

SHIRE OF WYNDHAM EAST KIMBERLEY

Ordinary Council Meeting: Unconfirmed Minutes

Tuesday 24 February 2026



DISCLAIMER

Members of the Public are advised that recommendations to Council contained within this Agenda and decisions arising from the Council meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

Members of the public, please note that this meeting is being broadcast live and a video record will be made of these proceedings and published on the Shire's website.

Signed on behalf of Council



VERNON LAWRENCE

CHIEF EXECUTIVE OFFICER

NOTES:

- 1. Councillors wishing to make alternate motions to officer recommendations are requested to provide notice of such motions electronically to the minute taker prior to the Council Meeting.**
- 2. Councillors needing clarification on reports to Council are requested to seek this from relevant Officers prior to the Council meetings.**

TABLE OF CONTENTS

| | |
|--|----|
| 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS..... | 3 |
| 2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)..... | 3 |
| 3. DECLARATION OF INTEREST | 4 |
| 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE..... | 4 |
| 5. PUBLIC QUESTION TIME..... | 4 |
| 6. APPLICATIONS FOR LEAVE OF ABSENCE..... | 4 |
| 7. PETITIONS..... | 4 |
| 8. CONFIRMATION OF MINUTES | 5 |
| 9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION | 5 |
| 10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED..... | 6 |
| 11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS | 6 |
| 12. REPORTS..... | 6 |
| 12.1. Matters Arising From Committees Of Council..... | 6 |
| 12.2. Office Of The CEO | 6 |
| 12.2.1. Standing Item - Outstanding Actions from Previous Council Resolutions..... | 7 |
| 12.2.2. Local Government Electoral Reform - Compulsory Voting and Election Terms... | 9 |
| 12.2.3. Economic Development Strategy 2026-2036..... | 14 |
| 12.3. Planning And Community Development | 20 |
| 12.3.1. Recreation and Events Strategy | 20 |
| 12.4. Corporate Services..... | 27 |
| 12.4.1. List of Accounts Paid From Municipal Fund and Trust Fund..... | 27 |
| 12.4.2. 2025/2026 Budget Carry Over Adjustments | 30 |
| 12.4.3. Monthly Financial Report..... | 35 |
| 12.5. Infrastructure..... | 38 |
| 12.5.1. Access to Lot 1264 by Managers of Lot 655 Messmate Way | 38 |
| 12.5.2. Proposed Preliminary Tree Planting | 43 |
| 12.5.3. Wyndham Memorial Swimming Pool - Shade Sail Replacement..... | 47 |
| 13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN | 53 |
| 13.1. Independent Potable Water Quality Audit | 53 |
| 14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN | 57 |
| 15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION | 57 |
| 16. MATTERS BEHIND CLOSED DOORS..... | 57 |
| 16.1. Expression Of Interest EOI01-25/26: Wyndham Airport Accommodation Facility | 58 |
| 17. CLOSURE | 59 |

3. DECLARATION OF INTEREST

Financial Interest (Direct and Indirect)

| Item | Councillor/Officer | Description of Interest |
|---------|--------------------|---------------------------------|
| 12.5.1. | Cr D Menzel | Director and Shareholder of CGL |
| 12.5.1. | Cr Mat Dear | Employed by CGL who own Lot 655 |

Impartiality Interest

Nil

Proximity Interest

| | | |
|---------|------------|---------------------------------|
| 12.5.1. | Cr S Timms | Employed by CGL who own Lot 655 |
|---------|------------|---------------------------------|

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

OFFICER'S RECOMMENDATION

Minute Number: 24/02/2026 - 119360

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council approves a leave of absence for Cr Keda Bond for the 24 March 2026 Ordinary Council Meeting.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

PURPOSE

To formally confirm the accuracy of the Minutes from the Ordinary Council Meeting held on 9 December 2025, ensuring they represent a true and correct record of Council's proceedings in accordance with Schedule 2.3, Clause 11(1) of the *Local Government Act 1995*.

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119361

Moved: Cr B Robinson

Seconded: Cr K Bond

To confirm the Minutes of the Ordinary Council Meeting held on 9 December 2025 as a true and correct record in accordance with Schedule 2.3 clause 11(1) of the *Local Government Act 1995*.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

3 February 2026 – Eclipse Regional Working Group – Attended by the CEO and Cr Bond in her capacity as CEO of the East Kimberley chamber of Commerce.

4 February 2026 - Annual General Meeting of Electors – The Shire President, CEO and all Councillors attended the Shire's Annual General Meeting of Electors to present the Annual Report and receive questions and submissions from electors.

5 February 2026 - Department of Fire and Emergency Services - The CEO met with DFES to discuss Bushfire Risk Management Plans and Future Opportunities for Bushfire Risk Mitigation Coordinators

10-11 February 2026 – Councillor Inductions – All Councillors were involved in Councillor inductions and training presented by Dr Shayne Silcox

16-17 February 2026 – Kimberley Regional Group and Kimberley Zone Meetings – CEO's and Shire Presidents representing the 4 Kimberley Shire's met at the Kununurra Council Chambers to discuss advocacy and matters for the Kimberley.

19 February 2026 – Wyndham Meet and Greet – The Shire President and Councillors Cane, Dear, Goulden and Timms attended the Wyndham Meet and Greet to discuss matters relating to the Wyndham Community.

24 February 2026 – Australian Citizenship Ceremony - The Shire President presided over a citizenship ceremony at which 12 conferees (9 adults and 3 children) became Australian citizens.

10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

16.1. Expression Of Interest EOI01-25/26: Wyndham Airport Accommodation Facility

11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

Nil

12.2. OFFICE OF THE CEO

12.2.1. STANDING ITEM - OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL RESOLUTIONS

| | |
|--------------------------------------|---|
| AUTHOR: | Executive Officer to the CEO |
| RESPONSIBLE OFFICER: | Vernon Lawrence, Chief Executive Officer |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Provider - provide physical infrastructure and essential services |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119362

Moved: Cr M Dear

Seconded: Cr S Timms

That Council notes the report - Outstanding Actions from Previous Council Resolutions.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

To report to the Council on the progress of and provide comment on outstanding actions from Council resolutions.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

At each meeting of Council, resolutions are made which require actions to be taken by officers to implement those resolutions. This monthly update advises the Council as to the status of the implementation of resolutions.

COMMENTS

Attachment 1 - Details completed actions relating to Council resolutions & summarises actions that are outstanding from previous Council resolutions.

STATUTORY IMPLICATIONS

Various, as referenced in individual reports presented to the Council.

POLICY IMPLICATIONS

Various, as referenced in individual reports presented to the Council.

STRATEGIC IMPLICATIONS

Various, as referenced in individual reports presented to the Council.

RISK IMPLICATIONS

Various, as referenced in individual reports presented to the Council.

FINANCIAL IMPLICATIONS

Various, as referenced in individual reports presented to the Council.

Current and Future Asset Considerations

Various, as referenced in individual reports presented to the Council.

COMMUNITY ENGAGEMENT

No community engagement is required.

ATTACHMENTS

1. 12.2.1.1. Attachment 1 - RE G-1003 Council Action Register - December 2025 [**12.2.1.1**]

12.2.2. LOCAL GOVERNMENT ELECTORAL REFORM - COMPULSORY VOTING AND ELECTION TERMS

| | |
|--------------------------------------|---|
| AUTHOR: | Chief Executive Officer |
| RESPONSIBLE OFFICER: | Vernon Lawrence, Chief Executive Officer |
| FILE NO: | TBA |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Advocator - advocate and support initiatives on behalf of the community Regulator - enforce state legislation and local laws |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119363

Moved: Cr C Cane

Seconded: Cr S Martin

That Council:

1. Supports retention of the current biennial half-spill election model for Local Government elections in Western Australia.
2. Supports retention of voluntary voting in Local Government elections.
3. Authorises the Chief Executive Officer to submit this position to WALGA in response to the Electoral Reform Discussion Paper.
4. Notes that any reconsideration of these positions should be contingent upon:
 - Formal State Government proposals; and
 - Transparent WAEC cost modelling demonstrating financial neutrality or benefit to Local Government.

Carried: 7/1

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson

Against: Cr S Timms

PURPOSE

To consider Council's position in response to WALGA's request for Council-endorsed feedback on potential Local Government electoral reforms, specifically:

- Introduction of full spill elections every four years; and
- Introduction of compulsory voting in Local Government elections.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

WALGA has commenced sector consultation regarding potential electoral reforms anticipated to be proposed by the State Government. The Discussion Paper outlines two reform areas:

1. Election Frequency

- a. Current WA model: biennial elections with half of Council positions contested every two years (four-year terms).
- b. Proposed alternative: full spill elections every four years.

2. Compulsory Voting

- a. Current WA model: voluntary voting.
- b. Proposed alternative: compulsory voting (consistent with most other jurisdictions).

WALGA has advised that no formal State Government proposal has yet been released. Feedback will inform WALGA's advocacy position to State Council.

Council has not previously considered a formal position on altering the election frequency or voting model. The time for providing feedback is until 27 March 2026.

COMMENTS

1. Election Frequency – Half Spill vs Full Spill

1.1 GOVERNANCE AND CONTINUITY

The current half-spill model:

- Supports continuity of corporate knowledge.
- Reduces risk of full Council turnover.
- Provides staggered renewal and mentorship opportunities.

Data from full-spill jurisdictions indicates returning member rates typically between 47–57%. While full turnover is rare, it remains possible and presents governance risk.

A full-spill model:

- Provides a whole-of-Council electoral mandate.
- May simplify community messaging.
- Reduces frequency of election events.

However, it increases governance risk during transition periods and may reduce organisational stability.

1.2 COST CONSIDERATIONS

While fewer elections may reduce frequency-based administrative costs, full-spill elections double the number of vacancies per election. The WAEC bases quotations on vacancy numbers, potentially increasing per-election costs.

WALGA has formally requested cost modelling from WAEC. At present:

- No reliable modelling is available.
- Election cost transparency remains a sector concern.
- Forecasting overall financial impact is not possible.

Given Council's financial sustainability obligations, reform without cost certainty presents risk.

