



**Shire of Derby /  
West Kimberley**

# **MINUTES**

## **Ordinary Council Meeting Thursday, 28 May 2020**

**Date: Thursday, 28 May 2020**

**Time: 5.30pm**

**Location: Council Chambers  
Clarendon Street  
Derby**





**Order Of Business**

<b>1</b>	<b>Declaration of Opening, Announcements of Visitors .....</b>	<b>5</b>
<b>2</b>	<b>Attendance via Telephone/Instantaneous Communications.....</b>	<b>5</b>
<b>3</b>	<b>Disclosure of Interests .....</b>	<b>5</b>
3.1	Declaration of Financial Interests .....	6
3.2	Declaration of Proximity Interests .....	6
3.3	Declaration of Impartiality Interests.....	6
<b>4</b>	<b>Applications for Leave of Absence .....</b>	<b>7</b>
<b>5</b>	<b>Responses to Previous Public Questions taken on Notice .....</b>	<b>8</b>
<b>6</b>	<b>Public Time.....</b>	<b>8</b>
6.1	Public Question Time .....	8
6.2	Public Statements .....	8
<b>7</b>	<b>Petitions, Deputations, Presentations and Submissions .....</b>	<b>8</b>
<b>8</b>	<b>Announcements by Presiding Person without Discussion .....</b>	<b>9</b>
<b>9</b>	<b>Confirmation of Minutes of Previous Meetings .....</b>	<b>9</b>
<b>10</b>	<b>Recommendations and Reports of Committees .....</b>	<b>10</b>
10.1	Minutes of the Audit Committee Meeting held on 13 February 2020 .....	10
10.2	Minutes of the Audit Committee Meeting held on 12 March 2020 .....	11
10.3	Minutes of the Audit Committee Meeting held on 16 April 2020 .....	12
10.4	Minutes of the Special Audit Committee Meeting held on 23 April 2020.....	13
10.5	Minutes of the Commercial Committee Meeting held on 20 February 2020 .....	14
10.6	Minutes of the Commercial Committee Meeting held on 19 March 2020 .....	15
10.7	Minutes of the Commercial Committee Meeting held on 23 April 2020 .....	16
10.8	Wharf Restaurant - Scope and Budget Proposal.....	17
	<b>Reports .....</b>	<b>22</b>
<b>11</b>	<b>Executive Services .....</b>	<b>23</b>
11.1	Minutes of the joint meeting of the Kimberley Zone and Kimberley Regional Group held 21 April 2020 and the Extraordinary Meeting held Thursday 30 April 2020 .....	23
11.2	Approval to apply Common Seal - Lease - One Tree Community Services Inc. ....	25
11.3	Proposal to Rescind Motion - 12.2 Review of Committee Membership - Ordinary Council Meeting 30 April 2020.....	28
11.4	Proposed Sale of Unit 8 No 5 Rowan Street, Derby .....	30
<b>12</b>	<b>Corporate Services .....</b>	<b>35</b>
12.1	Accounts for Payment - April 2020 .....	35

12.2	Statement of Financial Activity for the Period Ending 30 April 2020.....	39
12.3	Improvements and Modifications - Derby Library, Council Chambers and Toy Library.....	43
12.4	Improvements and Modifications - Derby Administration Office .....	54
12.5	Budget Variation - Maintenance grading Contract C01-2018 Areas 2 & 4.....	61
<b>13</b>	<b>Technical Services.....</b>	<b>65</b>
	Nil	
<b>14</b>	<b>Development Services .....</b>	<b>65</b>
	Nil	
<b>15</b>	<b>Community and Recreation Services .....</b>	<b>66</b>
15.1	Request for Funding - Noongar Kids - 2020 NAIDOC Week Schools Initiative.....	66
15.2	Youth crime prevention fund proposal - Youth night patrol .....	70
<b>16</b>	<b>Motions of which Previous Notice has been Given .....</b>	<b>74</b>
<b>17</b>	<b>New Business of an Urgent Nature .....</b>	<b>74</b>
<b>18</b>	<b>Matters for which the Meeting may be Closed (Confidential Matters).....</b>	<b>75</b>
18.1	Sundry Debtors Write Off.....	75
18.2	Rates Exemption Application - A100511.....	76
<b>19</b>	<b>Closure.....</b>	<b>77</b>
19.1	Date of Next Meeting.....	77
19.2	Closure of Meeting.....	77

**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER 5, CLARENDON STREET, DERBY  
ON THURSDAY, 28 MAY 2020 AT 5.30PM**

- PRESENT:** Cr Geoff Haerewa (Shire President), Cr Paul White (Deputy Shire President), Cr Geoff Davis, Cr Chris Kloss, Cr Andrew Twaddle, Cr Steve Ross, Cr Rowena Mouda, Cr Keith Bedford (via telephone).
- IN ATTENDANCE:** Amanda O'Halloran (Chief Executive Officer), Wayne Neate (Director Technical and Development Services), Myra Henry (Manager Finance), Carlie McCulloch (Executive Services Coordinator)
- VISITORS:** Russell Barnes, Director, Moore Stephens
- GALLERY:** Nil
- APOLOGIES:** Nil
- APPROVED LEAVE OF ABSENCE:** Cr Pat Riley
- ABSENT:** Nil

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

The meeting was opened at 5.35pm by Shire President, Geoff Haerewa.

**2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

Cr Keith Bedford

**3 DISCLOSURE OF INTERESTS**

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

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

**3.1 Declaration of Financial Interests**

Cr Geoff Haerewa – Item 10.8 Wharf Restaurant – Scope and Budget

Cr Andrew Twaddle – Item 12.3 Improvements and Modifications – Derby Library, Council Chambers and Toy Library

Cr Andrew Twaddle – Item 12.4 Improvements and Modifications – Derby Administration Office

Cr Andrew Twaddle – Item 10.8 Wharf Restaurant – Scope and Budget

**3.2 Declaration of Proximity Interests**

Nil

**3.3 Declaration of Impartiality Interests**

Nil

**4 APPLICATIONS FOR LEAVE OF ABSENCE**

**5 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**6 PUBLIC TIME**

**6.1 Public Question Time**

Nil

**6.2 Public Statements**

Nil

**7 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS**

Presentation from Russell Barnes, Director, Moore Stephens – Rates Review

**SUSPENSION OF STANDING ORDERS**

**RESOLUTION 72/20**

**Moved: Cr Chris Kloss**

**Seconded: Cr Paul White**

A motion was moved that Council suspend standing orders and move into Confidential Meeting under Section (h).

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

Against: Nil

**CARRIED 8/0**

**RESUMPTION OF STANDING ORDERS**

**RESOLUTION 73/20**

**Moved: Cr Andrew Twaddle**

**Seconded: Cr Geoff Davis**

A motion was moved that Council resume standing orders.

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

Against: Nil

**CARRIED 8/0**



**8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

Shire President proposed to move Items 10.1 to 10.7 'en bloc'. Shire President gave an brief explanation of the 'en bloc' method of decision making. Councillors agreed.

**9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****RESOLUTION 74/20**

**Moved:** Cr Rowena Mouda

**Seconded:** Cr Paul White

**That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 30 April 2020 be CONFIRMED.**

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

Against: Nil

**CARRIED 8/0**

**10 RECOMMENDATIONS AND REPORTS OF COMMITTEES**

*Items 10.1 to 10.7 'en bloc'*

**10.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 13 FEBRUARY 2020**

**File Number:** 4207

**Author:** Carlie McCulloch, Executive Services Coordinator

**Responsible Officer:** Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion:** Executive

**HEADING**

That the Minutes of the Audit Committee Meeting held on 13 February 2020 be received and the recommendations therein be adopted.

**ATTACHMENTS****1. Minutes of the Audit Committee Meeting held on 13 February 2020****RESOLUTION 75/20**

**Moved:** Cr Rowena Mouda

**Seconded:** Cr Paul White

- 1. That the Minutes of the Audit Committee Meeting held on 13 February 2020 be received and the recommendations therein be adopted.**

**CARRIED**

**10.2 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 12 MARCH 2020****File Number: 4207****Author: Carlie McCulloch, Executive Services Coordinator****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****HEADING**

That the Minutes of the Audit Committee Meeting held on 12 March 2020 be received and the recommendations therein be adopted.

**ATTACHMENTS****1. Minutes of the Audit Committee Meeting held on 12 March 2020****RESOLUTION 76/20****Moved: Cr Rowena Mouda****Seconded: Cr Paul White**

- 1. That the Minutes of the Audit Committee Meeting held on 12 March 2020 be received and the recommendations therein be adopted.**

**CARRIED**

**10.3 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 16 APRIL 2020****File Number: 4205****Author: Carlie McCulloch, Executive Services Coordinator****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****HEADING**

That the Minutes of the Audit Committee Meeting held on 16 April 2020 be received and the recommendations therein be adopted.

**ATTACHMENTS****1. Minutes of the Audit Committee Meeting held on 16 April 2020****RESOLUTION 77/20****Moved: Cr Rowena Mouda****Seconded: Cr Paul White**

- 1. That the Minutes of the Audit Committee Meeting held on 16 April 2020 be received and the recommendations therein be adopted.**

**CARRIED**

**10.4 MINUTES OF THE SPECIAL AUDIT COMMITTEE MEETING HELD ON 23 APRIL 2020****File Number: 4205****Author: Carlie McCulloch, Executive Services Coordinator****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****HEADING**

That the Minutes of the Special Audit Committee Meeting held on 23 April 2020 be received and the recommendations therein be adopted.

**ATTACHMENTS****1. Minutes of the Special Audit Committee Meeting held on 23 April 2020****RESOLUTION 78/20****Moved: Cr Rowena Mouda****Seconded: Cr Paul White**

- 1. That the Minutes of the Special Audit Committee Meeting held on 23 April 2020 be received and the recommendations therein be adopted.**

**CARRIED**

**10.5 MINUTES OF THE COMMERCIAL COMMITTEE MEETING HELD ON 20 FEBRUARY 2020****File Number: 4207****Author: Carlie McCulloch, Executive Services Coordinator****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****HEADING**

That the Minutes of the Commercial Committee Meeting held on 20 February 2020 be received and the recommendations therein be adopted.

**ATTACHMENTS****1. Minutes of the Commercial Committee Meeting held on 20 February 2020****RESOLUTION 79/20****Moved: Cr Rowena Mouda****Seconded: Cr Paul White**

- 1. That the Minutes of the Commercial Committee Meeting held on 20 February 2020 be received and the recommendations therein be adopted.**

**CARRIED**

**10.6 MINUTES OF THE COMMERCIAL COMMITTEE MEETING HELD ON 19 MARCH 2020****File Number: 4207****Author: Carlie McCulloch, Executive Services Coordinator****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****HEADING**

That the Minutes of the Commercial Committee Meeting held on 19 March 2020 be received and the recommendations therein be adopted.

