

SHIRE OF WYNDHAM EAST KIMBERLEY

Ordinary Council Meeting: Unconfirmed Minutes

Tuesday 22 September 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. ANNOUNCEMENTS	3
2.1. ANNOUNCEMENTS BY THE PRESIDING MEMBER	3
2.2. DELEGATE’S REPORTS FROM COMMITTEES OF COUNCIL	4
3. ATTENDANCE / APOLOGIES	4
4. DECLARATION OF INTEREST	4
5. PUBLIC QUESTION TIME.....	4
5.1. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	4
5.2. PUBLIC QUESTION TIME.....	5
6. APPLICATIONS FOR LEAVE OF ABSENCE.....	6
6.1. CR K BOND.....	6
7. CONFIRMATION OF MINUTES	7
8. PRESENTATIONS	7
8.1. PETITIONS	7
8.2. PRESENTATIONS	7
8.3. DEPUTATIONS	7
9. METHOD OF DEALING WITH AGENDA BUSINESS.....	7
10. OFFICER REPORTS.....	8
10.1. MATTERS CONSIDERED BY COMMITTEES OF COUNCIL.....	8
10.1.1. Consideration Of Recommendations Contained Within The Minutes Of The Audit, Risk And Improvement Committee Of 24 August 2026.....	9
10.1.2. Consideration Of Recommendations Contained Within The Minutes Of The Special Audit, Risk And Improvement Committee Of 17 September 2026	13
10.2. OFFICE OF THE CEO	15
10.2.1. Standing Item - Outstanding Actions From Previous Council Resolutions.....	15
10.2.2. Fees And Charges 2026/27 - Passenger Charges For Cap Fares.....	17
10.3. CORPORATE SERVICES	22
10.3.1. List Of Accounts Paid From Municipal Fund And Trust Fund.....	22
10.3.2. Monthly Financial Report.....	25
10.4. PLANNING AND COMMUNITY DEVELOPMENT	28
10.5. INFRASTRUCTURE.....	28
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	28
12. QUESTIONS FROM MEMBERS WITHOUT NOTICE	28
13. URGENT BUSINESS (BY DECISION OF THE MEETING).....	28
14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	28
14.1. DISPOSAL OF 2018 TOYOTA LANDCRUISER 79 SERIES WORKMATE - REGISTRATION WY28116.....	29
15. CLOSURE	30

**SHIRE OF WYNDHAM EAST KIMBERLEY
ORDINARY COUNCIL MEETING
UNCONFIRMED MINUTES
KUNUNURRA COUNCIL CHAMBERS
TO BE HELD ON TUESDAY 22 SEPTEMBER 2026 AT 5:00PM**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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 to 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.

The Shire President declared the Meeting open at 5:02 pm.

2. ANNOUNCEMENTS

2.1. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Since our last Ordinary Council Meeting, there has continued to be strong progress across a number of Shire projects.

The Kununurra Leisure Centre Aquatic Redevelopment is now complete, with the new pool opening yesterday. I am also pleased to advise that we will be holding a Community Day on Sunday, 18 October to celebrate the opening of this fantastic new facility. This will be an opportunity for the community to come together and enjoy the new pool.

In Wyndham, work continues on the Community Boat Launching Facility, with the project moving into its marine piling stage. This will result in some unavoidable disruption and closures over the coming months, and I thank the Wyndham community and facility users for their patience while these important works are undertaken.

The CEO and I recently attended the WALGA Convention in Perth, providing an important opportunity to connect with other local governments and discuss matters affecting our sector and communities.

The CEO also attended the Top Tourism Town Awards in Canberra. Although we were not successful at the national level, I would like to congratulate everyone involved in Kununurra's award-winning Western Australian submission. Being recognised at the State level is a great achievement and reflects the work of our community and tourism sector in showcasing East Kimberley as a destination.

