby as referenced in Part 3, clause 3.6, Table 6 - Special Use Zones from 'Rural Residential' to 'Special Use' and include the notation SU4.	Correction to mapping error (i.e. omission)
11	5 & 7	Change the zoning of Lot 631 (No.10) Russ Street and Lot 634 (No.17) Conway Street, Derby from 'Special Use' to 'Light Industry' zone.	Correction to mapping error (i.e. no information or justification has been provided for the inclusion of these two lots in the 'Special Use' zone as is currently proposed on Scheme Maps 5 and 7). There is also no reference to these two lots in Table 6 of the Scheme Text as it applies specifically to all Special Use zones).
12	5	<p>Change the proposed new 'Urban Development' zoning of the following residential precincts in the Derby townsite back to the current 'Residential' zoning and density codings shown on Map 1 of Town Planning Scheme No.5 with all areas designated 'Parks and Recreation' reserve in Town Planning Scheme No.5 to be changed to 'Public Open Space' reserve:</p> <p>Proposed new 'Urban Development' zoning in LPS No.9:</p>  <p>Current zoning, density codings and reserve classifications in TPS No.5 proposed to be retained:</p>	Correction to mapping error and to account for the fact the residential precincts in question have already been subdivided and developed (i.e. the new 'Urban Development' zoning classification currently proposed serves no meaningful or beneficial planning purpose). As a result of submission 9.3




**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

PROPOSED AMENDMENTS - SCHEME MAPS			
No.	MAP NO.	PROPOSED AMENDMENT	JUSTIFICATION
		 <p>Latest available Landgate Aerial Photo:</p> 	
13	5	<p>Change the proposed new 'Urban Development' zoning of the following residential precinct in the Derby townsite (i.e. Brown Street, Corkwood Court and Teatree Mews) to 'Residential' zone and 'Public Open Space' reserve with all residential density codings to be in accordance with the approved Structure Plan for the land:</p> <p>Proposed new 'Urban Development' zoning in LPS No.9:</p>  <p>Latest available Landgate Aerial Photo:</p> 	<p>Correction to mapping error and to account for the fact the residential precinct in question has already been subdivided and developed (i.e. the new 'Urban Development' zoning classification currently proposed serves no meaningful or beneficial planning purpose).</p>



**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

PROPOSED AMENDMENTS - SCHEME MAPS			
No.	MAP NO.	PROPOSED AMENDMENT	JUSTIFICATION
			
14	9 & 10	Combine Scheme Maps 9 and 10 into one new map only and include all small sized 'Rural' zoned lots to the south that are similar in size to the lots currently shown on Maps 9 and 10.	Consolidate two existing Scheme Maps into one and include additional small sized rural lots to reduce the total number of maps that form part of the Scheme and improve the ease of use of the new Scheme.
15	12 & 15	<p>Assign an R10 density coding to all land classified 'Rural Townsite' zone in the Camballin townsite given the prevailing lot sizes and lack of access to reticulated sewerage disposal infrastructure.</p> <p>Assign an R20 density coding to all land classified 'Rural Townsite' zone in the Fitzroy Crossing townsite given the prevailing lot sizes, availability of reticulated sewerage disposal infrastructure, and the guidance provided in the <i>Fitzroy Futures Town Plan 2009</i>.</p>	Correction to mapping error to account for the need to assign a suitable residential density coding to all land classified 'Rural Townsite' zone in the Camballin and Fitzroy Crossing townsites to guide and control all future residential development in accordance with the R-Codes.
16	15	Assign an R10 density coding to Lot 67 on DP175670, Lot 76 on DP180473 and the south-eastern portion of Lot 333 on DP4111097 being Crown Reserve 9656 Forrest Road, Fitzroy Crossing.	Correction to mapping error to account for the need to assign a suitable residential density coding to these lots as described which are classified 'Residential' zone to



