

I hereby certify that the Minutes of the Ordinary Council Meeting held are a true and accurate record of the proceedings contained therein.

Commissioner

Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

MINUTES ORDINARY COUNCIL MEETING

22 August 2017

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.

Signed on behalf of Council



CARL ASKEW

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
WYNDHAM COUNCIL CHAMBERS
TO BE HELD ON 22 AUGUST 2017 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 are also advised that everyone attending Council Meetings, be they members of the public, staff or Councillors, are bound by the Meeting Procedures Local Law 2016.

The Commissioner declared the meeting opened at 5.00pm

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**

R Yuryevich	Commissioner
C Askew	Chief Executive Officer
D Klye	Director Infrastructure
L Gee	Director Community Development
V Lawrence	Director Corporate Services
K Williams	Executive Assistant (Minute Taker)

Gallery

M Davidson	SWEK
G Hocking	SWEK
P Bawden	SWEK
V Whyte	SWEK
K Wright	
S Rushby	
A Petherick	
C McLachlan	
N Brooke	
M Smith	

3. DECLARATION OF INTEREST

- Financial Interest
- Impartiality Interest
- Proximity Interest

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Question from Chris McLachlan PO Box 80 Wyndham 6740

Question: I notice that although the Worley Parsons Wyndham Launching Facility, Planning and Concept Design Report recommends a floating pontoon jetty as the preferred choice, the officer's recommendation is to adopt a fixed sloping low level jetty.

I have three questions in relation to this recommendation:

1. If the floating option was never really a possibility, why was it presented as an option for the community to consider
2. Could you explain the tranquillity requirements for boat ramps
3. I believe the two reasons that most people were opposed to the fixed option were
 - a) The easy access for crocodiles to climb onto the jetty; and
 - b) The safety risk of mud sticking to the jetty walkway, due to the tidal inundation twice a day.

In relation to these two issues, is it possible to ensure the safety of users if a fixed sloping, low level jetty is adopted?

David Klye Director for Infrastructure has provided the following responses to the questions.

1. There was a possibility for the floating option, the fixed option is preferred due to manufacture and maintenance cost.
2. David Klye advised that further information on tranquillity requirements could be provided on notice. The Manager of Engineering Services provided the further detail;
Australian Standard (AS) 3962 – Guidelines for Design of Marinas, is the code that specifies the tranquillity requirements that the Wyndham Boat Ramp must satisfy, specifically that denoted below:
 - i. Firstly Section 7 addresses Onshore Boat Facilities and notes in item 7.2.2 (b) that boat launching ramps should be located in a sheltered environment and sheltered from waves larger than 0.2m (refer to AS 3962 Section 7).
 - ii. Secondly Section 4.8 provides information on environmental loads including waves and there are some recommendations on the acceptable wave period and significant wave height to provide for a 'good' wave climate (refer to AS 3962 Section 4.8).

The planning and design concept investigation for the boat ramp, the design wave height is 1.3m for a peak wave period of 4.3 seconds, based on an AEP 1.0 (1 year) event. These values are much higher than the recommended limitations in the

Australian Standard AS 3962-Guidelines for Design of Marinas Code referred to above, and the impact of these waves will be greater on a floating structure (causing it to move and wobble) compared to a fixed one.

3. a) The report noted that neither the floating nor fixed option would prevent the access of crocodiles onto the boat ramp
- b) No, it is not possible to guarantee public safety for either option.

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. PETITIONS

8. CONFIRMATION OF MINUTES

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 18 July 2017

COUNCIL DECISION

Minute No: 22/08/2017-11755

Commissioner resolved:

That Council confirms the Minutes of the Ordinary Council Meeting held on 18 July 2017

Carried 1/0

Note: The Minutes of the Ordinary Council Meeting held on 18 July 2017 are provided under separate cover via www.swek.wa.gov.au

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. CHIEF EXECUTIVE OFFICER

12.2.1. October Ordinary Council Meeting

DATE:	22 August 2017
AUTHOR:	Executive Assistant
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council reschedule the Ordinary Council Meeting approved for 31 October 2017 to 17 October 2017 and request the Chief Executive Officer advertise the change in accordance with the *Local Government Act 1995*.

COUNCIL DECISION

Minute No: 22/08/2017-11756

Commissioner resolved:

That Council reschedule the Ordinary Council Meeting approved for 31 October 2017 to 19 October 2017 and request the Chief Executive Officer advertise the change in accordance with the *Local Government Act 1995*.

Carried 1/0

PURPOSE

For Council to consider moving the October Ordinary Council Meeting to allow for the Commissioner to complete Council business prior to the next ordinary elections on 21 October 2017 and provide sufficient time for familiarisation, induction and briefing of the new Council prior to their first Ordinary Council Meeting in November 2017.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

COUNCIL DECISION

Minute No: 25/11/16-11522

Commissioner resolved:

That Council adopt the proposed meeting dates/times and locations for 2017:

Month	Ordinary Council Meeting	Location of OCM
January	24 January	Kununurra
February	28 February	Wyndham
March	28 March	Kununurra
April	26 April	Kununurra
May	23 May	Wyndham
June	20 June	Kununurra
July	18 July	Kununurra
August	22 August	Wyndham
September	26 September	Kununurra
October*	22 October – SCM*	Kununurra*
October	31 October	Kununurra
November	28 November	Wyndham
December	19 December	Kununurra

Note: All meetings will commence at 5.00pm.

* Note: Special Council Meeting following Council Elections on Saturday 21 October 2017 to swear in new Council.

Carried 1/0

The June and July 2017 OCM's have been scheduled third Tuesday of their respective months. This means that the June OCM date coincides with the date of the 2017 Developing Northern Australia Conference.

STATUTORY IMPLICATIONS

In accordance with the *Local Government Act 1995*:

5.3. Ordinary and special council meetings

- (1) A Council is to hold Ordinary Meetings and may hold special meetings*
- (2) Ordinary meetings are to be held not more than three months apart.*

5.5. Convening council meetings

- (1) The CEO is to convene an ordinary meeting by giving each Council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting*

In accordance with the *Local Government (Administration) Regulations 1996, Section 2*:

12 Meetings, public notice of

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
 - (a) the ordinary council meetings;*

are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Minor expenditure will be incurred to ensure the appropriate statutory advertising occurs.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

NIL

COMMUNITY ENGAGEMENT

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

Local public notice of the amended Ordinary Council Meeting date in accordance with legislative requirements.

COMMENTS

Ordinary Council Meetings (OCM) have historically been set as either the fourth Tuesday or the last Tuesday of the month. The dates for each year's meetings are generally set in October or November of the previous year.

ATTACHMENTS

NIL

12.2.2. Standing Item- Use of the Common Seal

DATE:	22 August 2017
AUTHOR:	Executive Assistant
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 18 July August 2017 to 17 August 2017.

COUNCIL DECISION

Minute No: 22/08/2017-11757

Commissioner resolved:

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 18 July August 2017 to 17 August 2017.

Carried 1/0

PURPOSE

For Council to receive this report on the application of the Shire of East Kimberley Common Seal for the period

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

STATUTORY IMPLICATIONS

Local Government Act 1995

9.49A. Execution of documents

(1) A document is duly executed by a local government if —

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The following documents have had the Shire of Wyndham East Kimberley Common Seal applied:

Date of Use	Document
01/08/2017	Employer Income Verification Statement for the Department of Community Services - Youth Officer, Wyndham

ATTACHMENTS

Nil

12.2.3. Standing Item- Outstanding Actions from Previous Council Resolutions

DATE:	22 August 2017
AUTHOR:	Executive Assistant
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

COUNCIL DECISION

Minute No: 22/08/2017-11758

Commissioner resolved:

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

Carried 1/0

PURPOSE

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

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ 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.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Not applicable as referenced in individual reports presented to the Council.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

This report includes actions from the July 2017 Council resolutions (Attachment 1). Attachment 2 summarises all other actions that are outstanding from previous Council resolutions.

ATTACHMENTS

Attachment 1 - Council Action Register Current

Attachment 2 - Outstanding Actions from Previous Council Resolutions

12.2.4. Fencing Local Law 2017

DATE:	22 August 2017
AUTHOR:	Senior Officer Governance
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	Nil
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority.

OFFICER'S RECOMMENDATION

That Council;

- 1. advise the general public via the Shire website that the Shire has electronic copies of:**
 - a. AS/NZS 1170.0:2002 Structural Design Actions - General principles, and**
 - b. AS2870-2011 Residential Slabs and Footings**
- 2. provide at the Kununurra Administration Office, 20 Coolibah Drive Kununurra and the Wyndham Administration Office, Koolama Street Wyndham, access for viewing by the public of AS/NZS 1170.0:2002 and AS2870-2011 at no cost.**

COUNCIL DECISION

Minute No: 22/08/2017-11759

Commissioner resolved:

That Council;

- 1. advise the general public via the Shire website that the Shire has electronic copies of:**
 - a. AS/NZS 1170.0:2002 Structural Design Actions - General principles, and**
 - b. AS2870-2011 Residential Slabs and Footings**
- 2. provide at the Kununurra Administration Office, 20 Coolibah Drive Kununurra and the Wyndham Administration Office, Koolama Street Wyndham, access for viewing by the public of AS/NZS 1170.0:2002 and AS2870-2011 at no cost.**

Carried 1/0

PURPOSE

The Joint Standing Committee on Delegated Legislation is a terminal authority in the process of establishing Local Law; the request coming from the Committee as at Attachment 1 appears after its scrutiny of the Fencing Local Law 2017.

The request requires the recommended action in order to ensure ultimate implementation of the Fencing Local Law 2017 instrument.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Fencing Local Law 2003 was gazetted on 3 December 2003, making provisions in regard to fencing in the Shire. The Fencing Local Law 2016 proposal was considered by Council at the 28 June 2016 Ordinary Council Meeting where it was resolved as follows:-

COUNCIL DECISION

Minute No: 11394

Moved: Cr K Wright

Seconded: Cr S Cooke

That Council, pursuant to Section 3.12 of the *Local Government Act 1995*, give state-wide public notice that intends to make the Shire of Wyndham East Kimberley Fencing Local Law 2016 as contained in the attachment to this item, the purpose of which is to prescribe a sufficient fence and the standard for the construction of fences throughout the district. The effect of this Local Law is to establish the minimum requirements for fencing within the district.

Carried 9/0

STATUTORY IMPLICATIONS

According to the Parliament of Western Australia, where a local government does not comply with the Committee's request for an undertaking, the Committee may, as a last resort, resolve to recommend to the Parliament the disallowance of the instrument in the Parliament.

POLICY IMPLICATIONS

Effectiveness of the Fencing Local Law 2017.

FINANCIAL IMPLICATIONS

A subscription costing \$2,548.70 is required to access the required standards from vendor SAI, which would represent a renewal of a previously expired subscription of a similar value and the same vendor.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 1.4: Business innovation, efficiency and improves services.

Strategy 1.41: Ensure legislative compliance and follow best practice principles in planning and service delivery.

RISK IMPLICATIONS

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required.

COMMENTS

The availability of the standard will be advised on the Shire website under the Local Laws tab <http://www.swek.wa.gov.au/documents/local-laws>. The public will be advised that they will be able to view AS/NZS 1170.0:2002 and AS2870-2011 at the Kununurra Administration Office, 20 Coolibah Drive Kununurra and the Wyndham Administration Office, Koolama Street Wyndham. The public will be provided access at these locations either via reception or otherwise within the building, being free of charge and in the form of either;

- a) tablet;
- b) computer screen and keyboard, or

ATTACHMENTS

Attachment 1 - Confidential Supplement

Attachment 2 - Shire of Wyndham East Kimberley Fencing Local Law 2017

12.3. COMMUNITY DEVELOPMENT

12.3.1. Review of Community Grants Policy

DATE:	22 August 2017
AUTHOR:	Community Development Officer
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
FILE NO:	GS.05.44
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the revised Council Policy CP/COM 3582 - Community Grant Scheme as detailed in Attachment 1.

COUNCIL DECISION

Minute No: 22/08/2017-11760

Commissioner resolved:

That Council adopt the revised Council Policy CP/COM 3582 - Community Grant Scheme as detailed in Attachment 1.

Carried 1/0

PURPOSE

For Council to adopt the revised Council Policy *CP/COM-3582 Community Grant Scheme*.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Funder - provide funds or other resources

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Community Grants Scheme has been in place for a number of years. The purpose of the Scheme is to provide equitable, consistent and accessible financial support for community programs, projects and events. These funding opportunities offer not for profit, community based, sporting, cultural, environmental, service groups and associations financial assistance to foster high quality programs, community events, facilities and services that provide benefit to the community of the Shire of Wyndham East Kimberley.

Council resolved at the 28 February 2017 Ordinary Council Meeting to rescind *CP/FIN-3209 Rates Concession (Rateable Land)* and to include requests for rates concessions from community groups through the Community Grants Scheme.

COUNCIL DECISION

Minute No: 28/02/2017-11619

Commissioner resolved:

That Council:

- 1. Endorse a change to the process of awarding Rates Concessions to one of awarding Annual Community Grants to provide rate relief to Community Organisations.**
- 2. Amend the policy CP/COM-3582 Community Grants Scheme to accommodate these changes for consideration of Council.**
- 3. Endorse the proposed assessment model for the the Community Organisations applying for rates relief under the Community Grants Scheme.**
- 4. Rescind the policy CP/FIN-3209 Rates Concession (Rateable Land)**
- 5. Endorse Shire staff entering into a process of informing affected Community Organisations on the implementation of the change to the Annual Community Grants Scheme.**

Carried 1/0

At the 28 March 2017 Ordinary Council Meeting it was resolved that the revised Council Policy *CP/COM 3582 -Community Grant Scheme* be adopted.

COUNCIL DECISION

Minute No: 28/03/2017 – 11636

Commissioner resolved:

That Council adopt the revised Council Policy CP/COM 3582 - Community Grant Scheme as detailed in Attachment 1.

Carried 1/0

Since the above mentioned adoption of the Revised Policy, the Shire has received advice from the WALGA Tax Team, noting that GST is not applicable to Grant payments as there is essentially no supply of Goods or Services.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

The adopted revised *CP/COM 3582 Community Grant Scheme* will replace the existing Policy.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.2: Alignment of regional and local priorities with other agencies and community groups

Objective 2.1: A highly valuable East Kimberley economy that maximises social benefits

Strategy 3.1.1 : Support activities that promote volunteerism and active participation in community events and programs

Strategy 3.1.3 : Support the community by providing access to local funding and sponsorship opportunities.

RISK IMPLICATIONS

Non-compliance with the Department of Local Government, Sport and Cultural Industries advisory standards and regulations.

