

SHIRE OF WYNDHAM EAST KIMBERLEY

# Ordinary Council Meeting: Agenda

Tuesday 26 August 2025



## **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

A handwritten signature in black ink, appearing to read 'V. E. Lawrence', written in a cursive style.

**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.**

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**SHIRE OF WYNDHAM EAST KIMBERLEY  
ORDINARY COUNCIL MEETING AGENDA  
KUNUNURRA COUNCIL CHAMBERS  
TO BE HELD ON TUESDAY 26 AUGUST 2025 AT 5:00PM**

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- 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
- 2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**
- 3. DECLARATION OF INTEREST**
- 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 5. PUBLIC QUESTION TIME**
- 6. APPLICATIONS FOR LEAVE OF ABSENCE**
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- 9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**
- 10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**
- 11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**
- 12. REPORTS**
  - 12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL**
  - 12.2. OFFICE OF THE CEO**

### 12.2.1. STANDING ITEM - OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL RESOLUTIONS

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

#### OFFICER'S RECOMMENDATION

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

#### PURPOSE

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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

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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

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

#### STATUTORY IMPLICATIONS

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

#### POLICY IMPLICATIONS

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

#### STRATEGIC IMPLICATIONS

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

## **RISK IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **Current and Future Asset Considerations**

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

## **COMMUNITY ENGAGEMENT**

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No community engagement is required.

## **ATTACHMENTS**

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1. Attachment 1 - Council Action Register – August [12.2.2.1 - 4 pages]

## 12.2.2. STANDING ITEM - USE OF THE COMMON SEAL

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

### OFFICER'S RECOMMENDATION

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**That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 19 July to 22 August 2025.**

### PURPOSE

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For Council to receive this report on the application of the Shire of East Kimberley Common Seal for the period 19 July to 22 August 2025.

### COMMENTS

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There were 2 documents for the time period of 19 July to 22 August 2025 with the Shire of Wyndham East Kimberley Common Seal applied as per the table below:

Date of Use	Document
04-Aug-25	Section 70A Notification - Lots 705 & 706 on DP426818
15-Aug-25	Variation & Assignment of Lease Lot 509 Millington Drive Kununurra

### STATUTORY IMPLICATIONS

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[Local Government Act 1995 9.49A. Execution of documents](#)

### POLICY IMPLICATIONS

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Nil

### STRATEGIC IMPLICATIONS

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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

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**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**

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**Risk:** Failure to manage a governance framework which transparently embraces good governance practices

**Control:** Maintain a formal policy and procedure for the use of the Common Seal, including a register.

#### **FINANCIAL IMPLICATIONS**

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Nil

#### **Current and Future Asset Considerations**

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Nil

#### **COMMUNITY ENGAGEMENT**

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No Community engagement is required

#### **ATTACHMENTS**

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Nil



### 12.2.3. POL-1002 RECORDING OF MEETINGS - RESCISSION OF POLICY

<b>AUTHOR:</b>	Executive Officer to the CEO
<b>RESPONSIBLE OFFICER:</b>	Vernon Lawrence, Chief Executive Officer
<b>FILE NO:</b>	CM.11.2
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER:</b>	Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices
<b>VOTING REQUIREMENT:</b>	Simple Majority

#### OFFICER'S RECOMMENDATION

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##### That Council

1. Rescinds Policy POL-1002 Recording of Meetings as it is redundant and superseded by legislative and procedural requirements
2. Directs the CEO to ensure operational procedures reflect the current Local Government Reforms.

#### PURPOSE

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The purpose of this report is to seek Council approval to rescind Policy POL-1002 Recording of Meetings, which is now outdated and duplicated within legislation, local laws, and administrative practice.

#### BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

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Policy POL-1002 was originally adopted on 19 October 2017 (Resolution 117812), it was updated in November 2023 for alignment under POL-1014 Policy Management.

Local Government Reforms (2023–2024) require greater transparency of decision-making, including mandatory recording and live-streaming of meetings for larger local governments, and encourage rescinding redundant or administrative policies.

#### COMMENTS

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The policy currently provides for:

- Notice to the public that meetings are recorded.
- Access to recordings for the minute-taker and members of the public via Freedom of Information (FOI).

These provisions are already addressed by:

- **Local Government Act 1995** (recording and minutes requirements).
- **State Records Act 2000** and **General Disposal Authority for Local Government** (records retention and disposal).
- **Freedom of Information Act 1992** (public access to information).
- **Meeting Procedures Local Law 2016** (conduct of meetings).