**SCHEDULE OF PROPOSED AMENDMENTS  
SHIRE OF DERBY/WEST KIMBERLEY LOCAL PLANNING SCHEME NO.9**

PROPOSED AMENDMENTS - SCHEME MAPS			
No.	MAP NO.	PROPOSED AMENDMENT	JUSTIFICATION
			guide and control all future residential development in accordance with the R-Codes.
17	All	Change the classification of Lot 66 on DP31871 being Crown Reserve 30810 Forrest Road, Fitzroy Crossing from 'Urban Development' zone to 'Social Care Facilities' reserve.	Correction to mapping error to account for the designated use of the land under the Land Administration Act 1997 (i.e. office and quarters for native welfare) and avoid the requirement to prepare a Structure Plan to guide any future development which is considered unnecessary given the small area the property occupies and the fact a Structure Plan will have no meaningful or beneficial planning purpose.
18	All	Include the 'Service Commercial' zoning classification in the Scheme Map Legend under the heading 'Local Scheme Zones'.	Correction to mapping error. As a result of submission 6.7.
19	All	Amend the Map Overview insert on all plans so the location of all Scheme Maps and the areas they cover are sufficiently clear.	To improve the clarity of all Scheme Maps and ease of use of the new Scheme.
20	Map 13	Modify Map No. 13 to reflect Fitzroy Crossing Waste Water Treatment Plant odour buffer as supplied by the Water Corporation.	As a result of submission 8.1
21	All	Modify reference to Special Control Area 2 on Map legends from "Sewer Treatment Plant Odour Buffer" to "Wastewater Treatment Plant Odour Buffer"	As a result of submission 8.2
22	15	Reclassify Lot 103 on Plan 213652 from 'Urban Development' to 'Public Purpose – Infrastructure Services'	As a result of submission 9.5
23	15	Reclassify Lot 156 on Plan 213655 as 'Infrastructure Services' reserve and update maps accordingly.	As a result of submission 9.7
24	5	Remove Special Control Area 4 boundary	As a result of submission 9.10
25	12 & 15	Modification to include Special Control Area 4 – Environment (Groundwater Protection Area) to reflect the well head protection zones.	As a result of submission 9.10



**16 COMMUNITY AND RECREATION SERVICES****16.1 COMMUNITY FUNDING SCHEME GRANTS PROGRAM REVIEW****File Number:** GS/045/5**Author:** Christie Mildenhall, Manager Community Services**Responsible Officer:** Jess Karlsson, Executive Director of Operations and Strategic Development**Authority/Discretion:** Executive**SUMMARY**

Since the last review of the Community Development Grants program, in 2022, more than half of the funding requests received have been deemed to not meet the Community Development Grant guidelines and have been referred to Council for decision. This report recommends minor procedural changes, to reduce the administrative time spent on the grants program. These recommendations will also increase opportunities for community projects, which meet criteria, to be supported by the Shire, within a more reasonable timeline.

The report also provides information on the establishment of a funding program aimed at addressing funding requests being received to support individuals attending representative level events and programs.

**DISCLOSURE OF ANY INTEREST**

Nil by Author or Responsible Officer.

**BACKGROUND**

The Shire provides funding and in-kind support to community-based organisations through the Community Development Grants Scheme. Through the program organisations are able to access grants of up to \$5,000 (ex GST) as cash or in-kind contributions towards the cost of undertaking projects, activities and events which enhance the community participation and wellbeing and wide community benefit. Additionally, they must align with community priorities as identified in the Shires Strategic Community Plan.

Grant money is available across a wide range of projects and services to ensure diversity of activities within the Shire. Projects may fall into areas such as arts and culture, education, sport and recreation, youth, seniors, health and welfare, tourism and non-for-profit business development. The funded projects must be accessible, equitable and affordable to community members and must take place within the Shire of Derby/ West Kimberley. Projects held outside the Shire may be considered if the applicant can suitably demonstrate the involvement of Shire residents or if it promotes the Shire on a regional basis.

Funding requests are considered as part of a quarterly competitive process and one-off funding contributions of \$5,000 (ex GST) will be considered for each project. A total of \$40,000 is available across the four funding rounds.

The Shire also provides funding for some significant, annual community events. These events are determined at the time of budget adoption.



During this financial year the Shire has received a number of requests to support individuals or groups attending activities in a representative capacity. Under the current Community Development Grant Guidelines these activities are ineligible for funding as;

- Individuals are ineligible for funding.
- Activities must take place within the Shire's boundaries unless it can be evidenced that it will have significant benefit to the community.