COMMUNITY ENGAGEMENT

Engagement is not required in this instance as the amendments are administrative in nature.

COMMENTS

The changes to the Community Grants Scheme will affect all organisations who previously applied GST to approved Annual Grants Invoices to the Shire for payment.

On 7 June 2017, the Shire's Finance Department queried the application of GST to Community Grants through WALGA's Tax Team;

- If the organisation receiving the grant is registered for GST
- If the organisation receiving the grant is not registered for GST

A response was received from WALGA tax team advising that GST is not applicable to Community Grants in either case, as the Grant amount is not a supply of goods or services.

Attachment 1 outlines the proposed changes to Council Policy *CP/COM 3582 Community Grant Scheme* to remove all reference to GST.

Attachment 2 outlines advice received from the WALGA Tax Team.

ATTACHMENTS

Attachment 1 - Amended Council Policy *CP/COM 3582 Community Grant Scheme*

Attachment 2 - Correspondence from WALGA Tax Team

12.3.2. Community Lease - Kununurra Speedway Club

DATE:	22 August 2017
AUTHOR:	Manager Community Services
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
ASSESSMENT NO:	A5621
FILE NO:	CP.07.14
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to offer a 21 year lease to the Kununurra Speedway Club for Lot 735 on Deposited Plan 190116, Reserve 41793, off Victoria Highway, Kununurra as detailed in Attachment 1, subject to the lodging of an updated Business Plan and the approval of the Minister of Transport, Planning and Lands.

COUNCIL DECISION

Minute No: 22/08/2017-11761

Commissioner resolved:

That Council authorise the Chief Executive Officer to offer a 21 year lease to the Kununurra Speedway Club for Lot 735 on Deposited Plan 190116, Reserve 41793, off Victoria Highway, Kununurra as detailed in amended Attachment 1, tabled 22 August 2017, subject to the lodging of an updated Business Plan and the approval of the Minister of Transport, Planning and Lands.

Carried 1/0

PURPOSE

To inform Council of the intent to offer a lease to the Kununurra Speedway Club for Lot 735 on Deposited Plan 190116, Reserve 41793, off Victoria Highway, Kununurra, subject to the approval of the Minister of Transport, Planning and Lands.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader- plan and provide direction through policy and practices

BACKGROUND

The Kununurra Speedway Club is located on Lot 735, off Victoria Highway. The Clubs' previous 21 year lease for their site expired on 30 June 2013; with the Club operating as a tenant at will since this date.

In July 2011, Officers began the process of meeting with the Club to discuss the preparation of a new lease. The issue of 'legal access' to the site was discussed, with the current access track traversing Reserve 29277 (Management Order held by the Water Corporation) and Unallocated Crown Land. Reserve 29277 is currently leased to a third party for the purpose of a crushing plant, and this access is maintained by that Lessee, and shared by the Speedway Club. The current access arrangement is currently not an issue, however in the future might be dependent on the Water Corporation's future intentions for the site.

The Department of Transport, Planning and Lands have advised that legal access to the site is not required in order for the Shire to lease the land, and as such it is intended that the draft lease should stipulate that an alternative access may need to be established in the future and will be at the cost of the Speedway Club. Confirmation was received from the Water Corporation in 2016/17 that the organisation had no issue with the new draft lease being entered on the basis that it identifies that an alternative access to the site would be required to be established in the future.

A report was considered by Council at the 22 November 2011 Ordinary Council Meeting on the number of community leases that were due to expire, after consideration Council resolved as follows:-

COUNCIL DECISION

Minute No. 9626

Moved: Cr K Torres

Seconded: Cr D Ausburn

1) That Council request the Chief Executive Officer to enter into negotiations with the following clubs with a view to determining their ongoing requirements in relation to their respective lease areas:

- a) Kununurra Race Club over Reserve 30290
- b) Lake Kununurra Golf Club Inc over Reserve 29167 and a portion of Reserve 41812
- c) Wyndham Turf Club over Reserve 24857, Reserve 32816 and Reserve 36818
- d) Kununurra Speedway Club over Reserve 41793
- e) Kununurra Water Ski Club over portion of Reserve 29297 and a portion of Reserve 41812

2) That Officers write to each club to request that a long term business plan be supplied, in order to assist Council to decide the term of the lease offered.

3) That Officers write to the Minister for Lands to seek in principle approval to enter into a lease over the abovementioned reserves with the relevant community groups for a minimum term of 10 years.

Carried Unanimously 8/0

STATUTORY IMPLICATIONS

Land Administration Act 1997

The *Local Government Act 1995* provides for leasing under section 3.58 *Disposing of Property* and the *Land Administration Act 1997* provides for the leasing of Crown reserves for one or more purposes of public interest.

The original Reserve 41793 was reserved under the *Land Administration Act 1997* (LAA) for the purpose of 'Speedway'.

The Shire holds the management order for this reserve with power to lease for a maximum of 21 years, subject to consent from the Minister for Lands.

POLICY IMPLICATIONS

The lease will be in accordance with Council Policy *CP/PMG-3780 Leasing of Council Managed Reserve Land-Community*.

FINANCIAL IMPLICATIONS

The Kununurra Speedway Club currently pay a rental of \$110.00 including GST per annum. This will be increased to \$500.00 per annum increasing by CPI annually on the execution of the Lease.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.4: Protection and enhancement of community facilities

Objective 3.4.3: Ensure Shire facilities are planned and managed to meet community needs

Objective 3.5: An active outdoor lifestyle is encouraged and promoted

Strategy 3.5.2 : Encourage cooperation between sporting groups and assist them in building capacity

RISK IMPLICATIONS

Non compliance with the Department of Local Government, Sport and Cultural Industries advisory standards and regulations.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire' Community Engagement Guidelines and includes:

- Open communication with the Kununurra Speedway Club throughout the lease negotiation process.

COMMENTS

The Club originally provided the Shire with a copy of their Strategic Business Plan 2012 – 2017 on 18 September 2012. The original plan provided an executive summary; mission, vision and committee list; short term goals (1 – 6 years), long term goals (7+ years), and strategies and objectives for each goal; membership trends and financial summary; Strength Weakness Opportunities and Threats analysis; management structure; and review process.

The Kununurra Speedway have therefore met the requirements for the provision of a business plan for a 21 year lease. The Plan demonstrates that the Club have looked at future growth ideas and plans, volunteer management, financial management and membership growth.

Therefore in accordance with Council Policy *CP/PMG-3780 Leasing of Council Managed Reserve Land-Community* it is proposed to offer the Club a lease term of 21 years, subject to the lodging of a reviewed Business Plan with the Shire.

In executing the Community Lease, the Kununurra Speedway Club will be given a period of 12 months to provide Shire Officers with a detailed list of all structures on site (approved and unapproved). In the case of unapproved or undocumented structures, applications shall be made for a Building Approval Certificate. As per Clause 10.4 of the Community Lease, unapproved or undocumented structures may be required to be removed from the site if a Building Approval Certificate is not obtained.

Due to the potential contamination of Lot 735 Victoria Highway from Speedway activities the proposed Lease includes a clause placing responsibility for any environmental clean-up on the Lessee.

ATTACHMENTS

Attachment 1 - Draft Lease - Kununurra Speedway Club

12.3.3. Community Lease - Kununurra Moto Cross Club

DATE:	22 August 2017
AUTHOR:	Manager Community Services
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
ASSESSMENT NO:	A5616
FILE NO:	CP.07.9
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to offer a 21 year lease to the Kununurra Motocross Club for Portion of Reserve 39391, Lot 633 on Plan 186723, Ivanhoe Road, Kununurra as detailed in Attachment 1, subject to the approval of the Minister of Transport; Planning and Lands.

COUNCIL DECISION

Minute No: 22/08/2017-11762

Commissioner resolved:

That Council authorise the Chief Executive Officer to offer a 21 year lease to the Kununurra Motocross Club for Portion of Reserve 39391, Lot 633 on Plan 186723, Ivanhoe Road, Kununurra as detailed in Attachment 1, subject to the approval of the Minister of Transport; Planning and Lands.

Carried 1/0

PURPOSE

To inform Council of the intent to offer a lease to the Kununurra Motocross Club for a Portion of Reserve 39391, Lot 633 on Plan 186723, Ivanhoe Road, Kununurra, subject to the approval of the Minister of Transport; Planning and Lands.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader- plan and provide direction through policy and practices

BACKGROUND

The Kununurra Motocross Club is located on Lot 633, Ivanhoe Road. The Club's previous 10 year lease for their site expired on 31 December 2015; with the Club operating as a tenant at will since this date.

In mid 2009, Officers began the process of meeting with the Club to discuss an extension to the current lease area by approximately 23.6 hectares by utilising an area of unallocated Crown Land (UCL) that adjoins the existing site to the south. Given that a large portion of the existing site is unusable for motocross it was the clubs intention to develop extra facilities on the UCL to facilitate an increase in membership and the ability to host larger events on the site.

Officers supported this concept and initial communication was undertaken with the Miriwoong Gajerrong (MG) Corporation as to obtaining approval from native title holders for the reserve areas to be extended. While initial meetings were positive, the matter of addressing Native Title issues is often complex and time consuming in nature, and is still ongoing.

As the process to initiate a new Community Lease with the Club is progressed discussion has again centred on the adjacent UCL and gaining approval from Traditional Owners to utilise the reserve area. This requires an Indigenous Land Use Agreement (ILUA) to be entered into and requires further dialogue and meetings with representatives from the MG Corporation. Shire Officers will continue to work with both the Club and MG Corporation (on behalf of the native title holders) to progress this matter, while the Club's existing lease is renewed.

STATUTORY IMPLICATIONS

Land Administration Act 1997

The *Local Government Act 1995* provides for leasing under *section 3.58 Disposing of Property* and the *Land Administration Act 1997* provides for the leasing of Crown reserves for one or more purposes of public interest.

The original Reserve 39391 was reserved under the *Land Administration Act 1997* (LAA) for the purpose of 'Recreation (Motocross Track) (National Parks/Conservation)'.

The Shire holds the management order for this reserve with power to lease for a maximum of 21 years, subject to consent from the Minister for Lands.

POLICY IMPLICATIONS

The lease will be in accordance with Council Policy *CP/PMG-3780 Leasing of Council Managed Reserve Land-Community*.

FINANCIAL IMPLICATIONS

The Kununurra Motocross Club currently pay a rental of \$110.00 including GST per annum. This will be increased to \$500.00 per annum increasing by CPI annually on the execution of the Lease.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.4: Protection and enhancement of community facilities

Objective 3.4.3: Ensure Shire facilities are planned and managed to meet community needs

Objective 3.5: An active outdoor lifestyle is encouraged and promoted

Strategy 3.5.2 : Encourage cooperation between sporting groups and assist them in building capacity

RISK IMPLICATIONS

Non compliance with the Department of Local Government, Sport and Cultural Industries advisory standards and regulations.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire' Community Engagement Guidelines and includes:

- Open communication with the Kununurra Motocross Club throughout the lease negotiation process.

COMMENTS

The Club have provided the Shire with a detailed five (5) year Strategic Plan 2016-2021. The plan provides relevant information on the Club's structure, operations and future aspirations. Detailed and realistic objectives for each goal are listed as is the process for achieving those goals including funding.

Therefore in accordance with Council Policy *CP/PMG-3780 Leasing of Council Managed Reserve Land-Community* it is proposed to offer the Club a standard lease term of 21 years.

Due to the potential contamination of Lot 633, Ivanhoe Road from Motocross activities the proposed Lease includes a clause placing responsibility for any environmental clean-up on the Lessee.

ATTACHMENTS

Attachment 1 - Draft Lease - Kununurra Motocross Club

12.3.4. Community Sport and Recreation Facilities Fund (CSRFF) Applications for 2017/18 Funding Round

DATE:	22 August 2017
AUTHOR:	Manager Community Services
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
FILE NO:	CP.07.25
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorse the Kimberley Action Sports application to the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facility Fund to develop a BMX Facility at the Kimberley Action Sports Community Lease site.

COUNCIL DECISION

Minute No: 22/08/2017-11763

Commissioner resolved:

That Council endorse the Kimberley Action Sports application to the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facility Fund to develop a BMX Facility at the Kimberley Action Sports Community Lease site.

Carried 1/0

PURPOSE

For Council to consider and endorse the single submission for the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facilities Fund (CSRFF) September Small Grants round.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader- plan and provide direction through policy and practices.

BACKGROUND

The purpose of the CSRFF program is to provide financial assistance to community groups and local government authorities to develop infrastructure for sport and recreation to meet current and future community needs. The program also aims to increase participation in sport and recreation with an emphasis on physical activity through rational development of good quality, well designed and well utilised facilities. The program is administered by the Department of Local Government, Sport and Cultural Industries.

Under the program, local government authorities are required to consider community CSRFF applications and/or submit applications themselves, advise the Department of Local Government, Sport and Cultural Industries if Council supports the applications and if supported, ranks the applications in priority order.

There are three types of CSRFF grants, small grants for amounts up to \$66,666, annual grants for amounts up to \$166,666 and forward planning grants for amounts up to \$2,000,000. The closing date for small grants and annual grants to be submitted to the Department is 4pm, 31 August 2017 and 4pm, 16 September 2017 respectively. Submissions were therefore required by the Shire on Friday 11 August for the consideration of Council for both programs.

As no other applications have been received for either the small grants or the annual grants, the submission from Kimberley Action Sports to develop a BMX track is the only application for Council to consider.

STATUTORY IMPLICATIONS

Land Administration Act 1997

Part Lot 707 on Deposited Plan 217504, Part Reserve 30290 is reserved under the Land Administration Act 1997 (LAA) for the purpose of 'Recreation'.

POLICY IMPLICATIONS

Kimberley Action Sports existing Community Lease is in accordance with Council Policy CP/PMG-3780 *Leasing of Council Managed Reserve Land-Community*.

FINANCIAL IMPLICATIONS

If successful the project will be fully funded and requires no Shire contribution.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.4: Protection and enhancement of community facilities

Objective 3.5: An active outdoor lifestyle is encouraged and promoted

Strategy 3.5.2 : Encourage cooperation between sporting groups and assist them in building capacity

RISK IMPLICATIONS

BMX facility to be operated by Lessee.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire' Community Engagement Guidelines and includes:

- Open communication with the Kimberley Action Sports throughout the grant process.

COMMENTS

Officers view that the development of the BMX track will benefit the local community through the provision of a facility that will attract a range of young people to undertake the sport of BMX. At present there are no recognised BMX tracks within the region and the proposed facility will provide opportunities for a wide cross section of the communities young people to learn the sport and associated safe bike handling skills in a supervised environment. The BMX track will also provide the potential for the formation of a new club structure to benefit community members.