**ATTACHMENTS****1. Minutes of the Commercial Committee Meeting held on 19 March 2020****RESOLUTION 80/20****Moved: Cr Rowena Mouda****Seconded: Cr Paul White**

- 1. That the Minutes of the Commercial Committee Meeting held on 19 March 2020 be received and the recommendations therein be adopted.**

**CARRIED**

**10.7 MINUTES OF THE COMMERCIAL COMMITTEE MEETING HELD ON 23 APRIL 2020****File Number: 4207****Author: Carlie McCulloch, Executive Services Coordinator****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****HEADING**

That the Minutes of the Commercial Committee Meeting held on 23 April 2020 be received and the recommendations therein be adopted.

**ATTACHMENTS****1. Minutes of the Commercial Committee Meeting held on 23 April 2020****RESOLUTION 81/20****Moved: Cr Rowena Mouda****Seconded: Cr Paul White**

- 1. That the Minutes of the Commercial Committee Meeting held on 23 April 2020 be received and the recommendations therein be adopted. CARRIED**

At 6:34 pm, Cr Andrew Twaddle left the meeting.

At 6:34 pm, Cr Geoff Haerewa left the meeting.



**10.8 WHARF RESTAURANT - SCOPE AND BUDGET PROPOSAL****File Number: 9010.11****Author: Wayne Neate, Director Technical and Development Services****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

This report is for Council to authorise a budget amendment to allow for the development of a design scope and finalised budget for the Wharf Restaurant and ancillary works such as the fence and rail repairs and public toilet upgrades to proceed immediately.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

The building was built prior to the 1960's (making it over 60 years old) by the State Government as part of the port operations and in 1996 Council made the decision to take over the operations of the port from the Department of Transport. Part of this transition included the Wharf Restaurant. Over the next 23 years the restaurant was leased and operated by many parties and has become an iconic location to view the Derby wharf and its surroundings while watching the tide ebb and flow.

In the years that followed the Shire taking over the port the building has been leased by many operators until the November meeting of Ordinary Meeting of Council in 2019, where Council resolved as per minute no 147/19;

**RESOLUTION 147/19****Moved: Cr Chris Kloss****Seconded: Cr Geoff Davis**

**That Council by Absolute Majority pursuant to section 3.58 of the Local Government Act 1995:**

- a) Do not negotiate an extension of the Derby Wharf Restaurant with the current Lessee.**
- b) Instruct the CEO to continue to negotiate with the Lessee regarding maintenance issues and costs.**
- c) Instruct the CEO to initiate the formal leasing process for the Derby Wharf Restaurant.**
- d) Instruct the CEO to develop a maintenance plan and associated budget for the Derby Wharf Restaurant and report back to Council for approval and scope endorsement.**

Since the resolution was passed by Council in November 2019 the Chief Executive Officer negotiated a settlement with the then Lessee's and the building was vacated.

The Shire Administration presented a proposed development plan for the Wharf Restaurant to the Commercial Committee on the 21 May 2020. Whilst the item was lost, it did however stimulate discussion and a preferred development solution emerged.

**COMMITTEE RESOLUTION CC14/20**

**Moved: Cr Chris Kloss**  
**Seconded: Cr Keith Bedford**

**That the Commercial Committee recommend to Council that;**

- 1. Authorise Option 3 - Demolition of the existing building, modification to the electrical and plumbing connections, upgrade to the existing toilets, and modification to the deck to become stand alone and undertake repairs to the fencing.**
  
- 2. Authorise expenditure from the anticipated budget surplus of \$90,000 to enable the works identified in Option 3 to proceed.**

**In Favour: Nil**  
**Against: Chris Kloss, Keith Bedford and Paul White**

**LOST 0/3**

This item is to direct the Administration team on Councils preferred development solution for the Wharf Restaurant and to authorise for the associated ancillary works to be considered for immediate approval.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 – Disposal of Property section 3.58

**POLICY IMPLICATIONS**

AF3 – Asset Management  
 AF35 – Establishment of Lease and User Agreements

**FINANCIAL IMPLICATIONS**

The Shire Administration is proposing that funds be allocated from the 2019/20 Annual Budget anticipated surplus to enable some of the works to be undertaken immediately and commence the planning of the upgrades to the building to ensure that the opportunity to operate and improve the amenity is offered to the Community in a timely manner.

An immediate allocation of funds for the following is to be allocated from the 2019/20 Annual Budget anticipated surplus;

• Fence and railing repairs	\$7,000
• Toilet upgrade and improvements	\$20,000
• Drafting design and improvement plans	<u>\$20,000</u>
<b>TOTAL Project Budget</b>	<b>\$47,000</b>

This will provide a more accurate project budget forecast to be developed prior to Councils formal and final approval in the 20/21 Annual Budget.

**STRATEGIC IMPLICATIONS**

GOAL	OUTCOME	STRATEGY
2 A balance between the natural and built environments	2.4 Shire buildings and facilities that meet community needs	2.4.1 Ensure Shire buildings, facilities and public amenities are provided and maintained to an appropriate standard.
4 Good governance and an effective organisation	4.1 Effective governance and leadership	4.1.1 Provide leadership in balancing the needs of the community, government, industry and the environment.

**RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Reputation:</b> If Council delays a decision it could be non-operational for a further period of time which may cause disharmony within the wider community	Likely	Moderate	High	Council should make a definitive decision on the future of the wharf restaurant.

**CONSULTATION**

Councillors have reviewed the building on a number of occasions and have considered in great detail the community, financial/economic and environmental impacts of this project.

**COMMENT**

The Councillors have given direction to the Shire Administration that the preferred way forward in regards to development at the Wharf Restaurant is to undertake an upgrade to the existing building as per Option 1 of the previous item presented to Council at the Commercial Committee Meeting on the 21 May 2020, **Item: 6.2 WHARF RESTAURANT - SCOPE AND BUDGET PROPOSAL.**

Option 1 included:

Repairs to Building as per Building Surveyors report (attached)

Remove flooring restump and replace flooring	\$60,000
Re-wire building	\$30,000
Fence and railing repairs	\$7,000
Toilet upgrade and improvements	\$20,000
Removal of Cool room	\$30,000

Roof repairs – over kitchen	\$20,000
Structural repair to kitchen – Columns corroded	\$20,000
Contingency – 40% due to unknowns	<u>\$74,800</u>
<b>TOTAL Project Budget</b>	<b>\$261,800</b>

The Shire Administrations strategic advice presented to the Commercial Committee stated:

*Option 1 – As stated this option is to repair the building to support a commercial lease.*

*Currently the building aged at over 60 years old and could hold many secrets when it comes to undertaking repairs. Compliance with many current standards can become problematical when matching new and old. The kitchen will also need to be brought up to current compliance standards.*

*The Shire Administration does not advise this as the best use of Council funds – given the current financial circumstances and the opportunities that the site could hold into the future.*

Councillors have directed the Shire Administration that the preferred model in the best interests of the Community is to proceed with repairing the existing building, due to its heritage and historical significance.

Councillors further indicated that they would like to see a detailed scope and design exercise undertaken to ensure that there was clear direction and budget afforded to the project it is proposed to undertake a more detailed and thorough assessment given that the initial assessments were carried out whilst the building was operational, it is agreed that a detailed scope and design process is to be undertaken prior to official sign off of the project and works commencing.

The Shire Administration has undertaken to have this scope and design inclusive of final budget completed for inclusion in the 2020/21 Annual Budget process.

## VOTING REQUIREMENT

Absolute majority

## ATTACHMENTS

### 1. Building Surveyors report

#### RESOLUTION 82/20

**Moved: Cr Chris Kloss**

**Seconded: Cr Rowena Mouda**

**That the Council;**

- 1. Commit to the repairs to the existing Wharf Restaurant building.**
- 2. Authorise unbudgeted expenditure from the anticipated 2019/20 budget surplus of \$47,000 to enable the Fence and railing repairs, toilet improvements and a design and scope and final budget to be prepared for the upgrade of the Wharf Restaurant building.**

**In Favour:** Crs Paul White, Geoff Davis, Chris Kloss, Steve Ross, Rowena Mouda and Keith Bedford

Against: Nil

**CARRIED 6/0 BY ABSOLUTE MAJORITY**

**REPORTS**

At 6:40 pm, Cr Andrew Twaddle returned to the meeting.

At 6:40 pm, Cr Geoff Haerewa returned to the meeting.

**SUSPENSION OF STANDING ORDERS****RESOLUTION 83/20**

**Moved:** Cr Chris Kloss

**Seconded:** Cr Andrew Twaddle

A motion was moved that Council suspend standing orders.

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

Against: Nil

**CARRIED 8/0**

**RESUMPTION OF STANDING ORDERS****RESOLUTION 84/20**

**Moved:** Cr Chris Kloss

**Seconded:** Cr Paul White

A motion was moved that Council resume standing orders.

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

Against: Nil

**CARRIED 8/0**

**11 EXECUTIVE SERVICES**

**11.1 MINUTES OF THE JOINT MEETING OF THE KIMBERLEY ZONE AND KIMBERLEY REGIONAL GROUP HELD 21 APRIL 2020 AND THE EXTRAORDINARY MEETING HELD THURSDAY 30 APRIL 2020**

**File Number:** 4221

**Author:** Carlie McCulloch, Executive Services Coordinator

**Responsible Officer:** Amanda O'Halloran, 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 21 April 2020 and the Extraordinary Meeting held Thursday 30 April 2020.

**DISCLOSURE OF ANY INTEREST**

Nil.

**BACKGROUND**

A copy of the Minutes from the Joint Meeting held 21 April 2020 and 30 April 2020 between members of the Kimberley Zone of WALGA (Zone) and Kimberley Regional Group (KRG) is attached for Council consideration.

As a result of a past decision of the group, both the Kimberley Zone and KRG meetings are joined.

It should be remembered that the Kimberley Zone of WALGA is a group established to represent regional issues to the State Council of WALGA. This group includes the four Kimberley Shires in addition to the Shires of Christmas Island and Cocos Keeling Islands.

The KRG is a group defined through a deed of agreement between the four Kimberley Local Governments with the Minister for Local Government.

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

**STRATEGIC IMPLICATIONS**

<b>GOAL</b>	<b>OUTCOME</b>	<b>STRATEGY</b>
4. Good governance and effective organisation	4.1 Effective governance and leadership	4.1.1 Provide leadership in balancing the needs of the community, government industry and the

	4.2 Effective engagement with community and stakeholders	environment 4.2.2 Work cooperatively with other Kimberley Shires and support the regional governance group
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**RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<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**

The minutes and respective background information are attached to this report and the following comments are made in relation to the resolutions passed by the Group. Additional recommendations have been made where necessary for Council’s consideration.