The policy is therefore redundant and conflicts with reform directions, as it limits public access to recordings to FOI processes, rather than proactive online publication.

Operational guidance on recording, live-streaming, and publishing meetings can be incorporated into a Directive rather than a Council policy.

## STATUTORY IMPLICATIONS

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[Local Government Act 1995](#)

[Freedom of Information Act 1992](#)

[State Records Act 2000](#)

## POLICY IMPLICATIONS

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If rescinded, this will reduce duplication within the policy framework and support streamlined policy management in accordance with POL-1014 Policy Management.

## STRATEGIC IMPLICATIONS

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

**Focus Area:** CONNECTION

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

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

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

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

## RISK IMPLICATIONS

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**Risk:** Failure to manage a governance framework which transparently embraces good governance practices.

**Control:** Rescinding the policy and updating administrative procedures ensures compliance with reforms and legislative requirements.

## **FINANCIAL IMPLICATIONS**

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There are no financial implications associated with the adoption of this policy

## **Current and Future Asset Considerations**

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There are no current or future asset considerations associated with the adoption of this policy

## **COMMUNITY ENGAGEMENT**

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No community engagement is required.

## **ATTACHMENTS**

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2. POL-1002 Recording of Meetings V1.1 N-49873 [**12.2.4.1** - 2 pages]

#### 12.2.4. POL-1009 COUNCIL ELECTIONS - CARETAKER PERIOD - POLICY REVIEW

<b>AUTHOR:</b>	Executive Officer to the CEO
<b>RESPONSIBLE OFFICER:</b>	Vernon Lawrence, Chief Executive Officer
<b>FILE NO:</b>	CM.11.2
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER:</b>	Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices
<b>VOTING REQUIREMENT:</b>	Simple Majority

#### OFFICER'S RECOMMENDATION

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**That Council adopts the revised policy POL-1009 Council Elections Caretaker Period Version 4.0, noting that it supersedes version 3.1.**

#### PURPOSE

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The purpose of this policy is to provide elected members and employees with guidance to ensure the Shire acts impartially in relation to Local Government elections and candidates.

#### BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

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This policy was last reviewed on at the 25 July 2023 Ordinary Council Meeting, Council Decision 25/07/2023 - 118876 in anticipation of the Local Government Elections in October 2023.

#### COMMENTS

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This policy has been reviewed in consideration of the upcoming Local Government elections that are being conducted on the 18<sup>th</sup> October of this year, to ensure a clear and comprehensive statement by Council regarding the expectations for Shire employees and elected members in relation to activities undertaken in the period leading up this year's Local Government Elections.

The period that the policy applies to is from 4:00pm, Thursday 4<sup>th</sup> September 2025 to 6:00pm on Election Day being 18 October 2025. In terms of the policy, the CEO must make all Elected Members and staff aware of the policy 30 days prior to the start of the caretaker period.

#### STATUTORY IMPLICATIONS

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[Local Government Act 1995 Part 4](#)  
[Local Government \(Elections\) Regulations 1997](#)

## POLICY IMPLICATIONS

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There are no policy implications although Councillors will note that the new policy follows new naming conventions and format previously advised.

## STRATEGIC IMPLICATIONS

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

### **Focus Area:** CONNECTION

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

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

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

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

## RISK IMPLICATIONS

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**Risk:** Failure to manage a governance framework which transparently embraces good governance practices.

**Control:** Ensure all Elected Members and applicable Shire staff are aware of the contents of the Policy and its application.

## FINANCIAL IMPLICATIONS

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There are no financial implications associated with the adoption of this policy

## Current and Future Asset Considerations

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There are no current or future asset considerations associated with the adoption of this policy

## COMMUNITY ENGAGEMENT

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No community engagement is required.

## ATTACHMENTS

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1. Attachment 1 - POL-1009 Council Elections - Caretaker Period V4.0 - Tracked Changes [12.2.5.1 - 8 pages]
2. Attachment 2 - POL-1009 Council Elections - Caretaker Period V4.0 - Clean Copy [12.2.5.2 - 7 pages]

## 12.3. PLANNING AND COMMUNITY DEVELOPMENT

### 12.3.1. WORKFORCE ACCOMMODATION - LOT 33 ON DP219892, MITCHELL FALLS CAMPGROUND, MITCHELL PLATEAU

<b>AUTHOR:</b>	Senior Planning Officer
<b>RESPONSIBLE OFFICER:</b>	Nick Allen, Director Planning and Community Development
<b>ASSESSMENT NO:</b>	A8057P
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER:</b>	Regulator - enforce state legislation and local laws
<b>VOTING REQUIREMENT:</b>	Simple Majority