ATTACHMENTS

Attachment 1- CSRFF Application.

12.3.5. CBP Quarterly Progress Report - April to June 2017

DATE:	22 August 2017
AUTHOR:	Senior Integrated Planning and Reporting Officer
RESPONSIBLE OFFICER:	Louise Gee, Director Community and Development
FILE NO:	CM.10.9
DISCLOSURE OF INTERESTS:	

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council note the Corporate Business Plan 2016/17 - 2019/20 Quarterly Progress Report - April to June 2017

COUNCIL DECISION

Minute No: 22/08/2017-11764

Commissioner resolved:

That Council note the Corporate Business Plan 2016/17 - 2019/20 Quarterly Progress Report - April to June 2017

Carried 1/0

PURPOSE

For the Council to receive the April to June 2017 Quarterly Review of the Corporate Business Plan 2016/17 - 2019/20 and Progress Report.

The Corporate Business Plan is the Shire of Wyndham East Kimberley's 4-year service and project delivery program. It is aligned to the strategic direction and priorities set within the 10-year Strategic Community Plan 2012–2022.

The purpose of the Plan is to demonstrate the operational capacity of the Shire to achieve its aspirational outcomes and objectives over the medium-term. All operational planning and reporting is driven by the Corporate Business Plan, which is reviewed annually to ensure priorities are achievable and effectively timed.

Quarterly progress against services and programs is reported against the Strategic Community Plan's three Goals of:

- Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability
- Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure
- Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

The attached Corporate Business Plan Progress Report (refer Attachment 1) details the progress up to the end of the June Quarter 2016/17 financial year in implementing Shire's Corporate Business Plan. To deliver the initiatives detailed in the Corporate Business Plan 2016/17 - 2019/20, a comprehensive internal program has been developed which is regularly reviewed by the Executive Management Team to ensure work priorities are being met.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - Plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Corporate Business Plan Year 2016/17 - 2019/20 was adopted by Council at the 15 September 2016 Ordinary Council Meeting. At this meeting Council resolved as follows:-

COUNCIL DECISION

Minute No: 11495

Moved: Cr B Robinson Seconded: Cr N Perry

Pursuant to the provisions of section 5.56 of the Local Government Act 1995 and Regulation 19DA of the Local Government (Administration) Regulations 1996, the Council adopt the Corporate Business Plan 2016/17 to 2019/20 as contained in Attachment 7 of this agenda, for the Shire of Wyndham East Kimberley which has: 1. Incorporated Council's consideration of the public submissions received; 2. Reflects key programs and projects to be undertaken in 2016/17 in accordance with the 2016/17 Annual Budget.

Carried 5/4

For: Cr J Parker, Cr S Cooke, Cr B Robinson, Cr N Perry, Cr E Bolton

Against: Cr K Wright, Cr S Rushby, Cr A Petherick, Cr D Spackman

The previous quarterly progress report for January to March was noted by Council at the May 2017 Ordinary Council Meeting. At this meeting Council resolved as follows:-

COUNCIL DECISION

Minute No: 23/05/2017-11684

Commissioner resolved:

That Council note the Corporate Business Plan 2016/17 - 2019/20 Progress Report - January to March 2017

Carried 1/0

STATUTORY IMPLICATIONS

Council must comply with the statutory requirements of the Integrated Planning and Reporting Framework.

Local Government Act 1995

5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996

Part 5 Annual reports and planning

Division 3 Planning for the future

19DA. *Corporate business plans, requirements for (Act s. 5.56)*

1. *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
2. *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
3. *A corporate business plan for a district is to —*
 - a. *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - b. *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - c. *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
4. *A local government is to review the current corporate business plan for its district every year.*

POLICY IMPLICATIONS

Integrated Planning and Reporting Framework

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.1: Strong community engagement

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

COMMUNITY ENGAGEMENT

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

Informing - report to Council on the progress against the Corporate Business Plan. The report will be made available to the community via the Shire's web page.

COMMENTS

Status of the active action items

The attached report details the progress for April to June 2017 of the 2016/17 financial year in implementing Shire's Corporate Business Plan. Corporate Business Plan Actions are linked to the Strategic Community Plan. The report groups the Shire's active action's under their relevant Goal, Objectives and Strategies.

For each item listed in the report there is:

- An assigned responsible directorate - each action is assigned to a directorate to implement
- Action percentage complete - a measure of the amount of the task that has been completed as a percentage
- Quarter Progress Update - Action Update for the Quarter by Responsible Officers
- An end of year comment providing an overview of the activities undertaken during the year to progress the action
- Inclusion in the 2017/18 CBP - An indication if the Action will be included in the 2017/18 Corporate Business Plan

During the Quarter one action was removed from the reporting. The replacement of airport Maintenance Depot an action item for 2018/19 had been included in the report. This has reduced the number of items against Goal 2 from 76 to 75.

Report Summary

Progress during the quarter of April to June saw 3 actions move from not started to in progress and 62 actions completed. 118 or 72% of the 2016/17 actions were completed.

The attached report highlights 74 items planned to be complete by the end of the financial year that were not completed by the 30 June 2017. A number of issues have affected the progress of these actions including; prioritisation of resources, staff resources due to vacancies, impact of weather, grant funding applications not successful or external funding to-date not being secured.

Reporting against the Strategic Community Plan's Strategies, the below tables summarise the number of active actions and their status in the Corporate Business Plan 2016/17 - 2019/20:

Community Goal	2016/17 Actions Supporting the Goal	% Complete	Number of actions not completed by 30th June
1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability	56	71%	18
2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure	75	74%	24
3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities	70	70%	24
Regulation 17 Audit of the Local Government Regulations 1996	22	63%	8
Total CBP 2016/17	223	72%	74

ATTACHMENTS

Attachment 1 - CBP Quarterly Progress Report - April to June 2017

12.3.6. East Kimberley Community Beautification (Inc.)

DATE:	22 August 2017
AUTHOR:	Director Community Development
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
FILE NO:	ES.18
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Provides consent to the East Kimberley Community Beautification Inc. to remove all rubbish, dead trees, non-native trees and vegetation from Reserve 41812 subject to the following:-**
 - a. A letter from the Department of Biodiversity, Conservation and Attractions confirming that all works will be undertaken under their direction and supervision.**
 - b. A Site Plan is provided to the Shire which clearly outlines the area the volunteers will be working in, and the activities to be undertaken in sub-areas if required i.e. rubbish removal; vegetation removal.**
 - c. The submission of a Traffic Management Plan to the Shire for approval prior to the commencement of any on site works, with all work to be undertaken in accordance with the Shire approved Traffic Management Plan.**
 - d. A register is maintained which records the date, start and end times, and nature of work performed by individual volunteers.**
 - e. Completion of a risk assessment on the site where the work will be performed and on the work to be undertaken. All hazards should be identified, assessed and controlled. A copy of the Risk Management Plan to be provided to the Shire.**
 - f. All volunteers being provided with and wear appropriate protective equipment and clothing.**
 - g. Volunteers hold suitable licenses and qualifications for any work requiring such i.e. application of chemicals.**
 - h. All volunteers undergo an induction process that covers the practices of the community group appropriate to their tasks and duties. The process should include emergency and safety procedures and principles of safe work practice for the tasks required of the volunteers.**
- 2. Request the Chief Executive Officer to execute a legal agreement between the Shire of Wyndham East Kimberley and the East Kimberley Community**

Beautification (Inc.) to clarify each party's legal responsibilities.

- 3. Request the Chief Executive Officer to ensure that the Shire provide an Induction Session for the East Kimberley Community Beautification (Inc.) volunteers on occupational safety and health duties and responsibilities.**

COUNCIL DECISION

Minute No: 22/08/2017-11765

Commissioner resolved:

That Council:

- 1. Provides consent to the East Kimberley Community Beautification Inc. to remove all rubbish, dead trees, non-native trees and vegetation from Reserve 41812 subject to the following:-**
 - a. A letter from the Department of Biodiversity, Conservation and Attractions confirming that all works will be undertaken under their direction and supervision.**
 - b. A meeting with the Director Community Development to assist with the development of a Site Plan, Risk Management Plan and associated documentation to ensure required legislative requirements for the safety of the volunteers are met.**
- 2. Request the Chief Executive Officer to ensure that the Shire provide an Induction Session for the East Kimberley Community Beautification (Inc.) volunteers on occupational safety and health duties and responsibilities.**

Carried 1/0

PURPOSE

For Council to consider a request from East Kimberley Beautification (Inc.) seeking permission to undertake voluntary work on public land managed by the Shire.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Facilitator - bring stakeholders together

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Shire received a letter dated 1 August 2017 (refer Attachment 1) from the East Kimberley Community Beautification (Inc.) requesting permission to clear rubbish, dead trees, non-native trees and vegetation from the area surrounding the bridge over Lily Creek on the Victoria Highway down to the pedestrian walking bridge. The community group are also proposing to extend these activities from the pedestrian bridge to the north-eastern side of Celebrity Tree Park, including the construction of walking trails, picnic areas, etc.

STATUTORY IMPLICATIONS

Occupational Safety and Health

In accordance with the *Occupational Safety and Health Act 1984 (WA)*, the Shire must, as far as reasonably practicable, ensure volunteers are not harmed as a result of work carried out by them. To ensure that proposed work activities by East Kimberley Community Beautification (Inc.) do not harm their volunteer members it is proposed that the Shire undertakes a Site Induction with all volunteers to ensure that members understand occupational safety and health duties and responsibilities.

Public Liability and Personal Accident

East Kimberley Community Beautification (Inc.) have provided the Shire with a copy of their General Public and Products Liability, and Personal Accident Insurance. This information was provided to the LGIS for comment; LGIS consider that the policy limits are adequate given the proposed gardening type activities. However, LGIS have recommended that a simple legal agreement between the Shire of Wyndham East Kimberley and East Kimberley Community Beautification (Inc.) be executed to clarify each party's legal responsibilities.

Traffic Control

Australian Standard 1742.3-2009 Manual of uniform traffic control devices Part 3: Traffic control for works on roads, specifies the traffic control measures and devices to be used to warn, instruct and guide road users in the safe negotiation of work sites adjoining roads. Clause 4.2 Static Work Sites sets out requirements for protecting workers (volunteers) from oncoming or passing traffic, and road users from hazards within an adjoining work site. East Kimberley Community Beautification (Inc.) will need to provide the Shire with a detailed Site Plan which clearly indicates the distance the designated work area will be from the Victoria Highway and whether volunteers or plant will be visible to passing traffic. In accordance with AS 1742.3-2009 traffic management requirements will be required dependent on the distance of the designated work area from the nearest edge of a lane carrying traffic.

POLICY IMPLICATIONS

CP/OPS-3651 Private Works and Developments on Road Verges and Shire Managed Lands

It is understood the proposed beautification works will be undertaken on Reserve 41812 (to be confirmed on a Site Plan), this Reserve is managed by the Shire, therefore in accordance with Council Policy CP/OPS-3651 Council permission or an approved Permit to Undertake Works on Public Land will be required.

CP/GOV-3101 Risk Management

There is inherent risk associated with volunteers conducting tasks on behalf of a local government potentially impacting the volunteer, the local government and/or third parties. Council Policy CP/GOV-3101 "commits the Shire to best practice in Risk Management in all

of its functions and assets with aims of successful implementation of the Strategic Community Plan, improved legislative compliance and minimised loss.” It is therefore recommended that East Kimberley Beautification (Inc.) undertake a risk assessment on the site where the works will be performed and on the work undertaken; with the resultant Risk Management Plan to be communicated and provided to all volunteers and the Shire.

FINANCIAL IMPLICATIONS

It is envisaged that costs will be incurred for the engagement of solicitors to prepare a legal agreement between the Shire of Wyndham East Kimberley and East Kimberley Community Beautification (Inc.) to clarify each party’s legal responsibilities (estimated cost < \$2,000.00). The adopted 2017/18 Budget includes an expenditure amount of \$8,000.00 for Legal Fees - Community Leases; this account could be utilised for the costs associated with the preparation of the legal agreement.

East Kimberley Community Beautification (Inc.) have requested a waiver of tip fees, the Shire has previously received a similar request from the Kununurra Picture Gardens Inc. The Kununurra Picture Gardens Inc. have established an account with the Shire’s Waste Facility which allows the community group to have waste disposal costs itemised on an account. The Kununurra Picture Gardens Inc. then applied to, and received from the Shire a Quick Grant (maximum \$500.00) which they are acquitting against waste disposal costs. It is recommended in the first instance, that the same process be applied to East Kimberley Community Beautification (Inc.).

East Kimberley Community Beautification (Inc.) have also noted their intent to seek further funding from the Shire by way of the Annual Community Grants process. The 2017/18 Annual Community Grants have closed, however East Kimberley Community Beautification (Inc.) are encouraged to make an application when the 2018/19 Community Grants Scheme opens.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.1: A broad range of lifestyle opportunities and activities are available for East Kimberley residents

Strategy 3.1.1 : Support activities that promote volunteerism and active participation in community events and programs

RISK IMPLICATIONS

Risk: Physical injury to volunteers or other third parties.

Control: Risk identification and management through development of a Risk Management Plan.

Volunteer Site Induction.

Risk: Damage/destruction of environment.

Control: Supervision of conservation works by Department of Parks and Wildlife staff.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The proposed works to be undertaken by East Kimberley Community Beautification (Inc.) will add value to the local environment and amenity through the removal of rubbish and non-native trees, whilst providing an opportunity to facilitate social interaction between community volunteers.

ATTACHMENTS

Attachment 1 - Letter from East Kimberley Community Beautification (Inc.)