2.2. DELEGATE'S REPORTS FROM COMMITTEES OF COUNCIL

Nil

3. ATTENDANCE / APOLOGIES

Cr D Menzel	Shire President (Presiding Member)
Cr T Chafer	Deputy Shire President (via video conference)
Cr C Cane	Councillor
Cr M Dear	Councillor
Cr V Goulden	Councillor
Cr S Martin	Councillor (via video conference)
Cr B Robinson	Councillor
V Lawrence	Chief Executive Officer
Nick Allen	Director Planning and Community Development
N Bray	Minute Taker
J Bolt	Executive Officer to the CEO

Leave of Absence

Cr S Timms	Councillor
------------	------------

Apology

Cr K Bond	Councillor
-----------	------------

Absent

Nil

4. DECLARATION OF INTEREST

Type	Item #	Councillor/Officer	Description of Interest
Impartiality	14.1	Cr B Robinson	CEO is named as a tenderer

5. PUBLIC QUESTION TIME

5.1. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Question from H Ciccotosto:

Has the Executive Received correspondence or communication from the Public Sector Commission reference to allegations of pre-determination of the illegal use of Shire equipment and breaching planning process or responded to them?

Response provided at the meeting:

No correspondence has been received to date and subsequent to the meeting, further enquiries will be undertaken to clarify the location and works understood to be referred to in the question.

Further response following the meeting:

It is understood that the matter relates to works undertaken by the Shire at Shire-managed Reserve Lot 1252, 34 Durack Road, Wyndham.

The works were undertaken following a request from Horizon Power to provide safe and unobstructed access to existing electricity infrastructure located within the reserve. The Shire's involvement was limited to undertaking the necessary operational works to facilitate that access, using Shire personnel, plant and equipment.

The Shire is not in a position to comment on whether Horizon Power's request for access was related to any other proposed activity or development within the reserve. That is a matter for Horizon Power.

The undertaking of those works does not constitute approval of, support for, or predetermination of the development application. The application remains subject to the applicable statutory planning process and will be assessed and determined on its merits, having regard to the relevant planning framework and all matters required to be considered.

The Shire does not accept the characterisation that the use of Shire equipment was "illegal" or that the works represented a breach of the planning process. The Shire has identified no information arising from its enquiries that establishes either allegation.

5.2. PUBLIC QUESTION TIME**Question from Nathalia Imberlong:**

Will the Council provide an update on the Kununurra town cemetery's capacity for residents into the short, mid and long term future?

Response:

Council was previously advised in October 2025 that, based on the cemetery plans, records and occupancy information available at the time, the Kununurra Cemetery was projected to reach capacity by approximately 2027.

Since then, the Shire has completed a detailed audit and reconciliation of the cemetery to verify occupancy records, identify vacant plots and assess opportunities to maximise the use of the existing site.

The audit has confirmed that the cemetery remains operational and retains additional burial capacity beyond that identified in the previous assessment. The review identified vacant plots, available rows and capacity within existing burial sections that were not fully reflected in earlier estimates. Based on current burial rates, this additional capacity is expected to support cemetery operations for several more years.

Accordingly, the previous projection that the cemetery could reach capacity by approximately 2027 is no longer considered an accurate reflection of the site's remaining capacity.

To further extend the operational life of the cemetery, the Shire is undertaking survey and geotechnical investigations to assess whether ground levels can be raised in suitable areas. If feasible, this may enable currently constrained areas to be brought into use for future burials, improving the efficiency and utilisation of the existing cemetery land.

The outcomes of these investigations, together with the results of the cemetery audit, will provide a more accurate assessment of the cemetery's remaining capacity and projected operational life.

The Shire's current focus is on maximising the capacity and longevity of the existing cemetery. While the site remains finite, the recent audit has significantly improved the Shire's understanding of

available capacity, and the ongoing technical investigations may identify further opportunities to extend the cemetery's usable life beyond that anticipated in previous reports to Council.

Question 1 from Clare Daley:

What information does the Shire currently have regarding the prevalence and rate of family and domestic violence within Kununurra and the wider Shire of Wyndham-East Kimberley, including whether the available information indicates the issue is increasing or decreasing?

Response:

The Shire does not have a legislative or regulatory role in relation to family and domestic violence and does not collect or maintain data on its prevalence. The Shire's information is limited to publicly available data and, as it has not undertaken an analysis of that information, it is not in a position to comment on the extent of family and domestic violence or whether rates are increasing or decreasing.

