



SHIRE OF DERBY/WEST KIMBERLEY

NOTICE OF COUNCIL MEETING

Dear Elected Member,

An Ordinary Meeting of the Council of the Shire of Derby/West Kimberley is to be held on

Thursday, 29 June 2017

At

Crossing Inn, Fitzroy Crossing

Commencing at

01:00pm

Stephen Gash

CHIEF EXECUTIVE OFFICER

Date: 23 June 2017

AGENDA

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Our Guiding Values

Respectful

By being helpful, friendly and supportive

Integrity

Through honesty, accountability and ethical behaviour

Leadership

By the Shire at the local and regional level and through encouragement of community leaders

Knowledgeable

By being well informed and accurate in what we do

Building Good Relationships

By being communicative, responsive and inclusive

Disclaimer

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

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

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

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

Notes for Members of the Public

PUBLIC QUESTION TIME

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

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

MEETING FORMALITIES

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

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

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Notes for Elected Members

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

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

ALTERNATIVE MOTIONS

Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions in written form to the Director Corporate and Community Services prior to the Council meeting.

DECLARATIONS OF INTERESTS

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

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

Section 5.60B states;

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

- (a) a proposed change to a planning scheme affecting land that adjoins the person's land; or*
- (b) a proposed change to the zoning or use of land that adjoins the person's land; or*
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.”*

Regulation 34C (Impartiality) states;

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

2017 MEETING DATES

At its Ordinary Meeting of Council on 24 November, 2016, Council adopted the following meeting dates for 2017;

January			Council in Recess
Thursday	23 February 2017	5.30 pm	Council Chambers, Derby
Thursday	30 March 2017	1.00 pm	Fitzroy Crossing Inn, Fitzroy Crossing
Thursday	27 April 2017	5.30 pm	Council Chambers, Derby
Thursday	25 May 2017	5.30 pm	Council Chambers, Derby
Thursday	29 June 2017	1.00 pm	Fitzroy Crossing Inn, Fitzroy Crossing
Thursday	27 July 2017	5.30 pm	Council Chambers, Derby
Thursday	31 August 2017	5.30 pm	Council Chambers, Derby
Thursday	28 September 2017	1.00 pm	Aboriginal Community or Station (to be advised)
Thursday	26 October 2017	5.30 pm	Council Chambers, Derby
Thursday	30 November 2017	1.00 pm	Fitzroy Crossing Inn, Fitzroy Crossing
Thursday	14 December 2017	5.30 pm	Council Chambers, Derby

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

MEETING ATTENDANCE

The following table provides information on attendance at the 2016-17 Ordinary and Special Council Meetings;

Councillor	28 Jul 2016	25 Aug 2016	29 Sept 2016	27 Oct 2016	24 Nov 2016	15 Dec 2016	09 Feb 2017	23 Feb 2017	30 Mar 2017	27 Apr 2017	25 May 2017	29 Jun 2017
	OCM	OCM	OCM	OCM	OCM	OCM	SCM	OCM	OCM	OCM	OCM	OCM
E Archer	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
P White	✓	✓	LOA	✓	✓	✓	✓	✓	✓	✓	✓	
P Coggins	✓	✓	✓	LOA	✓	✓	A	✓	✓	✓	LOA	
C Kloss	✓	✓	✓	✓	✓	✓	✓	✓	✓	LOA	✓	
A Kogolo	AB	A	✓	A	A	LOA	A	A	✓	A	✓	
P McCumstie	LOA	✓	✓	✓	LOA	✓	✓	✓	A	✓	✓	
J Oscar	✓	✓	LOA	✓	LOA	✓	A	A	Resigned 30/03/2017			
I Prouse	✓	✓	✓	✓	✓	✓	A	✓	✓	✓	✓	
A Twaddle	✓	✓	A	✓	✓	✓	✓	✓	✓	✓	✓	

APPLICATION FOR LEAVE OF ABSENCE

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

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

SHIRE OF DERBY/WEST KIMBERLEY

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ORDINARY MEETING OF COUNCIL

AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atpm by.....

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

2.4 ABSENT

2.5 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.

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.0 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

6.2 PUBLIC STATEMENTS

6.3 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

7.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

8.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

OFFICER RECOMMENDATION:

That the minutes of the ordinary meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 25 May 2017 be confirmed.

9.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

9.1 DELEGATIONS OF AUTHORITY – REVIEW

Location/Address:	N/A
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	0120 – Compliance Registers
Author:	Martin Cuthbert, Director Corporate Services
Responsible Officer:	Stephen Gash, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	30 May 2017
Attachments:	<ol style="list-style-type: none"> 1. Revised Register of Delegated Authority 2. Current Register of Delegated Authority
Authority/Discretion:	Executive

SUMMARY:

For Council to meet its statutory compliance requirement to review the delegation of specified powers and duties to the Chief Executive Officer and other employees in accordance with the provisions of the *Local Government Act 1995* (the Act).

BACKGROUND:

In accordance with sections 5.16 and 5.42 of the Act, a local government can delegate certain functions to a committee of Council, or to the Chief Executive Officer. A variety of other legislation also permits the delegations of functions to the Chief Executive Officer, as well as other officers. The Chief Executive Officer's statutory powers and duties under the Act and any powers or duties delegated by the Council can be further delegated by the Chief Executive Officer to other officers of Council. Delegation details must be recorded in a register, which is available for inspection by the public.

Sections 5.18 and 5.46 of the Local Government Act 1995 require that at least once every financial year, delegations are to be reviewed by the delegator. The Council last reviewed its delegations on 28 April 2016 (Minute No. 044/2016 refers).