12.3.7. Public Art - Coolibah Estate

DATE:	22 August 2017
AUTHOR:	Louise Gee, Director Community Development
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
FILE NO:	RC.07.4
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council -

- 1. Request the Chief Executive Officer write to LandCorp advising that the Shire of Wyndham East Kimberley accepts their gift of the public artwork in the Coolibah / Chestnut subdivision.**
- 2. Request a Public Art Work Reserve to be established to receipt the \$10,000 LandCorp contribution towards the ongoing maintenance of the public artwork in the Coolibah / Chestnut subdivision.**

COUNCIL DECISION

Minute No: 22/08/2017-11766

Commissioner resolved:

That Council -

- 1. Request the Chief Executive Officer write to LandCorp advising that the Shire of Wyndham East Kimberley accepts their gift of the public artwork in the Coolibah / Chestnut subdivision.**
- 2. Request a Public Art Work Reserve to be established to receipt the \$10,000 LandCorp contribution towards the ongoing maintenance of the public artwork in the Coolibah / Chestnut subdivision.**

Carried 1/0

PURPOSE

To seek Council's consideration and endorsement for the ongoing provision and maintenance of the public art in the Coolibah/Chestnut subdivision.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Provider - Provide physical infrastructure and essential services.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL

At the 24 February 2015 Ordinary Council Meeting Council resolved as follows:-

Minute No. 10810

Moved: Cr K Wright

Seconded: Cr S Cooke

That Council directs the Acting CEO to:

- 1. Enter into an agreement with LandCorp for the placement, maintenance and insurance of the public art works in Coolibah Estate for a period of two (2) years.**
- 2. Ensure that the formalised agreement with LandCorp includes a requirement for LandCorp to maintain detailed records of the costs incurred during this two (2) year period for the maintenance and/or repair of the art works and provide these records to the Shire.**
- 3. Provide a further report to Council prior to the conclusion of the formalised agreement with LandCorp which includes the following:-**
 - A. Costs incurred for the maintenance and/or repair of the public art works during the period of the agreement; and**
 - B Confirmation of LandCorp's intent to contribute a minimum of \$10,000 or another appropriate amount which reflects incurred maintenance costs towards the ongoing maintenance of the public art works.**
- 4. Bring up notice as the 2 year period draws near so that Council may consider the future of the proposed public art.**

Carried Unanimously 9/0

In accordance with point 1 and 2 of Council's resolution as outlined above a Deed between LandCorp and the Shire of Wyndham East Kimberley was executed on 22 June 2015. The Shire received advice from LandCorp on 16 November 2015 to confirm that the maintenance period for the public art works formally commenced on 13 October 2015.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

FINANCIAL IMPLICATIONS

In accordance with the Deed LandCorp have provided the Shire with a Maintenance Log with costings for the public art. Refer Attachment 1. For the period April 2016 to August 2017 costs incurred for maintenance were \$3,452.00, which equates to approximately \$173.00 per month.

LandCorp have also confirmed their intention (refer Attachment 2) to contribute \$10,000 for ongoing maintenance of the public art in accordance with clause 4.3 of the Deed:-

“4.3 If by the Latest Date the Shire does not resolve that the Public Art is to be removed from the Land in accordance with clause 5.3, LandCorp will pay to the Shire one lump sum payment of \$10,000 plus GST (Public Art Payment) as soon as practicable.”

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.3: Towns are safe and inviting for locals and tourists

Strategy 3.3.1 : Improve streetscapes in town and urban centres incorporating public art and ‘designing out crime’ principles

RISK IMPLICATIONS

Risk: Failure to undertake proactive maintenance leading to damaged infrastructure

Control: Proactive maintenance included in Depot Maintenance Works program.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

In accordance with Council’s decision, Minute No. 10810 point 3 as detailed above, the Shire has sought from LandCorp the costs that have been incurred for the maintenance of the public art works during the period of the Deed. During this period LandCorp engaged Waringarri Aboriginal Arts to undertake the maintenance of the public art works. In accordance with the Maintenance Log the approx. monthly maintenance costs for the public

art is \$173.00; the \$10,000.00 contribution by LandCorp will cover maintenance costs for an estimated 5-years.

It is considered that the public art in the Coolibah / Chestnut Subdivision increases the sense of community for residents within the subdivision, expresses local indigenous values and enhances the local environment. It is therefore recommended that the Shire takes ownership of these assets and their ongoing maintenance.

ATTACHMENTS

Attachment 1 - Coolibah Public Art Maintenance Log

Attachment 2 - Confirmation Email from LandCorp

12.3.8. Request for Dual Naming - Barnett River Gorge, Gibb River Road

DATE:	22 August 2017
AUTHOR:	Senior Planning Officer
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
ASSESSMENT NO:	A2574P
FILE NO:	LP.03.2
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Supports the renaming of the Barnett River Gorge topographical feature to 'Jingarrin' to be signposted as either Jingarrin (Barnett River Gorge) or dual named to Jingarrin / Barnett River Gorge until such time as the traditional indigenous name comes into common usage.**
- 2. Requests the Chief Executive Officer to advise the Geographic Names Committee of its support for the renaming.**

COUNCIL DECISION

Minute No: 22/08/2017-11767

Commissioner resolved:

That Council:

- 1. Supports the renaming of the Barnett River Gorge topographical feature to 'Jingarrin' to be signposted as either Jingarrin (Barnett River Gorge)**
- 2. Requests the Chief Executive Officer to advise the Geographic Names Committee of its support for the renaming.**

Carried 1/0

PURPOSE

For Council to consider the proposition to include or rename the “Barnett River Gorge” to include the indigenous Ngariyin name, ‘Jigngarrin’ on the Gibb River Road following advertising.

NATURE OF COUNCIL’S ROLE IN THE MATTER

Facilitator - bring stakeholders together

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

In January 2016, the Shire received a proposal from the Kimberley Land Council regarding the dual naming or renaming of the ‘Barnett River Gorge’ topographical feature to include the Indigenous name of the site ‘Jigngarrin’, for which the Ngariyin Indigenous group are the Traditional Owners.

The proponent stated that an Elder and Traditional Owner for Barnett River Gorge, located within the Gibb River pastoral lease approximately 43km west of the Ngallagunda community, has requested for the Ngariyin name of the site to be included on the sign. A copy of the email correspondence and photograph from the proponent is provided as Attachments 1 - 2.

In order for the signposted name to be changed, the recognition of the Indigenous name for the topographical feature (gorge) will need to be approved by the Geographic Names Committee (GNC) which also requires the support of the local government.

The Geographic Names section of Landgate have confirmed that the gorge has been officially named after the Barnett River, however have advised that they would be receptive to a request to include the indigenous name, and that there are a number of options available to the Shire regarding the name for this feature.

The first option is to dual name the feature to be Jigngarrin / Barnett River Gorge, and the second option is the complete renaming of the gorge to Jigngarrin Gorge and the archiving (to make historic) the Barnett River Gorge name on the basis that this name is descriptive only.

However, if the second option is to be considered, then the renaming of the Barnett River Gorge Road access road would also be considered as a part of the proposal. Landgate has advised that as this road is not used for addressing purposes and again is a descriptive name, amending the road to match the gorge would also be considered appropriate by Landgate, and Jigngarrin Road would be their first preference as double-barrelled names are not supported.

Any proposal requesting the renaming of an approved name must include evidence of consultation with the community. Local Governments must ensure that the level and form of consultation undertaken reflects the significance of the naming proposal. This should also

include evidence from indigenous communities to ensure that the correct source for the spelling and origin are provided and recorded for historical purposes.

Therefore, Officers sought Council's resolution to initiate the process by undertaking community consultation on both of the suggested options, and at the Ordinary Council meeting held on 23 February 2016, the Council resolved to advertise the proposed renaming as follows:

COUNCIL DECISION

Minute No. 11265

Moved: Cr S Cooke

Seconded: Cr E Bolto

That Council resolve to undertake community consultation in relation to the proposal for dual naming or renaming of the Barnett River Gorge.

Carried 7/2

**For: Cr J Parker, Cr S Rushby, Cr K Wright, Cr N perry, Cr S Cooke,
Cr E Bolto, Cr B Robinson**

Against: Cr D Spackman, Cr A Petherick

Prior to this Council meeting, the Shire requested additional information from the Kimberley Land Council, to provide information for advertising purposes and evidence to support either the renaming or dual naming of the gorge, and to ensure compliance with the guidelines set out by the Geographic Names Committee.

The Kimberley Land Council provided a written submission of the proposal, outlining the reasons for the proposed name change, which included a location map, showing the extent of the gorge, start of the walk trail, and location of roadside signage (Gibb River Road) on a topographical map. This submission and location plan are provided at Attachment 3 and 4 respectively.

Two letters of support were also provided from the Ngallagunda Aboriginal Corporation and Wilinggin Aboriginal Corporation, in support of the traditional indigenous name.

Public advertising of the proposed name change occurred between 22 April - 23 May 2016, and letters were sent to neighbouring pastoral lessees and tourist facilities in July 2017, requested response on the proposal to be provided on or before 14 August 2017.

STATUTORY IMPLICATIONS

The Geographic Names Committee (GNC) is an advisory committee established to assist the Government in regulating the recording and appropriate use of place and feature names, ensuring that the official naming of topographic and cultural features in the State are in accordance with national and international naming policies and standards.

The GNC has produced a document titled *Policies and Standards for Geographical Naming in Western Australia* to provide an open and transparent basis and process on which the assignment of names to places, features, administrative boundaries and roads can be undertaken. They serve the long-term interests of the community by identifying, protecting and reflecting our culture, heritage and landscape and apply to all nomenclature within Western Australia.

Any person, community group, organisation, government department or local authority can request a new name or an amendment to an existing name, however consultation is required with the relevant local authority. Proposals normally require the support of local government, but the Minister is the final authority in all such matters.

In relation to naming topographic features, the policies and standards recommend the following sources:

- names from Indigenous languages formerly identified with the general area
- descriptive names appropriate to the features
- names of pioneers who were relevant to the area
- names of persons who died during war service
- names associated with historical events connected with the area.

The use of Aboriginal names and words for naming features, administrative boundaries and roads are a way of recognising the different enduring cultural and language groups. The use of Aboriginal names is encouraged by Landgate, and compilation of recorded Aboriginal topographic names is supported. The identification of a name (or names) of Aboriginal heritage is encouraged to be undertaken by local governments and relevant Aboriginal groups.

Dual naming submissions will be given consideration when a feature already has a widely accepted name of non-Aboriginal origin and newly available information indicates that an Aboriginal name could also apply. All dual naming proposals require the support of the native title representative body and, where relevant, tribal elders of the area.

If a single Aboriginal name is to be applied to an appropriate topographic feature, such should include as part of that name a feature class or generic, i.e. gorge. Exceptions to this only occur with the use of Aboriginal names or words which already include details of the feature class within the name.

The GNC Policies and Standards outlines that consultation should be held with the communities that will be affected by the proposed naming/renaming or boundary adjustment of any feature, locality or road. The guide provided by GNC within this document identifies that the immediate and extended community should be consulted when renaming a feature, and the type of consultation may include notices and surveys.

The immediate community is defined as including residents, ratepayers and businesses within the immediate area who are directly affected by the submission. The extended community includes residents, ratepayers and businesses surrounding the area directly affected by the proposal, any visitor groups to the area, and government or non-government organisations with an interest in the area.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The advert was placed in SWEK News, which is the half page advert that the Shire places in the Kimberley Echo on a fortnightly basis for a set price. Based on the size of the advert it is anticipated to have cost around \$100.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.1: Strong community engagement

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.1.1: Investigate and implement options to encourage and integrate community input in Council planning, policies and decisions making.

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and has included:

- Notice on the Shire's website, commencing 22 April 2016
- Notice via the Shire's Facebook page, commencing 22 April 2016,
- Public Notices at the Shire's Kununurra and Wyndham Administration Offices and Kununurra Community and School Library
- A newspaper advertisement in the Kimberley Echo issue of 5 May 2016
- With information and submission forms available at the Shire's offices and website.

The submission form requested respondents to indicate which name for the topographical feature they supported out of:

1. Jingarrin Gorge
2. Jingarrin / Barnett River Gorge
3. Barnett River Gorge

Letters were also been sent to the neighbouring pastoral lessees (Mt Barnett and Mt Elizabeth) and the Mt Barnett Roadhouse, which are considered to be the immediate community, with response requested to be provided on or before 14 August 2017.

COMMENTS

It is acknowledged that the naming proposal of the 'Barnett River Gorge' to include the Indigenous name is significant to the tribal elders of the area to reflect their culture to the local and wider community, and the Geographic Names section of Landgate have advised that there are two options available, being:

1. To dual name the feature to be Jingarrin / Barnett River Gorge, or
2. To rename the gorge to Jingarrin Gorge and the archive (to make historic) the Barnett River Gorge name.

The Kimberley Land Council has provided a written submission on behalf of the Ngarinyin traditional owners, outlining the reasons for this proposed name change are as follows:

- Across the Kimberley vast quantities of Indigenous knowledge and indigenous place names have been lost since colonisation. Establishing original place names in common use, helps preserve some of this knowledge base.
- Use of the indigenous place name pays respect to Ngarinyin culture and provides an avenue of recognition that the area being visited is Indigenous land within a native title area.
- Visitors to this site are often confused by the name Barnett River Gorge as being within Barnett Station when it is in fact within Gibb River Station.
- Use of an Indigenous name such as Jingarrin may add to a visitor's appreciation of the site. There are plans to enhance the visitor's experience when visiting the location, by providing information on Ngarinyin culture.

Although no comments or submissions were received as a result of the advertising to the extended community, two letters of support were received from traditional owners (Ngallagunda Aboriginal Corporation) and the native title holders (Wilinggin Aboriginal Corporation).

Comment has recently been sought from the immediate community (Mt Barnett and Mt Elizabeth pastoral lessees and the Mt Barnett Roadhouse), these comments are required on or before 14 August 2017. To date no responses have been received.

The GNC recognises the significance of the indigenous name and encourages the continued recognition of Indigenous heritage in the community, and is acknowledged by a preference being given to Indigenous names where possible.

Shire Officers consider that the request to recognise the indigenous name as submitted by the Ngarinyin traditional owners should be supported. It is understood that the single word Jigngarrin' includes the description of the gorge, and therefore it is not the intent of the traditional owners for it to be named 'Jigngarrin Gorge'.

On this basis, it would be recommended that either the gorge is renamed to 'Jigngarrin' with signpost including Barnett River Gorge in brackets, or dual naming (if required) of Jigngarrin / Barnett River Gorge, be supported in the first instance until such time as the traditional indigenous name comes into common usage.