**VOTING REQUIREMENT**

Simple majority

**ATTACHMENTS**

1. Kimberley Zone Meeting Minutes - 21 April 2020 
2. Unconfirmed Minutes - Kimberley Zone Meeting - 30 April 2020 

<p><b>RESOLUTION 85/20</b></p> <p><b>Moved: Cr Chris Kloss</b>  <b>Seconded: Cr Steve Ross</b></p> <p><b>That Council</b></p> <p style="padding-left: 40px;"><b>1. Receives and endorses the resolutions of the Kimberley Zone of WALGA and Kimberley Regional Group as attached in the Minutes from the Joint Meeting held 21 April 2020 and 30 April 2020.</b></p> <p><b>In Favour:</b> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Steve Ross, Rowena Mouda and Keith Bedford</p> <p><b>Against:</b> Nil</p> <p style="text-align: right;"><b>CARRIED 8/0</b></p>
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**11.2 APPROVAL TO APPLY COMMON SEAL - LEASE - ONE TREE COMMUNITY SERVICES INC.**

**File Number: 0150**

**Author: Amanda O'Halloran, Chief Executive Officer**

**Responsible Officer: Amanda O'Halloran, Chief Executive Officer**

**Authority/Discretion: Executive**

**SUMMARY**

For Council to approve the affixing of the Shire of Derby/West Kimberley common seal to the Lease of Reserve 39546, Lot 1220 (No. 40) Ashley Street – ‘One Tree Community Services’.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

At the Council Meeting on 30 August 2018, Council resolved to negotiate and execute a new lease with One Tree Community Services as the previously lease had expired and formal approval for the acquisition of additional space within the complex was required. At Minute Number 085/2018), Council resolved to:

**MINUTE NUMBER. 085/2018**

**Moved: Cr C Kloss** **Seconded: Cr P White**

**That Council delegate authority to the Chief Executive Officer to negotiate and execute a lease with One Tree Community Services under exemption from Section 3.58 of the *Local Government Act 1995* by virtue of Section 30 *Local Government (Functions and General) Regulations 1996*. Such a lease will include the following:**

- (i) Lease term of 5 years with a further term of 5 years at the discretion of Council;**
- (ii) Lessee to pay for all costs associated with preparing the lease;**
- (iii) Rental based on one peppercorn (nominal) per annum;**
- (iv) Other standard terms and conditions of Shire lease agreements.**

**CARRIED: 7/0**

Note: Amendment to clarify option to proceed with a further term was by Council.

The new Lease prepared is for a five (5) year term commencing on the commencement date with a further term of five (5) years. The permitted purpose is for a Childcare Centre.

The Lease has since been prepared by the Shire’s Solicitors McLeod’s Lawyers and signed by One Tree Community Services.

This Item seeks Council’s approval to affix of the Shire of Derby/West Kimberley common seal to the Lease

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The Lease prepared is for a five (5) year term commencing on the commencement date with a further term of five (5) years. This is a peppercorn lease – rent at \$1.00 per annum.

**STRATEGIC IMPLICATIONS**

<b>GOAL</b>	<b>OUTCOME</b>	<b>STRATEGY</b>
Goal 1: Community Wellbeing  A diverse, caring and safe Community providing opportunities for all its people	Outcome 1.1: Accessible health and family support services that meet the needs of our community	Strategy 1.1.3: Work with private childcare providers to expand capacity of childcare and promote after school programs

**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Legal &amp; Compliance:</b>  If the lease is not signed it creates uncertainty for both organisations.	Possible	Moderate	Medium	Accept recommendation.
<b>Community:</b>  That the Community will lose a child care provider.	Possible	Moderate	Medium	Accept recommendation.

**CONSULTATION**

Legal advice has been provided by McLeod’s Lawyers and discussions have been held with One Tree Community Services through negotiations associated with property leasing.

Shire Officers and Councillors.

**COMMENT**

It has been nearly two years since Council have given the authorisation to negotiate and execute a new lease with One Tree Community Services. The lease has since been prepared by the Shire’s Solicitors.

The Lease has been signed by One Tree Community Services and their common seal affixed.

It is recommended that Council sign the new Lease and affix the common seal.

### VOTING REQUIREMENT

Absolute majority

### ATTACHMENTS

1. Lease - One Tree Community Services 2020 

#### RESOLUTION 86/20

Moved: Cr Paul White

Seconded: Cr Rowena Mouda

That Council;

1. Authorise the Shire president and the Chief Executive Officer to sign the One Tree Community Services Lease of Reserve 39546, Lot 1220 (No. 40) Ashley Street, Derby on behalf of the Shire of Derby/West Kimberley.
2. Authorise the affixing of the Shire of Derby West Kimberley common seal to the document.

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

Against: Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY**

**11.3 PROPOSAL TO RESCIND MOTION - 12.2 REVIEW OF COMMITTEE MEMBERSHIP - ORDINARY COUNCIL MEETING 30 APRIL 2020.****File Number:** 4207**Author:** Carlie McCulloch, Executive Services Coordinator**Responsible Officer:** Amanda O'Halloran, Chief Executive Officer**Authority/Discretion:** Executive**SUMMARY**

This Item is to seek Council's approval to rescind Item 12.2 Review of Committee Membership of the Ordinary Council Meeting on 30 April 2020.

**DISCLOSURE OF ANY INTEREST**

Nil.

**BACKGROUND**

It was brought to Administration's attention at the Commercial Committee on Thursday 21 May 2020 that an administrative error had been made in Item 12.2 Review of Committee Membership of the Ordinary Council Meeting on 30 April 2020.

Cr Mouda nominated to be part of the Commercial Committee at the review, however her name had been omitted from the resolution and minutes.

This Item is to seek Council's approval to rescind Item 12.2 Review of Committee Membership of the Ordinary Council Meeting on 30 April 2020 and revote on the Item.

**STATUTORY ENVIRONMENT**

*Local Government (Administration) Regulations 1996* – Regulation 10

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**CONSULTATION**

Councillors and Shire Officers.

**COMMENT**

In order for Council to proceed, one third of Council need to agree to rescind the motion.

If Council agrees, it is recommended that Council rescind Item 12.2 Review of Committee Membership of the Ordinary Council Meeting on 30 April 2020 and revote on the Item in the resolution below.

**VOTING REQUIREMENT**

Absolute majority

**ATTACHMENTS**

Nil

**RESOLUTION 87/20****Moved: Cr Chris Kloss****Seconded: Cr Andrew Twaddle**

- 1. The resolution 61/20 titled 12.2 Review of Committee Membership that was passed at the meeting of 30 April 2020 be rescinded.**
- 2. That by ABSOLUTE MAJORITY Council Committees be amended as follows:**

**Audit Committee That by Absolute Majority Council APPOINTS the following Elected Members to Audit Committee. (Note. This action appoints the Councillors to the Committee).**

**Cr Bedford****Cr White****Cr Davis****Cr Mouda****Cr Haerewa****Cr Kloss**

**Commercial Committee That by Absolute Majority Council APPOINTS the following Elected Members to Commercial Committee. (Note. This action appoints the Councillors to the Committee).**

**Cr Kloss****Cr Twaddle****Cr White****Cr Haerewa****Cr Bedford****Cr Mouda**

**In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Steve Ross, Rowena Mouda and Keith Bedford**

**Against: Nil**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**11.4 PROPOSED SALE OF UNIT 8 NO 5 ROWAN STREET, DERBY****File Number: 8070.29****Author: Amanda O'Halloran, Chief Executive Officer****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

To authorise the CEO to proceed with advertising Councils intent to sell Unit 8 No 5 Rowan Street, Derby in accordance with the Local Government Act 1995 and the Offer of Sale received from Jaala Ozies for \$85,000.00

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

The decision to purchase Unit 8 No 5 Rowan Street ("Unit"), Derby was made in March 2010, with comment in the Council decision recommending that the unit be disposed of prior to 10 years of ownership, due to the potential or perceived impost of maintenance that may be realised if the Council was to own the Unit beyond 10 years. Council authorised the sale of the Unit in the 2019/20 Annual Budget process, the Unit was budgeted to sell for \$150,000.00 and the proceeds were to be allocated to reserve funds ensuring the final sale price had a nil effect on the Municipal Fund for this financial year.

The Shire has received a valuation report on the 17 September 2019 which valued the property between \$95,000.00 - \$115,000.00. The property was listed for sale at \$105,000.00 with a fixed sales fee of \$6,600.00. Discussions with the Agent have indicated that the price was at the bottom of the market given that sale prices have been steadily falling since 2013.

The yearly costs of the unit are as follows:

- Strata Fee - \$4,635.70 p/a paid quarterly
- Insurance - \$2,249.88 p/a paid monthly
- Water, Power, Gas – approx. \$1,500.00 p/a
- Maintenance costs – general – approx. \$1,500.00 The Unit would be up for a 10yr upgrade in the next year or two – which is generally in the vicinity of \$10,000.00 – for the Shires rental properties.
- Further advertising costs - \$55.00 for additional promotion.

The sale of the property is likely to incur rates income for Council, therefore producing a net change to Councils financial position of \$9,000.00 p/a.

**STATUTORY ENVIRONMENT**

3.58. Disposing of property

*(1) In this section —*

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*dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.*

- (2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) the highest bidder at public auction; or*
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) it gives local public notice of the proposed disposition —*
    - (i) describing the property concerned; and*
    - (ii) giving details of the proposed disposition; and*
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) the names of all other parties concerned; and*
  - (b) the consideration to be received by the local government for the disposition; and*
  - (c) the market value of the disposition —*
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
  - (d) any other disposition that is excluded by regulations from the application of this section.*

In accordance with the legislation the following advertisement will be published in the Broome Advertiser and will be displayed on Local Notice Boards and on the Shire of Derby/West Kimberley Website.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Council is anticipating to receive approximately \$77,500.00 at final settlement. The costs to undertake the valuation have been included in the operating expenses of the 2019/20 Annual Budget.

**STRATEGIC IMPLICATIONS**

<b>GOAL</b>	<b>OUTCOME</b>	<b>STRATEGY</b>
Goal 2: a balance between the natural and built environments  Sustainable natural and built environments that meet the needs of the community and support future growth.	Outcome 2.5: Assets and infrastructure managed over the long term to meet current and future needs	Strategy 2.5.1: Develop and implement long term asset management plans for all Shire assets, having regard for current and future asset needs and the Shires’ long – term financial plan.
Goal 4: Good governance and an effective organisation  Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	4.1: Effective governance and leadership	4.1.1: Provide leadership in balancing the needs of the community, government, industry and the environment  Strategy 4.1.3: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role

**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Financial:</b>  The maintenance costs of the Unit escalate to have a negative impact on Council annual budget.	Likely	Moderate	Medium	List the Unit for sale in an effort to reduce the financial impost on Council.

**CONSULTATION**

The Council has been informed of sale value and other advice of sale matters during the advertising period.



This item recommends advertisement of Councils intent to sell the property as per the Local Government Act 1995.

## COMMENT

The Shire has received a formal offer of sale from Jaala Ozies on the 25 May 2020. The offer is for \$85,000.00. It is proposed that Council consider the offer and during this process undertake the formal requirements of the Local Government Act 1995 prior to a final acceptance being undertaken.