Question 2 from Clare Daley:

What actions is the Shire currently taking, either directly or through advocacy and partnerships with other agencies, to address family and domestic violence within our community?

Response:

The Shire does not have a legislative or regulatory role, dedicated funding, or specialist staff and expertise to deliver family and domestic violence services. While the Shire does not undertake specific advocacy on family and domestic violence, relevant concerns may be raised through its broader advocacy on social issues identified by the community. The Shire is also a member of Yajany Yarrowoo Ngoondebtha (YYN – Going Together in a Good Way), which provides a collaborative forum with an influence and advocacy role in this space.

6. APPLICATIONS FOR LEAVE OF ABSENCE

6.1. CR K BOND & CR M DEAR

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119526

Moved: Cr B Robinson

Seconded: Cr V Goulden

That Council approves the leave of absence request from Cr Keda Bond for the 22 September Ordinary Council Meeting and Cr Mat Dear for the 29 September 2026 Special Council Meeting.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

7. CONFIRMATION OF MINUTES

PURPOSE

To formally confirm the accuracy of the Minutes from the Ordinary Council Meeting held on 25 August 2026, ensuring they represent a true and correct record of Council's proceedings in accordance with Section 5.22 of the *Local Government Act 1995*.

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119527

Moved: Cr B Robinson

Seconded: Cr M Dear

That Council confirms the Minutes of the Ordinary Council Meeting held on 25 August 2026.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

8. PRESENTATIONS

8.1. PETITIONS

Nil

8.2. PRESENTATIONS

Nil

8.3. DEPUTATIONS

Nil

9. METHOD OF DEALING WITH AGENDA BUSINESS

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119528

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council, in accordance with clause 5.5 of the *Meeting Procedures Local Law 2016*, adopts by exception the officer recommendations contained in Items:

1. Matters Considered by Committees of Council

- a. 10.1.1. Consideration Of Recommendations Contained Within The Minutes Of The Audit, Risk And Improvement Committee Of 24 August 2026
- b. 10.1.2. Consideration Of Recommendations Contained Within The Minutes Of The Special Audit, Risk And Improvement Committee Of 17 September 2026

2. Office of the CEO items

- a. 10.2.1. Standing Item - Outstanding Actions From Previous Council Resolutions

3. Corporate Services

- a. 10.3.1. List Of Accounts Paid From Municipal Fund and Trust Fund
- b. 10.3.2. Monthly Financial Report

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

10. OFFICER REPORTS

10.1. MATTERS CONSIDERED BY COMMITTEES OF COUNCIL

10.1.1. CONSIDERATION OF RECOMMENDATIONS CONTAINED WITHIN THE MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE OF 24 AUGUST 2026

AUTHOR:	Governance Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
FILE NO:	GN.05.2
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

COMMITTEE RECOMMENDATION 1 / COUNCIL DECISION

Minute Number: 22/09/2026 - 119528

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council notes the management progress updates as per confidential attachments 1 & 2 on actions arising from the 2025 statutory compliance reviews undertaken in accordance with Regulation 17 of the *Local Government (Audit) Regulation 1996* and Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

COMMITTEE RECOMMENDATION 2 / COUNCIL DECISION

Minute Number: 22/09/2026 - 119529

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council receives the Quarterly Financial Report for the period ended 30 June 2026.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

COMMITTEE RECOMMENDATION 3 / COUNCIL DECISION

Minute Number: 22/09/2026 - 119530

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council notes the report relating to the exercise of Delegation 1.2.26 – Defer, Grant Discounts, Waive or Write Off Debts for the period 1 May 2026 to 30 June 2026.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

COMMITTEE RECOMMENDATION 4 / COUNCIL DECISION

Minute Number: 22/09/2026 - 119531

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council:

- 1. Notes the workplace health and safety update; and**
- 2. Requests the Chief Executive Officer to continue reporting progress on identified workplace health and safety corrective actions through the Audit, Risk and Improvement Committee until the actions are closed.**

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

COMMITTEE RECOMMENDATION 5 / COUNCIL DECISION

Minute Number: 22/09/2026 - 119532

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council note the report on legal fees expended to 30 June 2026.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