1.3 ANSWERS TO QUESTIONS:

1. Does your Local Government support half spill elections every two years or full spill elections every four years? - Shire Officers recommend that Council do not support this.
2. What are the key considerations informing this view? Continuity is the main consideration.
3. If full spill elections every four years were introduced, what transitional arrangements and consequential amendments may be required? The retention of the 2025 elected members to serve their full term and the election in 2027 to be for two year terms.
4. Any other comments? Consider that for regional and Rural local governments to return to having the ability for elected members to appoint the Shire President.

2. Compulsory vs Voluntary Voting

2.1 PARTICIPATION AND LEGITIMACY

WA participation rates under voluntary voting are approximately 29–31%. Compulsory jurisdictions report participation rates exceeding 80%. Tasmania increased from approximately 58% to 85% following introduction of compulsory voting.

Compulsory voting may:

- Increase perceived democratic legitimacy.
- Improve representativeness.

However, it may also:

- Introduce enforcement and compliance complexity.
- Increase administrative cost.
- Create unintended impacts for owner/occupier rolls.
- Change the current postal voting system to an in person voting system given our demographic.

2.2 COST IMPLICATIONS

Tasmania reported a 35% per-electoral cost increase following introduction of compulsory voting. WAEC uses expected participation rates to inform quotations. Increased participation is likely to increase:

- Reply-paid postage
- Ballot processing
- Counting staff

Without WA-specific modelling, financial exposure remains uncertain.

2.3 ANSWERS TO QUESTIONS:

5. Does your Local Government support compulsory voting or voluntary voting in Local Government elections? Shire Officers that Council do not support this.
6. If the frequency of Local Government elections were changed to every 4 years, would your Local Government support compulsory or voluntary voting? Shire Officers recommend to Council not to support this.
7. What are the key considerations informing this view? Local government deals with local issues and attracts the community that is interested in the local issues. Making voting compulsory that the potential to introduce issues into local government that are more suited to State and Federal governments.
8. Any other comments? A measure of success in local government is generally that the community is not interested unless there are issues that need to be addressed. Generally speaking good local government equates with low community interest.

3. Interaction of Both Reforms

The Discussion Paper notes that compulsory voting cost impacts may be moderated if elections move to a four-year cycle. However, this remains speculative absent modelling. From a financial governance perspective, reforming two structural variables simultaneously increases uncertainty and implementation risk.

STATUTORY IMPLICATIONS

Electoral provisions are governed by the **Local Government Act 1995 (WA)**. Any change to election frequency or voting model would require legislative amendment by the State Parliament.

Council's role is advisory via WALGA consultation.

POLICY IMPLICATIONS

No direct impact on existing Council policies.

STRATEGIC IMPLICATIONS

This matter relates to the Strategic Community Plan 2023–2033 focus areas of:

- Good governance
- Financial sustainability
- Transparent and accountable decision-making

Electoral structures influence governance continuity, democratic engagement and cost exposure.

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: SUSTAINABILITY

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.3: Advocacy - Strong and consistent advocacy for local needs and priorities

Strategy 10.3: The Shire will influence decisions of others in a way that recognises and prioritises the needs of our local community

RISK IMPLICATIONS

Risk: Failure to manage a governance framework which transparently embraces good governance practices – in this case the risk of unanticipated financial burden and governance instability.

Control: Advocate for independent WAEC cost audit and transparent costing framework and require clear transitional provisions before implementation.

FINANCIAL IMPLICATIONS

Direct financial impact cannot be determined at this stage.

Current and Future Asset Considerations

Nil

COMMUNITY ENGAGEMENT

No community engagement is required. This report responds to WALGA's request for Council-endorsed sector feedback

ATTACHMENTS

1. Attachment 1 - WALGA – Electoral Reform Discussion Paper **[12.2.2.1]**
2. Attachment 2 - WALGA Info Page – Sector Consultation Electoral Reform **[12.2.2.2]**

12.2.3. ECONOMIC DEVELOPMENT STRATEGY 2026-2036

| | |
|--------------------------------------|---|
| AUTHOR: | Senior Economic Development Officer |
| RESPONSIBLE OFFICER: | Vernon Lawrence, Chief Executive Officer |
| FILE NO: | ED.06 |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119364

Moved: Cr B Robinson

Seconded: Cr K Bond

That Council adopts the Economic Development Strategy 2026-2036 at Attachment 1.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

This report presents for adoption the Economic Development Strategy (EDS) 2026–2036, outlining the Shire's planned services, projects and actions related to economic development.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

At the 29 July 2025 Ordinary Council Meeting (Minute Number: 29/07/2025 - 119243), Council resolved the following:

That Council:

- 1. Approves the Draft Economic Development Strategy 2025-2035 for the purpose of public consultation; and*
- 2. Notes that following the public consultation period, Administration will finalise the document and present the final Economic Development Strategy to Council for consideration later this year.*

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr M Dear, Cr D Hearty, Cr B Kyne, Cr J Gooding, Cr B Robinson

Against: Nil

The Shire of Wyndham East Kimberley's EDS 2021 was developed as a coordinated plan to increase the prosperity and liveability of the region. Since that time, Council has endorsed a new Strategic Community Plan (SCP) 2023-2033, following extensive community consultation, which has necessitated a review of the EDS to ensure alignment with the updated community priorities.

The development of the EDS 2026-2036 has been informed by several key factors:

Alignment with Strategic Community Plan Priorities

The SCP 2023-2033, shaped through comprehensive community engagement, identifies the following priorities essential to economic development:

- Creating employment opportunities
- Enhancing liveability and town amenity
- Addressing housing availability and affordability
- Supporting education and skills development
- Revitalising town centres
- Advocating for essential infrastructure improvements

The EDS 2026-2036 has been structured to directly support these priorities, ensuring a cohesive, whole-of-community approach to economic development.

Response to External Dynamics

The regional economy is influenced by ongoing changes at state, national, and global levels. Key external frameworks and strategies that present both opportunities and challenges for the Shire include:

- Diversify WA – guiding economic diversification across the State
- WA Housing Strategy and Housing Australia – supporting housing supply and affordability
- WA Visitor Economy Strategy – State Government tourism Strategy
- Infrastructure Australia – outlining national infrastructure priorities

The EDS 2026-2036 responds to these frameworks, ensuring that the Shire's economic development efforts remain relevant, strategic, and responsive to broader policy settings.

Alignment with Best Practice

The EDS 2026-2036 has been developed in accordance with the WALGA Economic Development Framework, which promotes:

- Regional collaboration
- Functional integration
- Strategic alignment with government and industry
- Leveraging current and emerging competitive advantages

The EDS 2026-2036 presents a vision for creating a vibrant, resilient, and inclusive economy that respects the environment and cultural heritage of the Shire. It is built around six key focus areas:

- **Leadership and Advocacy**

Providing purposeful leadership, strong advocacy, and fostering strategic partnerships to drive long-term economic development.

- **Liveability and Place**

Strengthening the region's identity and creating great places to live, work, visit, and invest.

- **Business, Industry and Workforce Development**

Supporting business growth, industry diversification, and the development of a skilled workforce.

- **Housing and Accommodation**

Improving the availability, affordability, and diversity of housing to support population and workforce growth.

- **Land and Critical Infrastructure**

Unlocking sustainable growth through strategic land use planning and investment in critical infrastructure.

COMMENTS

The EDS 2026-2036 serves as a strategic blueprint for fostering a resilient, inclusive, and sustainable regional economy. By aligning with the SCP, responding to external factors, and adhering to established best practices, the Strategy positions the Shire to capitalise on emerging opportunities and address key challenges.

The EDS 2026-2036 will operate as a 10-year strategic document aligned to the SCP timelines, with a formal review scheduled after five years (2031). The EDS 2026-2036 Action Plan will be a live document, updated as new opportunities arise and integrated into the Shire's annual corporate business planning and budgeting processes. This approach will ensure the Strategy remains dynamic, adaptable, and responsive to the region's evolving needs.

STATUTORY IMPLICATIONS

The EDS 2026-2036 is a non-statutory strategic document. While the *Local Government Act 1995* does not prescribe an Economic Development Strategy, it requires local governments to adopt a Strategic Community Plan and Corporate Business Plan.

The EDS 2026-2036 is a supporting Strategy that operationalises economic objectives within the SCP and informs future Corporate Business Plans and budgets. This alignment is essential for compliance and good governance.

[Local Government Act 1995 \(WA\)](#)

Section 1.3 – General Functions of a Local Government

Section 3.18 – Council's Functions

Section 5.56 & 5.57 – Strategic Planning and Corporate Business Planning

POLICY IMPLICATIONS

POL-3000 Community Engagement

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: LIVEABILITY

Goal 3: Access to housing - There are housing opportunities for everyone

Goal 4: Access to education - Education and training opportunities for everyone

Goal 5: Access to employment - Inspiring meaningful growth and prosperity

Goal 6: Accessible places - Places that are connected, accessible and well maintained

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 3.1: Housing Supply - The supply of housing meets current and future demand

Goal Outcome 4.2: Inclusive education pathways - Residents can access a broad range of educational opportunities, including alternative education pathways

Goal Outcome 5.1: Attract businesses that create local employment - The Shire is business friendly and the Shire of choice for inward investment in the Kimberley

Goal Outcome 5.2: Residents actively participate in the local economy - All residents who want to can participate in the workforce and undertake business ventures

Goal Outcome 6.1: Towns are easy to get around safely and sustainably - Places are connected by safe, accessible, well maintained roads, footpaths, cycle ways and trails

Goal Outcome 6.2: Access to services - Attractive and resilient Town Centres that connect residents and visitors to shops and services

Goal Outcome 10.1: Community engagement - Community is engaged in decision making with opportunities to share their views on things that affect them

Goal Outcome 10.2: Collaborative partnerships - Collaborative partnerships that build capacity and increase opportunities

Goal Outcome 10.3: Advocacy - Strong and consistent advocacy for local needs and priorities

Strategy 3.1: The Shire will work with key partners to advocate for the construction of housing that meets current and future demand

Strategy 4.2: The Shire will work with key partners to advocate for a broader range of inclusive educational opportunities

Strategy 5.1: The Shire will promote the East Kimberley to attract investment and businesses to our Shire and support the retention and growth of local businesses that create local employment

Strategy 5.2: The Shire will support greater participation of local residents in the workforce and to undertake business ventures

Strategy 6.1: Increase the use of active transport with improved paths, cycleways and end-of-trip facilities and improve road safety and connectivity

Strategy 6.2: Plan and deliver vibrant, attractive town centres that support services for residents and visitors

Strategy 10.1: The Shire will regularly inform the community about Shire projects, programs and services, and seek community input into decision making

Strategy 10.2: Support collaboration and partnerships to deliver key outcomes for our community

Strategy 10.3: The Shire will influence decisions of others in a way that recognises and prioritises the needs of our local community

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Risk: Failure to ensure that customer services at the Shire are accessible and effective in resolving issues, providing services and delivering information to the community.