STATUTORY ENVIRONMENT:

Local Government Act 1995

5.16. Delegation of some powers and duties to certain committees

- (1) *Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.*

* *Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 –*
 - (a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

5.17. Limits on delegation of powers and duties to certain committees

- (1) *A local government can delegate –*
 - (a) *to a committee comprising council members only, any of the council’s powers or duties under this Act except –*
 - (i) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and*
 - (ii) *any other power or duty that is prescribed;*

And

- (b) *to a committee comprising council members and employees, any of the local government’s powers or duties that can be delegated to the CEO under Division 4; and*
- (c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government’s powers or duties that are necessary or convenient for the proper management of –*
 - (i) *the local government’s property; or*
 - (ii) *an event in which the local government is involved.*
- (2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under*

- (a) *this Act other than those referred to in section 5.43.*
- (b) *the Planning and Development Act 2005 section 214(2), (3) or (5)*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
 - (a) *The CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*

*(b) the exercise of that power or the discharge of that duty by the CEO's delegate,
are subject to any conditions imposed by the local government on its delegation to the CEO.*

- (4) Subsection (3) (b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) In subsections (3) and (4) —
conditions includes qualifications, limitations or exceptions.*

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
- (a) A delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
- (b) Any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) Nothing in this Division is to be read as preventing —*
- (a) A local government from performing any of its functions by acting through a person other than the CEO; or*
- (b) A CEO from performing any of his or her functions by acting through another person.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Regulation 19 of the Local Government (Administration) Regulations relates to records to be kept of delegations exercised.

19. Delegates to keep certain records (Act s. 5.46(3))

Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

- (a) how the person exercised the power or discharged the duty; and*
- (b) when the person exercised the power or discharged the duty; and*

- (c) *the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.*

Building Act 2011 section 127

Bush Fires Act 1954 section 48

Cat Act 2011 section 44

Dog Act 1976 section 10AA

Food Act 2008 section 118

Public Health Act 2016 section 21

Road Traffic (Events on Roads) Regulations 1991

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>4: Good Governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.1: Effective governance and leadership</p>	<p>4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Legal and Compliance: Non-compliance with the Shire’s statutory requirement to review the delegations every financial year A properly constructed delegations register reduces risk as it ensures a clear understanding of authority to make decisions as approved by Council</p>	<p>Unlikely</p>	<p>Moderate</p>	<p>Medium</p>	<p>Accept officer recommendation to ensure review completed prior to 30 June 2017</p>

CONSULTATION:

ELT – Executive Leadership Team

COMMENT:

A register of delegations of authority is essential in order to inform the public of the activities, functions, powers and duties of the local government as well as meeting the requirements of section 5.46 of the *Local Government Act 1995*.

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire. The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

The annual review process does not preclude the Council from granting new delegations to the Chief Executive Officer if and when required, nor for it to review existing delegations at any time during the course of the financial year.

The Shire of Derby/West Kimberley's register of delegations of authority was last reviewed by Council in April 2016 and is now due for review. The register of delegations of authority has undergone significant amendment both in format and content.

Format

The new format of the delegations contained in the register seeks to reflect the legislative requirements of the Act. Each delegation specifies the head of power under which the delegation has been made and the legislative reference of the power that is delegated. The current register referred mostly to the general power of delegation under section 5.42 of the Act and only in limited circumstances to the legislative reference. The new format clearly states the function delegated and any conditions that Council wishes to place on the exercise of delegation. It notes whether the Chief Executive Officer has the power to sub-delegate under section 5.44 of the Act to another employee. It also records whether the function or duty has been sub-delegated and to whom.

It should be noted that whether a function or duty has been sub-delegated is determined by the Chief Executive Officer unless the Council has made it a condition that the original delegation may not be sub-delegated.

Content

Each delegation has been considered on the basis of whether or not the delegation is necessary and if it will provide greater efficiency in service delivery for the Shire. A number of new delegations have been created that reflect legislative changes since

the April 2016 review. Foremost has been the passage of the *Public Health Act 2016* and the enactment of part of that legislation. A delegation to the Chief Executive Officer under section 21 of that Act to appoint officers has been included in the current list of delegations. New delegations for the *Cat Act 2011* and the *Dog Act 1976* have been included as has a general delegation pursuant to the *Bush Fires Act 1954*.

Repeal

A number of existing delegations were deleted that were already a function of the Chief Executive Officer and could not be delegated. Under section 5.45 of the Act, a delegation made under the Act will be effective for the period of time specified in the delegation or otherwise indefinitely. Any amendment or repeal of a delegation by a local government is to be by an absolute majority. Some existing delegations have been significantly amended whilst others have been deemed invalid, therefore it is appropriate to repeal the existing delegations as contained in the April 2016 register of delegations of authority and to adopt the new delegations as rewritten.

Delegation to the Chief Executive Officer

It should be noted that a delegation made under the *Local Government Act 1995*, may only be made to the Chief Executive Officer. However, not all delegations are made under the *Local Government Act 1995*. Other Acts such as the *Dog Act 1976* and *Cat Act 2011* also allow for delegations to be made. In some instances such as the *Building Act 2011* delegations may be made to employees other than the Chief Executive Officer.

VOTING REQUIREMENT:

Absolute majority

COMMITTEE AND OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

- 1. ENDORSES the review of its delegations in accordance with sections 5.46 of the *Local Government Act 1995*;**
- 2. REPEAL the Register of Delegations of Authority contained in the Shire of Derby/West Kimberley Register of Delegations of Authority dated April 2016 in accordance with section 5.45 of the *Local Government Act 1995*; and**
- 3. DELEGATE authority to the Chief Executive Officer, the local government functions as listed in the amended Register of Delegations of Authority forming Attachment 1 to report 9.1, in accordance with section 5.42 of the *Local Government Act 1995*, acknowledging the relevant heads of power in addition to the *Local Government Act 1995*:**
 -) *Building Act 2011 – section 127***
 -) *Bush Fires Act 1954 – section 48***
 -) *Cat Act 2011 – section 44***
 -) *Dog Act 1976 – section 10AA***
 -) *Food Act 2008 – section 118***
 -) *Public Health Act 2016 – section 21***
 -) *Road Traffic (Events on Roads) Regulations 1991.***

9.2 GOVERNANCE AND RISK IMPROVEMENT PLAN

Location/Address:	N/A
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	5475 – Risk Assessment
Author:	Stephen Gash, Chief Executive Officer
Responsible Officer:	Stephen Gash, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 June 2017
Attachments:	3. Governance and Risk Improvement Plan
Authority/Discretion:	Administrative

SUMMARY:

The summary Governance and Risk Improvement Plan was presented to the Compliance and Strategic Review Committee for review and is now presented to Council.

BACKGROUND:

The Compliance and Strategic Review Committee received the Chief Executive Officer's biennial review of the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal controls and legislative compliance in December 2016. This was done in accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*.