#### That Council

Approves Development Application DA2/25 for a proposed workforce accommodation camp comprising Eleven (11) Eco Tents, Mess Hall and Ancillary Plant on a portion of Lot 33 on DP219892, Mitchell Falls Campground, Mitchell Plateau subject to the following conditions;

1. Development shall be in accordance with the plans and reports submitted with the application for Development Approval dated 25/02/2025;
2. All recommendations detailed within the updated Bushfire Emergency Plan (dated 17 July 2025) prepared by ecosystem solutions are to be implemented and maintained at all times that the site is being operated and occupied;
3. The use and occupation of the accommodation camp is strictly limited to persons employed or directly engaged by the applicant HeliSpirit;
4. The use of the property for any form of tourist accommodation is not permitted;
5. An application for the onsite treatment and disposal of waste water shall be installed in accordance with the Treatment of Sewage and Disposal of Effluent and Liquid Waste) regulations and to the satisfaction of the Local Government/Department of Health prior to the occupation of the camp;
6. An adequate supply of potable water is to be provided prior to the use and occupation of the camp.

## PURPOSE

For Council to consider approval for the development of a staff accommodation facility.

## **BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE**

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The proposed Mitchell Falls Helibase Staff Camp is located within Mitchell River National Park, situated in the north-west corner of the Shire (hereafter referred to as "the Site").

An existing pilot accommodation base is currently located within the Park, however, this base lies within a flood-prone area and the Traditional Owner Group, Wunambal Gaambera, has requested that it be relocated.

A new location has been identified for the base, positioned to the southwest of the existing helipad. It is in close proximity to both the Mitchell Falls Public Campground and the DBCA Ranger Station.

The applicant, HeliSpirit, is seeking approval to establish:

- 11 eco-style, pop-up tents
- A combined mess hall, kitchen, and dining room

These facilities will accommodate pilots and associated ground crew. All proposed structures are temporary in nature and are designed for easy pack-down at the end of the tourist season, or as operational needs require.

The facility is intended strictly for staff accommodation only, tourist occupancy will not be permitted.

The proposed development is considered to be appropriate in both form and scale for this remote location. It is not expected to result in any significant visual or environmental impacts.

A copy of the application documents is provided in **Attachment 1**.

### External Consultation

The proposal was referred to the Department of Fire and Emergency Services (DFES) given the development will be located within a designated bush fire prone area and the land use was initially identified as being a Vulnerable Land Use, as per the definitions within State Planning Policy 3.7 Bushfire.

DFES, in line with SPP3.7 provided a review and response to the Bushfire Management Plan and Bushfire Emergency Plan provided by the applicant in support of the proposal.

In brief, it is the role of DFES to assess the application against the various criteria set out within SPP3.7 and the associated guidelines. The DFES assessment noted the following key points:

- The use is already present within the National Park and the proposal to relocate the use is initiated by the Traditional Owner Group;
- The proposed use was considered to have a degree of vulnerability and therefore the application was assessed against the criteria that applies to Vulnerable Tourism Land Uses and Day Uses as set out within SPP3.7;
- The intent of SPP3.7 is to implement effective, risk-based land use planning which in the first instance avoids the bushfire risk to people, property and infrastructure to an acceptable level. DFES maintains the view that a broader landscape assessment should be considered in the context of vulnerable land uses;

- The DFES assessment raised a number of technical questions as to how the Bushfire Assessor had prepared their Vegetation Classifications and as to the methodology applied to the preparation of that assessment.
- DFES raised concerns about the broader site context and in particular to the singular access route to and from the site and the extreme bushfire hazard that exists not only at the site level, but that also applies to the general alignment of the roadway, noting that evacuation from the site (by road) with its singular access route may not be possible and if evacuation was attempted in certain conditions this could pose an unacceptable risk to human safety.
- DFES considered that shelter on site was not an acceptable alternative to evacuation and that due to the extreme bushfire prone vegetation on multiple aspects, catastrophic bushfire behaviour is likely and could escalate rapidly and that presents an unacceptable risk to the preservation of life, property and infrastructure.

The matters raised by DFES were conveyed to the applicant's consultant for review and response. A copy of the DFES comments is at Attachment 2.

In response to the DFES review, the consultant has updated the Bushfire Management Plan (BMP) to address the technical matters pertaining to vegetation classification. This has included a better description of the vegetation type and risk arising from the vegetation type and dispersal and this has generally been to the satisfaction of the administration. A copy of the amended documents is at Attachment 3.