Risk: Failure to facilitate community development initiatives which support positive social outcomes for community members, including; health, aged care, youth services and Indigenous services.

Risk: Failure to make Council decisions which allow for efficient and effective use of operational resources to deliver services which meet the needs of the community and region, comply with statutory requirements and promote economic and social development.

Risk: Failure to provide effective advocacy for the Shire and the Region to develop projects, support industry and provide opportunities for all.

Control: The EDS 2026-2036 provides a strategic mechanism to mitigate these risks by:

- Outlining a clear pathway to economic development and enhanced liveability
- Identifying key enablers essential for achieving economic, social, and infrastructure objectives
- Strengthening advocacy efforts to secure investment and policy support
- Supporting businesses, industries, and community opportunities
- Committing to regular monitoring and evaluation to assess the effectiveness of actions and adapt where necessary

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with the approval of the EDS 2026-2036.

Upon endorsement by Council, effective implementation of the EDS 2026-2036 may necessitate the allocation of resources to support various initiatives aimed at fostering economic and business growth, enhancing infrastructure, and promoting sustainable development within the Shire. These financial considerations will be managed through normal budgeting processes, ensuring allocation of resources in alignment with the priorities outlined in the EDS 2026-2036 and SCP.

Adoption of the Strategy does not commit Council to specific expenditure beyond existing budgets, with any future financial commitments subject to separate Council approval.

Current and Future Asset Considerations

There are no immediate asset implications resulting from the approval of the EDS 2026-2036 for public consultation. However, the EDS 2026-2036 demonstrates the Shire's commitment to long-term financial and asset sustainability by:

- Prioritising advocacy for public investment in infrastructure
- Promoting strategic land use and project planning
- Emphasising whole-of-life cost considerations for infrastructure and asset projects

This approach will ensure that future investments deliver lasting benefits and maintain the long-term sustainability of community assets.

COMMUNITY ENGAGEMENT

The development of the EDS 2026-2036 was guided by stakeholder and community engagement undertaken in accordance with the Shire's Community Engagement Guidelines, including:

- Community and business workshops
- One-on-one meetings and interviews with key stakeholders
- A drop-in business and community session co-hosted with the East Kimberley Chamber of Commerce and Industry
- An online survey
- Social media engagement
- Direct engagement with stakeholders and key partners

This approach ensured community and stakeholder feedback informed the finalisation of the Strategy.

The key findings of the online survey include:

- There was broad support for the vision and mission statements in the EDS.
- Housing availability and affordability is seen as the single biggest constraint to economic growth, workforce attraction and community wellbeing.
- The Shire's most important role is as an enabler and advocate, particularly through planning reform, land release, procurement and partnerships.
- Liveability, safety and public amenity are critical to retaining residents and attracting investment.
- There is strong support for the Strategy's Vision and direction, but a clear expectation that it must translate into action and accountability.
- Strong leadership and advocacy are seen as foundational to all other economic development outcomes.

ATTACHMENTS

1. Attachment 1 - Economic Development Strategy FINAL [12.2.3.1]

12.3. PLANNING AND COMMUNITY DEVELOPMENT

12.3.1. RECREATION AND EVENTS STRATEGY

| | |
|--------------------------------------|---|
| AUTHOR: | Manager Community Development |
| RESPONSIBLE OFFICER: | Nick Allen, Director Planning and Community Development |
| FILE NO: | CS.09 |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Provider - provide physical infrastructure and essential services |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119365

Moved: Cr B Robinson

Seconded: Cr D Menzel

That Council endorses the Recreation and Events Strategy 2025 as a guiding strategic document for the planning, prioritisation and delivery of sport, recreation and event facilities and services.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

The purpose of the report is to present the 'Recreation and Events Strategy 2025' to Council for endorsement.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

Previous Considerations

OCM 22/08/2023 Item 12.5.2 - 118892

OCM 26/09/2017 Item 12.3.1 - 11793

OCM 26/09/2017 Item 12.3.4 - 11796

OCM 16/08/2011 Item 12.5.2

Over the last 15 years the Shire has developed and endorsed the following plans and strategies relevant to sport, recreation and public open space:

- Playground Strategy 2023 - 2028
- Trails Master Plan 2017
- Recreation Space Strategy and Action Plan 2017 – 2021
- Kununurra Sports Precinct Master Plan 2010

The Recreation Space Strategy was completed in 2017 and was due for review in 2021. The scope of the above reports did not include the investigation of spaces and infrastructure for events which has been identified by officers as a priority due to the significant number of local and regional events being delivered by community groups and private event organisations.

Therefore, in July 2024, the Shire engaged @Leisure consultants to undertake the development of a Recreation and Events Strategy (the Strategy). The Strategy was completed in two parts. The 'Demand and Consultation Findings Report' was completed in December 2024 and the resultant 'Recreation and Events Strategy' in May 2025 (Attached).

Officers developed a summary version of the Strategy (Attached) called the 'Sport, Recreation and Events Strategy'. The addition of 'Sport' reflects the high profile of sporting facilities, programs and events that emerged as part of the 'Demand and Consultation Findings Report' developed through stakeholder and community engagement.

COMMENTS

The Shire plays a pivotal role in supporting all members of the community to participate in sport, recreation and events through the provision of accessible infrastructure such as pools, leisure centres, ovals, outdoor courts, parks, playgrounds, public toilets, lighting and pathways. Data collected for the Strategy indicates that over 30 sites in the Shire accommodate 70 events annually. These include sporting and community club venues under lease.

Programs, services and events are delivered either directly by the Shire, for example at the Kununurra Leisure Centre and civic events such as Anzac Dawn Service, or by community groups, local clubs and private event managers.

Ageing infrastructure and a lack of support facilities such as toilets, lights, changerooms, and condition of surfaces for sporting events, and lack of power, drinking water and grey water disposal were identified as issues both for sports clubs and event organisers.

The Strategy provides a clear well-planned and evidence-based approach to the development and prioritisation of sport, recreation and event facilities and services to ensure:

- An integrated planned approach
- Application of shared, co-location and multi-purpose principles
- Effective allocation of Shire funds and investment
- Maximum utilisation of facilities
- Cost-effective service provision
- Participation opportunities for all community members and visitors

Outcomes

Implementation of the Strategy will deliver wide-ranging benefits to the community. These benefits include:

- improved health and wellbeing, stronger social connections, and greater access to inclusive and active spaces
- contribution to economic growth and tourism through the provision of modern shared use facilities, spaces and infrastructure that enables the delivery of a range of vibrant event experiences

Key Themes

After analysis of relevant state and national strategies, participation trends, demographics, Shire facilities, programs and events, and community engagement feedback, nine key themes emerged.

1. Fishing, boating and foreshore quality
2. Access, inclusion and sustainable clubs
3. Indoor multi-purpose facilities
4. Greening, shade and trails
5. Consolidated and shared infrastructure
6. Community facilities in Wyndham
7. Event support
8. Capital works prioritisation
9. Community infrastructure development principles

These key themes formed the basis for the recommendations and actions.

Recommendations

The Strategy makes 12 recommendations, each underpinned by a number of actions to be implemented over the next five years. These can be found on page 6 of the 'Sport, Recreation and Events Strategy' summary document.

The recommended actions for 2025/26 to 2027/28 financial years are provided in Table 1 below and will need to be considered in operational budgets for progression. It should be noted that many findings from the consultation in 2024 align with engagement outcomes undertaken for the Kununurra Town Centre Revitalisation Strategy in 2025 resulting in a cross over of actions.

2025/2026

| Action | Delivery |
|---|---|
| Undertake detailed design for the redevelopment of the Kununurra Leisure Centre dry amenities | T22/2425 – Gresley Abas Architects Due for completion May 2026 |
| Develop a master plan for the Town Oval Precinct | Community Development – budget 2025/26 Procurement March 2026 |
| Develop a master plan for the Ingrid Harvey Oval Precinct | Community Development – budget 2025/26 Procurement March 2026 |
| Undertake detailed design for the Wyndham Community Hub | Funding for design and construct secured. Procurement for Architectural Services closes February 2026. |
| Replace the shade sails at Wyndham Memorial Swimming Pool | Infrastructure – budget 2025/26 Quotes being obtained |
| Review the Community Grant Events Program | Community Development – internal resources |
| Appoint a Club Development Officer | Community Development Budget 2025/26. Currently recruiting. |
| Adopt the Community Infrastructure Development Principles | Will be adopted as part of strategy endorsement |

| | |
|--|---|
| Adopt the Community Infrastructure Capital Works Prioritisation Criteria | Will be adopted as part of strategy endorsement |
|--|---|

2026/2027

| Action | Delivery |
|---|---|
| Develop a master plan for Celebrity Tree Park | Master plan will be completed by mid-2026 through the Kununurra Foreshore Masterplan project. |
| Develop a master plan for the Kununurra Racing and Rodeo Precinct | Master plan will be completed by mid-2026 through the Kununurra Foreshore Masterplan project. |
| Develop a master plan for Swim Beach Park | Master plan will be completed by mid-2026 through the Kununurra Foreshore Masterplan project. |
| Develop a master plan for the Clarrie Cassidy Oval | Community Development – budget 2025/26 Procurement March 2026 |
| Undertake a Needs and Feasibility Study for the renewal and upgrade of facilities at Town Oval | Pending outcome of 2025/26 Town Oval Master Plan |
| Undertake a Needs and Feasibility Study for a nature play space and skate/pump track in Wyndham | Community Development – budget 25/26 Procurement March 2026 |
| Develop a plan for provision of event facilities and infrastructure | Internal resources |

2027/2028

| Action | Delivery |
|--|---|
| Investigate options for creating a public corridor along the foreshore for a variety of recreational uses, including those that highlight important views and habitat. | Opportunities for trail development along the foreshore will be partially addressed through the Kununurra Foreshore Masterplan project. |
| Conduct an audit of all sports lighting in the Shire | Community Development – budget request 27/28 |
| Upgrade the changerooms at Wyndham Memorial Swimming Pool | Community Development – budget request for feasibility study 27/28 |
| Review the Trails Master Plan | Community Development – budget request 27/28 |

Events

Major annual events held in Kununurra are spread over a number of sites that include Ingrid Harvey Oval (Agricultural Show), Celebrity Tree Park (Ord Valley Muster), Race Rounds (Kununurra Race Course), and rodeos (Kununurra Rodeo Ground). In general, residents cited Celebrity Tree Park as their most visited and popular venue. The Park caters for a wide range of recreational activities, including bird watching, and events due to its central location and high amenity such as shade, grass, playground, public toilets and accommodation.