ATTACHMENTS

Attachment 1-2 - Correspondence from the Kimberley Land Council

Attachment 3 - Written proposal supporting name change

Attachment 4 - Jigngarrin Location map

Attachment 5 - Ngallagunda Aboriginal Corporation Letter of Support

Attachment 6 - Wilinggin Aboriginal Corporation Letter of Support

12.3.9. Department of Sport Recreation Utilisation of Kununurra Administration Space

DATE:	22 August 2017
AUTHOR:	Coordinator Recreation Leisure
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
ASSESSMENT NO:	N/A
FILE NO:	CP16.69
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council

- 1. Accept and approve the Memorandum of Understanding as outlined in Attachment 1 between the Department of Local Government, Sport and Cultural Industries Regional Officer and the Shire of Wyndham East Kimberley.**
- 2. Authorise the CEO to sign the Memorandum of Understanding as outlined in Attachment 1 on behalf of the Shire of Wyndham East Kimberley.**

COUNCIL DECISION

Minute No: 22/08/2017-11768

Commissioner resolved:

That Council

- 1. Accept and approve the Memorandum of Understanding as outlined in Attachment 1 between the Department of Local Government, Sport and Cultural Industries Regional Officer and the Shire of Wyndham East Kimberley.**
- 2. Authorise the CEO to sign the Memorandum of Understanding as outlined in Attachment 1 on behalf of the Shire of Wyndham East Kimberley.**

Carried 1/0

PURPOSE

To advise Council of a request by the Department of Local Government, Sport and Cultural Industries to utilise the Shire of Wyndham East Kimberley Kununurra Administration Office to host the Department's Regional Officer.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Facilitator - bring stakeholders together

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

On 7 June 2017 the Shire received correspondence from the Kimberley Regional Manager, for the Department of Local Government, Sport and Cultural Industries proposing to enter into an agreement to allow its Regional Officer to utilise a desk within the Kununurra Administration Office.

The Regional Officer position was housed in the Government Offices however the person incumbent to that position took up a secondment to the the Club Development Officer position at the Kununurra Community Resource Centre for 18 months and then took leave.

The lease rental period was reached on the Government space and the Department of Local Government, Sport and Cultural Industries (Department of Sport and Recreation) decided not to renew the lease. For the last couple of years the Regional Officer position has temporarily been operating from the Department of Local Government, Sport and Cultural Industries (Department of Sport and Recreation) Broome Office.

With the incumbent Regional Officer indicating they would like to return to their substantive role in Kununurra, the Department of Local Government, Sport and Cultural Industries are seeking a suitable location for the placement of this position.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is considered that the proposed \$5,000 payment per annum for the utilisation of the Kununurra Administration Office by the Department of Local Government, Sport and Cultural Industries will cover the associated costs and overheads with the hosting of the Department's Regional Officer.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.2: Alignment of regional and local priorities with other agencies and community groups

Strategy 1.2.1: Work collaboratively with agencies for forward planning and to expand opportunities and to reduce wastage and duplication

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

It is proposed that the arrangement between the Shire and the Department of Local Government, Sport and Cultural Industries be outlined in a Memorandum of Understanding (MOU) (refer Attachment 1).

The Department of Local Government, Sport and Cultural Industries have agreed to pay the Shire \$5,000 per annum for the utilisation of desk space, etc. within the Shire's Kununurra Office or Kununurra Leisure Centre. The Department's Kimberley Regional Manager, considers that having the Regional Officer located at the Shire Wyndham East Kimberley will facilitate opportunities to develop positive working relationships in the East Kimberley that will have good outcomes for the Shire, State Government and the community. This view is supported by Shire officers.

ATTACHMENTS

Attachment 1 - Signed MOU Agreement

12.4. CORPORATE SERVICES

12.4.1. Draft Pre-Qualified Supplier Panel Policy

DATE:	8 August 2017
AUTHOR:	Senior Procurement and Contracts Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Adopt the draft Policy *CP/FIN 3218 Pre-Qualified Supplier Panels*
2. Adopt the revised Policy *CP/FIN-3204 Purchasing*

COUNCIL DECISION

Minute No: 22/08/2017-11769

Commissioner resolved:

That Council:

1. Adopt the draft Policy *CP/FIN 3218 Pre-Qualified Supplier Panels*
Adopt the revised Policy *CP/FIN-3204 Purchasing*

Carried 1/0

PURPOSE

To consider the adoption of the draft Policy CP/FIN 3218 Pre-Qualified Supplier Panels and the revised Policy CP/FIN-3204 Purchasing.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

In September 2015, the *Local Government (Function and General Regulations 1996* were amended to insert Part 4, Division 3 - Panels of pre-qualified suppliers.

The new division introduced the ability for local governments to create a panel of pre-qualified suppliers on the condition that the local government first adopt a pre-qualified supplier panel policy.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

To adopt the draft policy *CP/FIN 3218 Pre-Qualified Supplier Panels*

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

Strategy 1.4.4 : Deliver cost effective and efficient corporate services

RISK IMPLICATIONS

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The purpose of the draft *CP/FIN 3218 - Pre-Qualified Supplier Panels* is to enable the Shire to procure goods and services from supply contracts that contain more than one contracted supplier.

Certain goods and services are procured by the Shire on a frequent basis. To ensure businesses in the local economy and beyond are provided with the opportunity to supply said goods or services, the Shire may establish panel contracts that provide multiple suppliers with the opportunity to supply the required goods/services without the need for suppliers to undertake lengthy procurement process on an ad hoc basis.

Additionally, Pre-Qualified Supplier Panels are beneficial in that during times of high or extended workload requirements, the Shire's service delivery is not impacted by the unavailability of one or more contracted suppliers.

The draft Policy *CP/FIN 3128 Pre-Qualified Supplier Panels* has been modelled on the Western Australian Local Government Association's (WALGA) model policy. One change has been made which is not reflective of the WALGA model policy, being the minimum number of suppliers has been reduced from three (3) to two (2), to provide the Shire with more flexibility in instances where there are not three (3) local suppliers that represent value for money.

An Organisational Directive has been developed in response to the draft policy.

The Shire's Policy *CP/FIN-3204 Purchasing* has been updated to reference the draft Policy *CP/FIN 3218 - Pre-Qualified Supplier Panels*.

ATTACHMENTS

Attachment 1 - Draft Policy CP/FIN 3218 Pre-Qualified Supplier Panels

Attachment 2 - Revised Policy CP/FIN 3204 Purchasing

12.4.2. List Of Accounts Paid From Municipal Fund and Trust Fund

DATE:	22 August 2017
AUTHOR:	Creditors Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	FM.09.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the listing of accounts paid from the Municipal and Trust funds, being:	
Municipal EFT 129507 - 129721 (06 Jul - 27 Jul 2017)	\$ 1,482,298.90
Municipal cheques 51594 - 51608 (04 Jul - 31 Jul 2017)	\$ 91,243.89
Trust cheques 1056 - 1059 (12 Jul 2017)	\$ 1,827.57
Trust EFT 501425 - 501442 (03 Jul – 31 Jul 2017)	\$ 11,397.45
Payroll (05 Jul - 21 Jul 2017)	\$ 499,405.76
Direct bank debits (03 Jul - 31 Jul 2017)	\$ 107,011.09
TOTAL	\$ 2,193,184.66

COUNCIL DECISION

Minute No: 22/08/2017-11770

Commissioner resolved:

That Council receives the listing of accounts paid from the Municipal and Trust funds, being:

Municipal EFT 129507 - 129721 (06 Jul - 27 Jul 2017)	\$ 1,482,298.90
Municipal cheques 51594 - 51608 (04 Jul - 31 Jul 2017)	\$ 91,243.89
Trust cheques 1056 - 1059 (12 Jul 2017)	\$ 1,827.57
Trust EFT 501425 - 501442 (03 Jul – 31 Jul 2017)	\$ 11,397.45
Payroll (05 Jul - 21 Jul 2017)	\$ 499,405.76
Direct bank debits (03 Jul - 31 Jul 2017)	\$ 107,011.09
TOTAL	\$ 2,193,184.66

Carried 1/0

PURPOSE

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

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

In accordance with Council's Delegations Register 2016/17 which was adopted by the Council on the 30 August 2016, the Council has delegated to the CEO the exercise of its power under regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996* to make payments from Municipal Fund and Trust Fund.

STATUTORY IMPLICATIONS

Local Government Act 1995 – section 5.42

Local Government (Financial Management) Regulations 1996 – Regulations 5, 11, 12, 12(1)(a) and 13.

POLICY IMPLICATIONS

Sub-delegation 12 “Payments from the Municipal Fund and Trust Fund” applies subject to compliance with *Council Policy CP/FIN-3204 Purchasing*.

FINANCIAL IMPLICATIONS

Ongoing management of the Shire’s funds by providing the Council with sufficient information to monitor and review payments made.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022.

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability.

Objective 1.4: Business innovation, efficiency and improved services.

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery.

Strategy 1.4.3 : Maintain Council’s long term financial viability.

RISK IMPLICATIONS

Strategic Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Controls: Annual Financial Audit.

Annual Compliance Return to Department of Local Government.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

In accordance with statutory requirements, each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled each month showing: the payee's name, amount of payment, date of payment and sufficient information to identify the transaction. The list is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

ATTACHMENTS - Item 12.4.2

Attachment 1 - List Of Accounts Paid July 2017

12.4.3. Long Term Financial Plan 2017 - 2027

DATE:	22 August 2017
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	FM.02.16
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopts the report and attached Long Term Financial Plan 2017 - 2027.

COUNCIL DECISION

Minute No: 22/08/2017-11771

Commissioner resolved:

That Council adopts the report and attached Long Term Financial Plan 2017 - 2027.

Carried 1/0

PURPOSE

The purpose of the report is to provide feedback to Council on any comments on the Long Term Financial Plan received from the community.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Long Term Financial Plan was noted at the Ordinary Council Meeting on 18 July 2017. In terms of the resolution below the Plan was to be advertised for comment for a period of 14 Days.

COUNCIL DECISION

Minute No: 18/07/2017-11747

Commissioner resolved:

That Council notes the report and attached Long Term Financial Plan 2017 - 2027 and:

1. Endorses the proposed action to integrate the Long Term Financial Plan with the Shire's Workforce Plan and Asset Management Plan.
2. Requests the Chief Executive Officer to advertise the Long Term Financial Plan 2017 - 2027 for a period of 14 days for community comment.

Carried 1/0

STATUTORY IMPLICATIONS

Local Government Act 1995

Part 5

Division 5 Annual Reports and Planning

5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no cost implications with the production of this report or its integration with the other integrated planning documents. There will be financial implications for the organisation as a whole over the life of the plan should decision making be in line with the assumptions made in compiling the plan. These financial implications will all be positive for the financial sustainability of the Shire.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

Strategy 1.4.3 : Maintain Council's long term financial viability

RISK IMPLICATIONS

Strategic Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and included:

- Public Notice requesting comment from the Community;
- Advertising for comment on the Council Website; and
- Advertising for comment on the Council Facebook site;

COMMENTS

There were no comments received from the community.

The next phase is to now integrate the Plan with the Asset Management Plan and the Workforce Plan to produce a document that meets the financial strategies detailed in Plan. It is the intention that the next revision of the Plan is to form the basis from which the next Annual Budget and Corporate Business Plan are prepared.

ATTACHMENTS

Attachment 1 - Long Term Financial Plan 2017 - 2027

12.4.4. Interim Monthly Financial Report as at 31 July 2017

DATE:	22 August 2017
AUTHOR:	Asset Management Accountant
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	FM.09.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Interim monthly financial report as at 31 July 2017.

COUNCIL DECISION

Minute No: 22/08/2017-11772

Commissioner resolved:

That Council receives the Interim monthly financial report as at 31 July 2017.

Carried 1/0

PURPOSE

For Council to receive the interim monthly financial report for the period ended 31 July 2017.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Council is to prepare monthly financial reports as required by the *Local Government (Financial Management Regulations) 1996*.

At the 15 September 2016 Ordinary Council Meeting, the Council resolved the following:

COUNCIL DECISION

Minute No: 11491

Moved: Cr B Robinson

Seconded: Cr N Perry

That the Council, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, approves the materiality level for monthly reporting to be set at +/- 10% and +/- \$20,000 at account level and +/- 10% and +/- \$100,000 at financial statement level.

Carried 9/0

These materiality levels have been applied in the preparation of this report.

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4.

Local Government (Financial Management) Regulations 1996, Regulation 34.

POLICY IMPLICATIONS

No policy implications apply in the preparation of the report.

FINANCIAL IMPLICATIONS

Monthly financial reporting is a primary financial management and control process; it provides the Council with the ability to oversee the Shire's financial performance against budgeted target.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Strategic Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required.

COMMENTS

Comments in relation to budget to actual variances are included as notes in the Financial Report attached.

ATTACHMENTS

Attachment 1 - Interim Monthly Financial Report as at 31 July 2017.

12.5. INFRASTRUCTURE

12.5.1. Policy Review - CP/OPS 3650 Private Works

DATE:	22 August 2017
AUTHOR:	Infrastructure Support Officer
REPORTING OFFICER:	David Klye, Director Infrastructure
FILE NO:	CM.11.2
DECLARATION OF INTERESTS:	Nil

VOTING

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the reviewed and unchanged policy CP/OPS-3650 Private Works (Attachment 1)

COUNCIL DECISION

Minute No: 22/08/2017-11773

Commissioner resolved:

That Council adopt the reviewed and unchanged policy CP/OPS-3650 Private Works (Attachment 1)

Carried 1/0

PURPOSE

For Council to review its policy on Private Works.

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL

At the 18 November 2014 Ordinary Council Meeting, Council adopted the original Council Policy CP/OPS 3650, since adoption, it has been reviewed on 22 September 2015.

STATUTORY IMPLICATIONS

The *Local Government Act 1995* Section 3.1 applies to this item.

POLICY IMPLICATIONS

The proposal makes no changes to Council's policy position in relation to private works.

FINANCIAL IMPLICATIONS

There are no direct financial implications in adopting the proposed policy update.

STRATEGIC IMPLICATIONS

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

Strategy 1.4.3 : Maintain Council's long term financial viability

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required.

COMMENT

This report is presented for Council to formally review and adopt its policy, CP/OPS 3650 Private Works. This policy has been reviewed by the Shire administration and no changes are proposed. It is recommended that Council adopt the policy.

ATTACHMENT

Attachment 1 - CP/OPS 3650 Private Works DRAFT

12.5.2. Policy Review - CP/REM 3620 Fire Breaks

DATE:	22 August 2017
AUTHOR:	Infrastructure Support Officer
RESPONSIBLE OFFICER:	David Klye, Director Infrastructure
FILE NO:	CM.11.2
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the reviewed and updated policy CP/REM-3620 Fire Breaks (Attachment 1)

COUNCIL DECISION

Minute No: 22/08/2017-11774

Commissioner resolved:

That Council adopt the reviewed and updated policy CP/REM-3620 Fire Breaks (Attachment 1)

Carried 1/0

PURPOSE

For Council to review its policy on Fire Breaks.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

This policy was last reviewed and adopted by Council on 25 August 2015.

STATUTORY IMPLICATIONS

Bush Fires Act 1954 Section 33 applies to this item.

POLICY IMPLICATIONS

The proposal makes no changes to Council's policy position in relation to fire breaks.

FINANCIAL IMPLICATIONS

There are no direct financial implications in adopting the proposed policy update.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.3: Towns are safe and inviting for locals and tourists

Strategy 3.3.10 : Adopt a partnership approach for emergency and fire management planning, preparedness, response and recovery.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required.