Further risk assessment and suggested improvements have been documented in a Governance and Risk Improvement Plan to detail possible actions for Council in addressing the risks. The improvement plan has also reviewed recommendations over the last four years, arising from:

-) Department of Local Government and Communities 'Better Practice' reviews of the sector, guidelines, and Statutory changes;
-) Public Sector Commission guidelines on local government code of conduct;
-) Corruption and Crime Commission reports on local government issues; and
-) Internal Shire reviews.

STATUTORY ENVIRONMENT:

Local Government (Audit) Regulations 1996 17 – CEO to review certain systems and procedures:

1. The CEO is to review the appropriateness and effectiveness of a local governments systems and procedures in relation to –
 - (a) Risk management

- (b) Internal control; and
 - (c) Legislative compliance
2. The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c)
 3. The CEO is to report of the audit committee the results of that review.

POLICY IMPLICATIONS:

The implementation plan includes policy review recommendations to ensure alignment with statutory requirements and changes to industry practice identified in the reports above.

FINANCIAL IMPLICATIONS:

The implementation of any of the recommendations of the report would be funded within the governance or administration allocation of the approved budget.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>4: Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.1: Effective governance and leadership</p>	<p>4.1.4: Develop and maintain risk management policies and procedures</p>
<p>4: Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.3: Accessible and effective customer service and information systems</p>	<p>4.3.2: Ensure effective integration and management of information and communication technology systems</p>
<p>4: Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.5: Skilled, committed and professional staff in a supportive environment</p>	<p>4.5.3: Ensure safe work practices through implementation of appropriate Occupational, Health, Safety and Welfare practices</p>

RISK MANAGEMENT CONSIDERATIONS:

The Governance and Risk Improvement plan has regard to all statutory and operational risk management activities and is proposed as the guiding document for alignment of the enterprise risk management implementation.

CONSULTATION:

Senior Management Group

Council (workshops)

COMMENT:

The improvement plan specifically looks at compliance with statutory processes, and suggested system improvements where any areas of concern were noted. Some of these suggestions have already been workshopped with Council regarding meeting and planning processes to ensure better communication.

The analysis of internal reviews over the last four years and alignment with external industry reports aims to capture emerging areas of risk and support continuous improvement.

The plan also collates the financial improvement and risk management strategies developed over the last two years following the economic downturn and has regard to industry benchmarks for financial performance and sustainability.

VOTING REQUIREMENT:

Simple majority

COMMITTEE AND OFFICER RECOMMENDATION:

That Council RECEIVE the Governance and Risk Improvement Plan report for prioritisation within the 2017/18 budget process.

10.0 REPORTS

10.1 EXECUTIVE SERVICES

10.1.1 DERBY JETTY LICENCE – PORT OF DERBY BARGE RAMP

Location/Address:	Derby Jetty
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	A102785
Author:	Ross Sullivan, Manager Administration and Governance
Responsible Officer:	Stephen Gash, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	9 June 2017
Attachments:	4. Site Plan
Authority/Discretion:	Administrative

SUMMARY:

The purpose of this report is for Council to authorise the Common Seal of the Shire of Derby/West Kimberley to be affixed on the Agreement with The Manager, Property Services, Coastal Facilities Management of the Department of Transport (DoT) for the Jetty Licence – Port of Derby Barge Ramp. This Agreement is for a term of twenty one years.

BACKGROUND:

The area relating to this Licence is essentially the existing gravel barge ramp that has been used for a number of years to support mining operations on Koolan and Cockatoo Islands. As the only site that facilitates the movement of heavy plant and equipment and bulk ammonium nitrate products between Darwin and Port Hedland, the barge ramp is a critical asset to the mining industry and indeed any other instances where roll on-roll off barge movements are required.

This Agreement formalises the site as being a licenced jetty as required by the *Jetties Act 1926* which defines a jetty as any structure connected to a body of waters that, wholly or in part, may be used for the purpose of launching or landing a vessel.

This includes:

-) Wharves
-) Piers
-) Grids
-) Slips
-) Landing places

-) Stages
-) Platforms
-) Ramps
-) Fixed or floating structures
-) Erected or placed structures

Accordingly, all jetties require a licence to ensure that they meet all safety and maintenance standards, and do not interfere with navigation.

With the Agreement duly executed, Mt Gibson can commence stabilisation works thereby eliminating the requirement to constantly replenish and reform the facility with gravel. Apart from reducing operational costs to mining operators, this will address the accumulation of material which is subject to erosion and migration towards the back boat ramp through the strong tidal movements.

STATUTORY ENVIRONMENT:

Local Government Act 1995

9.49A. Execution of documents:

- (1) *A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —
 - (a) the mayor or president; and
 - (b) the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*

- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

POLICY IMPLICATIONS:

The Shire has an existing policy concerning the Common Seal but the Act was subsequently amended as above and points (1) and (2) in particular, require that authorisation by the Council.

FINANCIAL IMPLICATIONS:

Initial licence fee is \$1,154 (including first year of term) and \$680.30 per annum thereafter.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>2: A balance between the natural and built environments Sustained natural and built environments that meet the needs of the community and support future growth</p>	<p>2.3: Reliable and safe transport infrastructure</p>	<p>2.3.5: Maintain wharves and lobby for funding</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Environment:</p>	<p>Almost certain</p>	<p>Moderate</p>	<p>High</p>	<p>Jetty licence enabler for development to address gravel</p>

CONSULTATION:

Consultation has been undertaken with the Department of Transport to progress an Agreement and Mt Gibson has provided engineered design plans for the proposed structure to both Council and the Department.

COMMENT:

The barge loading ramp at Derby Wharf is critical to the ongoing mining operations at Koolan and Cockatoo Islands as well as being available for requirements that may arise from time to time. Through formalisation as a licensed jetty, this provides security for the facility to be developed and used for such purposes across the term of the Agreement.

As the Licensee, the Shire will be in a better position to regulate access to the ramp through issuing licences to users.

With the plans to stabilise the ramp as provided by Mt Gibson, the need for regular gravel replenishment resulting in a large accumulation of material over a number of years affecting the back boat ramp will be eliminated.

The specific authorisation of the Council to affix the common seal to the legal document is necessary for the validation of the variation to the Lease.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council AUTHORISES the Shire President and Chief Executive Officer to sign and affix the Common Seal to the Agreement between the Shire of Derby/West Kimberley and The Manager, Property Services, Coastal Facilities Management of the Department of Transport dated at the time of signing.