Given the time that has passed since the formal valuation was undertaken on the 17 September 2019, an updated desk top valuation has been undertaken by OPTEON to ensure that the requirements of the Local Government Act 1995, section 3.58 are met. The revised valuation has indicated that the market has dropped over the last 8 months with the value of the Unit now sitting at \$85,000.00. The Valuation is attached.

The provisions of the Local Government Act 1995 prescribe the manner in which a Local Government can dispose of property. The proposal to offer the property for sale via marketing by a Real Estate Agent follows the process outline in s3.58(3)&(4), rather than proceeding to public auction or public tender. The Council is required to seek a formal valuation and advertise the intent to sell the property in local newspapers and on notice boards.

It is proposed that Council endorses these actions to be undertaken by the CEO prior to final and formal acceptance of the offer.

The closing date for public submissions will/may fall before the June 2020 Ordinary Council Meeting once dates are finalised, the CEO will advise if a Special Meeting of Council is required.

Council can then decide to proceed with the sale, subject to the consideration of any submissions being received during the consultation period.

## VOTING REQUIREMENT

Absolute majority

## ATTACHMENTS

1. Valuation Rowan Street Derby 
2. Advertising for Rowan Street Intention to Sell 

## RESOLUTION 88/20

Moved: Cr Rowena Mouda

Seconded: Cr Steve Ross

That Council

1. Authorises the CEO to undertake advertising of the property advising the community of Councils intent to dispose of Unit 8 No 5 Rowan Street, Derby in accordance with section 3.58 of the *Local Government Act 1995* the reasons for the sale include – reduce future building maintenance expenditure and reduce current housing stocks.
2. Directs the CEO to present submissions received and the formal offer to the Council for further consideration at the earliest possible occasion.

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

Against: Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY**

**12 CORPORATE SERVICES****12.1 ACCOUNTS FOR PAYMENT - APRIL 2020**

**File Number:** 5110 - Accounts Payable  
**Author:** Linda Atkinson, Finance Officer  
**Responsible Officer:** Myra Henry, Manager Finance  
**Authority/Discretion:** Information

**SUMMARY**

For Council to note the list of accounts paid under delegated authority during the month of April, 2020.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

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

**STATUTORY ENVIRONMENT**

*Local Government (Financial Management) Regulations 1996*

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

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

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

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

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

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

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

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

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

GOAL	OUTCOME	STRATEGY
4: Good governance and an effective organisation  Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	4.4: Financial sustainability and accountability for performance	4.4.4: Provide resources to support the Shire’s operations and to meet planning, reporting and accountability requirements

**RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Legal &amp; Compliance:</b>  In accordance with section 6.8 of <i>the Local Government Act 1995</i> ,	Rare	Minor	Low	Expenditure to only be incurred in accordance with budget parameters, which have been

<p>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</p>			<p>structured on financial viability and sustainability principles</p>
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**CONSULTATION**

Internal consultation within the Corporate Services Department.

**COMMENT**

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2019-20 Annual Budget as adopted by Council at its meeting held 29 August 2019 (Minute No. 81/19 refers) 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  
APRIL 2020**

FUND	DETAILS	AMOUNT
<b>MUNICIPAL ACCOUNT</b>		
EFT Payments	EFT 48347 – 48497	<b>\$765,892.89</b>
Municipal Cheques	CHQ 54798 - 54800	<b>\$16,682.01</b>
Direct Debits	Fees & Charges, Credit Card Payments, Payroll, Payroll Liabilities	<b>\$480,294.32</b>
Manual Cheques	CHQ	
<b>TRUST ACCOUNT</b>		
EFT Payments		
Trust Cheques		
<b>TOTAL</b>		<b>\$1,262,869.22</b>

*Creditors Outstanding as at 30/04/2020*

*\$493,577.53*

**VOTING REQUIREMENT**

Simple majority

**Attachments**

1. **Creditor Payment List April 2020** 
2. **Credit Card Reconciliation April 2020** 

**RESOLUTION 89/20****Moved: Cr Geoff Davis****Seconded: Cr Paul White**

**That Council NOTES the list of accounts for April 2020 paid under Delegated Authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 attached to this report, totalling \$1,262,869.22**

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

Against: Nil

**CARRIED 8/0**

**12.2 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 APRIL 2020.****File Number: 5152****Author: Myra Henry, Manager Finance****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Information****SUMMARY**

This report has been compiled to fulfil the statutory reporting requirements of the *Local Government Act 1995* (Act) and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 30 April 2020.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

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

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

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

**STATUTORY ENVIRONMENT:**

*Section 34 of the Local Government (Financial Management) Regulations 1996 provides:*

**34. Financial activity statement required each month (Act s. 6.4)**

- (1) *A Local Government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
  - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
  - (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*

- (2) *Each statement of financial activity is to be accompanied by documents containing —*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the Local Government.*
- (3) *The information in a statement of financial activity may be shown —*
  - (a) *according to nature and type classification; or*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a Local Government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

**POLICY IMPLICATIONS**

AF14 – Significant Accounting Policies

AF18 – Sundry Debtors Collection

AF19 – Outstanding Rates Collection

FM4 – Reserve Accounts

FM7 – Cashflow Management

FM8 – Investments

**FINANCIAL IMPLICATIONS**

Expenditure for the period ending has been incurred in accordance with the 2019/20 Annual Budget as adopted by Council at its meeting held 29 August 2019 (Minute No. 86/19 refers) budget parameters, which have been structured on financial viability and sustainability principles.

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

**STRATEGIC IMPLICATIONS**

GOAL	OUTCOME	STRATEGY
4: Good Governance and an effective organisation	4.1: Effective Governance and Leadership	4.1.4: Ensure governance policies and procedures are in accordance with



Leadership that provides strategic direction for the community, supported by efficient and effective service delivery		legislative requirements
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**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<p><b>Financial:</b></p> <p>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.</p>	Possible	Major	High	Risk assessments have been completed in relation to a number of higher level financial matters. The timely and accurate completion of monthly financial reporting enabling Council to make fully informed decisions is a control that assists in addressing this risk.

**CONSULTATION**

Internal consultation within the Corporate Services Department.

External consultation with Moore Stephens.

In accordance with section 6.2 of the *Local Government Act 1995*, the annual budget was prepared having regard to the Strategic Community Plan, prepared under section 5.56 of the *Local Government Act 1995*.

**COMMENT**

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

Attached to the Agenda is a copy of:

- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature and Type

Notes related to –

- Significant Accounting Polies
- Net current Financial Position
- Capital – Acquisition, Funding and Disposal
- Cash and investments
- Budget Amendments
- Trust fund movements
- Material variances
- Grants and Contributions
- Rating Information
- Cash backed reserves
- Receivables
- Payables

And related summary graphs.

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

**VOTING REQUIREMENT**

Simple majority

**ATTACHMENTS**

1. **Monthly Financial Report for 30 April 2020** 
2. **Monthly Management Review for 30 April 2020** 

**RESOLUTION 90/20**

**Moved: Cr Andrew Twaddle**

**Seconded: Cr Geoff Davis**

**That Council RECEIVES the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 30 April 2020.**

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

Against: Nil

**CARRIED 8/0**

At 7:14 pm, Cr Andrew Twaddle left the meeting.

### **12.3 IMPROVEMENTS AND MODIFICATIONS - DERBY LIBRARY, COUNCIL CHAMBERS AND TOY LIBRARY**

**File Number:** A105375

**Author:** Carlie McCulloch, Executive Services Coordinator

**Responsible Officer:** Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion:** Executive

#### **SUMMARY**

Council is requested to approve an out of budget expenditure to enable improvements and modifications to the Council Chambers and Toy Library which includes the upgrade and installation of new video conferencing and AV system.

#### **DISCLOSURE OF ANY INTEREST**

Nil

#### **BACKGROUND**

Council has never had a Council Chambers fit out that was fit for purpose. All Chambers fit outs have been temporary in nature and lacked adequate infrastructure in order to support the civic duties of Council.

The lack of infrastructure has resulted in, among others:

- Damage to reputation of Council and the Shire due to the makeshift set up of the Chamber;
- Loss of staff time in order to set-up meeting room before every meeting and/or workshop;
- Loss of productivity for Library staff and visitors to the Library due to the sometimes earlier closure of the facility if Council needs to consider confidential items;
- Loss of the ability to run con-current events/meetings in the Chamber and Library space due to the fact that the area is not separated by doors or soundproofing; and
- Limited disability access in the Library and Chamber building.

The Chamber needs to be set up to demonstrate the level of government that Council represents and the significance of the responsibilities of Council. The current set up of the Chamber is not conducive to formal meetings and presentations. Council requires a permanent Chamber to be fit for the future.

Furthermore, Councillors do not have an adequate impartial meeting space. It is proposed that the Derby Toy Library be modified to allow for an impartial meeting space and office for Councillors. This in turn will be a better use of a Shire asset that is currently not being used to its full potential.

#### ***Council Chambers***

Historically, the Council Chambers have been located at 30 Loch Street (Shire Administration Building), 26 Loch Street (Development Services Building) and a leased premises at 70 Clarendon Street, Derby. At the Council meeting held 29 August 2019 (94/19), it was resolved that:

**RESOLUTION 94/19**

Moved: Cr Chris Kloss  
 Seconded: Cr Andrew Twaddle

**That Council**

1. Approve the relocation of the Council Chamber to the Derby Public Library.
2. Approve expenditure of up to \$5,000 for minor amendments to the Derby Public Library to accommodate the Council Chamber.
3. Advertise the amendment to meeting location on 31 October 2019 and 12 December 2019.
4. Advertise an amendment to the opening days of the Derby Public Library to advise it is closed to the public on Thursday instead of Wednesday.

In Favour: Crs Geoff Haerewa, Paul White, Denise Andrews, Peter Coggins, Chris Kloss, Peter McCumstie, Iris Prouse and Andrew Twaddle

Against: Nil

**CARRIED 8/0**

The Derby Council Chambers relocated to the Derby Library space in September 2019 after the lease expired at 70 Clarendon Street, Derby on 30 September 2019. The Chamber was moved to the Library space due to saving costs after a review of Council owned facilities. The review presented an opportunity for possible use of excess floor space at the Derby Library instead of renewing the lease on the property at 70 Clarendon Street.

The Library building provides a large space for formal Council meetings with a gallery. However, the space has not been fit out for Council meetings. The space is currently open to the public and rest of the Library building, it does not provide for teleconferencing or presentations, there is limited disability access and it is temporary in its set up.

**Derby Toy Library**

The Derby Toy Library is located outside the Derby Library. It was originally the infant health building.

The Derby Toy Library Committee has been disbanded since the original committee has left town. Library staff hold the key for the Derby Toy Library and indicate that the Toy Library in its current state does not get used.

Officers attempted contact with the last known users of the Toy Library. At the time of writing, Officers have not been able to get in touch to discuss options for the Toy Library moving forward.