The issue of defining the development being classified as a Vulnerable Land Use has been reviewed. The Vulnerable Land Use definition is applied to developments that are:

- i) used and visited by people who are less capable and likely to present evacuation challenges;
- ii) involve buildings that due to their design or use, or the number of people accommodated are likely to present evacuation challenges; and or
- iii) also involves visitors who are unfamiliar with the proposed development and the general area in which the development is located.

The salient issue with the proposed development is the risk that arises with the development and use in a bush-fire prone area and Council needing to be satisfied that there are sufficient measures able to be put in place to mitigate the risk to an acceptable level.

## COMMENTS

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Upon review, the Bushfire Assessor has presented an argument that the occupants and users of the camp do not align with the general definition of vulnerable users. The administration supports this argument based on the following:

- The business has an existing base within proximity to the new site and as such staff who will be occupying the new base have a level of experience and understanding of the immediate and broader locality;
- The base will be used exclusively by helicopter pilots and staff who will regularly fly to, from and around the site. As such the occupants would likely be highly familiar with the local conditions and terrain and the aviation component of base means that early evacuation procedures are both feasible and appropriate for this site.



- The simplified accommodation form does not introduce any evacuation challenges for occupants.

It is considered that the nature of the business would make the staff highly aware and conversant with the immediate and broader environment and that the aviation component provides a viable form of evacuation for the staff and the presence of an aviation base in close proximity to the DBCA camp ground may also assist in evacuating other members of the public in the event of an emergency, contributing to broader site resilience.

The clarification provided by the Bushfire Assessor around the vegetation type and form indicates that clearing and management works can be implemented to create a sufficient Asset Protection Zone around the base. The requirement to implement and thereafter maintain that APZ can be enforced through a condition of approval for the periods the year the base is being operated.

## **STATUTORY IMPLICATIONS**

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*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

## **POLICY IMPLICATIONS**

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Nil

## **STRATEGIC IMPLICATIONS**

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There are no strategic implications. The processing and issuing of development approvals is part of the Shire's core business as that relates to its regulatory obligations.

## **RISK IMPLICATIONS**

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**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:** Internal reviews to ensure the efficient processing of applications for development approval in line with relevant requirements.

## **FINANCIAL IMPLICATIONS**

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Nil

## **Current and Future Asset Considerations**

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Nil

## COMMUNITY ENGAGEMENT

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No community engagement is required.

## ATTACHMENTS

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1. Attachment 1 - Application Documents [**12.3.1.1** - 13 pages]
2. Attachment 2 - DFES Comments [**12.3.1.2** - 5 pages]
3. Attachment 3 - Revised Application Documents [**12.3.1.3** - 73 pages]

## 12.4. CORPORATE SERVICES

### 12.4.1. MONTHLY FINANCIAL REPORT

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

### OFFICER'S RECOMMENDATION

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**That Council receives the Monthly Financial Report for the period ended 31 July 2025**

### PURPOSE

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To present the Monthly Financial Report for the period ended 31 July 2025, for Council's consideration, in accordance with statutory requirements.

### BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

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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

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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.

**Note: the 31 July 2025 figures are subject to change as the 2024/2025 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

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

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

## POLICY IMPLICATIONS

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

## STRATEGIC IMPLICATIONS

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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

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**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

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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

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Nil

## COMMUNITY ENGAGEMENT

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No community engagement is required in relation to this item.

## ATTACHMENTS

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1. July 25 Financial Report [**12.4.1.1** - 6 pages]

## 12.4.2. LIST OF ACCOUNTS PAID FROM MUNICIPAL FUND AND TRUST FUND

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

### OFFICER'S RECOMMENDATION

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That Council receives the List of Accounts Paid from the Municipal Fund for the period 1 – 31 July 2025 comprising:

Municipal fund payments (1 – 31 July)	\$6,913,532.62
Payroll (1 – 31 July)	\$565,524.66
<u>Direct debits, June credit card, (1 – 15 July)</u>	<u>\$37,244.40</u>
<b>Total</b>	<b>\$7,516,301.68</b>

### PURPOSE

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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

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In accordance with Council's Delegations Register (adopted 27 February 2024), delegation to the CEO exists under Regulations 12 and 13 of the *Financial Management Regulations 1996* for payment authorisation from the Municipal and Trust Funds.

### COMMENTS

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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

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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

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Shire of Wyndham East Kimberley Delegation Register 2023-2024 Sub-delegation 6 "Payments from the Municipal Fund and Trust Fund" applies subject to compliance with Council Policy *POL-2004 Purchasing*.