10.1.2 ADDITIONAL USE – AQUACULTURE CENTRE

Location/Address:	Lot 1205 Rodgers Street, Derby
Name of Applicant:	Emama Nguda Aboriginal Corporation
File Reference:	A103070
Author:	Noel Myers – Manager Planning Services
Responsible Officer:	Stephen Gash – Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	6 June 2017
Attachments:	5. Location Plan/Indicative Site Plan
Authority/Discretion:	Administrative

SUMMARY:

The proponent seeks approval to establish an Additional Use – Aquaculture Centre at the above premises.

BACKGROUND:

The subject lot is owned by Emama Gnuda Aboriginal Corporation and is utilised by the organisation as the base from where they undertake a range of businesses, training and education programs.

The site is ‘lightly’ developed with a number of buildings and structures primarily used in association with those programmes which includes a plant nursery.

Zoning: Town Planning Scheme No.5 – General Industry

Site Area: The property has an overall area of 5.18ha, is regular in shape and is generally level.

Surrounding Land uses:

The site is located toward the south-west corner of the General Industry area. General Industry lots and uses bound the site to the north and east which includes a non-conforming use (Theological Training College). The town’s waste management facility abuts the southern boundary of the property and Unallocated Crown Land, currently Zoned as a future Light Industrial Development area abuts the site to the west.

STATUTORY ENVIRONMENT:

-) Local Planning Scheme No.5 – Zoning and Land Use permissibility
-) Local Planning Strategy – Future land use and development
-) *Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed provisions*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>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</p>	<p>2.1: Appropriate development that enhances the unique character and heritage of the Shire’s townships.</p>	<p>2.1.4: Ensure quality, consistent and responsive development and building assessment approval processes and enforcement</p>

RISK MANAGEMENT CONSIDERATIONS:

There is minimal risk to Council in determining this application.

CONSULTATION:

No consultation is required in regard to this matter.

COMMENT:

This proposal seeks approval to establish an aquaculture centre on the site that will enable Emama Nguda to run training and education programs and will also enable the Corporation to reactivate their aquaculture activities (mud crabbing) that had previously been located at the Derby Port.

It is proposed that an application to vary that licence will be made to allow the farming of barramundi and cherabin in addition to the two species of mud crab to be undertaken as an opportunity to provide alternative education and training streams.

) The project is to be considered in two parts. This application seeks Council’s approval to establish the use from the site which will enable Emama Nguda to make the application to transfer their existing licence to the property and then make application for the variation to the licence to broaden the range of associated aquaculture activities that they may undertake.

) Once those matters are to hand, a Development Application will be submitted for the full development intent. Preliminary plans have been provided (**Attachment 1**) which shows an indicative layout of the facility that incorporates a twin dam arrangement, however, this form of system is not committed to and any future proposal would be subject to further assessment

and approvals from other statutory decision making bodies – ie: Department of Water/Department of Fisheries.

The approval being sought now does not fetter the Council to approve or refuse a future Development Application as that application will need to be considered on its merits.

Town Planning Considerations:

The site is zoned General Industry under the provisions of the Shire of Derby/West Kimberley Town Planning Scheme No. 5 (TPS No.5). The permissibility of a particular land use in a particular zone is established by cross referencing between the list of Use Classes and the list of zones at the top of the Zoning Table (Table 2) as set out under Clause 3.3 of TPS No.5.

In this instance, whilst the proposed land use (aquaculture) is not specifically mentioned in the Zoning Table, it is considered that the use can reasonably be determined as falling within the interpretation of a ‘Light Industry’ use which is a “P” use within the General Industry zone.

Appendix 1 of TPS No.5 defines Light Industry as:

) means an industry:

- (a) *in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and*
- (b) *the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.*

In considering the appropriateness of the proposed use, regard is also had to the objectives and policies of the zone as set out under Table 1 – Zone Objectives and Policies of TPS No.5.

The objectives for the Industrial Zones are:

Zone Objective :

- (a) *To provide adequate, accessible serviced land for a variety of industrial uses appropriate to the Derby townsite in locations that will have minimum detrimental effect upon residential areas and the Town Centre.*

Zone Policies:

- i. *To permit industrial uses which provide desirable and conveniently located service to the townsite;*
- ii. *To ensure that development provides reasonable standards of amenity and appearance;*

- iii. *To allow retail uses from premises with a primary industrial or wholesale function which would be inappropriately located in other zones;*
- iv. *In the Port Industry zone to maintain land for port facilities required for the continuation of the Port of Derby and provide for a range of uses to facilitate the increased use of the port;*
- v. *To permit a range of industrial uses of a scale and type suitable to the available services, character and amenity of each of the industrial zones;*
- vi. *To only permit the development of a caretakers dwelling where this is required for the development proposed and will not constrain the industrial use of the area within which it is located.*

Notwithstanding that the final details of the proposal will not be fully described until a Development Application is submitted, the nature of the proposed use is considered to meet with the above definition in that the scale of the development will be:

-) relatively modest in scale, understanding the primary focus will be on training and research rather than production;
-) the proposed systems would involve two closed system ponds that recirculates water; and
-) will not be the cause of any significant odour or emissions.

SUMMARY:

It is the recommendation of the Administration that the proposed additional use is consistent with the Zone Objectives and Policies for the Industrial Zones and the use is one that can be reasonably be interpreted as falling within the definition of a Light Industrial Use.

By endorsing the additional use now, Emama Gnuda will be able to transfer their existing aquaculture licence and apply for the variation to the licence and will provide the opportunity for them to lodge a Development Application for the further development of the site as an aquaculture facility.

Having regard to the above, it is recommended that the Council may approve the additional use, subject to conditions set out within the officer recommendation.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council APPROVES the Additional Use – Aquaculture on a portion of Lot 1205 Rodgers Street, Derby subject to the following condition:

- a) **A Development Application is required to be submitted and approved prior to any development whatsoever proceeding on the land.**

10.1.3 PROPOSED ADOPTION OF SCHEME AMENDMENT 25 TO TPS5 – REZONING OF LOTS 4 (12), 632 (10) RUSS STREET AND LOT 634 (17) CONWAY STREET

Location/Address:	Lot 4 (12), 631 (10) Russ Street and Lot 634 (17) Conway Street, Derby
Name of Applicant:	RFF Pty Ltd
File Reference:	0185 – Town Planning Scheme 5
Author:	Noel Myers, Manager Planning Services
Responsible Officer:	Stephen Gash, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	7 June 2017
Attachments:	6. Schedule of Submissions
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for the Council to endorse Amendment No.25 to the Shire of Derby/West Kimberley Town Planning Scheme No. 5 (TPS5) by rezoning Lot 4 (12) Russ Street, Lot 631 (10) Russ Street and Lot 634 (17) Conway Street, Derby from the respective 'Rural Residential', 'Special Use – S10' and 'Rural' zones to a 'Light Industry' zone, and deletion of reference to Special Use – S10 within Appendix 3.