Such requests are currently being referred to Council on a case-by-case basis. In considering one of these requests at the 30 November Ordinary Council Meeting the Council endorsed the following recommendation;

**RESOLUTION 137/23****Moved: Cr Geoff Davis****Seconded: Cr Wayne Foley****That Council;**

- 1. Approves a partial sponsorship of \$5,000.00 (ex GST) to the Derby Speedway Club as a sponsorship towards Jake Hoath's attendance at the Speedway Sedans Australia National Street Stock Title subject to:**
  - (a) Submission of an acquittal at the conclusion of the event;**
  - (b) Suitable promotional recognition of the Shire's contribution; and**
- 2. Request Officers investigate and establish guidelines to govern the donation of financial support for individual community members at representative events and provide a report to Council outlining the recommendations.**

**In Favour:** Crs Geoff Davis, Andrew Twaddle, Peter McCumstie, Wayne Foley, Brian Ellison, Kerrissa O'Meara, Brett Angwin and Paul Bickerton

**Against:** Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY**

This report will address resolution point two.

**STATUTORY ENVIRONMENT**

Part 6 – Financial Management of the *Local Government Act 1995* applies to this report in that each year Council allocates an annual budget to donate to community organisations through the Community Funding Scheme.

**POLICY IMPLICATIONS**

Policy F19 – Community Funding Scheme provides guidance as to the provision of financial and non-monetary assistance to community groups and non-for-profit organisations by the Shire.

**FINANCIAL IMPLICATIONS**

The amount of money available to be distributed to community groups each year is allocated as part of Council's budgeting process. In the 2023/24 financial year \$40,000 was allocated for the Community Development Grants Program, with a further \$35,000 allocated for stipulated events



such as the Derby and Fitzroy Crossing Rodeo events, Festivals in Derby and Fitzroy Crossing and the Mowanjum Festival.

This report recommends the availability of additional funding to support individuals participating in events at a State, Federal or International representative levels.

### STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
1. Leadership and Governance	1.3 Effective Communication	1.3.2 Listen to and respond to the needs of our communities
2. Community	2.2 Healthy Communities	2.2.2 Facilitate a range of accessible sporting and recreational activities
2. Community	2.4 Sustainable Communities	2.4.1 Support and assist volunteer, community and sporting groups

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Organisation's Operations:</b> The grant programs fail to meet the needs of community organisations	Likely	Minor	Medium	Adopt recommended changes to the Community Development Grants program.
<b>Community:</b> Lack of understanding about when the Shire will support individuals and perceptions of favouritism/	Possible	Minor	Low	Adopt recommended position on individual sponsorship

### CONSULTATION

Members of the assessment panel were consulted in the development of this report, along with other Officers who work in the Community Development Team. External consultation was not deemed to be necessary, although ad hoc feedback from applicants to the program was considered.

### COMMENT

The last review of the Shire's Community Development Grants program was undertaken in September 2022. As a result of this review the Shire's Quick Grants Program and Community Development Grants were consolidated into one program and clarifications were made around what the funding can be used for.



Since the review 20 requests for funding have been received (not including funding requests being considered at this meeting). Of these nine have been processed as applications to the Community Development Grants. Six have been successful for receiving full or partial funding. Three have been declined as the projects did not meet funding timelines (i.e. the project has either commenced or will commence within eight weeks of the closing date of the funding round).

The remaining 11 requests have been referred to Council for decision as they did not meet the grants guidelines. The most common reason they did not meet the guidelines are not meeting funding timelines (seven requests), the business structure of the organisation requesting funding (three requests), nature of project being funded not being in line with the grant guidelines (three requests) and amount of funding being requested is in excess of \$5,000, the maximum amount granted under the program (three requests).

As outlined the most common reasons for grant applications being unsuccessful is that the project is due to the project timelines. Under the Shire's grants guidelines, it is stipulated that projects cannot commence within eight weeks of the closing of the funding round. This is to allow time for the applications to be reviewed assessed by the assessment panel, further clarification sought from applicants if required, then referred to Council for endorsement. Due to Council meeting deadlines this usually means it is unlikely that it will get to the Council meeting immediately after the closure of the round.

Currently funding applications are assessed on a quarterly basis, with funding rounds closing on the last day of March, June, September and December. Previously the Community Development Grants were assessed once per year as part of the annual budgeting process. Whilst this change has allowed greater opportunity for projects to be funded it still does not provide the flexibility desired by the community in delivering their projects and activities.

In order to address the issues of timeliness for application assessment and notification of outcomes are provided consideration could be given to;

1. Increasing the frequency of which applications are assessed. If applications were assessed on a monthly or bi-monthly basis funding it is likely the more funding requests could be addressed through the Community Development Grants Scheme and less needing to be referred to Council as a stand-alone item on the Council Meeting Agenda. This will save time for both Councillors and Officers, whilst also improving the timeliness for applicants.
2. Where there is insufficient time for the funding request to be referred to Council allowance could be made for the CEO in consultation with the Shire President to endorse the Officer recommendation. This will still allow for Council involvement and oversight of how the funding is distributed, but will also increase the likelihood of an application being successful by reducing the amount of time required to process and assess applications.