COMMITTEE RECOMMENDATION 6 / COUNCIL DECISION

Minute Number: 22/09/2026 - 119533

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council:

- 1. Notes that the Draft Corporate Business Plan has been updated to include an Activity for Governance and Statutory Compliance, including the regular review of the Risk and Opportunity Management Framework;**
- 2. Notes that the Audit, Risk and Improvement Committee has reviewed the draft Framework, with specific consideration of the proposed approach to Risk Appetite and Risk Tolerance, and has provided advice and feedback on the draft content, including the proposed Council Risk Appetite Statement; and**
- 3. Notes that the draft Framework has been further refined having regard to the Committee's feedback and will be presented to Council for formal consideration.**

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

COMMITTEE RECOMMENDATION 7 / COUNCIL DECISION

Minute Number: 22/09/2026 - 119534

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council note the procurement and contract management compliance review for the period 1 March 2026 to 31 May 2026 and the control improvements implemented or underway.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

PURPOSE

To consider the recommendations from the Audit Risk and Improvement Committee made at its meeting held on 24 August 2026.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

The background and details supporting the recommendations are contained within the agenda papers and unconfirmed minutes of the Audit, Risk and Improvement Committee meeting held on 25 May 2026, including associated attachments where applicable.

COMMENTS

Various - detailed within the Minutes of the 24 August 2026 Audit Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

STATUTORY IMPLICATIONS

Various - detailed within the Minutes of the 24 August 2026 Audit Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

POLICY IMPLICATIONS

Various - detailed within the Minutes of the 24 August 2026 Audit Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

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

Various - detailed within the Minutes of the 24 August 2026 Audit Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

FINANCIAL IMPLICATIONS

Various - detailed within the Minutes of the 24 August 2026 Audit Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

Current and Future Asset Considerations

Various - detailed within the Minutes of the 24 August 2026 Audit Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

COMMUNITY ENGAGEMENT

Various - detailed within the Minutes of the 24 August 2026 Audit Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

ATTACHMENTS

1. 260824 Unconfirmed Minutes - ARIC 24 August 2026

10.1.2. CONSIDERATION OF RECOMMENDATIONS CONTAINED WITHIN THE MINUTES OF THE SPECIAL AUDIT, RISK AND IMPROVEMENT COMMITTEE OF 17 SEPTEMBER 2026

AUTHOR:	Governance Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
FILE NO:	GN.05.2
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

COMMITTEE RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119535

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council:

1. Reviews the Shire of Wyndham East Kimberley 2025 Compliance Audit Return at Attachment 1 in accordance with regulation 14 of the *Local Government (Audit) Regulations 1996*;
2. Reports to Council that it has completed its review of the 2025 Compliance Audit Return; and
3. Recommends that Council adopt the 2025 Compliance Audit Return, subject to any amendments arising from the Committee's review, for submission to the Local Government Inspector by 30 September 2026.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

PURPOSE

To consider the recommendations from the Special Audit, Risk and Improvement Committee made at its meeting held on 17 September 2026.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

The background and details supporting the recommendations are contained within the agenda papers and unconfirmed minutes of the Audit, Risk and Improvement Committee meeting held on 25 May 2026, including associated attachments where applicable.

COMMENTS

As detailed within the Minutes of the 17 September 2026 Special Audit, Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

STATUTORY IMPLICATIONS

As detailed within the Minutes of the 17 September 2026 Special Audit, Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

POLICY IMPLICATIONS

As detailed within the Minutes of the 17 September 2026 Special Audit, Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

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

As detailed within the Minutes of the 17 September 2026 Special Audit, Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

FINANCIAL IMPLICATIONS

As detailed within the Minutes of the 17 September 2026 Special Audit, Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

Current and Future Asset Considerations

As detailed within the Minutes of the 17 September 2026 Special Audit, Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

COMMUNITY ENGAGEMENT

As detailed within the Minutes of the 17 September 2026 Special Audit, Risk and Improvement Committee meeting and associated with the Agenda/Minutes.