It is recommended that Council endorses the amendment without modification.

BACKGROUND:

The Shire received a request on behalf of the landowners of Lot 4 (12) Russ Street, Lot 631 (10) Russ Street and Lot 634 (17) Conway Street to rezone their properties to 'Light Industry'.

Council resolved to initiate Amendment No.25 at the Ordinary Meeting of Council held 30 March 2017. The decision of Council at that meeting was:

MINUTE NO. 021/2017

That Council:

- 1. Pursuant to section 75 of the Planning and Development Act 2005, amend the Shire of Derby/West Kimberley Town Planning Scheme No. 5 to:**
 - a) Rezone Lot 4 (12) Russ Street, Lot 631 (10) Russ Street and Lot 634 (17) Conway Street from the respective 'Rural Residential', 'Special Use' and 'Rural' zones to a 'Light Industry' zone by amending the scheme maps accordingly; and**
 - b) Deleting text in reference to S10 from Appendix 3 – Special Site Schedule.**

2. Accept Scheme Amendment No. 25 as a Standard Amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as it is:

- a) An amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;**
- b) An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
- c) An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

STATUTORY ENVIRONMENT:

-) *Planning and Development Act 2005*
-) *Planning and Development (Local Planning Schemes) Regulations 2015*
-) *Town Planning Scheme No.5*
-) *Local Planning Strategy*
-) *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*
-) *State Planning Policy 4.1 – State Industrial Buffer Policy*

Section 75 of the *Planning and Development Act 2005* allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning.

Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a resolution of a local government to adopt an amendment to a local planning scheme which must specify if the amendment is a “basic amendment”, “standard amendment” or “complex amendment”.

Council at its meeting of 30 March 2017 resolved the proposed amendment to be a “standard Amendment”. Council has discretion, pursuant to regulation 50 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to support an amendment to a local planning scheme without modification or to support it with proposed modifications to address issues raised in submissions out of public advertising or not to support the amendment.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Costs associated with the progression of this amendment are borne by the applicant and charged in accordance with the Local Government Planning Charges.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>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</p>	<p>2.1: Appropriate development that enhances the unique character and heritage of the Shire’s townships</p>	<p>2.1.1: Review, update and implement the Shire’s Local Planning Strategy</p>
<p>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</p>	<p>2.1: Appropriate development that enhances the unique character and heritage of the Shire’s townships</p>	<p>2.1.4: ensure quality, consistent and responsive development and building assessment approval processes and enforcement</p>
<p>4: Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.1: Effective governance and leadership</p>	<p>4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements</p>

RISK MANAGEMENT CONSIDERATIONS:

There is minimal risk to Council in determining this matter.

CONSULTATION:

The amendment has been progressed in accordance with the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.

In accordance with the Regulations, consultation is required to be undertaken in the following manner:

-) Council initiates the amendment;
-) Proposal is referred to the Environmental Protection Authority (EPA) for comment;
-) Upon receipt of advice from the EPA, the general advertising of the amendment commences (42 days);
-) Council reconsiders proposal in light of any submissions received and decides to proceed or not proceed with or without amendment.

Following approval from the EPA, a notice was placed in the West Australian Newspaper on Saturday 13 May 2017, on the Shire website and surrounding landowners and service agencies were notified directly. Public submissions were invited on the proposal with last day for submissions being Friday 23 June 2017.

As at date of this report, the submission period had not yet closed. An updated schedule of submissions will be circulated to Councillors post the closure of the public submission period and prior to the Council Meeting with an updated officer comment in respect to any submission received and amended officer recommendation should it be necessary.

COMMENT:

The proposed amendment seeks to rezone Lot 4 (12) Russ Street, Lot 631 (10) Russ Street and Lot 634 (17) Conway Street from the respective 'Rural Residential', 'Special Use' and 'Rural' to 'Light Industry'.

As previously reported to Council, the proposed amendment area is located on the periphery of the Derby town site surrounded by a mixture of undeveloped bushland (north), low density rural residential developments (east and south) and various industrial operations (west).

The proposed amendment provides an opportunity to implement identified actions within the Local Planning Strategy and resolve potential future land use complications. Figures 1 and 2 below show the location of the proposed amendment.



Figure 1 – Wider Context of the Amendment Area



The proposed 'Light Industrial' zone will transition heavy industrial operations to lighter operations with limited emissions. In addition, restricting the proposed amendment area to the three identified lots, retains 'Rural Residential' zoned properties along Derby Highway to preserve the rural town amenity for locals and visitors entering the Derby town site.

The Local Planning Strategy identifies the need to provide an adequate supply of residential, commercial and industrial land to cater for future growth. The existing supply of 'Light Industrial' zoned land within the town is either taken up or has not yet been constructed. Therefore, there is limited project ready 'Light Industrial' zoned land within the Derby town site. Strategic Action 30 within the Local Planning Strategy directly identifies the amendment area for consideration as identified as:

Review status of Rural zoned lots located within the existing General Industry area. These currently serve as buffers between rural residential lots. Consider alternative zonings that would enable lots to be put to more productive uses.

The amendment area currently contains a mixture of 'Rural', 'Rural Residential' and 'Special Use' zones all of which have the right to accommodate a range of sensitive land uses (e.g. 'Single House') under the provisions of TPS5. The current adjoining 'General Industry' zone has the as of right to accommodate a range of heavy and noxious industries which may require off-site buffers. As such, the proposed 'Light Industry' zone, in accordance with Action 30 within the LPS, will serve as a buffer between these two contrasting zones. In addition, the existing 'Special Use' zone within the amendment area already permits a range of light industrial land uses. The proposed amendment provides an opportunity to resolve the current 'Special Use' use into a more transparent zoning.