## STRATEGIC IMPLICATIONS

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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

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**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

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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

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Nil

## **COMMUNITY ENGAGEMENT**

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No community engagement is required.

## **ATTACHMENTS**

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1. Attachment 1 - List of Accounts Paid July 25 [**12.4.2.1** - 9 pages]

### **12.5. INFRASTRUCTURE**

### **13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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

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

### **16. MATTERS BEHIND CLOSED DOORS**



## 16.1. REQUEST FOR TENDER T04-24/25 - PROVISION OF SURVEY SERVICES

<b>AUTHOR:</b>	Procurement and Contracts Officer
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>NATURE OF COUNCIL'S ROLE IN THE MATTER</b>	Provider - provide physical infrastructure and essential services

### PURPOSE

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To consider tenders received for T04-24/25 and make recommendations for award of tender.

### MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

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

## 16.2. AWARD OF T20-24/25 - EAST KIMBERLEY REGIONAL AIRPORT COMMERCIAL PRECINCT - STAGE 1

<b>AUTHOR:</b>	Executive Manager Strategy and Grants
<b>RESPONSIBLE OFFICER:</b>	Gary Wright – Manager
<b>FILE NO:</b>	TBA
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER:</b>	Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices Partner - Collaboration with external stakeholders to deliver service and projects Provider - provide physical infrastructure and essential services
<b>VOTING REQUIREMENT:</b>	Absolute Majority

### PURPOSE

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To consider the tender received for the award of contract T20 - 24 25 Lain Jones Re-Alignment

### MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

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

### 16.3. AWARD OF T07-24/25 - WYNDHAM COMMUNITY BOAT LAUNCHING FACILITY

<b>AUTHOR:</b>	Executive Manager Strategy and Grants
<b>RESPONSIBLE OFFICER:</b>	Nick Allen, Director Planning and Community Development
<b>FILE NO:</b>	TBA
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER:</b>	Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices Partner - Collaboration with external stakeholders to deliver service and projects Provider - provide physical infrastructure and essential services
<b>VOTING REQUIREMENT:</b>	Absolute Majority

#### PURPOSE

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To consider the tenders received for the award of T07 - 24 25 Wyndham Community Boat Launching Facility.

#### MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

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

#### 16.4. AWARD OF T02-25/26 - WATER LILY PLACE RESIDENTIAL ACCOMMODATION

<b>AUTHOR:</b>	Executive Manager Strategy and Grants
<b>RESPONSIBLE OFFICER:</b>	Nick Allen, Director Planning and Community Development
<b>FILE NO:</b>	TBA
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER:</b>	Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices Partner - Collaboration with external stakeholders to deliver service and projects Provider - provide physical infrastructure and essential services
<b>VOTING REQUIREMENT:</b>	Absolute Majority

#### PURPOSE

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To consider the tenders received for Award of T02 – 25/26 for the Development of Residential Accommodation – Water Lily Place.

To address the lack of affordable rental housing in Kununurra the Shire intends to develop housing on Lot 501 situated at the corner of Casuarina Way and Water Lily Place, Kununurra, WA 6743 (the Site).

#### MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

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

## 16.5. CEO PERFORMANCE REVIEW 2025

<b>AUTHOR:</b>	Manager Human Resources and Safety
<b>RESPONSIBLE OFFICER:</b>	Vernon Lawrence, Chief Executive Officer
<b>FILE NO:</b>	PL.1673
<b>DISCLOSURE OF INTERESTS:</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER:</b>	Leader - plan and provide direction through policy and practices
<b>VOTING REQUIREMENT:</b>	Absolute Majority

### PURPOSE

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The Shire of Wyndham East Kimberley is required to undertake an annual review of their CEO's performance against set KPI Schedule agreed between the parties at the previous review processes last year (it is noted that the schedule can be changed at any time if agreed). This performance review is for the 2024-2025 period.

### MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

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

## 16.6. BOAB HAULAGE

<b>AUTHOR</b>	Director Infrastructure and Strategic Projects
<b>RESPONSIBLE OFFICER</b>	Director Infrastructure and Strategic Projects
<b>FILE NO</b>	RD.08.1
<b>DISCLOSURE OF INTERESTS</b>	Nil
<b>COUNCIL'S ROLE IN THE MATTER</b>	Funder - provide funds or other resources Provider - provide physical infrastructure and essential services
<b>VOTING REQUIREMENT</b>	Simple Majority

### **PURPOSE**

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Council to consider allowance for haulage operations for extraordinary use on the Shires Restricted Access Vehicle Network by Boab Metals Limited.

### **MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS**

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

## 17. CLOSURE