When asked to provide a preferred location as the major event space in Kununurra, survey respondents and stakeholders differed greatly. As a result, one main events space, dedicated to holding significant events in Kununurra, could not be determined as part of this review due to a range of conflicting views (although Celebrity Tree Park features favourably many times throughout the survey responses on a range of questions). This presents challenges for the Shire when planning for the upgrades and improvements that the industry requires and has requested, as the cost of

providing significant infrastructure at multiple locations is prohibitive unless it can be shared, accessed and used by multiple organisations for a range of activities and programs outside of events.

The Strategy investigates current event locations in the Shire and makes comments on its suitability to hold events, including proposed infrastructure to improve and expand the use. The outcomes can be found in Table 6 of the full strategy. Most involve the upgrade of power and water/wastewater services, addition of toilets, storage and shade, and building improvements to aged facilities.

Investment Prioritisation for Events

To assist with the prioritisation of locations for investment, the Strategy outlines a series of site considerations below, which may be weighted to reflect Shire policies and priorities.

- Multi-use venue – can be used for a variety of events or other community uses to maximise use of upgrades and improvements
- Flexibility to scale up or down depending upon event
- Good road access and parking
- Permanent toilets and services infrastructure (power, water, telecommunications)
- Central and accessible
- Does not duplicate existing event spaces
- Can be used for events during the wet season
- Low social and environmental impact, including noise and traffic nuisance to residents
- Maximise local business patronage
- Accommodation close by
- Connection to the water, iconic location or view that showcases the East Kimberley
- Highlights local Aboriginal culture

The need to develop a specific plan for provision of event facilities and infrastructure was identified and is an action for 2026/27. Additionally, the Shire has restructured the Community Development team to include a dedicated Events and Activation Officer.

STATUTORY IMPLICATIONS

While there are no direct statutory requirements arising from this report, the development and implementation of the Recreation and Events Strategy supports the Shire's functions under the *Local Government Act 1995*, including the provision of services, planning for community infrastructure, asset management and long-term strategic planning.

POLICY IMPLICATIONS

POL-3000 Community Engagement
POL-3001 Community Development

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: LIVEABILITY

Goal 2: Healthy communities - Encouraging active, healthy lifestyles

Goal Outcome 2.2: Access to sport and recreation facilities and services - Sport and recreation facilities and services are accessible and well maintained

Goal Outcome 2.3: Access to community groups and clubs - Access to strong supportive community groups and clubs

Strategy 2.2: The Shire will collaborate with a wide range of stakeholders to advocate and provide accessible facilities that support a range of sporting and recreational activities

Strategy 2.3: Shire will support and build the capacity of community groups and clubs through community grants programs, advice and management of Shire reserves and facilities

RISK IMPLICATIONS

Risk: Failure to provide community services which meet the needs and expectations of the community to support social cohesion and participation.

Control: Endorse and implement the Strategy to be used as a guide to evidence-based provision of sport, recreation and event facilities and services.

FINANCIAL IMPLICATIONS

The Strategy identifies a range of planning and operational actions, as well as potential future capital works. No funding commitments are made as part of this report. Any future expenditure, including capital works, will be considered by Council through the annual budget process and in accordance with the Long Term Financial Plan.

Current and Future Asset Considerations

Nil

COMMUNITY ENGAGEMENT

Engagement and consultation were conducted in accordance with the Community Engagement Guidelines from August to September 2024 and included:

- Online survey from 26 July to 2 September 2024
- Social media posts
- Shire 'Your Say' page seeking comment on required facilities and/or suggested improvements
- 79 interviews and phone calls with user groups, clubs, government agencies and other stakeholders
- Site visits and meetings with Shire officers
- Council workshop in August 2024
- 7 face to face meetings with community groups

ATTACHMENTS

1. Attachment 1 - SWEK Recreation and Events Strategy May 2025 [**12.3.1.1**]
2. Attachment 2- SWEK Appendices [**12.3.1.2**]
3. Attachment 3 - Sports Recreation and Events Strategy 2025 Final [**12.3.1.3**]

12.4. CORPORATE SERVICES

12.4.1. LIST OF ACCOUNTS PAID FROM MUNICIPAL FUND AND TRUST FUND

| | |
|--------------------------------------|---|
| AUTHOR: | Finance Coordinator |
| RESPONSIBLE OFFICER: | Alexandra Bell, Director Corporate Services |
| FILE NO: | FM.09.36 |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Regulator - Responsible for the enforcement of statutory requirements |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119366

Moved: Cr B Robinson

Seconded: Cr V Goulden

That Council receives the List of Accounts Paid from the Municipal and Trust Funds for:

| | |
|--|--------------------|
| 1) December 2025 | |
| Municipal fund payments (1 – 31 December) | \$7,665,243.50 |
| Payroll (1 – 31 December) | \$623,558.80 |
| Direct debits, November credit card, (1 – 23 December) | <u>\$23,944.83</u> |
| Total | \$8,312,747.13 |
| 2) January 2026 | |
| Municipal fund payments (1 – 31 January) | \$4,840,361.10 |
| Payroll (1 – 31 January) | \$598,433.66 |
| Direct debits, December credit card, (1 – 15 January) | <u>\$13,444.72</u> |
| Total | \$5,452,239.48 |

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

To present the list of accounts paid from the Municipal and Trust Funds in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

In accordance with Council's Delegations Register (adopted 27 April 2025), delegation to the CEO exists under Regulation 12 of the *Financial Management Regulations 1996* for payment authorisation from the Municipal and Trust Funds.

COMMENTS

A list of all payments from the Municipal and Trust Funds is prepared monthly, in accordance with statutory requirements. It includes the supplier's name, amount, date, and transaction description. The list is tabled at the next Ordinary Council Meeting and entered into the minutes. Purchasing card transactions by staff, as required under Regulation 13A, are included in the attached report.

STATUTORY IMPLICATIONS

Amendments to the *Local Government (Financial Management) Regulations 1996 (Regulation 13A)* now require the List of Accounts Paid to include payments by employees via purchasing cards. The attached report includes these payments.

[Local Government Act 1995 - Section 5.42 Delegation of some power and duties to CEO](#)

Local Government (Financial Management) Regulations 1996:

- [Regulation 5. CEO's duties as to financial management](#)
- [Regulation 11. Payments, procedures for making etc.](#)
- [Regulation 12. Payments from municipal fund or trust fund, restrictions on making.](#)
- [Regulation 13. Payments from municipal fund or trust fund by CEO, CEO's duties etc.](#)
- [13A. Payments by employees via purchasing cards](#)

POLICY IMPLICATIONS

Shire of Wyndham East Kimberley Delegation Register Sub-delegation 1.2.25 "Payments from the Municipal Fund and Trust Fund" applies subject to compliance with Council Policy *POL-2004 Purchasing*.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Strategy 10.4: Integrate all planning and resource management to drive continuous improvement and innovation

RISK IMPLICATIONS

Risk: Failure to manage the disbursement of funds to meet the needs of the Shires forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Budget.

Controls: Monthly Financial Report and List of Accounts Paid reported to Council on a monthly basis as required by Legislation and Regulations.

FINANCIAL IMPLICATIONS

All payments are in line with the 2025–26 Adopted Budget and any approved budget amendments. The report ensures Council has visibility over the financial transactions of the Shire.

Current and Future Asset Considerations

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

ATTACHMENTS

1. Attachment 1 - List of Accounts Paid December 2025 [**12.4.1.1**]
2. Attachment 2 - List of Accounts Paid January 2026 [**12.4.1.2**]

12.4.2. 2025/2026 BUDGET CARRY OVER ADJUSTMENTS

| | |
|--------------------------------------|---|
| AUTHOR: | Chief Executive Officer |
| RESPONSIBLE OFFICER: | Alexandra Bell, Director Corporate Services |
| FILE NO: | FM.05.23 |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Funder - provide funds or other resources |
| VOTING REQUIREMENT: | Absolute Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119367
Moved: Cr B Robinson
Seconded: Cr K Bond

That Council:

1. Adopts the 2025/2026 Amended Budget Statement of Financial Activity as detailed in Attachment 1;
2. Notes that the actual cash balance carried forward and the estimated carry forward cash balance used in the 2025/2026 Annual Budget was greater by \$8,217,998;
3. Notes that after adjusting for timing differences in the capital works program and adjustments to Reserves a surplus amount of \$578,989 remains;
4. Approves the allocation of \$400,000 to the Capital Works Reserve (GL - 04017034);
5. Approves the creation of the Tree Reserve with the purpose of "funding the establishment or relocation of mature trees for the provision of shade and improvement of streetscapes in the Kununurra and Wyndham town sites.";
6. Approves the allocation of \$100,000 to the newly created Tree Reserve;
7. Approves the allocation of \$78,989 to the Economic Development (GL - 02130622);
8. Approves the budget amendments as detailed in Attachment 2 to this report;
9. Notes the amended Capital Works Program as detailed in Attachment 3; and
10. Notes the amended budgeted Reserves position for the period ended 30 June 2026 as detailed in Attachment 4.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

To consider the change in cash position arising from the difference in the estimated cash position for the 2025/2026 financial year and the actual cash position and the effect on the 2025/2026 Annual Budget.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

In preparing the 2025/2026 Municipal Fund Budget, Shire officers followed a rigorous process from which estimates of income and expenditure for the 2024/2025 financial year were determined. As the preparation of the budget was based on estimates of what the financial position of the Shire would be at 30 June 2025, once the 2024/2025 Annual Financial Statements were finalised and audited, Officers had to consider differences between the forecast data used in preparing the 2025/2026 Budget and the estimates used.