ATTACHMENTS

1. 260917_Unconfirmed_Minutes_-_Special ARIC

10.2. OFFICE OF THE CEO

10.2.1. STANDING ITEM - OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL RESOLUTIONS

AUTHOR:	Governance Officer
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

COMMITTEE RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119536

Moved: Cr D Menzel

Seconded: Cr B Robinson

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

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

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. Council Actions Register - September 2026 [10.2.1.1]

10.2.2. FEES AND CHARGES 2026/27 - PASSENGER CHARGES FOR CAP FARES

AUTHOR:	Strategic Performance Advisor
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
FILE NO:	FM.08.15
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Provider - provide physical infrastructure and essential services
VOTING REQUIREMENT:	Absolute Majority

COMMITTEE RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119537

Moved: Cr B Robinson

Seconded: Cr T Chafer

That Council:

1. Amends the 2026/27 Schedule of Fees and Charges to support the Regional Airfare Zone Cap (RAZC) scheme by introducing the following Passenger Service Fees:
 - a. Fee 688, Passenger Handling fee - Zone Cap (RAZC) - \$25.80
 - b. Fee 689, Passenger Screening fee - Zone Cap (RAZC) - \$28.00
2. Notes that local public notice of the amendment must be given in accordance with *section 6.19 of the Local Government Act 1995* prior to the amendment taking effect; and
3. Authorises the Chief Executive Officer to implement the amendment upon completion of the required local public notice process.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

PURPOSE

To seek Council approval to amend the Passenger Service Fees in the 2026/27 Schedule of Fees and Charges by introducing subsidised fees for passengers travelling on Regional Airfare Zone Cap (RAZC) airfares.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

Council adopted the Schedule of Fees and Charges for 2026/27 at its May 2026 Ordinary Council Meeting.

The Shire adopts a Schedule of Fees and Charges each fiscal year to prescribe the fees and charges that apply to services provided by the local government. Some fees are determined by Council under the Local Government Act 1995, while others are prescribed by State legislation and must be applied by local governments when undertaking delegated statutory functions.

Following adoption of the 2026/27 Schedule of Fees and Charges, The State Government's Department of Transport requested the Shire support the WA Regional Airfare Zone Cap Scheme by maintaining 2025/26 passenger services fee pricing into 2026/27.

The WA Regional Airfare Zone Cap (RAZC) Scheme was introduced by the Western Australian Government in July 2022 as a cost-of-living and regional connectivity initiative designed to reduce the often-high cost of flying between regional WA and Perth.

Prior to 2022, regional residents frequently faced airfares exceeding \$1,000 return, particularly on remote routes such as Kununurra where competition was limited. In response to extensive lobbying and advocacy by regional local governments and other regional entities, the State Government negotiated agreements with participating airlines to cap the maximum airfare that eligible regional residents would pay when travelling to Perth for personal reasons. The scheme was launched as a trial from 1 July 2022.

The original model established two fare zones:

- Zone 1 (communities within 1,000 km driving distance of Perth): maximum fare of \$199 one-way
- Zone 2 (communities more than 1,000 km from Perth): maximum fare of \$299 one-way

Flights from Kununurra fall within Zone 2, meaning eligible East Kimberley residents could access capped Perth fares under the scheme.

The scheme proved exceptionally popular and by January 2025 more than 420,000 capped airfares had been flown. In early 2025 the State Government announced additional funding to extend the program until mid-2026 while a formal review and renegotiation took place. Following the review, the State Government announced in December 2025 that capped airfares would be retained permanently rather than remaining a temporary program. The revised scheme came into effect from 1 July 2026.

Under the revised scheme Zone Cap airfares are capped at a maximum cost of \$299 one-way for low demand flights and \$385 for high demand flights between Kununurra and Perth. Participating airlines can choose to offer fares less than the set zone cap maximum prices. Zone Capped airfares are offered by Virgin and Airnorth between Kununurra and Perth.

Since 2018, through Strategic Community Plan Goal 7, *Connecting to the world – Creating access and turning our remoteness into a positive experience*, Council and the administration has advocated for capped airfares for residents and, following the 2022 trial, for the scheme's continuation.