Whilst these changes will not alleviate the need for Council to consider some funding requests this is expected to reduce the number that don't meet guidelines and are therefore required to be considered by Council. Funding requests which fall outside the nature of the grant guidelines will continue to be referred to Council.

Additionally, there has recently been an increase in the number of funding requests which seek to obtain support to attend representative events. Examples of this include, Derby District High School's participation in YOH Fest, Derby Speedway Club's support of Jake Hoath at the National Speedway Championships in Victoria and Krui3ers participation at the In the Pine's Festival. At the November Council meeting Council endorsed a recommendation for guidelines to be developed to guide the donation of funds to individuals at these types of events, as payments for individuals are currently not allowable under the Community Funding Program.



A desktop review showed a mixed approach by other local governments in addressing these types of requests. Those who will provide financial assistance offer small donations programs which allocated funding based on the location of the activity or the level of representation. Funding is generally available for sports, arts, culture, community or training activities.

Donations generally range between \$150 to \$500 per individual. The Town of Port Hedland provides a more generous program which starts at \$500 per individual for regional representation to \$2,000 for representation requiring international travel. Unlike the other funding programs identified they also provide group-based funding ranging between \$2,000 and \$5,000. None of the other Kimberley Shire's appear to offer a program for individuals. A summary of the funding provided as attachment one.

Should the Shire decide to implement a similar program budget will need to be allocated for the program.

### **VOTING REQUIREMENT**

Absolute majority

### **ATTACHMENTS**

1. **Desktop Research - Representative Funding**  



**OFFICER RECOMMENDATION****Moved: Cr Kerrissa O'Meara****Seconded: Cr Brian Ellison****That Council by ABSOLUTE MAJORITY;**

- 1. Delegates the determination of Community Development Grant applications to a sub group of Council – Named Council “Funding Approval Group” comprising of the President and 2 Councillors \_\_\_\_\_ & \_\_\_\_\_, via joint signature, provided all criteria, with the exception of timelines, has been met, as recommended by the Grants assessment panel;**
- 2. Approves increasing the frequency of Community Development Funding round assessments to be completed monthly, with applications closing on the last day of each month;**
- 3. Approves the establishment of a funding scheme to support individuals and groups attend representative sport, recreation, arts, cultural or community events effective the commencement of the 2024/25 financial year;**
- 4. Allocates a designated budget each year to support individuals attend representative events, making the following funding levels available under the scheme, noting that once the annual budget is exhausted no further funding will be granted until the following financial year;**
  - (a) Regional level representation - \$500 (ex GST) per individual**
  - (b) State level representation - \$750 (ex GST) per individual**
  - (c) National level representation - \$1,000 (ex GST) per individual**
- 5. Delegates the endorsement of funding applications from individuals to assist with representative level activities by the sub group of Council – Named Council “Funding Approval Group” comprising of the President and 2 Councillors \_\_\_\_\_& \_\_\_\_\_, via joint signature, provided all criteria is met, as recommended by the Grants assessment panel; and**
- 6. Delegates the determination of finalising and publishing updated funding guidelines to the Chief Executive Officer, in line with above stipulations.**

Wayne Neate left the meeting at 12:19pm

Noelene Bain left the meeting at 12:20pm

Wayne Neate returned to the meeting at 12:22pm

Noelene Bain returned to the meeting at 12:30pm

Noelene Bain left the meeting at 12:31pm

Noelene Bain returned to the meeting at 12:32pm



**MOTION - DEFERRAL****RESOLUTION 39/24****Moved: Cr Kerrissa O'Meara****Seconded: Cr Brian Ellison****That in order for Officers to prepare a draft Terms of Reference for Council approval, Council agree to defer further consideration of this matter to the 24 April meeting.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY**