COMMENTS

As stated above the Annual Budget is prepared based on estimates of revenue and expenditure to determine the cash position as the starting point for the budget preparation. Once the financial audit is complete the actual cash position is determined. This normally differs to the estimated position due to estimate differences and timing differences. Officers prepare the budget on a very conservative basis and so the expectation is that there will be a cash surplus to distribute rather than a deficit for which savings must be found.

The current year carry overs show a significant change in cash position - \$8,217,998 difference. This can be explained in the main with two items – the advance receipt of the Financial Assistance Grants of \$2,611,455 and the receipt of \$6,188,628 in grant funds for capital works received in the 2024/2025 financial year when originally estimated to be received in the 2025/2026 financial year. The difference between these two items and the increase in available cash is explained by movements in Reserves and Contract Liabilities and changes in estimates on both capital works and operational budget items.

The primary document setting out the source and application of finances for the financial year is the Statement of Financial Activity. In Attachment 1 the Statement of Financial Activity shows the actual position at 30 June 2025, the 2025/2026 Adopted Budget and the 2025/2026 Amended Budget. The Amended Budget has a surplus of \$578,989 which is available for distribution. Attachment 2 shows the detailed allocation of the cash surplus.

Shire Officers suggested that \$500,000 be placed in the Capital Works Reserve. This Reserve helps to fund the Shire's contribution in grant applications and additional contributions where there are cost overruns. This will increase the estimated closing balance at 30 June 2026 from \$1,521,749 to \$2,021,749.

At the Council Briefing on 10 February 2026 Cr Robinson requested that \$100,000 be allocated to a new Reserve for the purpose of relocating mature trees into the Kununurra and Wyndham townsites where possible. Shire Officers agree that this will result in a good community outcome and have included in the Officer Recommendation the creation of the Tree Reserve with the purpose of *“funding the establishment or relocation of mature trees for the provision of shade and improvement of streetscapes in the Kununurra and Wyndham town sites.”* As a result of this request the transfer to the Capital Works Reserve is reduced to \$400,000 and the estimated closing balance of the reserve at 30 June 2026 will be \$1,921,729.

Shire Officers further suggest that the remaining surplus of \$78,989 be allocated to an account in the Office of the CEO – Economic Development. This General Ledger Account funds all aspects of business cases, cost benefit analysis and consulting work that supports our funding applications for strategic projects. This will increase the budget from \$150,000 to \$228,989. The advocacy and document preparation for the strategic projects we are advocating for has increased due to the work on the Town Revitalisation and the Regional Partnerships and Precincts Program.

Attachments 3 and 4 provide councillors with a detailed breakdown of the changes to the Capital Works Program and the amended Reserves position forecast for the financial year ended 30 June 2026.

STATUTORY IMPLICATIONS

In accordance with section 6.8(1)(b) of the Local Government Act 1995, the proposed budget amendments constitute the authorisation of expenditure for additional purposes not included in the adopted 2025/2026 Annual Budget. As such, an Absolute Majority decision of Council is required.

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*;*
- 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*
- c) [Section 6.8 amended by No. 1 of 1998 s. 19.]*

Local Government (Financial Management) Regulations 1996

Regulation 32 - Amounts which may be excluded when calculating budget deficiency (Act s. 6.2(3)):

A local government may exclude from the calculation of the budget deficiency —

- a) money borrowed or to be borrowed, to the extent that it is proposed in the annual budget to remain unspent at the end of the financial year; and*
 - b) Reserves, to the extent that they are proposed in the annual budget to remain unspent at the end of the financial year; and*
 - c) in relation to a land transaction or trading undertaking, assets and liabilities, to the extent to which they are proposed in the annual budget to remain restricted to the purposes of the land transaction or trading undertaking at the end of the financial year; and*
-

- d) any proposed amounts of depreciation of non-current assets; and
- e) assets from grants or gifts or non-cash revenue or expenditure; and
- f) current liabilities which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain uncleared at the end of the financial year; and
- g) any other current assets which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain unused at the end of the financial year.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: SUSTAINABILITY

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.3: Advocacy - Strong and consistent advocacy for local needs and priorities

Goal Outcome 10.4: Innovation - Embrace technology, creativity and innovation to solve complex problems

Strategy 10.3: The Shire will influence decisions of others in a way that recognises and prioritises the needs of our local community

Strategy 10.4: Integrate all planning and resource management to drive continuous improvement and innovation

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Control: Ensure the funding plans are tightly integrated with long-term strategies.

Risk: Failure to make Council decisions which allow for efficient and effective use of operational resources to deliver services which meet the needs of the community and region, comply with statutory requirements and promote economic and social development.

Control: Make sure Council decisions are well-informed, resource-savvy, and compliant.

Risk: Failure to manage the disbursement of funds to meet the needs of the Shire's forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plans and Annual Budget.

Control: Align all expenditure funded with the Shire's strategic plans.

FINANCIAL IMPLICATIONS

The Financial Implications of the change in the cash position can be generalised as follows:

- Operating Revenue decreases by \$1,840,188. This is as a result of an advance payment of \$2,611,455 and underestimating the Financial Assistance Grants by \$771,267.
- Operating expenses are adjusted by \$19,524. These comprise additional property costs of \$10,200 and additional interest charges of \$9,324 on new loans taken out:
- Capital Grants to be received have reduced by \$6,188,628 due to more grant funding being collected in the 2024/2025 financial year. Estimated capital costs for Shire staff performing renewal works has not been adjusted for in the Amended Budget in order that the forecasts remain conservative: In the adopted budget \$831,527 was provided for Shire staff to perform renewal works.
- Capital works have increased by \$4,831,770 due to less work being completed than was forecast;
- The change in the net movement from Reserves reduced the cash flow by \$3,303,120 and the increase in funds to be received from Contract Liabilities is \$9,392,031.
- The change in Repayments for Borrowing was \$16,282.
- The above leaves a surplus of funds of \$578,989 to be distributed as set out above and in the Officer Recommendation.

Current and Future Asset Considerations

Asset considerations have been catered for in the capital works budget for renewals and in the operations budget for maintenance and operating expenditures.

COMMUNITY ENGAGEMENT

No community engagement is required.

ATTACHMENTS

1. Attachment 1 - Amended Budget - Statement of Financial Activity - 2025-26 [12.4.2.1]
2. Attachment 2 - Amended Budget - Carry Overs Detailed Allocations - 2025-26 [12.4.2.2]
3. Attachment 3 - Amended Budget - Capital Works Program - 2025-26 [12.4.2.3]
4. Attachment 4 - Amended Budget - Reserves - 2025-26 [12.4.2.4]

12.4.3. MONTHLY FINANCIAL REPORT

| | |
|--------------------------------------|---|
| AUTHOR: | Finance Coordinator |
| RESPONSIBLE OFFICER: | Alexandra Bell, Director Corporate Services |
| FILE NO: | FM.09.32 |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Regulator - Responsible for the enforcement of statutory requirements |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119368

Moved: Cr B Robinson

Seconded: Cr V Goulden

That Council:

- 1) Receives the Monthly Financial Report for the period ended 31 December 2025
- 2) Receives the Monthly Financial Report for the period ended 31 January 2026

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

To present the Monthly Financial Report for the periods ended 31 December 2025 and 31 January 2026, for Council's consideration, in accordance with statutory requirements.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

Council is required to prepare monthly financial statements in accordance with Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*. Council adopted materiality thresholds of 10% or \$50,000 for reporting variances at the Ordinary Council Meeting held on 22 October 2024.

COMMENTS

Council officers have prepared the Monthly Financial Report with variance analysis of income and expenditure where actuals differ from budget by more than 10% or \$50,000. Details are provided in Note 3 - Explanation of Material Variances on page 6.

In accordance with Regulations 34(4) and 35(2), the financial statements will be presented to Council within two months after month-end and recorded in the minutes.

STATUTORY IMPLICATIONS

[Regulation 34 of the Local Government \(Financial Management\) Regulations 1996](#)

[Regulation 35 of the Local Government \(Financial Management\) Regulations 1996](#)

POLICY IMPLICATIONS

Significant Accounting Policies have been applied in the preparation of the report.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: Sustainability

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.4: Innovation - Embrace technology, creativity and innovation to solve complex problems

Strategy 10.4: Integrate all planning and resource management to drive continuous improvement and innovation

RISK IMPLICATIONS

Risk: Failure to manage the disbursement of funds to meet the needs of the Shire's forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plans and Annual Budget.

Controls: Monthly Financial Report and List of Accounts Paid reported to Council monthly as required by Legislation and Regulations (including Regulation 13 regarding monthly lists of accounts/payments).

FINANCIAL IMPLICATIONS

There are no additional costs associated with the preparation of this report. Monthly financial reporting is a primary financial management and control process. This report provides Council with the ability to oversee the Shire's financial performance against budgeted targets.

Current and Future Asset Considerations

Nil

COMMUNITY ENGAGEMENT

No community engagement is required in relation to this item.

ATTACHMENTS

1. Attachment 1 - Financial Reports December 2025 [**12.4.3.1**]
2. Attachment 2 - Financial Reports January 2026 [**12.4.3.2**]

12.5. INFRASTRUCTURE

Cr M Dear, Cr D Menzel & Cr S Timms declared a Financial/Proximity Interest (as previously disclosed at Item 3) and left the Chamber at 5:27pm.