The amendment has been progressed in accordance with the requirements of the Local Planning Schemes Regulations and there has been no objection raised to the amendment progressing from adjoining landowners or servicing authorities.

In light of the above, it is recommended that Council proceeds to endorse Amendment No.25 without modification.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

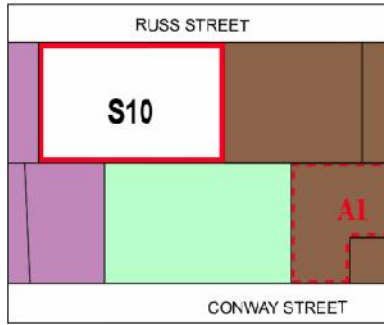
1. That Council Resolves pursuant to section 75 of the *Planning and Development Act 2005*, AMEND the above Local Planning Scheme by:

- a) Rezoning Lot 4 (12) Russ Street, Lot 631 (10) Russ Street and Lot 634 (17) Conway Street from the respective 'Rural Residential', 'Special Use' and 'Rural' zones to a 'Light Industry' zone by amending the scheme maps accordingly; and
- b) Deleting text in reference to S10 from Appendix 3 – Special Site Schedule.

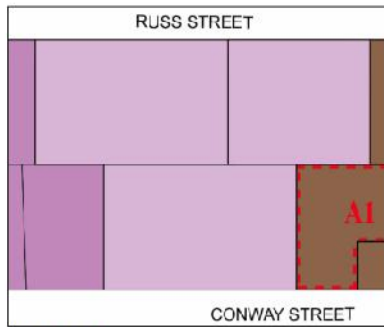
The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

-) The amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
-) The amendment is considered to have minimal impact on land in the scheme area that is not the subject of the amendment; and
-) The amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Shire of Derby / West Kimberley
Town Planning Scheme No. 5
Proposed Amendment 25



Current Zoning



Proposed Zoning

LEGEND

	General Industry
	Light Industry
	Rural
	Rural residential
	Special use
	AI Additional uses

ADOPTION

Adopted by resolution of the Shire of Derby / West Kimberley Council at the Ordinary Council Meeting held on the of 20....

.....
President

.....
Chief Executive Officer

FINAL APPROVAL

Final approval was granted by resolution of the Shire of Derby / West Kimberley Council at the Ordinary Council Meeting held on the ... of 20.... The Common Seal of the Shire of Derby / West Kimberley was hereunto affixed in the presence of

.....
President

.....
Chief Executive Officer

Recommended for Final Approval

.....
Delegated under S16 of the P&D Act 2005 Date:

Final Approval

.....
Minister for Planning Date:

10.1.4 REQUEST TO REMOVE BOAB TREE

Location/Address:	Lot 662 Kunamarra Street, Derby
Name of Applicant:	D Livingstone
File Reference:	A104990
Author:	Noel Myers – Manager Planning Services
Responsible Officer:	Stephen Gash – Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 June 2017
Attachments:	7. Photographs/Site Plan
Authority/Discretion:	Administrative

SUMMARY:

This report seeks Council's approval for the landowner to remove a Boab Tree from the rear of his property.

BACKGROUND:

-) The subject property is No.7 Lot 662 Kunamarra Street, Derby;
-) The applicant is the owner of the property;
-) Property is zoned Residential R15 and has an area of 856m²;
-) Property is developed with a single residential dwelling;
-) The Water Corporation sewer runs across the rear boundary of the property and there is a sewer inspection pit located in the right hand rear corner of the lot.

STATUTORY ENVIRONMENT:

-) Local Planning Scheme No.5 – Land Use and development issues and specifically Part 4 – Clause 4.9 – Landscaping and preservation of existing vegetation

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>2: A balance between the natural and built environment Sustainable environments that meets the needs of the community and supports growth</p>	<p>2.1: Appropriate development that enhances the unique character and heritage of the Shire’s township</p>	<p>2.1.4: Ensure quality, consistent and responsive development and building assessment approval processes and enforcement</p>

RISK MANAGEMENT CONSIDERATIONS:

There is minimal risk to Council in determining this application.

CONSULTATION:

None in respect to this matter.

COMMENT:

The applicant is seeking to undertake renovations and additions to the existing dwelling which includes the construction of a new free standing shed at the rear of the property.

The applicant is seeking approval to remove a Boab tree that is located in the rear left hand corner of the property so that he can erect the new shed in that area of the lot and make the best use of his rear yard.

The subject tree has an overall height of approximately 5 metres and is located within close proximity to both the side and rear fences and generally appears in good health apart from an invasive climber that has grown up to and through the canopy. The structure of the tree comprises multiple trunks which makes its relocation and lopping difficult and it is likely that the tree will, in time, cause damage to the boundary fencing as the trunks grow.

The owner is hopeful of locating the shed in the same location where the tree is as this will create a clearer area of open space on the eastern side of his lot.

Planning considerations:

TPS No.5 includes the following provisions regarding landscaping and preservation of existing vegetation:

- Clause 4.9.3 To maintain and enhance the character of the Town of Derby, no person shall remove a Boab Tree from any land within the scheme area without the prior written consent of the Council. For the purpose of this Clause:
- (a) the consent of Council shall not be unreasonably withheld and shall be issued where the tree is dead, dying or dangerous;

- (b) it shall be sufficient defence to show that a tree that has been removed was dead, dying or dangerous prior to its removal.

4.9.4 When considering an application for Planning Consent the Council shall determine whether any Boab tree or other vegetation on the subject site has landscape or environmental significance and should be retained and in granting consent to an application may:

- (a) impose a condition on the planning consent requiring the retention or relocation of the tree or trees;
- (b) request a modification of the proposal; and/or
- (c) permit a variation of the site development requirements to provide for retention of the tree or trees.

In this particular instance, the tree does not appear as having any disease or structural faults that are causing any immediate risks. Rather the issue is that the location of the tree is likely to cause damage to boundary fencing in the future as the tree continues to grow and that it also restricts the options for the location of the new shed and thus impacts on the quiet enjoyment of the owners property. The structure of the tree would also make its relocation problematical as is advocated under the scheme provisions. **(See Attachment 1 – Images)**

The tree being located at the rear of the property is not readily visible from the street and as such would not be regarded as having substantive landscape or environmental significance to the area generally. There is another Boab tree in the front setback area of the lot which the owner is retaining and is having other exotic tree species removed that have grown and are ‘crowding-out’ that tree.