The EKRA Committee meeting held on the 22 July 2026 previously considered the passenger service fees. The committee put the following recommendation to Council:

Recommend to Council that the Fees and Charges Schedule be amended to reflect the charges for landing fees for aircraft over 5,700 kilograms, passenger screening fees and passenger handling fees for the period 1 January 2027 to 30 June 2027 remain the same as the fees and charges for the period 1 July 2026 to 31 December 2026.

The EKRA Committee recommendation did not provide for Zone Cap passenger fees to be reduced to 2025/26 pricing, as requested by the State Government to support RAZC airfares. This report enables Council, should it agree, to apply the 2025/26 rates to Zone Cap passenger fees.

COMMENTS

The proposed amendments to the Schedule of Fees and Charges will update the Passenger Service Fees group to allow the Shire to apply reduced fees for passengers travelling on RAZC airfares.

To support the long-term viability of the \$299 and \$385 Zone Cap airfares, the Shire proposes to introduce specific Zone Cap passenger service charges into the Schedule of Fees and Charges. Where airlines provide Zone Cap airfares, the Shire will apply Passenger Handling and Passenger Screening fees on a partial cost-recovery basis.

The recommended Passenger Service Fee amendments for the 2026/27 Schedule of Fees and Charges are outlined below:

	No.	Fee description	Fee	Cost Basis
Existing	#503	Passenger Handling fee	\$26.80	Full cost-recovery
Existing	#504	Passenger Screening fee	\$29.00	Full cost-recovery
New	#688	Passenger Handling fee - Zone Cap	\$25.80	Partial cost-recovery
New	#689	Passenger Screening fee - Zone Cap	\$28.00	Partial cost-recovery

STATUTORY IMPLICATIONS

- [Section 6.19 of the Local Government Act 1995 \(WA\)](#) requires a local government to give local public notice before introducing fees or charges after adoption of the annual budget, including notice of the intention to do so and the proposed commencement date
- [Section 6.16 of the Local Government Act 1995](#) requires that the imposition or amendment of fees and charges be determined by an absolute majority of Council.
- [Section 6.16\(1\) of the Local Government Act 1995](#) provides that a local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- [Section 6.16\(3\), a local government](#) provides that fees and charges are to be imposed when adopting the annual budget but may also be imposed during a fiscal year and amended from time to time.

POLICY IMPLICATIONS

This matter relates to the following Shire Policy:

- [POL-2006 Fees and Charges Pricing](#) - The amendments update the Schedule of Fees and Charges to reflect changes to statutory building fees prescribed by State legislation and correct two Shire imposed fees to ensure the adopted schedule accurately reflects Council's intended pricing. The amendments support the policy's objective of maintaining an accurate, transparent and legislatively compliant schedule of fees and charges.

STRATEGIC IMPLICATIONS

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

Focus Area: CONNECTION

Goal 7: Connecting to the world - Creating access and turning our remoteness into a positive experience

Goal Outcome 7.1: Transport connections - People and goods are able to move freely in and out of the East Kimberley

Strategy 7.1: Advocate for the planning and funding of future transport infrastructure connecting to East Kimberley

Focus Area: SUSTAINABILITY

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

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

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 set, resource and manage fees and charges to support the Shire's service delivery requirements, legislative obligations and strategic objectives.

Controls:

- Annual Budget preparation and review process.
- Annual review of fees and charges with reference to legislative requirements, cost of service delivery, service levels and the extent of subsidisation by general rate revenue.
- Application of relevant Council policies, including fees and charges, debt collection, financial hardship and waiver of fees and charges policies.

FINANCIAL IMPLICATIONS

Fees and charges income accounts for approximately 33% of total Shire income. Setting fees and charges can significantly impact Shire budgets. Most fees and charges increase through the annual review process by a set proposed increase to cover annual inflation. Fees may increase by more or less than inflation where the level of service offered to the community increases or decreases.

Fees and charges should be set at levels that both encourage high community participation and support sustainable financial operations for the Shire.

Current and Future Asset Considerations

Fees and charges contribute to the funding of Shire assets. Increased costs associated with asset maintenance and service delivery have been considered during the annual review process.