LGA	Metro / Regional	Individuals					Groups				Criteria	Other comments
		Within LG Region	Intrastate Travel / State Representation	Interstate Travel / State Representation	International Travel / National Representation	International Representation	Within LG Region	Intrastate Travel / State Representation	Interstate Travel / State Representation	International Travel / National Representation		
City of Albany	Regional	-	\$500	\$500	\$500	-	-	\$1,000	\$1,000	\$1,000	Athletic events, or development activities (Community, Arts and Sport)	
City of Armadale	Metro	\$150	\$150	\$250	\$350	-	-	-	-	-	Selected to represent that State or Nation in a sporting, recreation, educational or arts activity.	
City of Busselton	Regional	-	-	\$250	\$500	\$500	-	-	-	-		
City of Greater Geraldton	Regional	-	-	-	-	-	-	-	-	-		No program identified
City of Mandurah	Metro	At discretion of the Manager	At discretion of the Manager	\$200	\$200	-	-	-	-	-	Selected by State or National Sporting body	Maximum \$1000 per club for the same competition. Funds paid to club to distribute.
City of Subiaco	Metro	-	-	-	-	-	-	-	-	-		No program identified
City of Swan	Metro	-	-	\$250	\$350	\$500	-	-	-	-		Funding available until budget is exhausted.
Shire of Ashburton	Regional	-	-	-	-	-	-	-	-	-	-	Maximum \$500 per financial year.
Shire of Broome	Regional	-	-	-	-	-	-	-	-	-	-	No program
Shire of Carnamah	Regional	-	-	-	-	-	-	-	-	-		No information on website
Shire of Chapman Valley	Regional	-	-	\$100	\$500	-	-	-	-	-		
Shire of Coorow	Regional	-	\$500	\$500	\$500	-	-	-	-	-	Youth Development Programs - personal development, leadership skills and contribute to community progress.	
Shire of Cue	Regional	-	-	-	-	-	-	-	-	-		No program identified
Shire of East Pilbara	Regional	-	\$300	\$500	\$700	-	-	\$900	\$1,500	\$2,100		Group donations capped at the equivalent of 3 people's funding
Shire of Halls Creek	Regional	-	-	-	-	-	-	-	-	-	-	No program
Shire of Irwin	Regional	-	-	\$400	\$400	-	-	-	-	-	For people achieving representation at a national sporting event or a scholarship to the Mid West Academy of Sport.	Also eligible for \$400 of services at Irwin Recreation Centre
Shire of Karratha	Regional	-	-	-	-	-	-	-	-	-	Support to undertake specific training / development	Maximum \$1000 per person.
Shire of Meekatharra	Regional	-	-	-	-	-	-	-	-	-		No program identified
Shire of Minehead	Regional	-	-	-	-	-	-	-	-	-		No program identified
Shire of Morawa	Regional	-	-	-	-	-	-	-	-	-		No program identified
Shire of Mount Magnet	Regional	-	-	-	-	-	-	-	-	-		No program identified
Shire of Wyndham / East Kimberley	Regional	-	-	-	-	-	-	-	-	-	-	No program
Town of Port Hedland	Regional	\$500	\$1,000	\$2,000	\$2,000	-	\$2,000	\$5,000	\$5,000	\$5,000	Representation at a regional, national or international competition, event or conference in sports, arts, culture, community or training.	



**17 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

- Nil.

**18 NEW BUSINESS OF AN URGENT NATURE****MOTION****RESOLUTION 40/24****Moved: Cr Geoff Davis****Seconded: Cr Geoff Haerewa****That Council accepts late item 18.1 – Confirmation of Lotterywest Projects Phase One and Phase Two.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0****18.1 CONFIRMATION OF LOTTERYWEST PROJECTS PHASE ONE AND PHASE TWO****File Number: GS/045/8****Author: Christie Mildenhall, Manager Community Services****Responsible Officer: Jess Karlsson, Executive Director of Operations and Strategic Development****Authority/Discretion: Executive****SUMMARY**

This report is to formally document Council's approval for the Shire's Lotterywest funded projects. This formal approval is required to progress with Lotterywest applications.

Phase One projects have already been funded by Lotterywest, Phase Two projects are being submitted as funding applications.

Further detail of these projects is within this report.

**DISCLOSURE OF ANY INTEREST**

Nil by Author or Responsible Officer.

**BACKGROUND**

The Shire of Derby/West Kimberley was awarded a funding package from Lotterywest in 2022. The package is aimed at revitalising local facilities and enhancing service delivery through the provision of resources in the towns of Derby and Fitzroy Crossing.



One condition of Lotterywest project funding is provision of Council minutes, as evidence Council approves the project. This report is to formalise and document support of the project to meet this Lotterywest requirement.