Options:

Council has the following options in this matter:

1. Require the owner to retain the tree and relocate the shed to another location on the lot.

This option would mean the tree will in all likelihood cause damage to the boundary fencing at some time in the future which will impose additional cost to the owner and could still ultimately require removal of the tree. Retention of the tree will require that the owner constructs the new shed over to the eastern boundary of the lot which is compromised by the presence of the Water Corporation sewer and inspection pit. This will cause the owner to have to site the new shed some 4m from the rear boundary and will compromise the amenity and function of his rear yard and the manner he wishes to develop areas of private open space.

2. Impose a condition requiring the owner to relocate the tree.

As previously described, the subject tree does not comprise a single trunk but instead comprises up to five trunks that appear to be joined at the base which would complicate its removal and relocation and may impact upon its future viability and structural integrity.

3. Council may deem that that the tree does not have any significant landscape or environmental issues that demands its retention over and beyond the owners' right to develop and use the land as proposed.

As described above, the tree is located at the rear of the property and is not readily visible from the street. The size of the tree suggests that it is not a particularly aged specimen and there is another Boab tree located at the front of the property that affords a greater contribution to the streetscape and the amenity of the area.

SUMMARY:

Having regard to the matters set out above, it is recommended that Option Three (3) be adopted and that the Council advises the owner that the subject tree may be removed.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council, having regard to the matters set out within Local Planning Scheme No.5, advises the owner of Lot 662 Kunamarra Street, Derby that it APPROVES the removal of the Boab tree located within the north west corner of the lot.

10.1.5 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW

Location/Address:	Nil
Name of Applicant:	Nil
File Reference:	1000 – Executive Services – 195 Gash, Stephen
Author:	Martin Cuthbert, Director Corporate and Community Services
Responsible Officer:	Stephen Gash – Chief Executive Officer
Disclosure of any Interest:	Stephen Gash, Chief Executive Officer Direct Financial Interest – Decision affects Mr Gash’s personal employ and remuneration
Date of Report:	22 June 2017
Attachments:	8. Confidential – Key Focus Areas 2017/2018 Distributed to Elected Members under separate cover
Authority/Discretion:	Executive

SUMMARY:

The annual appraisal of Mr Stephen Gash’s performance as the Chief Executive Officer of the Shire of Derby/West Kimberley has been carried out in accordance with Council’s statutory and contractual (employment) obligations.

Council appointed Mr John Phillips, ‘John Phillips Consulting’ to facilitate the annual review process. This included distributing questionnaires based on the key result areas which were part of the August 2016 appraisal process to all Councillors, collating the responses, as well as preparing a report for Councillors.

The review period was July 2016 to April 2017. The most recent annual appraisal was undertaken on 22 August 2016.

The responses obtained from respondents indicate that Mr Gash is meeting the performance requirements for the position Chief Executive Officer of the Shire of Derby/West Kimberley.

BACKGROUND:

The appraisal process included the use of a questionnaire based on the key result areas which were agreed as part of the 2016 appraisal process.

Mr Gash provided his own report based on the same criteria, and this was provided to all Elected Members. Elected Members were also provided with the questionnaire as the opportunity to provide feedback on Mr Gash’s performance, with six Councillors providing written feedback (this is the same response rate as for the 2015 and

2016 appraisals). Five attended a personal interview with the facilitator on 26 April and one submitted a written response.

Ratings and comments were aggregated and summarised and presented in the ‘reviewer report’ for consideration by Elected Members and Mr Gash at the formal appraisal meeting undertaken in Derby on 22 August 2016.

STATUTORY ENVIRONMENT:

Local Government Act 1995

5.38. Annual review of certain employees’ performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

5.39. Contracts for CEO and senior employees

- (3) A contract under this section is of no effect unless —
- (b) there are specified in the contract performance criteria for the purpose of reviewing the person’s performance;

Local Government (Administration) Regulations 1996

18D. Performance review of CEO, local government’s duties as to

A local government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

All employee expenses are included in the annual budget as adopted or revised by Council.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>4: Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.5: Skilled, committed and professional staff in a supportive environment</p>	<p>4.5.: Maintain and develop human resource management policies, procedures and systems for current and future workforce needs</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Legal and Compliance: In accordance with section 5.38 of the Local Government Act 1995, Council is required to conduct an annual performance review of the CEO. That has been conducted, Council now needs to receive the report and set KRA for the coming year</p>	Unlikely	Minor	Low	Adopt officer recommendation

CONSULTATION:

Consultation has occurred between the Chief Executive Officer, Elected Members and John Phillips of John Phillips Consulting.

COMMENT:

Mr Gash’s performance is considered to meet the performance requirements for the position of Chief Executive Officer for the review period July 2016 to April 2017.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council:

- 1. RECEIVES the performance review report and endorses the overall performance rating for Mr Gash as the Shire of Derby/West Kimberley CEO, for the review period July 2016 to April 2017, as ‘Meets Performance Requirements’.**
- 2. Endorses the proposed Key Result Areas and indicators for 2017/18.**
- 3. Schedules the commencement of the 2018 appraisal process by 1 April 2018, with the appraisal to be completed before the May 2018 Ordinary Council Meeting.**

10.2 CORPORATE SERVICES

10.2.1 ACCOUNTS FOR PAYMENT – MAY 2017

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	5110 – Accounts Payable
Author:	David Evans, Finance Officer – Expenditure
Responsible Officer:	Martin Cuthbert, Director Corporate and Community Services
Disclosure of any Interest:	Nil
Date of Report:	21 June 2017
Attachments:	9. Cheque reconciliation and schedule of accounts
Authority/Discretion:	Information

SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of May 2017.

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 fund.

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

CONSULTATION:

Internal consultation within the corporate services department.

COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2016-17 Annual Budget as adopted by Council at its meeting held 25 August 2016 (Minute No. 089/2016 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 of May 2017. Lists detailing the payments made are appended as an attachment.