In accordance with the *Local Government Act 1995* and the *Shire of Wyndham East Kimberley Meeting Procedures Local Law 2016*, the CEO called for nominations for a Councillor to preside over the meeting for the consideration of Item 12.5.1.

Cr K Bond nominated Cr B Robinson to preside over the meeting for the consideration of Item 12.5.1. Cr B Robinson accepted the nomination.

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119369

Moved: Cr K Bond

Seconded: Cr V Goulden

That Cr B Robinson preside over the meeting for the consideration of Item 12.5.1.

Carried: 5/0

For: Cr C Cane, Cr K Bond, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

Cr B Robinson assumed the Chair at 5:28pm.

12.5.1. ACCESS TO LOT 1264 BY MANAGERS OF LOT 655 MESSMATE WAY

| | |
|--------------------------------------|---|
| AUTHOR: | Director Infrastructure and Strategic Projects |
| RESPONSIBLE OFFICER: | Paul Webb, Director Infrastructure and Strategic Projects |
| ASSESSMENT NO: | A1195 |
| FILE NO: | RD.09.40 |
| DISCLOSURE OF INTERESTS: | Cr M Dear, Cr D Menzel & Cr S Timms disclosed interests as listed at item 3 |
| COUNCIL'S ROLE IN THE MATTER: | Partner - Collaboration with external stakeholders to deliver service and projects. |
| VOTING REQUIREMENT: | Absolute Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119370

Moved: Cr K Bond

Seconded: Cr B Robinson

That Council:

1. Requests the Chief Executive Officer to negotiate and execute a Memorandum of Understanding (MOU) with Cambridge Gulf Limited, at the cost of the applicant, for the non-exclusive use of Shire Reserve 42799 (Messmate Way) for car parking and/or landscaping purposes; and
2. Notes that the MOU is to be subject to, but not limited to, the following conditions:
 - a. No permanent or semi-permanent structures are to be constructed on Reserve 42799;
 - b. Existing surface levels and drainage function of Reserve 42799 are to be maintained, with no alteration permitted without written approval from the Shire;
 - c. The Shire retains the unrestricted right to undertake drainage, flood mitigation, or other works on the reserve without hindrance or penalty;
 - d. All public utility and service providers retain unrestricted access to the reserve for the operation, maintenance, or upgrade of infrastructure; and
 - e. All costs associated with the MOU and any works undertaken by the applicant are to be borne by Cambridge Gulf Limited.

Carried by Absolute Majority: 5/0

For: Cr C Cane, Cr K Bond, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

PURPOSE

Cambridge Gulf Limited have requested access to Vesting Shire Reserve 42799, Current Purpose Public Utilities and Access, for car parking and landscaping.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

This matter has previously been referred to briefing of Council, 13 August 2024. Council requested valuation of land to be considered against annual rent cost, and cost to the Shire of ongoing maintenance.

Due to a number of Councillors having conflicts of interests on this item, this matter has not been able to be dealt with until we were assured of having a quorum once conflicted Councillors left the room. Four Councillors declared conflicts of interest at the Council Briefing session and did not participate in the discussion by leaving the room.

COMMENTS

A representative of Cambridge Gulf Limited (CGL) has approached the Shire Administration requesting access to Shire Reserve 42799 (Lot 501 on DP423702). The purpose of the request is to include Lot 501 on DP423702 into the fenceline of Lot 655 as either parking or landscaping. (Attachment 1, Attachment 2)

Permanent disposal of the land cannot be considered as there are other interests in the land (other service providers), and the main interest of the Shire of Wyndham East Kimberley is that Reserve 42799 acts as a drainage reserve for flood routing from Beefwood Street.

It has been identified that the levels of the surface through Reserve 42799 would need to be retained, so as not to interfere with flood routing or back-charging drainage water. Additionally, no permanent or semi-permanent structure would be permissible at this location. All services provided would be required to have uninterrupted access to the reserve to work, maintain or upgrade their assets without encumbrance.

The location is maintained to a 'fire cut' standard, that being to minimise fire risk only. Being a main entry to town, this level of service is generally low, unsightly and unappealing, being functional only, not aesthetic. Despite fencing and a gate being installed at the rear of the location, foot traffic continues to force through the location leaving broken glass and general litter in their wake, adding to the general untidiness of the location.

Legal advice has been sought by the reporting officer, and the land can be subject to an access and use arrangement through the mechanism of an MOU. This would not release any of the rights of the Shire or other utilities but would facilitate an agreed level of use to the proponent. Provision of access to the Reserve by CGL may assist in reducing foot traffic to the location but would most certainly improve the visual amenity of the location at no cost to the Shire.

Any works on the Reserve would be subject to approval by the Shire but would most likely be limited to car parking or landscaping.

If the Council were to support the benefits of this interest, the reporting officer will contact CGL and the Shire's Legal contractors to formulate an agreed MOU.

At Council's request, a valuation of Reserve 42799 has been obtained (Attachment 3).

The valuation identifies an indicative annual rental value of \$3,490 to \$4,886, with an average of approximately \$4,200 per annum.

The Shire currently undertakes minimal maintenance of the reserve, limited to fire mitigation works approximately once every three months at an estimated cost of \$2,000 per annum. To maintain the reserve to a standard commensurate with its location at a major town entry would require significantly increased resourcing, estimated at approximately \$14,400 per annum.

Under a third-party MOU arrangement, maintenance and improvement of the reserve would be undertaken at no cost to the Shire, resulting in:

- improved town entry presentation;
- reduced vandalism, litter, and graffiti; and
- a reduction in the Shire's ongoing asset maintenance burden.

When compared to the modest rental value identified by the valuer, the proposed MOU represents excellent value for the community, effectively offsetting maintenance costs that would otherwise be borne by the Shire.

STATUTORY IMPLICATIONS

If approved, an MOU agreement for use will be formed.

- The arrangement does not constitute a disposal under s.3.58 of the *Local Government Act 1995*.
- The reserve purpose remains unchanged.
- The Shire and all public utility providers will retain unrestricted access rights to the reserve at all times.

POLICY IMPLICATIONS

Nil at this time

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: LIVEABILITY

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.4: Innovation - Embrace technology, creativity and innovation to solve complex problems

Strategy 10.4: Integrate all planning and resource management to drive continuous improvement and innovation

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Control: Engage with opportunities to reduce the Shire's asset load.

FINANCIAL IMPLICATIONS

There is no direct financial cost to the Shire.

The MOU will:

- offset ongoing maintenance costs currently borne by the Shire; and
- deliver improved amenity outcomes at the applicant's expense.

All costs associated with the MOU and any works undertaken on the reserve will be met by Cambridge Gulf Limited.

Current and Future Asset Considerations

This results in a reduction in the Shire's asset maintenance burden and provides an overall asset benefit.

COMMUNITY ENGAGEMENT

No community engagement is required.

ATTACHMENTS

1. Attachment 1 - Property Location [**12.5.1.1**]
2. Attachment 2 - Property Location [**12.5.1.2**]
3. Attachment 3 - Property Valuation [**12.5.1.3**]

Cr M Dear, Cr D Menzel and Cr S Timms returned to the meeting at 5:30pm.

The Shire President resumed the Chair at 5:30pm.

12.5.2. PROPOSED PRELIMINARY TREE PLANTING

| | |
|--------------------------------------|---|
| AUTHOR: | Director Infrastructure and Strategic Projects |
| RESPONSIBLE OFFICER: | Paul Webb, Director Infrastructure and Strategic Projects |
| FILE NO: | ET.02 Tree Planting |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Funder - provide funds or other resources |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119371

Moved: Cr S Timms

Seconded: Cr C Cane

That Council

1. Notes the availability of sixty-six (66) *Brachychiton diversifolius* street trees from Gelganyem Group (via Gelganyem Limited) for future street planting in Kununurra and Wyndham.
2. Endorses, in principle, *Brachychiton diversifolius* as a suitable street tree species for Kununurra and Wyndham, subject to the adoption of the forthcoming Tree Planting Policy.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

To provide Council with an interim update on a proposed street tree planting opportunity, seek in-principle support for species selection, obtain preferred street locations for plantings and obtain authority to secure locally available trees for planting at an appropriate future time.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

The Shire is currently developing a Tree Planting Policy to guide species selection, planting locations, and long-term management of street trees across the district.

As part of ongoing work to improve urban amenity, shade, and liveability outcomes, an opportunity has arisen to source a suitable native street tree species locally.

No prior Council decision has been made in relation to this specific planting opportunity.

COMMENTS

TREE SPECIES AND LOCAL SUITABILITY

Brachychiton diversifolius (Northern Kurrajong) is a native Australian tree species well suited to northern Australian climatic conditions, including the East Kimberley. In urban and street planting contexts, the species typically reaches an average height of approximately 5 to 15 metres, providing a medium-sized canopy suitable for streetscapes without creating excessive conflict with surrounding infrastructure.

The species is deciduous to semi-deciduous, with foliage generally present during the wet season when shade benefits are most valuable. During the late dry season, trees may partially or fully shed leaves depending on local conditions. This seasonal behaviour reduces water demand during the driest months and aligns with the climatic cycle of the region.

When in leaf, *Brachychiton diversifolius* provides meaningful shade and contributes to improved streetscape amenity and thermal comfort. The species is commonly used in regional and tropical towns for this purpose.

The tree also offers ecological benefits, with flowers that attract nectar-feeding birds and insects, supporting local urban biodiversity. As a native species, it contributes positively to local fauna values and broader environmental outcomes.

Overall, *Brachychiton diversifolius* is considered a suitable candidate for street planting in Kununurra and Wyndham, subject to confirmation through the forthcoming Tree Planting Policy and final site-specific assessment.

The proposed endorsement is in principle only and remains subject to the adoption of the forthcoming Tree Planting Policy.

LOCAL SUPPLIER – GELGANYEM GROUP

Gelganyem Group has advised that they currently have sixty-six (66) *Brachychiton diversifolius* trees available. The organisation has also advised that their preferred planting period is January, when seasonal rainfall and soil moisture levels support strong establishment and long-term survivability.