It is intended to utilise the building to provide an impartial working and meeting space for the Shire President and Councillors, as well as a hot desk for executive support and/or consultants. The building could also be fitted out to include a meeting room which the Councillors can use for meetings and training outside of the Council Chamber, making the Chamber available for bigger meetings and keeping Council separate to Administration.

**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.*

*(1a) In subsection (1) —*

*Additional purpose means a purpose for which no expenditure estimate is included in the Local Government’s annual budget.*

*(2) Where expenditure has been incurred by a Local Government —*

*(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*

*(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.*

**POLICY IMPLICATIONS**

C5 – Council Meetings – Date, Time and Venue

C6 – Use of Chambers

AF3 – Asset Management

AF 17 – Occupational Safety and Health Policy

**FINANCIAL IMPLICATIONS**

Council has \$814,511.00 in the Derby Building Reserve, which has a purpose of: *“To be used to fund the new Derby Administration Building”*. Whilst the use proposed isn’t to build a new building it is to provide modifications to the existing facilities in an effort to improve the operability, productivity and professionalism of the Shire, the Council and its operations.

The project is designed to utilise \$490,000.00 in this item.

To date Council has been focussed on saving money and cutting costs, however this continues to hamper the Shire’s operations, reputation and effectiveness.

Given the current circumstances this project could be considered a COVID-19 recovery project – offering stimulus to local businesses. Packages such as plumbing, building, electrical, and office fit out will be offered to local businesses.

Financial estimates as follows:

Location	Requirement/s	Estimate
<b>Derby Shire Chambers and Derby Library</b>	Full height partition wall from front wall facing Clarendon Street across to feature wall by indoor pond, including one set of commercial glass aluminium double doors for access into new Council Chambers	<b>\$25,000.00</b>
	Partition walls to hide access door to the W/C in new Council Chambers	
	Full height partition walls to form new office for Library Officer	

	with access door and at least one viewing window for visibility out to Library and reception area	
	¾ height commercial glass aluminium double doors with glass partition to define Library area and ability for Library to be locked after hours and entry to remain open	
	New paint works as required	
	Honour Boards	<b>\$400.00</b>
	IT infrastructure provision – TV screens, microphones, AV and video camera for video conferencing and potential live streaming. Disability access – hearing loop.	<b>\$40,000.00</b>
<b><i>Front of Library area</i></b>	Remove and relocate bicycle racks, remove concrete paving and gardens  Supply and install garrison type 1500 – 1800mm high powder coated aluminium or steel fencing  Supply and install poles and shade sail over front area  Supply bench seating	<b>\$25,000.00</b>
<b><i>Derby Shire Chambers and Derby Library (work storage room and kitchenette, Shire Chambers)</i></b>	Work storage room and kitchenette –  Strip out storage shelving and benches and relocate to transportable building	<b>\$6,000.00</b>
	Supply and installation new 3600mm long kitchen bench with base cupboards, drawer unit and sink, allowance for dishwasher space, 25lt hot water storage unit, all plumbing hot and cold water supply and connection to existing sewer mains	
	Tiled splash backs	
	Dishwasher	<b>\$600.00</b>

<b>Derby Shire Chambers and Derby Library (disabled toilet and storage)</b>	Based on using one of the 6m transportable buildings that are located at the Derby Airport and relocating to the rear of the Library Building in the old Botanical Garden area, access to disabled toilet through rear door at the western end of the Library building	<b>\$30,000.00</b>
	Install internal partition wall and new entry door to divide building into two rooms, one being a unisex disability toilet and the other half for additional Library storage space	
	Provide all plumbing fixtures and hardware for disabled toilet set out as required by the AS 1428.1-2009 general requirements for access and mobility	
	Provide new commercial grade covered vinyl flooring to disabled toilet room	
	Provide access ramps and walkways to building as required	
	Excluding plumbing requirements	
<b>Old Botanical Garden, grounds between Derby Library/Chambers and Derby Administration Building</b>	Bulldoze old garden beds and removal of dead trees and foliage	<b>\$40,000.00</b>
	Retain path between Administration Office and Library/Chambers	
	Retain established plants and replant if required	
	Remove pavers at far ends of garden	
	Laying and purchase of turf, replanting of plants and foliage	<b>\$15,000.00</b>
<b>Derby Toy Library (new Office and Meeting Room for the Shire</b>	IT infrastructure provision – TV screen, microphone and video	<b>\$25,000.00</b>

<b>President and Councillors)</b>	camera for video conferencing in meeting room, computer for Shire President and Councillor/s, hot desk with docking station for laptop, printer	
	Workstations and board room table – Workstation for Shire President, Councillor/s, Executive Assistant/Consultants Board room table for meeting room	
	Update and renew all electrical fixtures and fittings	<b>\$100,000.00</b>
	Renew entry door and windows to commercial aluminium door and windows facing Clarendon Street	
	Remove walls that form room with hand basin, fill in doorway to toilet and install new doorway from kitchenette side of building	
	Renew floor coverings with either vinyl or carpet	
	Paint complete of the external and internal building	
	New window treatments	
	Awning over front entry	
	Removal of box wall mounted air conditioners and replace with new split system A/C units x 2	
<b>General</b>	Furniture fit out and delivery: Council Chambers Desk Council Chambers Chairs Hot desks in Council Chambers Office space Office fit out for Library Officer Office of the Shire President and Councillors (hot desk x 3 and boardroom table – use existing	<b>\$60,000.00</b>



	chairs from Chambers for Boardroom table) Some of the furniture in the existing Chambers can be used to furnish the new Office of the Shire President and Councillors (Toy Library).	
	Plumbing	<b>\$10,000.00</b>
	Electrical	<b>\$10,000.00</b>
	New signage	<b>\$5,000.00</b>
<b>TOTAL ESTIMATE</b>		<b>\$392,000.00 (excluding contingency)</b>

Council is being requested in this item to approve the improvement and modifications of the Council Chambers and Toy Library to the value of \$490,000.00.

A contingency of 25% has been applied to the age and nature of the buildings – however the Administration is keen to bring the project in under budget if possible. Full reports will be provided on a regular basis to the Commercial Committee.

**STRATEGIC IMPLICATIONS**

<b>GOAL</b>	<b>OUTCOME</b>	<b>STRATEGY</b>
Goal 4: Good governance and an effective organisation  Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	4.1: Effective governance and leadership	4.1.1: Provide leadership in balancing the needs of the community, government, industry and the environment  Strategy 4.1.3: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role
Goal 4: Good governance and an effective organisation  Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	Outcome 4.3: Accessible and effective customer services and information systems	Strategy 4.3.2: Ensure effective integration and management of information and communication technology systems
Goal 4: Good governance and an effective organisation	Outcome 4.5: Skilled, committed and professional staff in a supportive environment	Strategy 4.5.5: Review office accommodation plans and the options for funding and implementation

Leadership that provides strategic direction for the community, supported by efficient and effective service delivery		
<p>Goal 1: Community wellbeing</p> <p>A diverse, caring and safe community providing opportunities for all its people</p>	Outcome 1.7: Quality of life for the aged and disabled	<p>Strategy 1.7.1: Lobby for support services and infrastructure for the aged and disabled</p> <p>Strategy 1.7.2: Implement the Disability Access and Inclusion Plan</p>
<p>Goal 1: Community wellbeing</p> <p>A diverse, caring and safe community providing opportunities for all its people</p>	Outcome 1.8: Access to learning, cultural and arts opportunities that support community growth and diversity	Strategy 1.8.1: Provide library services and programs that help improve literacy and community engagement
<p>Goal 2: A balance between the natural and built environments</p> <p>Sustainable natural and built environments that meet the needs of the community and support future growth</p>	Outcome 2.4: Shire buildings and facilities that meet community needs	<p>Strategy 2.4.1: Ensure Shire buildings, facilities and public amenities are provided and maintained to an appropriate standard</p> <p>Strategy 2.4.2: Develop new buildings and facilities in accordance with asset management principles and based on a planned and prioritised approach</p>
<p>Goal 2: A balance between the natural and built environments</p> <p>Sustainable natural and built environments that meet the needs of the community and support future growth</p>	Outcome 2.2: Attractive streetscapes, open spaces, parks and gardens	Strategy 2.2.1: Manage and maintain the Shire’s parks, gardens and open spaces at appropriate standards

**RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p><b>Reputation:</b></p> <p>Council is not getting value for money.</p>	Possible	Moderate	Low	Accept Officer recommendation.
<p><b>Business Interruption:</b></p> <p>There is no professional</p>	Possible	Moderate	Low	Accept Officer recommendation.

civic space.				
<b>Financial:</b> Loss of productivity and time due to setting up meeting spaces.	Possible	Moderate	Low	Accept Officer recommendation.
<b>Legal &amp; Compliance:</b> Non-compliance with Disability Access and Inclusion Plan.	Possible	Moderate	Medium	Accept Officer recommendation.
<b>Financial:</b> That the project goes over budget.	Possible	Moderate	Medium	Contingency added and project will be managed with reports back to the Commercial Committee and Council.
<b>People Health &amp; Safety:</b> Continued non-performance of areas of staff if modifications are not made.	Possible	Moderate	Medium	Accept Officer recommendation.
<b>Legal &amp; Compliance:</b> OH&S Risk – current office presents OH&S risk factors, new office layout will help to eliminate this risk.	Possible	Moderate	Medium	Accept Officer recommendation.

**CONSULTATION**

Staff have consulted with a local builder in regard to various elements of this project.

Shire President and the Deputy Shire President have had extensive engagement in the design and layout of the proposed works.

Shire Councillors have been briefed and general discussion has been ongoing across a number of years including at briefings on Thursday 14 May and Thursday 21 May 2020.

Shire Officers

WALGA Preferred Supplier Panel Members

**COMMENT**

The investment in infrastructure and modifications will improve:

- **Council and the Shire’s reputation** – the Chamber being one of the main civic areas of the Shire. Modifications to the building and purchase of technology infrastructure will ensure the Shire is able to better engage with external parties, the Office of the Shire President and Councillors will provide an impartial meeting space, the space will be an area the Shire can be proud of;

- **Productivity** – Officers will not have to set up the meeting room before every meeting and workshop, the new infrastructure will allow a seamless and professional transition between and during meetings. A well designed knowledge-based workplace clearly improves productivity levels, which can have a significant impact on the bottom line;
- **Access to services** – the Library will be able to remain open and will not be impacted by meetings taking place in the Chamber, events will be able to run concurrently in the Library and Chamber, both buildings will provide a multipurpose capability of the space;
- **Access to buildings** – modifications to the building will mean people with disability will have adequate access to the building and will be able to participate in meetings and events;
- **Utilisation of space and the Shire’s assets** – buildings are currently not being used to their full potential or used adequately at all. By implementing modern, agile workspaces, you can accommodate more people in less space. Further, improvements to, and cleaning up of the old botanic gardens will provide an extension of the civic space and the potential to host future events;
- **Local economy** – the work will potentially stimulate the local economy with improvement and modifications being carried out by local businesses;
- **Future sustainability** - Shire Officers and Councillors need to be provided with sufficient tools in order to complete their jobs – “you’re only as good as the tools you use”. The investment in infrastructure will allow Council and the Shire to be fit for the future, ahead of the game and empower staff and Councillors to use their full potential;
- **Respect for our history** – the new space, being a public building, will pay homage to the Shire’s history with adequate space for Shire Honour Boards and a new professional entry showcasing some of the Shire’s culturally significant artworks.