FUND	DETAILS	AMOUNT
Municipal Account		
EFT Payments	EP# 41908 – EP# 42155	\$1,461,219.58
Municipal Cheques	54626 – 54632	\$21,985.24
Direct Debits	Fees, Charges, Payroll and Payroll Liabilities	\$579,998.87
Trust Account		
Trust Cheques	006458 – 006459	\$677.93
	Total	\$2,063,881.62

Creditor’s outstanding as at 31 May 2017 totalled \$221,484.00.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council NOTES the Chief Executive Officer's list of accounts for May 2017 paid under Delegated Authority in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* forming Attachment 8 to Report 10.2.1, totalling \$2,063,881.62.

10.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MAY 2017

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	5152 – Monthly Financial Reports
Author:	Gary O’Neil, Manager of Finance
Responsible Officer:	Martin Cuthbert, Director Corporate and Community Services
Disclosure of any Interest:	Nil
Date of Report:	21 June 2017
Attachments:	10. Monthly Financial Report May 2017
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 May 2017 as required by the *Local Government Act 1995* (‘the Act’).

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.

This report has been compiled to fulfil the statutory reporting requirements of the 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 31 May 2017.

BACKGROUND:

At its meeting held 25 August 2016 (Minute No. 089/2016 refers), Council adopted the annual budget for the 2016-17 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year to date position to 31 May 2017 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following reports are for Council to note for the period ending 31 May 2017.

-) Statement of Financial Activity for the Month
-) Notes to and forming part of the Statement of Financial Activity:
 1. Net Current Asset Position
 2. Identification of Material Variances
 3. Schedule of Committed Assets and Restricted Assets
-) Statement of Financial Activity by Nature/Type
-) Schedule of Investments
-) Visual Graph displaying Net Current Asset Position
-) Rates Outstanding Report
-) Sundry Debtors Outstanding Report
-) Statement of Financial Position
-) Bank Reconciliation
-) Visual Graphs displaying Operating and Capital Income and Expenditure

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting of 25 August 2016, the Council adopted (Minute No. 089/2016 part G refers) the following material variance reporting threshold for the 2016-17 financial year:

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in Statements of Financial Activity in 2016-17 for reporting material variances shall be 10%, with a minimum reportable value amount of \$30,000.

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 31 May 2017 has been incurred in accordance with the 2016-17 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
<p>4: Good Governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.1: Effective Governance and Leadership</p>	<p>4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Finance: 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.
<p>Reputation: The Shire currently has unspent grant funding, including Country Local Government Fund and various Road Project Funds. This funding is associated with capital works programs. If the Shire does not expend and acquit the funding in a timely manner the funding bodies may not approve carry-over into future years and the funding could potentially be lost. This could also damage future funding opportunities.</p>	Possible	Moderate	Medium	Manage by monitoring progress towards project completion

CONSULTATION:

Internal consultation within the corporate services department.

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:

All expenditure included in the financial statements is incurred in accordance with Council's adopted budget or subsequent approval in advance.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council NOTES the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 31 May 2017 forming Attachment 9 to Report 10.2.2.

10.2.3 ANNUAL MEETING OF ELECTORS 25 MAY 2017

Location/Address:	N/A
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	4210 – Agendas and Minutes – Electors Meetings
Author:	Martin Cuthbert, Director Corporate and Community Services
Responsible Officer:	Stephen Gash, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	30 May 2017
Attachments:	11. Minutes – Annual Meeting of Electors
Authority/Discretion:	Information

SUMMARY:

The annual meeting of electors for the year ending 30 June 2016 was held on Thursday 25 May, 2017. In accordance with the *Local Government Act 1995* all decisions made at an electors meeting are to be considered at the next ordinary Council meeting, or if that is not practicable, at the first ordinary Council meeting after that meeting, or a special meeting convened for that purpose, whichever happens first.

No decisions were made at the electors meeting, other than acceptance and noting of the annual report, including the financial and audit reports, and the progress report by the Chief Executive Officer. Council is requested to note the minutes of the meeting and to receive this report.

BACKGROUND:

The annual electors meeting was held on 25 May, 2017 and was attended by 1 member of the public. No resolutions requiring Council action were made to Council.

STATUTORY ENVIRONMENT:

Sections 5.27, 5.29 – 5.33 of the *Local Government Act 1995* refers to the requirement to hold an annual electors meeting, the procedures for such meetings, who is to preside at the meeting, keeping of minutes and how to deal with decisions made at that meeting.

The *Local Government (Administration) Regulations 1996* clause 15, 17 and 18 detail the matters prescribed to be discussed at this meeting, (firstly, the contents of the annual report for the previous financial year and then any other general business) the method of voting (simple majority) and procedures for the meeting (to be determined by the presiding person).

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
4: Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	4.1: Effective governance and leadership	4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
N/A				

CONSULTATION:

Electors meeting held 25 May 2017.

COMMENT:

As no decisions were made at the annual electors meeting, Council is only required to note the minutes of that meeting (they will need to be confirmed at the next Annual Electors Meeting) and to receive this report. The minutes of the annual electors meeting held 25 May, 2017 are attached.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council RECEIVES the report on the outcomes of the annual electors meeting held on 25 May, 2017 and notes the minutes of that meeting.

10.3 TECHNICAL SERVICES

Nil

10.4 DEVELOPMENT SERVICES

Nil

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 RATES MODELLING 2017/2018**

Location/Address:	N/A
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	5174 – Rates and Charges
Author:	Martin Cuthbert, Director Corporate and Community Services
Responsible Officer:	Stephen Gash, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	30 May 2017
Attachments:	12. Rates Modelling Worksheet 13. Statement of Objects and Reasons 2017/2018
Authority/Discretion:	Review

SUMMARY:

For Council to consider the Statement of Objects and Reasons and proposed Differential Rates and Minimum Payments for the 2017/2018 financial year for the purpose of advertising and seeking public submissions as required by the *Local Government Act 1995*.

BACKGROUND:

In accordance with section 6.36 of the *Local Government Act 1995*, where a local government intends to impose differential rates, or a minimum payment applying to a differential rate category, it is required to give local public notice of its intention to do so. The public notice is to invite submissions to the proposal for a period of not less than twenty one days. The Council is required to consider any submissions received prior to it formally imposing the proposed differential rates in the dollar and associated minimum payments, with or without modification.

12.0 NEW BUSINESS OF AN URGENT NATURE

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

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Thursday, 27 July 2017 at the Council Chambers, Clarendon Street, Derby.

14.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at pm.

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