Supporting this supplier aligns with Council's commitment to local procurement and collaboration with Aboriginal organisations.

PLANTING TIMING

Based on advice received, it is recommended that planting occur in January 2027, when:

- trees will be slightly more mature;
- soil moisture conditions are optimal; and
- irrigation demand and establishment risk are reduced.

This approach improves the likelihood that trees will become self-sustaining.

PROCUREMENT APPROACH

It is proposed that a **Purchase Order be issued now to secure the available stock**, with planting deferred until the appropriate season.

Issuing a Purchase Order at this stage:

- locks in availability of suitable trees,
- does not commit the Shire to immediate planting, and
- allows detailed planting plans to be finalised once the Tree Planting Policy is adopted.

STREET LOCATIONS AND VANDALISM CONSIDERATIONS

Officers will seek Councillor input on potential planting locations for Kununurra and Wyndham, particularly streets and areas that:

- provide high community benefit, and
- are less susceptible to vandalism.

Final locations will be confirmed prior to planting.

STATUTORY IMPLICATIONS

There are no statutory impediments to securing tree stock or undertaking future planting, subject to compliance with the Shire's purchasing and asset management requirements.

POLICY IMPLICATIONS

This item is subject to the adoption of the forthcoming Tree Planting Policy, which will provide the overarching framework for species selection, planting standards, and management.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: LIVEABILITY

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.2: Collaborative partnerships - Collaborative partnerships that build capacity and increase opportunities

Strategy 10.2: Support collaboration and partnerships to deliver key outcomes for our community

RISK IMPLICATIONS

Risk: Failure to establish trees successfully or planting in unsuitable locations.

Control:

- Selection of a climate-appropriate species;
- Deferral of planting to optimal seasonal conditions;
- Final planting locations confirmed prior to installation;
- Planting guided by the adopted Tree Planting Policy.

FINANCIAL IMPLICATIONS

The cost of securing the sixty-six (66) trees will be met from existing operational budgets.

Deferring planting allows costs to be staged and reduces the likelihood of replacement expenditure due to poor establishment.

Current and Future Asset Considerations

Once planted, the trees will become part of the Shire's public realm assets and will require routine maintenance consistent with adopted policy and operational capacity.

COMMUNITY ENGAGEMENT

No formal community engagement is required at this stage. Community benefit will be realised through improved streetscape amenity once planting occurs.

ATTACHMENTS

Nil

12.5.3. WYNDHAM MEMORIAL SWIMMING POOL - SHADE SAIL REPLACEMENT

| | |
|--------------------------------------|--|
| AUTHOR: | Project Manager |
| RESPONSIBLE OFFICER: | Mark Shepherd |
| ASSESSMENT NO: | A5000 |
| FILE NO: | RC.09.4 |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Funder - provide funds or other resources Provider - provide physical infrastructure and essential services |
| VOTING REQUIREMENT: | Absolute Majority |

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119372

Moved: Cr M Dear

Seconded: Cr S Timms

That Council approves a \$380,000 allocation in the Shire's 2026/27 municipal budget, funded from the Capital Works Reserve, to fund the balance of the project costs for the delivery of a 5 bay retractable shade sail system at the Wyndham Memorial Swimming Pool.

Carried by Absolute Majority: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

The purpose of this report is for Council to consider committing additional Shire funds for the replacement of the existing failed shade sails at the Wyndham Memorial Swimming Pool (WMSP).

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

The WMSP was significantly upgraded in 2009 and re-opened early 2010. The works included a renovation of the pools with the Myrtha system, a new accessible entry ramp, a new concourse and a Water Feature Playground. New lights were added to the Pool in 2013.

The original shade sail structure and shade sails were installed in 2010 as part of the pool upgrade. The shade sails only were renewed in 2017 then substantial storm damage to the shade sail structure and shade sails occurred in 2023. A report by a Structural Engineer in December 2024 concluded that the existing shade sail system was not safe to remain in place due to structural damage to the support poles.

The original shade sails have now been removed and will not be replaced. The shade sail poles and associated footings will be removed as part of the shade sail replacement works.

A Tender process for a new retractable shade sail system was undertaken in 2023. A single tender was submitted by Shadeform Sails, but the tendered price could not be accommodated with the available budget.

\$300,000 has been allocated in the 2025/26 budget to provide seed funding for the installation of a new retractable shade sail system. Shire officers met with the representatives from the Department of Creative Industries, Tourism and Sport (CITS) regarding the submission of a funding application to the Community Sport and Recreation Facilities Fund (CSRFF). The project received a positive initial response, and a formal grant application was intended to be submitted requesting CSRFF grant funding of \$400,000 for the project.

For reasons unknown, CITS did not open the annual CSRFF funding round last year as it normally would, and the opportunity was lost to obtain the funding needed to complete the project.

COMMENTS

The WMSP is maintained and operated by the Shire. It is a 'single operator pool' meaning that generally only one employee is present at any given time. The previous fixed shade sails were problematic, particularly in the event of a cyclone being forecast or during wet season storms in high wind events.

A retractable shade sail system is considered the best system to provide shade for the pool for the following reasons:

- It can be left fully or partially open in the dry season and shoulder seasons to assist with heating the pool.
- It can be fully closed in the wet season and on hotter days to provide full shade.
- The individual bays may be left in any position between fully opened and fully closed at the discretion of the operator and depending on conditions and use at the time.
- The shade sails can be quickly retracted by a single operator in a high wind event such as a wet season storm.
- The shade sails will be able to be strapped in place if a cyclone is forecast.

A permanent roof structure or fixed shade sails do not offer these benefits. The previous fixed shade sail system could not easily be dropped and stored away prior to a high wind event or a cyclone. This posed a risk to both property and public safety.

At the end of the current wet season, the Wyndham Memorial Swimming Pool will have been without effective shade options for the third consecutive wet season. The local community has an expectation that this issue is addressed and that new shade options are provided.

To deliver the project prior to the next wet season, it is critical that a Contractor be appointed now to enable design work, preliminaries and procurement of long-lead items to commence in time for construction during the 2026 dry season.

If Council does not approve the additional funding at this time, the project will not be able to proceed in the 2026 dry season, resulting in the Wyndham Memorial Swimming Pool entering a fourth consecutive wet season without effective shade provision.

An updated cost estimate was obtained from Kimberley Green Constructions (KGC)/Shadeform intended to accompany the CSRFF application. The cost estimate highlighted escalating costs and based on the cost estimate the \$700,000 budget is not sufficient to carry out the full scope of works.

In response to this, a new quote with two reduced scope options has been obtained from KGC as the lead contractor and Shadeform as the supplier of the retractable shade sail system. Details of the reduced scope options are as follows:

4 Bay Option

Quote to design and construct 4 x retractable shade sail bays as per the preliminary drawings provided:

\$553,328.66 plus GST.

5 Bay Option

Quote to design and construct 5 x retractable shade sail bays as per the preliminary drawings provided:

\$631,034.91 plus GST

Shadeform are currently the sole supplier of a suitable retractable shade sail system as per our specification requirements. Shadeform have advised that KGC is the preferred local contractor capable of installing the Shadeform system and are the sole preferred and authorised installer for its product in our region.

KGC will take on the role of the lead contractor being the registered builder for the work with the responsibility for the construction of the structural components. Shadeform will be responsible for the engineering, shop drawings, manufacture and install oversight of the retractable shade sail system.

KGC are a local construction company and are currently undertaking the construction of the new retractable shade sails at the KLC aquatic redevelopment. They have an established relationship with Shadeform and with local suppliers and trades for construction of the key components such as structural steel, concrete and concrete reinforcement.

KGC have submitted a proposed timeline and on the basis that the works are awarded by the end of March 2026, works will begin on site at the beginning of June 2026. The site will be handed back for public use early August 2026 with the supporting infrastructure in place. A survey will be undertaken at this time to measure for the fabrication of the shade sails which are scheduled for install late September 2026.

STATUTORY IMPLICATIONS

[Local Government Act 1995](#)

Section 6.2 – Local government to prepare annual budget

Section 6.8 – Review of budget

Section 6.20 – Expenditure not included in annual budget

Building approvals to be managed as part of delivery.

POLICY IMPLICATIONS

Given the unique nature of the retractable shade sail system supplied by KGC and Shadeform, the CEO has approved the sole supplier status of KGC for this project in accordance with the Clause 1.4.8 of the Shire's Policy POL-2004 Purchasing as no reasonable alternative suppliers exist in the region or state for a cyclone-rated retractable system of this scale.

KGC also meets the Shire's Purchasing Policy - Supply Order of Priority requirements as detailed below:

- Priority 2 – KGC are a Local Supplier.
- Priority 3 – KGC are a WALGA Preferred Supplier.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: LIVEABILITY

Goal 2: Healthy communities - Encouraging active, healthy lifestyles

Goal Outcome 2.2: Access to sport and recreation facilities and services - Sport and recreation facilities and services are accessible and well maintained

Strategy 2.2: The Shire will collaborate with a wide range of stakeholders to advocate and provide accessible facilities that support a range of sporting and recreational activities

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Control: Ensure full project funding is formally approved by Council through the annual budget process, with defined scope, cost certainty, and ongoing financial monitoring to manage delivery within approved resources.

FINANCIAL IMPLICATIONS

\$300,000 has been allocated in the 2025/26 budget to provide seed funding for the installation of a new retractable shade sail system.

Additional CSRFF funding of \$400,000 was intended to be sourced to meet project costs, however the annual CSRFF funding round did not open for applications. A cost estimate obtained from KGC/Shadeform highlighted that \$700,000 would not be adequate for a full shade cover option.

KGC/Shadeform were requested to provide a detailed quote on a sole supplier basis for two reduced scope options. Additional project funding is requested for one of two reduced scope options, all costs outlined below are exclusive of GST and based on detailed quotations received.