Council need to show value for its money. These improvements and modifications will ensure Council is investing in the future sustainability of the Shire.

It is therefore the Administrations recommendation that Council support the authorisation of the improvements and modifications to the Council Chamber and proposed Office and Meeting Room of the Shire Present and Councillors.

## VOTING REQUIREMENT

Absolute majority

## ATTACHMENTS

1. **SDWK Chambers/Library Office Plan** 
2. **A.J & J.A Twaddle Estimate** 
3. **Derby Toy Library - Pictures** 
4. **Old Botanic Gardens Pictures** 

**RESOLUTION 91/20****Moved: Cr Geoff Davis****Seconded: Cr Steve Ross****That Council:**

- 1. Authorise the improvements to the Council Chamber, Office and Meeting Room of the Shire President and Councillors as per the plans attached.**
- 2. Authorise the expenditure of \$490,000.00 to be allocated in the 2020/21 budget from the Office Building reserve.**
- 3. Authorise associated upfront payments as required within the approved scope.**

**In Favour:** Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Steve Ross, Rowena Mouda and Keith Bedford

**Against:** Nil

**CARRIED 7/0 BY ABSOLUTE MAJORITY**

**12.4 IMPROVEMENTS AND MODIFICATIONS - DERBY ADMINISTRATION OFFICE****File Number:** A105375**Author:** Carlie McCulloch, Executive Services Coordinator**Responsible Officer:** Amanda O'Halloran, Chief Executive Officer**Authority/Discretion:** Executive**SUMMARY**

This item is for Council to approve an out of budget expenditure to enable improvements and modifications to the Derby Administration Office.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

The current administration building was built in the sixties incorporating the office and Chambers. In the mid-nineties the operations outgrew the current building and some staff were relocated to the development services building.

The layout of the current building has undergone minor alterations, however the layout and design is now beginning to significantly hinder operations.

The lack of infrastructure has resulted in, among others:

- Damage to reputation of Council and the Shire due to the makeshift set up of the Administration Office;
- Loss of staff time and productivity due to the nature of the set-up;
- The poor layout and design is problematical to bring additional Officers in and to have teams together in one space due to lack of workstations and space; and
- Limited disability access in the Administration building.

A Building Permit was approved in October 2017 to start modifications to the Derby Administration Building. The modifications included works to improve the Finance Department space in order to fit additional workspaces and work to create an additional executive office space. These works were never undertaken due to a final plan never being agreed upon.

**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.

(1a) In subsection (1) —

Additional purpose means a purpose for which no expenditure estimate is included in the Local Government’s annual budget.

(2) Where expenditure has been incurred by a Local Government —

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.

**POLICY IMPLICATIONS**

AF3 – Asset Management

AF 17 - Occupational Safety and Health Policy

**FINANCIAL IMPLICATIONS**

Council has \$814,511.00 in the Derby Building Reserve, which has a purpose of: *“To be used to fund the new Derby Administration Building”*. Whilst the proposal isn’t to build a new building it is to provide modifications to the existing facilities in an effort to improve the operability, productivity and professionalism of the Shire, the Council and its operations.

The project is designed to utilise \$140,625.00 in this item.

Financial estimates as follows:

<b><i>Derby Administration Building</i></b>	Full height partition wall in Finance Department, including opening up of old doorway for access from Main Administration area to Executive Staff Office area	
	In current office of the Director of Technical and Development Services, removal of existing wall and provide new full height walls and access door to form two new offices as shown on plan	
	New paint works as required	<b>\$15,000.00</b>
	New open plan workstations for Finance Department	
	New workstations for Executive Offices	
	Relaying and purchase of carpet tiles throughout Administration Building	

	New entry doors to main Administration Building entrance in order to meet disability access requirements	<b>\$25,000.00</b>
<b>General</b>	Furniture fit out and delivery - Executive Office x 3 Finance Department (desks for 8/10 people and storage)	<b>\$60,000.00</b>
	Carpet Tiles	<b>Carpet already purchased for two executive office areas.</b>
	Plumbing Requirements	
	Electrical Requirements	<b>\$10,000.00</b>
	Plans and drawing fees Design and compliance fees Shire Building Permit	<b>\$2,500.00</b>
<b>TOTAL</b>		<b>\$112,500.00 (excluding contingency)</b>

Council is being requested in this item to approve the modifications of the Administration Building to the value of \$140,625.00 with the funds coming from the Derby Building Reserve.

A contingency of 25% has been applied to the age and nature of the buildings – however the administration is keen to bring the project in under budget if possible. Full reports will be provided on a regular basis.

**STRATEGIC IMPLICATIONS**

<b>GOAL</b>	<b>OUTCOME</b>	<b>STRATEGY</b>
Goal 4: Good governance and an effective organisation  Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	4.1: Effective governance and leadership	4.1.1: Provide leadership in balancing the needs of the community, government, industry and the environment  Strategy 4.1.3: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role
Goal 4: Good governance and an effective organisation  Leadership that provides	Outcome 4.3: Accessible and effective customer services and information systems	Strategy 4.3.2: Ensure effective integration and management of information and communication technology systems



<p>strategic direction for the community, supported by efficient and effective service delivery</p>		
<p>Goal 4: Good governance and an effective organisation</p> <p>Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>Outcome 4.5: Skilled, committed and professional staff in a supportive environment</p>	<p>Strategy 4.5.5: Review office accommodation plans and the options for funding and implementation</p>
<p>Goal 1: Community wellbeing</p> <p>A diverse, caring and safe community providing opportunities for all its people</p>	<p>Outcome 1.7: Quality of life for the aged and disabled</p>	<p>Strategy 1.7.1: Lobby for support services and infrastructure for the aged and disabled</p> <p>Strategy 1.7.2: Implement the Disability Access and Inclusion Plan</p>
<p>Goal 1: Community wellbeing</p> <p>A diverse, caring and safe community providing opportunities for all its people</p>	<p>Outcome 1.8: Access to learning, cultural and arts opportunities that support community growth and diversity</p>	<p>Strategy 1.8.1: Provide library services and programs that help improve literacy and community engagement</p>
<p>Goal 2: A balance between the natural and built environments</p> <p>Sustainable natural and built environments that meet the needs of the community and support future growth</p>	<p>Outcome 2.4: Shire buildings and facilities that meet community needs</p>	<p>Strategy 2.4.1: Ensure Shire buildings, facilities and public amenities are provided and maintained to an appropriate standard</p> <p>Strategy 2.4.2: Develop new buildings and facilities in accordance with asset management principles and based on a planned and prioritised approach</p>
<p>Goal 2: A balance between the natural and built environments</p> <p>Sustainable natural and built environments that meet the needs of the community and support future growth</p>	<p>Outcome 2.2: Attractive streetscapes, open spaces, parks and gardens</p>	<p>Strategy 2.2.1: Manage and maintain the Shire’s parks, gardens and open spaces at appropriate standards</p>

**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Financial:</b> That the project goes over budget.	Possible	Moderate	Medium	Contingency added and project will be managed with reports back to the Commercial Committee and Council.
<b>Legal &amp; Compliance:</b> Non-compliance with Disability Access and Inclusion Plan.	Possible	Moderate	Medium	Accept Officer recommendation.
<b>People Health &amp; Safety:</b> Continued non-performance of areas of staff if modifications are not made.	Possible	Moderate	Medium	Accept Officer recommendation.
<b>Legal &amp; Compliance:</b> OH&S Risk – current office presents OH&S risk factors, new office layout will help to eliminate this risk.	Possible	Moderate	Medium	Accept Officer recommendation.

**CONSULTATION**

Staff have consulted with a local builder in regard to various elements of the project.

Shire Councillors have been briefed and general discussion has been ongoing across a number of years including at briefings on Thursday 14 May and Thursday 21 May 2020.

Shire Officers.

WALGA Preferred Supplier Panel Members – Office Furniture and Fit out.

**COMMENT**

Currently Council has been focussed on saving money and cutting costs, however this continues to hamper the Shire’s operations, reputation and effectiveness.

Given the current circumstances this project could be considered a COVID-19 recovery project – offering stimulus to local businesses. Packages such as plumbing, building, electrical, and office fit out will be offered to local businesses.

This Item also seeks to gain approval to complete works to modify reception to enhance the security and disability access.

The investment in infrastructure and modifications will improve:

- **Council and the Shire's reputation** – the Derby Administration Office is one of the main civic areas of the Shire. Modifications to the building and purchase of technology infrastructure will ensure the Shire is able to better engage with external parties and the space will be an area the Shire can be proud of;
- **Productivity** – Officers will have a work environment that promotes productivity. The Shire needs to become business enablers that improve employee experience, attract talent, and boost productivity to help it compete. A well designed knowledge-based workplace clearly improves productivity levels, which can have a significant impact on the bottom line;
- **Access to services and buildings** – modifications to the building will mean the Shire will comply with statutory Disability Standards – meaning people with disability will have adequate access to the building and will be able to enter the building and participate in meetings and events;
- **Utilisation of space and the Shire's assets** – buildings are currently not being used to their full potential or used adequately at all. By implementing modern, agile workspaces, you can accommodate more people in less space, and build in the flexibility needed to accommodate growing teams and changing business structures with short notice. Further, improvements to, and clearing and cleaning up of the old botanic gardens will provide an extension of the civic space and the potential to host future events;
- **Local economy** – the work will potentially stimulate the local economy with improvement and modifications being carried out by local businesses;
- **Future sustainability** - Shire Officers and Councillors need to be provided with sufficient tools in order to complete their jobs. The investment infrastructure will allow Council and the Shire to be fit for the future, ahead of the game and empower staff to use their full potential.





Council need to show value for its money. These improvements and modifications will ensure Council is investing in the future sustainability of the Shire.

It is therefore the Administrations recommendation that Council support the authorisation of the improvements and modifications to the Derby Administration Office.

## VOTING REQUIREMENT

Absolute majority

## ATTACHMENTS

1. **A.J & J.A Twaddle Building Estimate** 
2. **Pictures - Old Botanic Gardens** 
3. **Administration Office Layout** 
4. **Picture - Finance Department** 

**RESOLUTION 92/20****Moved: Cr Paul White****Seconded: Cr Steve Ross****That Council:**

- 1. Authorise the improvements to the Derby Administration Office as per the plans attached.**
- 2. Authorise the expenditure of \$140,625.00 to be allocated in the 2020/21 budget from the Office Building reserve.**
- 3. Authorise associated upfront payments as required within the approved scope.**

**In Favour:** Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Steve Ross, Rowena Mouda and Keith Bedford

**Against:** Nil

**CARRIED 7/0 BY ABSOLUTE MAJORITY**

At 7:16 pm, Cr Andrew Twaddle returned to the meeting.