COMMUNITY ENGAGEMENT

Engagement will take place in accordance with the Community Engagement Guidelines and will include:

- Local public notice as required before the amendment takes effect, in accordance with Section 6.19 of the *Local Government Act 1995 (WA)*

ATTACHMENTS

Nil

10.3. CORPORATE SERVICES

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

AUTHOR:	Finance Coordinator
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
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

COMMITTEE RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119538

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council receives the List of Accounts Paid for the period 1 to 31 August 2026 totalling \$5,159,036.74 as presented at Attachment 1.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

PURPOSE

To present the List of Accounts Paid and payments made by employees using purchasing cards in accordance with Regulations 13 and 13A of the *Local Government (Financial Management) Regulations 1996 (WA)*.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

In accordance with the Shire's Delegations Register, the Chief Executive Officer has delegated authority to make payments from the municipal fund and trust fund, subject to compliance with Regulation 12 of the *Local Government (Financial Management) Regulations 1996 (WA)*, Council Policy POL-2004 Purchasing and applicable internal purchasing and payment authorisation procedures.

COMMENTS

A list of accounts paid is prepared each month for presentation to Council. The list identifies the payee, payment amount, payment date and sufficient information to identify each transaction.

Payments made by employees using purchasing cards are also included in the report. The payments for capital works comprise \$2,934,637.77 of the total payments made.

STATUTORY IMPLICATIONS

- [Section 5.42 of the Local Government Act 1995 \(WA\)](#) provides that a local government may delegate to the CEO the exercise of its powers or the discharge of its duties, other than powers and duties listed in section 5.43.
- [Regulation 5 of the Local Government \(Financial Management\) Regulations 1996 \(WA\)](#) requires the CEO to undertake duties relating to the efficient systems and procedures for the proper collection, custody, control and management of local government money.
- [Regulation 11 of the Local Government \(Financial Management\) Regulations 1996 \(WA\)](#) requires a local government to develop procedures for the authorisation and payment of accounts.
- [Regulation 12 of the Local Government \(Financial Management\) Regulations 1996 \(WA\)](#) restricts payments from the municipal fund or trust fund unless the local government has delegated authority to the CEO to make the payment or the payment is otherwise authorised by Council.
- [Regulation 13 of the Local Government \(Financial Management\) Regulations 1996 \(WA\)](#) requires a list of accounts paid by the CEO to be prepared each month and presented to Council at the next ordinary Council meeting after the list is prepared.
- [Regulation 13A of the Local Government \(Financial Management\) Regulations 1996 \(WA\)](#) requires a list of payments made by employees using credit, debit or other purchasing cards to be prepared and presented to Council.

POLICY IMPLICATIONS

The 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: Non-compliance with Regulations 13 and 13A of the *Local Government (Financial Management) Regulations 1996 (WA)*.

Controls: Monthly presentation of the List of Accounts Paid to Council in accordance with Regulation 13 and 13A.

FINANCIAL IMPLICATIONS

Payments totalling \$5,159,036.74 were made during the reporting period and are included in the adopted annual budget and relevant approved expenditure accounts.

Current and Future Asset Considerations

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

ATTACHMENTS

1. List of Accounts Paid August 2026 [**10.3.1.1**]

10.3.2. MONTHLY FINANCIAL REPORT

AUTHOR:	Finance Coordinator
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
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

COMMITTEE RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119539

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council:

1. receives the Monthly Financial Report for the period ended 31 August 2026, as presented in Attachment 1, and
2. notes the Statement of Financial Activity and Statement of Financial Position or the period ended 31 August 2026.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

PURPOSE

To present the Monthly Financial Report for the period ended 31 August 2026 in accordance with Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*.

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 \$75,000 for reporting variances at the Ordinary Council Meeting held on 23 June 2026 (Minute Number 23/06/2026 - 119483).

COMMENTS

The Monthly Financial Report includes the Statement of Financial Activity and Statement of Financial Position prepared in accordance with Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*. In accordance with Regulations 34 and 35, the Monthly Financial Report is to be presented to Council within two months after the end of the reporting period and recorded in the minutes.