4 Bay Option Project Costs

| Item | Cost ex GST |
|--|-------------------|
| Project management and procurement costs | \$ 25,000 |
| Remove exist. poles and shade structures | \$ 15,000 |
| Design and Construction Costs | \$ 555,000 |
| Project Contingency | \$ 5,000 |
| TOTAL PROJECT COSTS | \$ 600,000 |
| Less current Municipal Fund allocation | -\$ 300,000 |
| BALANCE TO BE FUNDED | \$ 300,000 |

5 Bay Option Project Costs (rounded to whole dollars)

| Item | Cost ex GST |
|--|-------------------|
| Project management and procurement costs | \$ 25,000 |
| Remove exist. poles and shade structures | \$ 15,000 |
| Design and Construction Costs | \$ 635,000 |
| Project Contingency | \$ 5,000 |
| TOTAL PROJECT COSTS | \$ 680,000 |
| Less current Municipal Fund allocation | -\$ 300,000 |
| BALANCE TO BE FUNDED | \$ 380,000 |

The 5 bay option offers the best community outcome and covers a substantial portion of the existing 25m pool. It is recommended that Council commits to funding the balance of the project being \$380,000 in the 2026/27 financial year funded from the Capital Works Reserve.

Current and Future Asset Considerations

The previous fixed shade sails were problematic. They could not easily be dropped and stored away prior to a cyclone being forecast or during wet season storms in high wind events. This posed a risk to both property and public safety.

The proposed retractable shade sail system provides a resilient and flexible solution to provide shading options for the pool that can be easily and effectively managed by a single operator.

COMMUNITY ENGAGEMENT

Community engagement is not required due to asset replacement nature, but community expectations are acknowledged.

ATTACHMENTS

1. Attachment 1 - Wyndham Pool Sections (5 Bay) A 102- C [12.5.3.1]
2. Attachment 2 - Wyndham Pool Site Plan Layout (4 Bay) A 201- C [12.5.3.2]
3. Attachment 3 - Wyndham Pool Site Plan Layout (5 Bay) A 101- C [12.5.3.3]

4. Attachment 4 - Time Line - Wyndham Shade Sails [12.5.3.4]
5. Attachment 5 - Wyndham Pool Sections (4 Bay) A 202- C [12.5.3.5]

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1. INDEPENDENT POTABLE WATER QUALITY AUDIT

| | |
|--------------------------------------|---|
| AUTHOR: | Executive Officer to the CEO |
| RESPONSIBLE OFFICER: | Vernon Lawrence, Chief Executive Officer |
| FILE NO: | PH.14.5 |
| DISCLOSURE OF INTERESTS: | Nil |
| COUNCIL'S ROLE IN THE MATTER: | Advocator - advocate and support initiatives on behalf of the community |
| VOTING REQUIREMENT: | Simple Majority |

OFFICER'S RECOMMENDATION

Minute Number:
Moved: Cr B Robinson
Seconded: Cr K Bond

That Council:

1. Directs the Chief Executive Officer to arrange for independent potable water sampling and testing at ten (10) random locations across Kununurra and five (5) random locations in Wyndham;
2. Specifies that the testing include a Standard Drinking Water Test (as defined by the Department of Health), covering microbiological contaminants (including E. coli) and relevant chemical and physical properties (including heavy metals, nitrates and aesthetic quality indicators); and
3. Requests that the results be presented to the Audit, Risk and Improvement Committee within ninety (90) days of commissioning the testing, including comparison against the Australian Drinking Water Guidelines and publicly available Water Corporation Northwest Regional data.

AMENDED MOTION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119373
Moved: Cr B Robinson
Seconded: Cr M Dear

That point 4 be added:

Directs the Audit, Risk and Improvement Committee to investigate the risk to the community related to deficiencies in water and drainage infrastructure and the impact on liveability and economic development.

Carried: 8/0
For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

SUBSTANTIVE MOTION AS AMENDED / COUNCIL DECISION

Minute Number: 24/02/2026 - 119374

Moved: Cr B Robinson

Seconded: Cr K Bond

That Council:

- 1. Directs the Chief Executive Officer to arrange for independent potable water sampling and testing at ten (10) random locations across Kununurra and five (5) random locations in Wyndham;**
- 2. Specifies that the testing include a Standard Drinking Water Test (as defined by the Department of Health), covering microbiological contaminants (including E. coli) and relevant chemical and physical properties (including heavy metals, nitrates and aesthetic quality indicators); and**
- 3. Requests that the results be presented to the Audit, Risk and Improvement Committee within ninety (90) days of commissioning the testing, including comparison against the Australian Drinking Water Guidelines and publicly available Water Corporation Northwest Regional data.**
- 4. Directs the Audit, Risk and Improvement Committee to investigate the risk to the community related to deficiencies in water and drainage infrastructure and the impact on liveability and economic development.**

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

To seek Council endorsement to commission independent potable water sampling and testing within Kununurra and Wyndham, in response to community concerns regarding wastewater infrastructure capacity and potential impacts on drinking water safety.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

Wastewater capacity constraints within Kununurra have been raised in the context of land release and development, including limitations on new sewer connections.

Wastewater treatment, potable water supply and sewerage infrastructure are the statutory responsibility of the Water Corporation under State legislation. The Shire does not own or operate potable water infrastructure.

Wastewater capacity has been raised as an issue impacting land development and economic growth within the district.

No previous resolution of Council has directed independent potable water testing beyond routine regulatory oversight.

COMMENTS

The Notice of Motion proposes commissioning independent potable water sampling at selected locations within Kununurra and Wyndham to provide additional assurance regarding drinking water quality.

The proposal arises from community concern about whether existing wastewater infrastructure constraints could have implications for potable water safety.

The Shire does not have statutory responsibility for drinking water supply or compliance monitoring. Water quality monitoring is undertaken by the licensed service provider and regulated by the Department of Health in accordance with the Australian Drinking Water Guidelines.

The proposed testing would provide an independent snapshot of water quality for transparency and information purposes only. It does not alter statutory responsibilities.

If testing confirms compliance with the Australian Drinking Water Guidelines, it will provide reassurance to the community. If any anomalies are identified, the results can be formally referred to the appropriate State authority for investigation.

STATUTORY IMPLICATIONS

Potable water supply and sewerage services are the statutory responsibility of the Water Corporation under the *Water Services Act 2012 (WA)*. Drinking water quality is regulated by the Department of Health under the *Public Health Act 2016 (WA)*, with compliance assessed against the Australian Drinking Water Guidelines.

Under section 3.1 of the *Local Government Act 1995 (WA)*, the Shire may undertake initiatives for the benefit of the community. Commissioning independent testing for information and advocacy purposes is within Council's general powers and does not alter or assume the statutory responsibilities of the Water Corporation or the Department of Health.

POLICY IMPLICATIONS

No policy implications are identified relating to this item

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: LIVEABILITY

Focus Area: SUSTAINABILITY

Goal 2: Healthy communities - Encouraging active, healthy lifestyles

Goal 3: Access to housing - There are housing opportunities for everyone

Goal Outcome 2.1: Access to healthcare - Improve access to quality health and community services

Goal Outcome 3.1: Housing Supply - The supply of housing meets current and future demand

Strategy 2.1: The Shire will work with key partners to advocate for improved health and wellbeing services

Strategy 3.1: The Shire will work with key partners to advocate for the construction of housing the meets current and future demand

RISK IMPLICATIONS

Risk: Failure to manage developments and projects in line with regulatory planning, building and health requirements, leading to a poorly developed region and environmental degradation.

Control: Ensure all developments and projects are assessed in accordance with applicable legislation, local planning instruments and Council policies, with review by qualified officers, documented decision-making, and referral to relevant State agencies where required.

FINANCIAL IMPLICATIONS

Associated costs can be accommodated within the approved Environmental Health Officer operational budget for the current financial year.

No additional budget amendment is required.

Current and Future Asset Considerations

There are no asset implications arising from this proposal.

COMMUNITY ENGAGEMENT

Formal community consultation is not required for this matter.

ATTACHMENTS

Nil

14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

16. MATTERS BEHIND CLOSED DOORS

Pursuant to section 5.23(2)(e) of the *Local Government Act 1995* item 16.1 is to be considered behind closed doors.

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119375

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council closes the meeting to the members of the public at 5:51pm to consider Matters Behind Closed Doors listed at item 10.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

The Chief Executive Officer and relevant officers remained in the Chamber during consideration of this item.

The Gallery left the Chamber at 5:51pm.

Director Webb left the Chamber at 5:51pm and did not return to the meeting.

16.1. EXPRESSION OF INTEREST EOI01-25/26: WYNDHAM AIRPORT ACCOMMODATION FACILITY

MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

This item is to be considered behind closed doors as per the *Local Government Act 1995*:
[Section 5.23. \(2\) \(e\)](#)

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119376

Moved: Cr B Robinson

Seconded: Cr K Bond

That Council

- 1. Notes the sole confidential submission received for EOI01-25/26: Wyndham Airport Accommodation Facility.**
- 2. Accepts the Expression of Interest response submitted by KMG Minerals Pty Ltd, ABN 11 641 241 116, for Expression of Interest: Wyndham Airport Accommodation Facility, for an offer amount of \$420,000.00 (excl. GST) per annum.**
- 3. Delegates the formation and negotiation of the Licence to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Licence Contract.**
- 4. Authorises the Chief Executive Officer to negotiate and enter licence with KMG Minerals Pty Ltd for an initial term of twelve (12) months, with two (2) twelve (12) month extension options at the discretion of the Chief Executive Officer.**

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

PURPOSE

To consider expression of interest received for EOI01-25/26 and make recommendations for award of licence.

ATTACHMENTS

- 1. Confidential Attachment 1 - EOI 01-25 26_ Wyndham Airport Accommodation Facility Evaluation Report Signed [16.1.1]**

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 24/02/2026 - 119377

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council reopens the meeting to the public at 5:54 pm.

Carried: 8/0

For: Cr D Menzel, Cr C Cane, Cr K Bond, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson, Cr S Timms.

Against: Nil

Cr D Menzel read aloud the decisions made behind closed doors for the benefit of the gallery and those attending via livestream.

17. CLOSURE

Cr D Menzel declared the meeting closed at 5:57pm.