**12.5 BUDGET VARIATION - MAINTENANCE GRADING CONTRACT C01-2018 AREAS 2 & 4****File Number: 0481****Author: Wayne Neate, Director Technical and Development Services****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

This item is for Council to approve a Budget variation for an increase of expenditure for the amount of \$94,291.94 to the Road maintenance account 810200 for roads currently captured in Areas 2 and 4 of Contract C1-2018.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

In 2017 and 2018 Council suffered two large flood events that caused significant damage to the Shires road network. Repair work was carried out to the road network over the past few years with some of these roads increasing in width requiring a significant increase in the construction of off drains.

The increase in road widths and increase in drainage on a number of the roads occurred after tenders had been called for the Shires maintenance grading contract which was finalised in early 2018. This additional drainage and road width requires increased maintenance and takes additional time to complete and has varied/increased the maintenance grading contract costs. The tendered contractor has written to the Shire requesting a review of the contract suggesting a variation to increase funding in light of these changes.

The contractor engaged to undertake the flood damage repair was not the same as the current contractor who undertakes the road maintenance grading contract.

**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.

(1a) In subsection (1) —

Additional purpose means a purpose for which no expenditure estimate is included in the Local Government's annual budget.

- (2) Where expenditure has been incurred by a Local Government —
  - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The implication to Council is that account 810200 will have to be increased by \$94,291.94 to cover the additional work as discussed in this report. The Shire can fund this variation from the predicted surplus that was outlined at the Ordinary Council Meeting on the 30 April 2020.

The following is a list of roads in their respective areas that have been increased in width and have had a significant increase in off road drainage:

**Area 2**

Beverly Springs Road	4.27 km	\$3,892.18
Fairfield Leopold Road	3.00 km	\$4,101.83
Tablelands Road	<u>4.40 km</u>	<u>\$2,005.34</u>
Total	11.67 km	\$9,999.35

**Area 4**

Nerrima Road	16.23 km	\$14,793.93
GNH – Gee Gully to (Dampier Downs – DD)	32.51 km	\$29,633.44
GNH – Gee Gully DD turnoff to Nerrima	20.25 km	\$9,229.12
Manguel Creek – Udialla Road	7.37 km	\$6,717.88
Camballin Myroodah Road	4.56 km	\$6,234.78
Mt Anderson Road	9.78 km	\$13,371.96
Dampier Downs Road	<u>4.73 km</u>	<u>\$4,311.48</u>
Total	95.43 km	\$84,292.59

The above figures show the length of road that has been modified along with the overall cost change during the contract period. This \$94,291.94 is a one off amendment to the budget as moving forward the contract will be amended to ensure that we maintain a running surface on all roads to six meters which will bring the costs in line with the initial contract terms.

**STRATEGIC IMPLICATIONS**

GOAL	OUTCOME	STRATEGY
4 Good governance and an effective organisation	4.1 Effective governance and leadership	4.1.1 Provide leadership in balancing the needs of the community, government, industry and the environment

**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Financial:</b> Contractor has a legitimate claim for the extra work completed under the contract	Likely	Moderate	High	To avoid contractual or legal arguments or costs support should be given to the contractual variation.
<b>Organisation's Operations:</b> Contractor could cease operation in order to resolve the claim	Possible	Minor	Medium	To avoid contractual or legal arguments or costs support should be given to the contractual variation.
<b>Reputation:</b> Contractor could become disgruntled and cause further reputational damage to the Shire	Unlikely	Moderate	Medium	To avoid contractual or legal arguments or costs support should be given to the contractual variation.

**CONSULTATION**

Staff have been consulting with the Contractor – Squires Earthmoving to negotiate an outcome that is acceptable to both parties. There have been many face to face and telephone conversations regarding this matter. The mathematics behind the figures listed in the financial section have been fully explained to Squires Earthmoving and they find the recommendation acceptable.

**COMMENT**

There were significant changes across the network as a result of the flood damage events in both 2017 and 2018 with flow on effects to this contractor that were not considered or understood. The roads and stated kilometres listed in the financial section of the report were expanded to a width of 8m and some greater. It was Council’s expectation that the roads would be maintained in their new widths and include the maintenance of the drains as built. For the exercise of determining the change in grading area a standard width of eight meters was used and a factor was used to determine the number of extra drains required in each area.

The rate initially supplied was to grade a kilometre of road taking into account the road width which then determined the rate per kilometre by the contractor. If the width of the road changes or additional drains are added it would require a proportionate amount of labour and machine hours that need to be allocated to achieve the additional maintenance work.

Following an audit of the network and the current contract it was found that the claims of undertaking extra work are justified and therefore the budget amendment for a variation to Contract C01-2018 is supported.

As discussed, \$94,291.94 is a one off amendment to the budget and moving forward the contract will be amended to ensure that we maintain a running surface on all roads to six meters which will bring the costs in line with the initial contract terms.

**VOTING REQUIREMENT**

Absolute majority

**ATTACHMENTS**

Nil

**RESOLUTION 93/20****Moved: Cr Chris Kloss****Seconded: Cr Steve Ross****That Council**

- 1. Approve the Budget variation in expenditure to cover costs for additional grading undertaken in areas 2 and 4 of Contract C1-2018 by \$94,291.94. Account 810200 is to be amended accordingly to cover the variation.**
- 2. Approve that the \$94,291.94 be allocated from the projected surplus as reported at the Ordinary Council Meeting on 30 April 2020.**

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

Against: Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY**



**13 TECHNICAL SERVICES**

Nil

**14 DEVELOPMENT SERVICES**

Nil

**15 COMMUNITY AND RECREATION SERVICES****15.1 REQUEST FOR FUNDING - NOONGAR KIDS - 2020 NAIDOC WEEK SCHOOLS INITIATIVE****File Number: 6205****Author: Christie Mildenhall, Acting Manager Community Development****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

For Council to consider a request for \$450 funding from Noongar Kids. The funding will be used as a contribution towards meeting the printing and distribution costs associated with the 2020 NAIDOC Week Schools Initiative.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

Noongar Kids is a Perth based community organisation that engages young people in a range of school initiatives to promote education and awareness of Aboriginal & Torres Strait Islander culture. Each year Noongar Kids conducts the NAIDOC Week School Initiative Competitions for school aged children.

As part of National NAIDOC Week celebrations Noongar Kids, with the support of various government departments and local councils, coordinates an educational component to provide a link of cultural diversity to children through the NAIDOC Week School Initiative Competitions. The competition, consisting of colouring and writing competitions for primary and secondary school students, has run since 2001 and last year attracted over 67,000 entries.

Winners for the awards are normally announced during NAIDOC Week with special award ceremonies held at school assemblies. These assemblies are attended by local dignitaries such as local Elders, Mayors, Regional Directors of Schools and representatives from funding Government Departments.

**STATUTORY ENVIRONMENT**

Not applicable

**POLICY IMPLICATIONS**

Not applicable

**FINANCIAL IMPLICATIONS**

The request which is the subject of this report would require a one-off payment of \$450. The payment would be made in the current financial year.

**STRATEGIC IMPLICATIONS**

<b>GOAL</b>	<b>OUTCOME</b>	<b>STRATEGY</b>
<p>Goal 1: Community wellbeing</p> <p>A diverse, caring and safe community providing opportunities for all its people.</p>	<p>Outcome 1.8: Access to learning, cultural and arts opportunities that support community growth and diversity.</p>	<p>Strategy 1.8.4: Promote and support community and cultural events.</p>

**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Community</b>	Unlikely	Insignificant	Low	Noongar Kids would be responsible for promotions, however SDWK staff will also contact schools directly to advise of project.
<b>Financial</b>	Rare	Insignificant	Low	Cost of SDWK involvement agreed prior to project commencement.
<b>Organisational Operations</b>	Rare	Insignificant	Low	<p>Roles of organisations agreed upon prior to commencement of project.</p> <p>Regular review of project progress with involved parties.</p>
<b>Reputational</b>	Rare	Insignificant	Low	<p>Project has been running since 2001.</p> <p>Regular communication and review of project progress with involved parties to monitor any potential issues.</p>

**CONSULTATION**

Seven schools located within the Shire of Derby/ West Kimberley were contacted to gauge interest in the initiative. Of the schools contacted one has responded, which is noted in the comment section of this report.

The National NAIDOC Week Committee has also be consulted as discussed in the comment section of this report.

## COMMENT

Noongar Kids has submitted a request for the Shire of Derby / West Kimberley to support help financially support the 2020 edition of this competition. This request is attached as Attachment One. Funding of \$450 is requested as a contribution to help meet the costs of coordinating this initiative. Specifically, \$325 is allocated for the cost of printing the information packages, entry forms and posters related to the competition and \$125 towards the delivery costs. Noongar Kids will be organising all aspects of this competition. No further involvement is required from the Shire.

The Shire's contribution to the project will be recognised through the use of the Shire logo on documents associated with competition, particularly entry forms, report and information packs.

The ultimate aim of these initiatives is to provide our kids with a greater understanding of the importance of friendship and cultural diversity. The competitions reflect Aboriginal ancestry and promote the growth of positive attitudes in all students towards Aboriginal people. They are broadly based around each year's national NAIDOC theme. The competition has been designed to be incorporated into the school curriculum. There is a colour competition which is open to all ages. Three separate writing competitions are proposed to meet the varying literacy levels of school students.

It is unclear if schools located within the Shire of Derby / West Kimberley have participated in the competition previously. Officers have contacted seven schools within the Shire's boundary area to gauge the level of interest in participating in this years' competition. To date only a response has been received from Kularriya Community School who indicated they would like to participate.

This event is scheduled to be held in conjunction with NAIDOC Week which is usually held in the first week of July each year. Due to the restrictions in place relating to COVID-19 the National NAIDOC Week organising committee decided in March to postpone NAIDOC Week 2020 until later in the year (date yet to be announced). However Noongar Kids has advised they discussed this cancellation with various government agencies and schools. The decision was made to continue with the initiatives as they do not involve social interaction that would not abide by government social distancing requirements that have been implemented. Schools also felt the initiatives would complement lesson plans for online learning in case of school-shutdowns and it would be at least something that is continuing for our students in these unprecedented times, providing some normality. As a result this event is being held outside of the official NAIDOC Week.

Officers have sought advice from the National NAIDOC Week Organising Committee to determine the level of support for NAIDOC themed events being held outside of the office NAIDOC Week. The response did not address whether events being held outside of NAIDOC Week would be supported, rather indicating a decision about new dates would be made as soon as practicable.