Councillors have been informed and consulted on these projects through Council Briefing sessions and Council has been supportive of the earlier Phase One projects. These Phase One project items have also been endorsed through the 2023/24 budget process.

### STATUTORY ENVIRONMENT

Part 6 of the *Local Government Act (WA) 1995* provides the framework for Council's financial management, including the preparation of annual budget and the subsequent use of those funds.

Local Government Act S6.8. (Expenditure from municipal fund not included in annual Budget) requires that all expenditure is budgeted, or is authorised in advance by resolution.\*

\* Absolute majority required.

### POLICY IMPLICATIONS

Whilst not influencing Council's support of the project a number of policies relate to the delivery of it, including;

- F1 – Procurement of Goods and Services
- F2 – Asset Management
- F7 – Regional Price Preference Policy
- F18 – Portable and Attractive Items Policy

### FINANCIAL IMPLICATIONS

Phase One of the project has been budgeted at \$868,150 and is entirely funded by Lotterywest. It is not expected that the Shire will incur any out-of-pocket expenses. As part of the Phase Two Funding Package, the Shire is seeking Lotterywest funding for the delivery of community amenity and infrastructure projects. In-kind support provided by the Shire thus far has included staff time to progress scoping and indicative costings, Youth Space engagement and concept development.

It is also noted that the Shire is engaging with the state government and various funding bodies to seek financial assistance for the delivery of other projects and initiatives throughout the area.

Phase Two projects require some Shire funding contribution, these are mostly in-kind including wages, and other operational expenses required to deliver the projects.

### STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
2. Community	2.1 Safe Communities	2.1.3 Provide activities, programs, places and spaces that engage young people



**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Business Interruption:</b> Disruption from other important Shire projects, and business as usual.	Possible	Moderate	Medium	Additional staff (Exec Project team) employed to oversee these projects, with minimal disruption to BAU Shire work.
<b>Legal &amp; Compliance:</b> Compliance with conditions of funding arrangements.	Possible	Moderate	Medium	Ensure all funding conditions are met, including the endorsement of the project brief. Project team tasked with reporting and tracking funding KPIs.
<b>Organisation's Operations:</b> Impacts to service delivery if funded resources are not secured.	Possible	Moderate	Medium	Ensure all roles are in place and procurement processes are followed in a timely manner to meet project timelines.
<b>Reputation:</b> Community perception of the Shire.	Possible	Moderate	Medium	Consultation with the community conducted prior to, and during the projects.
<b>Financial:</b> Costs of the project affect Shire's financial sustainability.	Unlikely	Moderate	Low	Ensure all funding is confirmed and budgets are accurate prior to commencing projects or purchasing assets.

**CONSULTATION**

The funding requests being made through the Lotterywest application have been informed by the feedback received in the Shire's Strategic Community Plan. For some specific components of the projects, targeted community consultation has occurred, including with Shire employees, and broader members of the community, especially participants and facility users. Further consultations will occur for specific projects if the funding is approved by Lotterywest.

Councillors have received briefings on projects for their information/comment.

**COMMENT**

The Lotterywest projects are being delivered in a staged approach.

Phase One has a focus on youth services and the engagement of the project manager to deliver the Lotterywest funded activities going forward.

**Phase One:**

Specifics of Phase One;

- Three (3) fit for purpose vehicles (2 Landcruisers, 1 Bus);



- Two (2) trailers, including safety and youth activity equipment;
- Staff costs (including wages, recruitment, uniforms, IT and on-costs), and
- Administration costs.

Phase One value \$868,150.00.

**Phase Two:**

The Shire has submitted three funding applications as part of Phase Two.

These projects span both Fitzroy Crossing and Derby and are focused on the enhancement of community and youth amenities.

The total amount applied for is \$6,320,000.