COMMENTS

This report is presented for Council to formally review and adopt its policy, CP/REM 3620 Fire Breaks. This policy has been reviewed by the Shire administration and only minor formatting corrections are proposed. It is recommended that Council adopt the policy.

ATTACHMENTS

Attachment 1 - CP/REM 3620 Fire Breaks DRAFT

12.5.3. Asset Management Policy, Strategy and Plan

DATE:	22 August 2017
AUTHOR:	Asset Manager
RESPONSIBLE OFFICER:	David Klye, Director Infrastructure
FILE NO:	CM.10.4
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the draft PS/OPS-3641 Asset Management Plan as per Attachment 1 and the draft PS/OPS-3642 Asset Management Strategy as per Attachment 2;

COUNCIL DECISION

Minute No: 22/08/2017-11775

Commissioner resolved:

That Council adopt the draft PS/OPS-3641 Asset Management Plan as per Attachment 1 and the draft PS/OPS-3642 Asset Management Strategy as per Attachment 2;

Carried 1/0

PURPOSE

For Council to consider the draft Asset Management Strategy, and draft Asset Management Plan.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices
Provider - provide physical infrastructure and essential services

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

COUNCIL DECISION

Minute No: 18/07/2017-11751

Commissioner resolved:

That Council:

1. Adopts, in principle, the draft PS/OPS-3641 Asset Management Plan as per Attachment 3 and the draft PS/OPS-3642 Asset Management Strategy as per Attachment 2;
2. Requests the Chief Executive Officer to advertise the draft PS/OPS- 3641 Asset Management Plan as per Attachment 3 and the draft PS/OPS-3642 Asset Management Strategy as per Attachment 2 for 14 days for public comment.

Carried 1/0

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 5.56

Local Government (Administration) Regulations 1996 Section 19DA

POLICY IMPLICATIONS

The Asset Management Strategy and the Asset Management Plan are both requirements of the CP/OPS-3659 Asset Management Policy.

FINANCIAL IMPLICATIONS

It is important for the Shire's Asset Management Plan to align with the Long Term Financial Plan expected to be presented to Council in July 2018 for consideration.

It is known that there is a funding gap between recent Shire maintenance budgets and the cost of maintaining the Shire's assets in their current condition. A greater understanding of future grant levels, along with processes for managing the level of maintenance, and determining the remaining useful life of some assets is required. This will require a higher understanding of Shire assets and a greater integration of asset management planning and long term financial planning. To this end the Shire has initiated a program to improve its ability in asset management.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 2.3: Assets are appropriate for their intended purpose and factor in whole of life costing and maintenance

Objective 3.4: Enhancement of community facilities

Strategy 2.3.1 : Manage and maintain assets in a strategic and cost effective manner

Strategy 2.3.2 : Plan, design and budget for sustainable infrastructure

Strategy 3.4.1 : Maintain, manage and upgrade public parks and amenities to ensure they meet community need and are accessible to people of all ages and abilities.

Strategy 3.4.3 : Ensure Shire facilities are planned and managed to meet community needs

RISK IMPLICATIONS

The wider risk implications are as follows:

Risk: Inability to deliver levels of service expected by the community.

Control: Develop agreed standards of service and communicate with the community

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Increased accountability to the Audit (Finance and Risk) Committee

COMMUNITY ENGAGEMENT

As per the resolution by the Commissioner at the Ordinary Council Meeting 18th July 2017 and at the request the Chief Executive Officer, the draft PS/OPS- 3641 Asset Management Plan and the draft PS/OPS-3642 Asset Management Strategy were advertised for 14 days for public comment from the 27th of July 2017 to the 11th August 2017. This included an advertisement in Kimberley Echo, media release, presence on Shire web and social media sites and distribution via “community site” and “media release” listings.

The Shire received two (2) responses to the draft Asset Management Plan these issues are addressed in the Officer Comments section below.

COMMENTS

Asset management planning is a comprehensive process to ensure delivery of services from infrastructure is provided in a financially sustainable manner.

The Asset Management Strategy enables the Shire to show how the Shire’s asset portfolio will meet the service delivery needs of its community into the future, enables the Shire’s asset management policies to be achieved, and ensures the integration of the Shire’s asset management with its long term strategic plan.

The Asset Management Plan details information about infrastructure assets including actions required to provide an agreed level of service in the most cost effective manner. The plan defines the services to be provided, how the services are provided and what funds are required to provide the services.

The previous Asset Management Strategy and Asset Management Plan were developed in 2012 and are overdue for review. These initial documents provided mostly recommendations rather than strategy and plans. In the 5 months leading up to the delivery of the current draft Asset Management Strategy and Plans, the asset management team has reviewed the asset management registers for accuracy. This has resulted in an in-house revaluation of all roads, reserves and drainage throughout the Shire. This was completed in conjunction with a revaluation of buildings and associated plant as part of an insurance valuation.

Maintaining and updating asset related data to the level necessary to support and influence future decision making is a significant task for the Shire into the future. Following the adoption of the Asset Management Plan, the next step is to develop a Service Level Statement that can be taken to public consultation to develop a Service Level Agreement. Following this the Asset Management Plan, the Service Level Agreement and the Long Term Financial Plan will all converge to a coherent set of documents to produce the 10 and 20 year forward works plans for the Shire.

From the two (2) responses received during the advertised period, two (2) comments required addressing, both relating to the Asset Management Plan;

1. Correction required to a notation on a title of a budget item relating to the Wyndham Boat Ramp in appendix A, and
2. Clarification that footpaths were included in the Sealed Roads asset category (as noted in the Introduction).

Both items have been corrected in the current draft PS/OPS- 3641 Asset Management Plan as per Attachment 1. The draft PS/OPS-3642 Asset Management Strategy as per Attachment 2 remains unchanged.

It is recommended that the the draft PS/OPS- 3641 Asset Management Plan and the draft PS/OPS-3642 Asset Management Strategy be adopted.

ATTACHMENTS

Attachment 1 - Draft Asset Management Plan

Attachment 2 - Draft Asset Management Strategy

12.5.4. Adoption of new Master Plan for East Kimberley Regional Airport

DATE:	22 August 2017
AUTHOR:	Manager East Kimberley Regional Airport
RESPONSIBLE OFFICER:	Director Infrastructure
FILE NO:	LP.02.10
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Adopt the Draft East Kimberley Regional Airport Master Plan 2017 comprising Attachment 2 to provide strategic direction for the development of the Airport subject to the adding of a reference to Wyndham Airport in s2.1.1 Regional context.**
- 2. Endorses the following outcomes from the Draft East Kimberley Regional Airport Master Plan 2017:**
 - a. Leasing the Airport Farm holding for agriculture related purposes on basis the Shire has opportunity on at least a five-yearly basis to review alternate uses that can support airport related outcomes;**
 - b. Planned widening of existing Runway 12/30 to 45m on the basis construction activities do not interrupt the ability of aerodrome to accommodate Regular Public Transport (RPT) and General Aviation services;**
 - c. Undertaking pre-feasibility studies for the commercial and aviation precincts and improved utility infrastructure; and**
 - d. Negotiations for the incorporation of adjoining land that can safeguard airport operations and accommodate further development.**

COUNCIL DECISION

Minute No: 22/08/2017-11776

Commissioner resolved:

That Council:

- 1. Adopt the Draft East Kimberley Regional Airport Master Plan 2017 comprising Attachment 2 to provide strategic direction for the development of the Airport subject to the adding of a reference to Wyndham Airport in s2.1.1 Regional context.**
- 2. Endorses the following outcomes from the Draft East Kimberley Regional Airport Master Plan 2017:**
 - a. Leasing the Airport Farm holding for agriculture related purposes on basis the Shire has opportunity on at least a five-yearly basis to review alternate uses that can support airport related outcomes;**
 - b. Planned widening of existing Runway 12/30 to 45m on the basis construction activities do not interrupt the ability of aerodrome to accommodate Regular Public Transport (RPT) and General Aviation services;**
 - c. Undertaking pre-feasibility studies for the commercial and aviation precincts and improved utility infrastructure; and**
 - d. Negotiations for the incorporation of adjoining land that can safeguard airport operations and accommodate further development.**

Carried 1/0

PURPOSE

Following community exhibition to present for adoption the draft East Kimberley Regional Airport (EKRA) Master Plan 2017 that is intended to provide a planning framework for long-term aeronautical and non-aeronautical development.

Current and future infrastructure needs and their implementation will be more fully reviewed in a Council report on draft Airport Asset Management Plan 2017.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Advocator - advocate and support initiatives on behalf of the community and the Kimberley

Facilitator - bring stakeholders together

Leader - plan and provide direction through policy and practices

Provider - provide physical infrastructure and essential services

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL

At the Ordinary Meeting of 18 July 2017 Council considered a report on the draft Master Plan and resolved:

COUNCIL DECISION

Minute No: 18/07/2017-11750

Commissioner resolved:

That Council adopt the Draft East Kimberley Regional Airport Master Plan 2017, in principle, for the purpose of community consultation and that a further report then be submitted to August 2017 Council Meeting.

Carried 1/0

STATUTORY IMPLICATIONS

While a Master Plan is not a legislative requirement it is an important tool that can at an early stage identify and support the resolution of issues across aviation needs, landside developments, safety and emergency management.

Specific legislation that needs to be recognised in the Plan includes:

1. Federal Civil Aviation Safety Regulations
2. Federal Aviation Transport Security Act/Regulations
3. Federal Manual of Standards - Aerodromes
4. WA Planning Act.

POLICY IMPLICATIONS

The draft Master Plan has potential impacts across the following policy areas:

1. Economic development
2. Community development and engagement
3. Leasing of Council owned land
4. Asset management policy and plans
5. Airport Safety Management System
6. Road and parking management
7. Transport Security.
8. Integrated Planning and Reporting Framework and in particular long term financial plan,

A well developed Master Plan across these areas will positively impact on risk management and achievement of integrated outcomes.

FINANCIAL IMPLICATIONS

With the airport being a multi-million dollar operation the Master Plan directly inputs to the character of operations, creation/management/disposal of existing assets, forward works programs and financial outcomes.

The Plan needs to successfully anticipate the operating environment and means to maximise revenue and manage costs/overheads.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 1.3: Advocacy of East Kimberley issues and opportunities at regional, state and national levels

Objective 2.2 Maintenance of economic diversity and greater community returns from investment in the region

Objective 3.4 Enhancement of community facilities

Strategy 1.3.1 : Actively provide input to decision making at the Regional, State and Federal levels on behalf of the community

Strategy 2.2.8 : Support and advocate for further development of the East Kimberley Regional Airport to attract more aircraft and greater competition

Strategy 3.4.3 : Ensure Shire facilities are planned and managed to meet community needs

RISK IMPLICATIONS

The wider risk implications are as follows:

Risk: Inability to deliver levels of service expected by the community.

Control: Develop agreed standards of service and communicate with the community

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Increased accountability to the Audit (Finance and Risk) Committee

COMMUNITY ENGAGEMENT

Key Stakeholders were engaged in the preparation of the draft document. These included Airport operators, representatives of the Shire, aviation industry, Kimberley Development Commission, Kununurra Visitor Centre and a local real estate agent.

These consultations identified a number of key considerations that included:

1. Significant tourism potential with proximity to nature based areas such as Bungle Bungles and Lake Argyle.
2. Airports long term potential is limited by existing infrastructure with key projects being extension of runway to accommodate larger aircraft.
3. Limited capability of existing airport infrastructure.
4. Demand for development of precinct land for both aviation and non-aviation development.
5. Airport be managed in a financially responsible manner.

As provided in the Council resolution of 18 July 2017 the draft Master Plan was exhibited for community comment between 27 July and 11 August 2017. This included an advertisement in Kimberley Echo, media release, presence on Shire web and social media sites and distribution via “community site” and “media release” listings.

The Shire received one response to the exhibition (Attachment 4) that raises a number of questions that are detailed and commented upon as follows::

1. *Mention other airports in Kimberley but omit Fitzroy Crossing and Wyndham both of which are similar to Halls Creek.*

Comment: Section 2.1.1 of the Master Plan provides a regional context for the Airport specifically referencing other airports that have direct RPT services e.g. Darwin, Broome and Halls Creek. There are a number of other airports within the general area but these do not have an operational relationship such as Katherine/Tindal; Fitzroy Crossing, Argyle and Truscott Mungallalu. Due to its immediate proximity and potential to provide support during an emergency event it is proposed to add Wyndham Airport and following wording “Located 109km to the west and also operated by SWEK is Wyndham Airport that supports its local community through a sealed strip and accommodating charter, private and RFDS flights.”

2. *Shoal Air has not been listed as a stakeholder, and yet they probably would do most of the GA flights from Kununurra, particularly if you include Kingfisher Aviation and the tourist flights. I think they should be considered as a stakeholder.*

Comment: Section 2.1.6 of the Master Plan provides a summary of Key Stakeholders that illustrates the range of parties. Shoal Air is an important and successful general aviation user that is recognised in S2.2.4 Existing Activities at the Airport.

3. *There is no mention of the traffic provided by mainly Wyndham, but also Halls Creek, considering that it is supposed to be a regional airport it appears as though the region has been ignored, and only Kununurra considered. Depending upon future mining and other developments in the future, both of these towns should be considered for their effect on the use of Kununurra airport.*

Comment: The Master Plan identifies the character and potential growth of EKRA across such sectors as RPT services, General Aviation and passenger numbers. The contribution of both Wyndham and Halls Creek to the airports business is acknowledged however the data is not able to be disaggregated geographically.

4. *In your timeline projections you mention the provision of hangars for GA. SWEK should be looking at making land and services available, but leaving the hangar provision to the private enterprise. It is not Shire business to be building hangars.*
Comment: Section 3.2.5 of the Master Plan includes the statement that “A scoping study should be undertaken to determine the feasibility and market demand for either developing GA hangars to be available for leasehold at EKRA or offering vacant land for lease that is zoned for hangar development.” At Figure 20 photographs illustrate lightweight hangars constructed at Mildura Airport.
The proposed approach is considered appropriate to provide guidance for options at the implementation stage.

COMMENTS

The following information is taken from the Council Report of 18 July 2017 and outlines the key considerations in the development of the Master Plan and its proposed adoption.

The only additional information has been the receipt of the submission in response to the consultation that is summarised in the previous section.

Background: An initial Airport Master Plan was commissioned by Council in 2011 with a document produced by Rehbein Airport Consulting dated 11 January 2013. While there are references to its adoption in Council Reports of 2012 and 2013 a specific resolution has not been identified. The Rehbein document has provided the basis for strategic planning including work to strengthen the runway and address options for its extension.