It appears as those the Shire has not previously funded this project. A list of the funders from the 2019 competition is available in the project report attached as Attachment 2. The majority of funders are located in the south-west of the state, although it is noted the Shire of East Pilbara did contribute last year.

Ordinarily requests of this nature would be directed to the Quick Grants offered through the Community Development Grants Program. This project does not meet these guidelines as the organisation is based outside of the Shire area and this is a state-wide project.

It is anticipated this competition will be a low cost, low risk activity which has the potential to acknowledge and enhance knowledge of Aboriginal culture. However, without the commitment of schools the level of impact it will have in this community is likely to be quite minimal.

### VOTING REQUIREMENT

Simple majority

### ATTACHMENTS

1. NAIDOC Week Schools Initiative Competition 2020 Proposal for funding 
2. NAIDOC Week Schools Initiative Competition 2019 Final Report 

### RESOLUTION 94/20

**Moved:** Cr Rowena Mouda

**Seconded:** Cr Steve Ross

#### That Council

1. Declines Noongar Kids request for \$450 as a contribution towards the NAIDOC Week Schools Initiatives.

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

Against: Nil

**CARRIED 8/0**

**15.2 YOUTH CRIME PREVENTION FUND PROPOSAL - YOUTH NIGHT PATROL****File Number: 6090****Author: Michael Ryan, Acting Community Development Officer****Responsible Officer: Amanda O'Halloran, Chief Executive Officer****Authority/Discretion: Executive****SUMMARY**

For Council to approve Emama Nguda Aboriginal Corporation's request for the Shire of Derby/West Kimberley to meet the in-kind costs of the purchase and installation of a two-way radio, and the ongoing maintenance and repair of the bus used for the service.

**DISCLOSURE OF ANY INTEREST**

Nil

**BACKGROUND**

For several years Derby has experienced a significant rise in the number of youth out at night that are bored and/or participate in criminal, antisocial or other illegal activity. At community forums held in 2019 it was determined a youth night patrol bus service would help identify and explore the causes of why the youth are out and, in a collaborative matter, feed information back to police to seek solutions with the appropriate services. This suggestion provides a positive mechanism to address this issue and there is evidence of good outcomes from a similar service in Halls Creek.

The Chamber of Commerce purchased a vehicle for the purpose of the Night Patrol in November 2019 and sought to collaborate with Emama Nguda to commence the service.

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The proposal which is the subject of this report seeks a two year commitment from the Shire, providing in-kind mechanical services and a two way radio to the value of \$5350 (ex GST) in the first year and mechanical services to the value of \$4500 (ex GST) in the second year.

Officers sought a more detailed indicative breakdown of the costs associated with maintaining the vehicle. This independent advice identified that a vehicle would need to be serviced every six months, with a major service occurring every 40,000 kilometres. This vehicle has currently travelled 197,582 kilometres so is expected to be due for a major service within the first year if this agreement. A breakdown of the annual servicing cost is indicated below.

The indicative quote obtained is less than the amount requested by Emama Nguda, however does not accommodate for any unexpected repairs or parts replacement required to the vehicle. Whilst the bus is to be utilised within the Derby townsite, given the age of the vehicle and the kilometres already travelled it would not be unrealistic to consider that replacement of parts may be require.

Year 1

Item description	Cost per unit (ex GST)	Number of Units	Total Cost(Ex GST)
Parts and consumables (Service 1)	\$173.30	1	\$173.30
Parts and consumables (Service 2)	\$173.30	1	\$173.30
Parts and consumables (Service 3)	\$273.24	1	\$273.24
Replacement tyres	\$180	4	\$720
<b>Total cost Year 1</b>			<b>\$1339.94</b>

Year 2 – Please note these are todays pricing and have not factored in a CPI increase in year 2

Item description	Cost per unit (ex GST)	Number of Units	Total Cost(Ex GST)
Parts and consumables (Service 1)	\$173.30	1	\$173.30
Parts and consumables (Service 2)	\$173.30	1	\$173.30
Replacement tyres	\$180	4	\$720
<b>Total cost Year 2</b>			<b>\$1066.60</b>

The costing above does not include labour expenses. It is intended that the Shire would utilise the services of our in-house mechanic. If this is not possible the Shire is likely to have to engage the services of an external mechanic which will require a cash component to be paid by the Shire.

**STRATEGIC IMPLICATIONS**

GOAL	OUTCOME	STRATEGY
1- Community Wellbeing  A diverse, caring and safe community providing opportunities for all its people.	1.9- A safe and responsible community	1.9.2- Support an interagency approach to crime reduction planning and programs
4- Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery.	4.1- Effective governance and leadership	4.1.2- Support strategic alliances, stakeholder forums and advisory committees that assist the Shire in policy development and service planning.

**RISK MANAGEMENT CONSIDERATIONS**

<b>RISK</b>	<b>LIKELIHOOD</b>	<b>CONSEQUENCE</b>	<b>RISK ANALYSIS</b>	<b>MITIGATION</b>
<b>Financial:</b>	Possible	Moderate	Medium	Determine a maximum amount of funding to be contributed each year.  Ensure vehicle is serviced in accordance with the servicing schedule to ensure vehicle is well maintained.
<b>People Health &amp; Safety:</b>	Unlikely	Moderate	Medium	If servicing is conducted in-house ensure;  <ul style="list-style-type: none"> <li>• Working instructions are adhered to</li> <li>• appropriate PPE and other required equipment is available to the mechanic</li> </ul>

**CONSULTATION**

The need for a Night Patrol Bus Service was identified through community forums consultation held by the WA Police - Derby and the Shire of Derby/West Kimberley in late 2019.

Following on from these forums Emama Nguda has sought to introduce this service and has been working with the Derby Chamber of Commerce, WA Police - Derby and the Shire of Derby/West Kimberley to gather the necessary support for the project.

**COMMENT**

In recent years Derby has experienced escalating levels of antisocial and illegal behaviour, through activities such as car thefts, burglary, property damage and assault. The Night Patrol Bus Service seeks to help address this issue by removing the youth off the streets in Derby and to act as a conduit to deliver individuals to places of safety, such as their homes or other pre-determined places of safety.

It is intended the service will operate in the Derby town site between 9pm and 3am Wednesday through to Sunday and will frequent locations of high traffic or to other areas as determined by project stakeholders.

It is anticipated that this services will have a positive impact on the community. Benefits identified include;

- A service that will assist remove at-risk youth from the streets and deliver them to safe places within the community;
- Reduction in anti-social and illegal behaviours;



- Incentives built into the program which are designed to encourage long-term behaviour change;
- Improved perception of safety by community members;
- Support of a community driven solution to a local problem;
- The collection of data and information to inform service delivery directions of local agencies and to provide effective evaluation of this program;
- Employment opportunities for local residents;
- Mentoring opportunities and capacity building for local youth as the program is transitioned to be run by the youth.

Additionally the support of the Shire through the provision of the two-way radio and bus servicing will contribute to a safe environment for the program staff and participants to operate in.

Emama Nguda has indicated an intention to further develop this program once it has commenced. It is intended that a foot patrol will be developed to work in collaboration with the bus. This will provide an alternative of engaging with the youth and may be a less intimidating way of encouraging youth to participate in the services.

Emama Nguda has also indicated they will be seeking alternative funding sources for the servicing of the bus, should this be required in the future, so the Shires commitment is expected to be limited to the two years of the agreement.

#### **VOTING REQUIREMENT**

Simple majority

#### **ATTACHMENTS**

##### **1. Emama Nguda Aboriginal Corporation Youth Night Patrol Bus Proposal**

#### **RESOLUTION 95/20**

**Moved: Cr Rowena Mouda**

**Seconded: Cr Paul White**

**That Council**

- 1. Provides in principle support Emama Nguda for a Youth Night Patrol Bus Service proposal.**
- 2. Approves the;**
  - 2.1. In-kind provision of a two-way radio and installation into the bus to the value of \$850 (ex GST); and**
  - 2.2. In-kind provision of servicing and maintenance for the bus up to the value of \$4,500 (ex GST) per annum for a two year period.**

**In Favour:** Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Steve Ross, Rowena Mouda and Keith Bedford

**Against:** Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY**

**16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**17 NEW BUSINESS OF AN URGENT NATURE**

Nil

**18 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)**

**RESOLUTION 96/20**

**Moved: Cr Andrew Twaddle**

**Seconded: Cr Chris Kloss**

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

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

Against: Nil

**CARRIED 8/0**

**RESOLUTION 97/20**

**Moved: Cr Chris Kloss**

**Seconded: Cr Andrew Twaddle**

**18.1 Sundry Debtors Write Off**

This matter is considered to be confidential under Section 5.23(2) - b 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 the personal affairs of any person 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.

**That Council by ABSOLUTE MAJORITY;**

**1. Write Off unrecoverable Sundry Debtors totalling \$15,489.88 as listed.**

<b>TOTAL OF SUNDRY DEBT WRITE-OFF</b>	
<b>REASON</b>	<b>AMOUNT</b>
LIBRARY FINES	\$3,230.82
WASTE MANAGEMENT	\$6,825.00
WHARF CHARGES	\$1,157.43
DOG INFRINGEMENT	\$1,585.00
ANIMAL CONTAINMENT FEES	\$1,580.50
LITTER INFRINGEMENT	\$1,000.00
WATER USAGE	\$111.13
<b>TOTAL</b>	<b>\$15,489.88</b>

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

Against: Nil

**CARRIED 8/0 BY AN ABSOLUTE MAJORITY**

**RESOLUTION 98/20****Moved: Cr Rowena Mouda****Seconded: Cr Steve Ross****18.2 Rates Exemption Application - A100511**

This matter is considered to be confidential under Section 5.23(2) - e(ii) and e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government and a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

**That Council**

- 1. Grants Rate Exemption to property A100511 – 145 Loch Street Derby WA under sub-section 6.26(2)(g) of the *Local Government Act 1995*.**
- 2. Advise Winun Ngari Aboriginal Corporation that they must resubmit their Rate Exemption Application for A100511 – 145 Loch Street Derby WA every two years to maintain status. If application is not received, full rates will be charged to the property.**
- 3. Advise Winun Ngari Aboriginal Corporation that interest accrued, waste charges and ESL are still payable.**

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

Against: Nil

**CARRIED 8/0 BY ABSOLUTE MAJORITY****RESOLUTION 99/20****Moved: Cr Chris Kloss****Seconded: Cr Steve Ross**

That Council moves out of Closed Council into Open Council.

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

Against: Nil

**CARRIED 8/0**

**19 CLOSURE**

**19.1 Date of Next Meeting**

The next ordinary meeting of Council will be held Thursday, 25 June 2020 in the Library, Fitzroy Crossing.

**19.2 Closure of Meeting**

The Presiding Member closed the meeting at 7.23pm.

**These minutes were confirmed at a meeting on**

.....

**Signed:** .....

**Presiding Person at the meeting at which these minutes were confirmed.**

**Date:** .....