The projects encapsulated by phase two include:

TOWN	PROJECT
<b>Fitzroy Crossing</b>	Youth Space Stages 1 and 2
<b>Derby</b>	Playground equipment, fencing & shading
	Court lighting, fencing & equipment
	Civic Centre Updates and Investigation
<b>Both</b>	Community Shade Shelters and Seating
	Community Artwork
	Community Opening Events

**VOTING REQUIREMENT**

Absolute majority

**ATTACHMENTS**

Nil



**RESOLUTION 41/24****Moved: Cr Geoff Haerewa****Seconded: Cr Wayne Foley****That Council BY ABSOLUTE MAJORITY:**

- 1. Approves the use of the \$868,150.00 provided by Lotterywest in Phase One of the project towards the cost of youth services vehicles, activities trailer, safety and youth activity equipment, staff costs (including on-costs, allowances, subsidies, recruitment, expenses, uniforms, IT) and 10% administration costs;**
- 2. Approves the following projects to be partially delivered in Fitzroy Crossing, under Phase Two of the project, subject to Lotterywest funding confirmation:**
  - **Youth Space Stages 1 and 2 (Fitzroy Crossing);**
- 3. Notes that officers will seek further external funding to deliver the Fitzroy Crossing Youth Space Stages 1 and 2; and**
- 4. Approves the following projects to be delivered in Fitzroy Crossing and Derby, under Phase Two of the project, subject to Lotterywest funding confirmation;**
  - **Community Shade Shelters and Seating**
  - **Community Artwork**
  - **Playground equipment, fencing & shading (Derby)**
  - **Court lighting, fencing & equipment (Derby)**
  - **Civic Centre Updates and Investigation (Derby) and;**
  - **Community Opening Events.**

**In Favour:** Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

**Against:** Nil

**CARRIED 8/0**



**19 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)****RESOLUTION 42/24****Moved: Cr Brett Angwin****Seconded: Cr Geoff Haerewa**

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 Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**



**19.1 Waste Facility Site Identification Derby and Fitzroy Crossing 2024**

This matter is considered to be confidential under Section 5.23(2) - c 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 contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**RESOLUTION 43/24**

**Moved: Cr Geoff Davis**

**Seconded: Cr Geoff Haerewa**

**That Council:**

- 1. Receives the report Waste Facility Site Identification Derby and Fitzroy Crossing prepared by ASK Waste Management Consulting;**
- 2. Directs the CEO to ensure the potential waste facility sites remain confidential until land tenure agreements are secured.**
- 3. Directs the CEO to complete the following;**
  - (a) Identify potential waste facility sites and seek land tenure agreements;**
  - (b) Investigate potential waste facility sites in parallel for Derby and Fitzroy Crossing;**
  - (c) Complete basic soil test assessments of potential waste facility sites;**
  - (d) Conduct a survey to confirm projected operational lifespan of the Derby waste facility site;**
  - (e) Engage a suitably qualified and experienced project manager for the two waste facility projects; and**
  - (f) Define specific lots for each potential waste facility site where tenure is required and detailed investigations can take place.**
- 4. Considers the full costs of site investigations and construction for inclusion in the long-term financial plan for the waste facility sites in Derby and Fitzroy Crossing; and**
- 5. Directs the CEO to prepare revaluation of future waste facility closure costs for Derby and Fitzroy Crossing and to bring back a report to Council for its consideration in the subsequent budget.**

**In Favour:** Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

**Against:** Nil

**CARRIED 8/0**



**19.2 Request for Quotation - Derby Recreational Boat Ramps Study and Design**

This matter is considered to be confidential under Section 5.23(2) - c and e(ii) 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 contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and 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.

**RESOLUTION 44/24**

**Moved:** Cr Geoff Haerewa

**Seconded:** Cr Brett Angwin

**That Council awards the Assessment and Design Study Contract for the Derby Recreational and Derby Emergency/Sea Rescue Boat Ramps, to MP Rogers & Associates for the estimated price of \$184,413 and authorises the Chief Executive Officer to negotiate the final contract conditions and execute the contract.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**

**RESOLUTION 45/24**

**Moved:** Cr Geoff Davis

**Seconded:** Cr Brett Angwin

**That Council moves out of Closed Council into Open Council.**

In Favour: Crs Peter McCumstie, Geoff Haerewa, Brett Angwin, Paul Bickerton, Geoff Davis, Brian Ellison, Wayne Foley and Kerrissa O'Meara

Against: Nil

**CARRIED 8/0**



**20 CLOSURE****20.1 Date of Next Meeting**

The next ordinary meeting of Council will be held Wednesday, 24 April 2024 at 5:30pm in the Council Chambers, Clarendon Street, Derby.

**20.2 Closure of Meeting**

The Presiding Member closed the meeting at 12:48pm.

**These minutes were confirmed at a meeting on**

24th April 2024 .....

  
**Signed:** .....  
Mr Peter McCumstie

**Presiding Person at the meeting at which these minutes were confirmed.**

**Date:** 24th April 2024 .....