The Corporate Business Plan 2016-17 identified the need to review the Master Plan. Factors have included:

1. Completion in 2015 of a major reseal of the runway that has improved its performance and ability to accommodate aircraft.
2. Adoption in 2016 of a Prefeasibility Study providing for an extension of the runway capable of accommodating larger aircraft with ability to reach non-stop all destinations in Australia and key destinations in southeast Asia.
3. Review of a number of land leases in 2016 that identified the need for a more strategic approach to land management.
4. Recognition of the Airport’s potential to better support regional development through the provision of land, infrastructure and business opportunities.
5. Support for additional land-uses through the Shire’s Planning Scheme review.
6. Proposals to trial direct air services to Melbourne in 2018.
7. Responding to operational needs including the current provision of car parking and medium term increase in Terminal facilities.

The Shire was successful in obtaining matching funding under WA Regional Airports Development Scheme (\$20,000) to access some external support for a combined project linking an updated Master Plan and Asset Management Plan.

A Briefing Paper on the Airport Master Plan was presented to a briefing session on 6 June 2017.

To assist in providing a context for the proposals a graphic of the current Airport activities and infrastructure together with the adopted 2016 Runway Extension is provided in Attachment 1. The overall land holding comprises 275 ha with an east-west runway to be extended from 1,829m to 2,430m, a modern Terminal (1,660m²) on southside with adjoining parking and support facilities. To the west and east of Terminal are general aviation aprons with adjoining hangars. Access is provided to the Precinct directly from Victoria Highway (some 4km west of Kununurra township).

Methodology: The approach to develop the new Master Plan has provided for the identification of a Shire vision and objectives; review of Master Plan 2013; consultation; forecasting of passenger numbers; airport design parameters and land use/infrastructure plans.

A copy of the draft EKRA Master Plan 2017 comprises Attachment 2.

Vision and Objectives: The following guiding statements have been developed:

Vision: To develop the East Kimberley Regional Airport as a premier facility that meets the region's evolving transportation needs. This will be done through the provision of competitive infrastructure and services to enable airlines together with other aviation and non-aviation groups to operate cost effectively while providing airport users with a convenient and welcoming service.

Objectives:

1. Inform and engage with the community and private aviation interests in the planning and delivery of Airport infrastructure and services.
2. Ensure the Airport can accommodate forecast air traffic demands in terms of volume, range of destinations, mix of passengers, freight, training, tourism and charter services.
3. Provide for the long-term viability of the Airport through the assessment of capital investments; achieving operating efficiencies; managing liabilities such as asset management; and reducing financial risks through a range of income streams.
4. Ensure legislative requirements are considered and adhered across all strategic and operational areas.
5. Broaden the contribution of Airport to the region's economic development through the attraction of increased business and commercial activities and making best use of the land opportunities.
6. Meet environmental sustainability expectations and standards across noise; air and water quality; impacts on neighbouring communities; biodiversity; heritage; waste management; and energy consumption.
7. Provide the highest standards in aircraft safety; airport security; public safety; occupational health and safety; and risk management.

Forecasting aviation activity: EKRA currently has 46 weekly scheduled regular public transport (RPT) services with 74,300 passengers in 2015-16 - the 50th busiest airport nationally.

Based on a twenty year horizon the key drivers have been identified as population growth; local industry growth; tourist growth; and airline activity potential.

This led to the development of four growth scenarios comprising:

Low Growth 1: Until 2020-21 current decreasing passenger numbers to continue followed by a subsequent annual increase of 2% in line with population growth (2026-37 92,146 passengers).

Low Growth 2: Until 2020-21 average of current decreasing passenger numbers and population growth followed by an annual increase of 2% in line with population growth (2036-37 102,019 passengers).

Medium Growth: Until 2022-23 passenger numbers increase annually by 3.5% in line with population growth/economic activity. In 2022-23 a B737-800 aircraft commences weekly flights in addition to traffic resulting from growth in Scenario 2. Subsequent annual passenger growth of 3.5% (2036-37 176,654 passengers).

High Growth: Until 2022-23 passenger numbers increase annually by 4.0% in line with population growth/economic development/tourist activity. In 2022-23 a B737-800 aircraft commences weekly flights in addition to traffic resulting from growth in Scenario 2. Subsequent annual passenger growth of 4.0%. Then in 2027-28 a further B737-800 service commences weekly flights with annual passenger growth continuing at 4.0% (2036-37 215,327 passengers).

The scenario utilised in the Plan is 'High Growth' based on expectations for continuing economic growth (e.g. Ord Irrigation expansion, development of Project Sea Dragon and tourism) together with the availability of more cost effective services/increased direct flights (e.g. accommodation of larger planes through runway extension and proposed trial of direct Melbourne flights in 2018).

Design aircraft: Consistent with the adopted Runway Extension Prefeasibility Study (2016) the most demanding aircraft expected to use EKRA is the B737-800 - necessitating an increase in the Aerodrome Reference Code from 3C to 4C. This extends the range of directly served destinations to all airports within Australia and key destinations in southeast Asia.

Extended Runway and associated airside infrastructure: The extension of current runway by 601m and upgrading taxiways A-C are identified as a short term action. The resurfacing of the remaining taxiways and GA aprons are identified as a medium term action. A subsequent widening of runway to 45m is proposed in the longer term with a case study from Gladstone illustrating an approach where works can co-exist with use of the runway.

Expanded Land Use Activity: As originally raised in the 2013 Plan a significant opportunity is identified to accommodate additional activity in the EKRA Precinct that can support aviation and wider regional economy. This could also include an Air Force facility recognising the strategic location of Kununurra.

Land Use Plan: A conceptual presentation of the Airport and works anticipated during the planning period has been prepared (Attachment 3). The key elements are:

Runway: An extension of 540m to west and 61m to east while it is recognised that international flights would necessitate an increased Runway End Safety Area (RESA). A long-term runway widening from 30m to 45m in a widened strip of 300m is supported.

Taxiways: Works to Taxiways A-C serving RPT traffic are included while significant investment is needed for other Taxiways. An extension of Taxiway F (parallel to runway) is identified to support the extended runway.

Aprons: RPT Apron works identified in the Prefeasibility Study are supported. Improvements need to be investigated for the General Aviation Aprons.

Aviation Expansion Area: Lengthening of West GA Apron west to end of former runway is to be investigated to increase aircraft based activity.

Terminal Building: Depending on RPT aircraft arrival management a 50% expansion of floor area to west will be needed.

Parking: An expanded precinct is proposed south of the Terminal capable of meeting short and long term parking needs. This will likely impact on the current road network and a potential relocation of the Airport Works Depot.

Freight Precincts: Facilities are proposed to west of extended Terminal Building.

Commercial Precincts: Two areas of land are identified comprising:

- Southern Commercial Precinct - located west of main Taxiway A it essentially wraps around the extended West GA.
- Northern Commercial Precinct - while not having formal road access or utility services it has potential for uses that could include a defence presence.

Land is proposed for leasing only to ensure the Shire retains long-term management.

Other Facilities: More significant matters are:

Infrastructure for international flights: Detailed planning is needed to accommodate sites for a Control Tower and Rescue and Firefighting Facility.

Security requirements: Changes are not expected to current facilities in short-term.

Fencing upgrade in CWP to be completed in current stages.

Support for aircraft:

- Meteorological facility - relocation if clearances constrain West GA Apron.
- Aerodrome lighting - relocated edge lights and replace landing approach lighting as part of runway extension.
- Northern Illuminated Windsock - relocate further north when extend runway.
- Ground based navigational aids (NDB & VOR/DME) - monitor impact of land-use restrictions and effects of new technologies on longer term needs.
- Aviation fuel supplies - retain existing facilities adjoining East GA and monitor potential for smaller facility at West GA.
- Obstacle limitation surfaces (OLS): These define operational airspace around the airport - requirements are consistent with those in 2013 Master Plan.

Utilities: Investigations have confirmed that the limited available utility infrastructure is a major constraint to short term development - power, water, sewerage and communications. One option for investigation is a solar power facility with recent successes at Darwin and Alice Springs Airports.

A long-term Works Depot is proposed that could consolidate the current Airport and Shire facilities.

Land Acquisition: Three areas of land have been identified for acquisition to safeguard future operations being north west of runway, east end of runway (to accommodate small area of extended RESA) and south east of Airport (current commercial fuel facility). In addition two adjoining parcels of land (to west and south) are identified as having potential to be consolidated into the Airport and support increased development.

Implementation: On the basis that Council adopts the Master Plan 2017 initial actions would be:

Implementation Plan: Progress proposals (p47-50) through technical assessment, stakeholder engagement, feasibility and costed capital works plans.

Airport Farm: Majority is identified to comprise the Northern Commercial Area however due to limited current demand, lack of formal road access and absence of utility services it is proposed that it be leased with five-year reviews. The income can meet management costs, a financial return and support good land husbandry.

Commercial Precincts: Undertake feasibility studies on servicing and development.

Air services Navigational Aids: Work with Air services to support ongoing aerodrome operations that limit land-use restrictions on other activities.

Technical Plans: Review ANEF (noise) and OLS (obstacle) plans.

Asset Management: There are significant implications due to the scale of asset creation. This has been recognised from early in the planning process and a report to the Council Meeting in September will address the adoption of an updated Airport Asset Management Plan.

Conclusion

The draft Airport Master Plan has been prepared to address a number of initiatives including forecast growth, the runway extension and other new infrastructure, increased contribution to economic development in the region and longer term planning of airport and adjoining land.

Council recognised the key directions and initiatives through the report to 18 July 2017 Ordinary Meeting when it resolved to exhibit the Plan for community comment with a further report being submitted to the August Ordinary Meeting.

The submission received through the Exhibition has been summarised in this report which raised several matters on regional aviation and approach to the future development of hangars.

It is recommended the the draft Master Plan be adopted to provide increased support to the community through the provision of aviation related infrastructure and wider economic development. As raised in the consultation it is proposed that the Plan include specific mention of Wyndham in S2.1.1 Regional Context.

ATTACHMENTS

Attachment 1 - EKRA - existing infrastructure and proposed runway extension

Attachment 2 - Draft EKRA - Master Plan 2017 (as Exhibited)

Attachment 3 - Draft EKRA Land Use Plan 2017

Attachment 4 - Submission received in response to Exhibition

12.5.5. Wyndham Boat Ramp Planning Concept

DATE:	22 August 2017
AUTHOR:	Manager Engineering Services
RESPONSIBLE OFFICER:	David Klye, Director Infrastructure
FILE NO:	GS.02.1
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council;

- 1. Receive the Wyndham Boat Launching Facility Planning and Concept Design Report;**
- 2. Acknowledge the Community engagement highest voted concept is Option 1: Floating Pontoon option;**
- 3. Adopt Option 2: Fixed Sloping Jetty option as the preferred redevelopment option for the Wyndham Boat Launching Facility; and**
- 4. Endorse continued future application submissions to the Recreational Boating Facility Scheme in subsequent financial years with co-contributions from the Shire to progressively redevelop the Wyndham Boat Launching Facility.**

COUNCIL DECISION

Minute No: 22/08/2017-11777

Commissioner resolved:

That Council defer the report to the Ordinary Council Meeting 26 September 2017, with further information to be provided.

Carried 1/0

PURPOSE

To receive the Wyndham Boat Launching Facility Planning and Concept Design Report and the Community engagement preferred concept Option 1: Floating Pontoon option.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Advocator - advocate and support initiatives on behalf of the community and Kimberley

Leader - plan and provide direction through policy and practices

Provider - provide physical infrastructure and essential services

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

An item to consider Recreational Boating Facilities scheme - Grant Funding was presented to Council at the June 2016 Ordinary Council Meeting where Council resolved:

COUNCIL DECISION

Minute No: 11419

Moved: Cr B Robinson

Seconded: Cr N Perry

That Council;

- 1) Note the terms of the Recreational Boating Facilities Scheme Funding Agreement,
- 2) Authorise the Shire President and the Chief Executive Officer to execute the Funding Agreement grant offer of \$60,000 under the Recreational Boating Facilities Scheme from the Department of Transport for the Wyndham Boat Launching Facility Planning and Feasibility Study, and
- 3) Allocate \$20,000 in the 2016/2017 Budget as a co-contribution to the grant.

STATUTORY IMPLICATIONS

The recommendation of this report has been prepared in accordance with The *Local Government Act 1995*, Sections 3.57, 6.15 and 9.49B, and in accordance with the *Local Government (Functions and General) Regulations 1996*, Regulation 11(1).

POLICY IMPLICATIONS

There is no policy implication associated with this report.

FINANCIAL IMPLICATIONS

The Wyndham Boat Launching Facility planning and concept design report was funded from contributions the Recreational Boating Facilities Scheme - Round 21 and co-contribution from the Shire in 2016-17 financial year.

The progressive redevelopment of the Wyndham Boat Launching Facility will funded from successful Recreational Boating Facilities Scheme contributions with co-contributions from the Shire in successive financial years from the appropriate operating account.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 2.3: Assets are appropriate for their intended purpose and factor in whole of life costing and maintenance

Objective 3.4: Enhancement of community facilities

Objective 3.5: An active outdoor lifestyle is encouraged and promoted

Strategy 2.3.2: Plan, design and budget for sustainable infrastructure

Strategy 3.4.3: Ensure Shire facilities are planned and managed to meet community needs

Strategy 3.5.3: Increase access to the lake, gulf and rivers, including boat ramps, according to demand usage and safety considerations

RISK IMPLICATIONS

Risk: Inability to fund the infrastructure gap.

Control: All funding applications to include life cycle costs.

Risk: Boat ramps are not compliant with the standards resulting in potential damage to users property.

Control: Review of boat ramp conditions and decommissioning non viable locations and renew viable locations.

Risk: Lack of maintenance and renewal of infrastructure resulting in inadequate level of Service.

Control: Quantify and address asset management maintenance and renewal gap in the Asset Management Plan and Long Term Financial Plan.

Risk: Loss of funding through non-compliance with contractual requirements.

Controls:

- Project Manager addresses contractual requirements.
- Administrative assistance provided to Project Managers.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Shire's Community Engagement Guidelines and has included:

1. Fact Finding / Lessons Learned Public meetings held in Wyndham and Kununurra;
2. Presentation of the design concept options to Stakeholders Advisory Group meeting, which is provided as an attachment; and
3. The advertising of the Concept Design Options for Public comment for a minimum period of 30 days, on the Shire's "Have your Say" web page. A total of seven (7) community responses were received.