Material variances between actual and budget are disclosed in Note 3 – Explanation of Material Variances.

Note: the 31 August 2026 figures are subject to change as the 2025/2026 EOFY journals are not yet finalised and the audit has not yet commenced. The figures for Work in Progress, Capitalisation, Reserve movements, contract liabilities and other balance day adjustments have not been finalised.

STATUTORY IMPLICATIONS

[Section 6.4\(1\) of the Local Government Act 1995 \(WA\)](#) requires a local government to prepare an annual financial report for the preceding financial year and any other financial reports as are prescribed.

[Section 6.4\(2\) of the Local Government Act 1995 \(WA\)](#) requires financial reports to be prepared in the manner and form prescribed.

[Regulation 34 of the Local Government \(Financial Management\) Regulations 1996 \(WA\)](#) requires a local government to prepare a monthly statement of financial activity and present it to Council within two months after the end of the relevant month.

[Regulation 35 of the Local Government \(Financial Management\) Regulations 1996 \(WA\)](#) requires a local government to prepare a monthly statement of financial position and present it to Council within two months after the end of the relevant month.

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 10.4: 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: Non-compliance with section 6.4 of the *Local Government Act 1995 (WA)* and Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996 (WA)*.

Controls: Monthly preparation and presentation of the Monthly Financial Report to Council within the prescribed timeframe.

FINANCIAL IMPLICATIONS

Nil

Current and Future Asset Considerations

Nil

COMMUNITY ENGAGEMENT

No community engagement is required in relation to this item.

ATTACHMENTS

1. August 26 Financial Report [**10.3.2.1**]

10.4. PLANNING AND COMMUNITY DEVELOPMENT

Nil

10.5. INFRASTRUCTURE

Nil

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13. URGENT BUSINESS (BY DECISION OF THE MEETING)

Nil

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119540

Moved: Cr D Menzel

Seconded: Cr B Robinson

That Council closes the meeting to members of the public at 5:18pm, in accordance with section 5.23(2)(e) of the *Local Government Act 1995*, to consider matters for which the meeting may be closed to the public.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

14.1. DISPOSAL OF 2018 TOYOTA LANDCRUISER 79 SERIES WORKMATE - REGISTRATION WY28116

OFFICER'S RECOMMENDATION

COMMITTEE RECOMMENDATION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119541

Moved: Cr T Chafer

Seconded: Cr V Goulden

That Council:

1. Notes that the Shire publicly advertised RFT T01-26/27 for the disposal of the 2018 Toyota LandCruiser 79 Series WorkMate, registration WY28116;
2. Notes that two conforming tenders were received and that the highest tender received was \$40,000 excluding GST;
3. Notes the subsequent market testing undertaken by officers, including an estimated immediate sale value from CarSales of approximately \$43,000-\$44,000, an indicative offer from Toyota Broome of \$38,000 subject to inspection, and that no alternative purchaser was identified through the additional market testing;
4. Notes that the Chief Executive Officer has a direct financial interest in the matter as a tenderer and preferred purchaser and has taken no part in the determination of the disposal;
5. Determines, pursuant to section 3.58(2)(b) of the *Local Government Act 1995*, the most acceptable tender for RFT T01-26/27;
6. Accepts the preferred tender of \$40,000 excluding GST, subject to completion of the Shire's normal asset disposal and transfer requirements; and
7. Authorises an appropriately authorised officer, other than the Chief Executive Officer, to undertake the administrative actions necessary to give effect to Council's decision.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

This item was considered behind closed doors as per the *Local Government Act 1995*:

[Section 5.23. \(4\) \(c\)](#)

PURPOSE

To brief Council on the proposed disposal of the Shire's 2018 Toyota LandCruiser 79 Series WorkMate, registration WY28116, and seek Council determination of the most acceptable tender.

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 22/09/2026 - 119542

Moved: Cr D Menzel

Seconded: Cr M Dear

That Council reopens the meeting to the public at 5:23 pm.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr C Cane, Cr M Dear, Cr V Goulden, Cr S Martin, Cr B Robinson.

Against: Nil

15. CLOSURE

Cr D Menzel declared the meeting closed at 5:26pm.