COMMENTS

The Shire of Wyndham East Kimberley's application for grant funding to conduct planning and concept design studies for the redevelopment of the Wyndham Boat Launching Facility was approved in Round 21 (2016) of the Department of Transport's Recreational Boating Facilities Scheme (RBFS) program. The study included maritime engineering, topographic and hydrographic survey, and a desktop Aboriginal heritage review.

The existing Wyndham Boat Launching Facility is located in the Cambridge Gulf in Wyndham. The Wyndham Boat Launching Facility provides the only access for recreational boat users to the Cambridge Gulf area. This area experiences annual flooding, extremes in tidal movement ranging in excess of 8 m and tidal currents, which can exceed 3 knots. The existing boat launching facility is at the end of its service life, and facility users have raised concerns with its usability and function.

The community were engaged early in the study to obtain feedback on the existing facility and to seek their views on what they would like included in the concept design options. Engagement was carried out by onsite meetings in Wyndham and Kununurra, targeted to interest stakeholder groups and through a questionnaire.

Four (4) concept design options were developed in conjunction with upgrades to the landside trailer parking area; that is:

1. Option 1: Floating Pontoon Option.
2. Option 2: Fixed Sloping Jetty Option.
3. Sheltered boat ramp located at an alternative site considering:
 - 3.1. Option 3: Sloped Revetments Option; or
 - 3.2. Option 4: Sheet Pile Side Walls Option.

All four (4) options were presented to the Stakeholder Advisory Group March 2017 meeting, and then released to the community for their comment and ranking of their preferred option. This consultation was conducted through a questionnaire published on the Shire's "Have your Say" internet page. The community feedback has ranked Option 1: Floating Pontoon Option, first.

The Community consultation feedback voted the Option 1: Floating Pontoon option first. Option 1: Floating Pontoon received the highest number of votes for the following reasons:

1. The existing pontoon has performed adequately in this environment. However, it is near the end of its design life and requires replacement. A new pontoon can be provided with enhanced features (e.g. fenders, bollards, and lighting).
2. The floating pontoon option was the preferred option from all stakeholder consultations.
3. Is the second lowest capital expenditure estimate of the options considered.

Department of Transport's suggested selection is Option 2: Fixed Sloping Jetty option for the following reasons:

1. The Recreational Boating Funding System Guidelines require boat launching facilities to be designed in accordance with Australian Standard (AS) 3962 (Guidelines for design of Marinas), and for service and durability to AS 4997 (Guidelines for the design of Maritime Structures). These are for sites below the 25th parallel of latitude. For cyclonic sites or very high tides, such as Wyndham, Department of Transport expects the facilities to survive a cyclonic storm although it need not be serviceable under those conditions. The Codes specifically call for a 25 year life of structures. Department of Transport have the view that the floating option will have a shorter life, perhaps ten to fifteen years, than the twenty-five to forty years of the Option 2: Fixed Sloping Jetty. Department of Transport will require a guaranteed design life of 25 years as stipulated by the Codes. In addition, Department of Transport are suggesting that they will require their approval of an appropriate management plan for Option 1: Floating Pontoon during storm events, and will require the Shire to take full responsibility in relation to undertaking any remedial works needed on the floating structure which may result from storm or debris damage.
2. Is the lowest capital expenditure estimate of the options considered.

From the qualitative multi-criteria analysis conducted for the different concept options, there are a number of aspects that will need to be taken into account by the Shire for options 1 and 2:

1. Option 1 will not meet the tranquillity requirements of the Marina Code, AS 3962. Though, the majority of the users are local regular recreational boaters which are accustomed to the strong tidal currents and waves that occur at the boat ramp. This is more of a concern to inexperienced users.
2. Option 1 will be susceptible to damage from debris and may not satisfy the required 25 year design life required by the Codes.
3. Option 2 may encourage estuarine crocodiles climbing and resting on the jetty.

The landside concept layout was looked upon as being favourable by most stakeholders. In order to reduce capital expenditure the Shire may consider the following:

1. Reducing the parking area paved with concrete paving blocks by potentially using gravel road base.
2. Minimise the area lighting in the parking bays.

Overall, to ensure the Shire fully satisfies the Recreational Boating Funding System Guidelines to provide a guaranteed design life of 25 years as stipulated by the Codes, the recommended selection for redevelopment of the Wyndham Boat Launching Facility is Option 2: Fixed Sloping Jetty option.

ATTACHMENTS

Attachment 1 - Wyndham Boat Launching Facility Concept Report

12.5.6. Bridge 5116 Replacement

DATE:	22 August 2017
AUTHOR:	Manager Engineering Services
RESPONSIBLE OFFICER:	David Klye - Director Infrastructure
FILE NO:	RD.09.29
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council;

- 1. Note the terms of the Agreement for the Provision of Works and Services by Main Roads Western Australia for the replacement of Bridge 5116 at SLK 21.03 Weaber Plain Road;**
- 2. Authorise the Chief Executive Officer to execute the Agreement for the Provision of Works and Services by Main Roads Western Australia for the replacement of Bridge 5116 at SLK 21.03 Weaber Plain Road; and**
- 3. Allocate \$4,500,000 Road to Recovery Grant funding in the 2018/2019 Budget for the replacement of Bridge 5116 at SLK 21.03 Weaber Plain Road.**

COUNCIL DECISION

Minute No: 22/08/2017-11778

**Commissioner resolved:
That Council;**

- 1. Note the terms of the Agreement for the Provision of Works and Services by Main Roads Western Australia for the replacement of Bridge 5116 at SLK 21.03 Weaber Plain Road;**
- 2. Authorise the Chief Executive Officer to execute the Agreement for the Provision of Works and Services by Main Roads Western Australia for the replacement of Bridge 5116 at SLK 21.03 Weaber Plain Road; and**
- 3. Allocate \$4,500,000 Road to Recovery Grant funding in the 2018/2019 Budget for the replacement of Bridge 5116 at SLK 21.03 Weaber Plain Road.**

Carried 1/0

PURPOSE

To update the Council on the recent submission to Roads to Recovery Special Bridge Programme, for Bridge 5116 Replacement Weaber Plain Road.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Advocator - advocate and support initiatives on behalf of the community and the Kimberley

Funder - provide funds or other resources

Provider - provide physical infrastructure and essential services

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Main Roads Western Australia identified that the existing Bridge 5116, Weaber Plain Road near Watermans Hill over the D4 Irrigation Drain was structurally deficient for heavy haulage requiring a replacement bridge to be situated within the current road alignment.

Road to Recovery - Special Bridge Programme allocated funding of \$300,000 for preconstruction activities for Bridge 5116 Replacement Weaber Plain Road in 2015-16, which permitted Main Roads Western Australia to completed an investigation and detailed engineering for the new bridge.

STATUTORY IMPLICATIONS

The recommendation of this report has been prepared in accordance with The *Local Government Act 1995*, Sections 3.57, 6.15 and 9.49B, and in accordance with the *Local Government (Functions and General) Regulations 1996*, Regulation 11(2)(e).

POLICY IMPLICATIONS

There are no policy implications associated with this report.

FINANCIAL IMPLICATIONS

The replacement for Bridge 5116 at SLK 21.03 Weaber Plain Road near Watermans Hill over the D4 Irrigation Drain has been allocated from the Road to Recovery - Special Bridge Programme funding agreement of \$4,500,000 with no co-contribution required from the State or the Shire.

The Special Bridge Programme funding allocation is conditional on being spent by 2018-19.

Bridge 5116 replacement has been listed in the adopted Corporate Business Plan 2017-18 to 2020-21.

Main Roads Western Australia wish to incorporate the bridge replacement works with their Great Northern Highway - Wyndham Spur Stage 2 tender package to keep the new Bridge (Number 5387) within the allocated amount of \$4,500,000. New Bridge 5387 will not proceed if the replacement costs exceeds the allocated Road to Recovery - Special Bridge Programme funding in its current configuration. In the event the new Bridge 5387 cost exceed the Special Bridge Programme funding allocation alternative bridge configurations will be explored with Main Roads Western Australia.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 2.2: Maintenance of economic diversity and greater community returns from investment in the region

Objective 2.3: Assets are appropriate for their intended purpose and factor in whole of life costing and maintenance

Objective 3.3: Towns are safe and inviting for locals and tourists

Objective 3.4: Enhancement of community facilities

Strategy 2.2.10 : Provide growth management plans that identify and guide decision making for potential population growth scenarios
Strategy 2.2.2 : Support agricultural opportunities.
Strategy 2.2.9 : Lobby for improvements to transport infrastructure, particularly for heavy haulage and shipping
Strategy 2.3.1 : Manage and maintain assets in a strategic and cost effective manner
Strategy 2.3.2 : Plan, design and budget for sustainable infrastructure

RISK IMPLICATIONS

Risk:

Lack of forward planning for renewal and upgrade of bridges.

Control:

Design & Funding bridge 5116.

Risk:

Lack of maintenance and renewal of infrastructure resulting in inadequate level of service.

Control:

Education of Council and organisation in asset management principles.

Risk:

Inability to fund the infrastructure gap.

Control:

Develop LTFP to ensure critical assets maintained in Annual Budgets.

COMMUNITY ENGAGEMENT

No community engagement is required at this stage of the project.

COMMENTS

Main Roads Western Australia has completed detailed engineering for the delivery of the Bridge 5116 Replacement Weaber Plain Road to be situated within the current road alignment, and requires the Shire to enter into Agreement for the Provision of Works and Services for the delivery of the new Bridge to their standards and requirements by 31 August 2017, to take advantage of the release of their Great Northern Highway - Wyndham Spur Stage 2 tender package.

Road to Recovery - Special Bridge Programme funding allocation is conditional on Main Road Western Australia appointed contractor providing evidence that it satisfies the requirements of the Australian Government Building and Construction Work Health and Safety Accreditation Scheme, and the Shire is awaiting Main Road Western Australia provision of confirmation evidence for Road to Recovery approval. The Shire has provided to Main Roads Western Australia, the Australian Government Building and Construction Work Health and Safety Accreditation Scheme requirements for inclusion in their Great Northern Highway - Wyndham Spur Stage 2 tender package. Main Road Western Australia can not provide the required

accreditation evidence until they appoint a contractor for Bridge 5116 Replacement Weaber Plain Road.

Main Roads Western Australia proposed Service Agreement scope includes for:

1. Prepare Tender Documentation for final design and construction, by way of a Design and Construct Contract model;
2. Invite Tenders and Award Contract (included with other Main Roads Western Australia Works)
3. Manage Contract delivery in line with the agreed allocation; and
4. Manage handover from the contractor to the Shire in line with the Contract.

The Main Roads Western Australia proposed Service Agreement includes a provision that the new bridge 5387 project will not proceed if the replacement costs exceeds the allocated Road to Recovery - Special Bridge Programme funding in its current configuration. In the event the new Bridge 5387 cost exceed the Special Bridge Programme funding allocation alternative bridge configurations will be explored with Main Roads Western Australia in order for the cost of the works to not exceed \$4.5M.

It should be noted that there is no co-contribution to the project required from the State or the Shire.

It is recommended that Council authorises the Chief Executive Officer to execute the Agreement for the Provision of Works and Services by Main Roads Western Australia for the replacement of Bridge 5116 at SLK 21.03 Weaber Plain Road.

ATTACHMENTS

Confidential Attachment 1 - Agreement for the Provision of Works and Services by Main Roads Western Australia in accordance with the requirements of The Local Government Act 1995 Part 5, Division 2, Section 5.23 (2) (c)

Confidential Attachment 2 - Roads to Recovery - Indigenous Access roads and Special Bridge Programme in accordance with the requirements of The Local Government Act 1995 Part 5, Division 2, Section 5.23 (2) (c)

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1. 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

COUNCIL DECISION

Minute No: 22/08/2017-11779

Commissioner resolved:

**That the Ordinary Council Meeting move behind closed doors with officers to remain at
5.51pm**

Carried 1/0

16.1. RFQ02 - 17/18 KALUMBURU ROAD CAPITAL WORKS UPGRADE

DATE:	22 August 2017
AUTHOR:	Project Development Engineer
RESPONSIBLE OFFICER:	David Klye, Director Infrastructure
FILE NO:	CM.16.235
DISCLOSURE OF INTERESTS:	Nil

COUNCIL DECISION

Minute No: 22/08/2017-11780

Commissioner resolved:

That Council:

- Accept the Separable Portion 3 Schedule of Rates quotation from Buckleys Earthworks and Paving Pty Ltd of 4 Wells Street Derby, 6728, Western Australia, Australia, for RFQ 02-17/18 - Kalumburu Road Capital Works Upgrade in accordance with the Request for Quotation documentation and for the schedule of rates Contract value of \$500,742.10 (SP3) excluding GST; and
- Enter into a contract Buckleys Earthworks and Paving Pty Ltd of 4 Wells Street Derby, 6728, Western Australia, Australia, for RFQ 02-17/18 - Kalumburu Road Capital Works Upgrade, in accordance with the Quotation documentation and for the schedule of rates Contract value of \$500,742.10 (SP3) excluding GST.

Carried 1/0

This item is to be considered behind closed doors as per the *Local Government Act 1995*:

5.23. Meetings generally open to public

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and

(3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

VOTING REQUIREMENT

Simple Majority

PURPOSE

To provide the Council with details of the Tenders received for RFQ02-17/18 - Kalumburu Road Capital Works Upgrade, and provide recommendation regarding the award of the RFQ02 – 17/18. A confidential recommendation report will be provided to council for consideration of the award of tender.

16.2. RECORDING OF COUNCIL, COMMITTEE AND ELECTOR MEETINGS

DATE:	11 Aug 2017
AUTHOR:	Senior Officer Governance
REPORTING OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	CM.16.241
DECLARATION OF INTERESTS:	Nil

COUNCIL DECISION

Minute No: 22/08/2017-11781

Commissioner resolved:

That the report be withdrawn to allow further investigation and the Chief Executive Officer to brief the Commissioner in September 2017, with decision to be made under delegation.

Carried 1/0

This item is to be considered behind closed doors as per the *Local Government Act 1995*:

5.23. Meetings generally open to public

- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret; or*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

VOTING REQUIREMENT

Simple Majority

PURPOSE

The purpose of this report is to provide for the recording (audio and/or visual) of the Proceedings of Council and Committee meetings to ensure the accurate preparation of Minutes. The recording of proceedings is in line with Local Government Act 1995 section 1.3(2) which promotes greater accountability of local governments to their communities.

COUNCIL DECISION

Minute No:22/08/2017-11782

Commissioner resolved:

That the Ordinary Council Meeting move out from behind closed doors at Time 5.56pm

Carried 1/0

The resolution and voting results of the items considered behind closed doors were read out to members of the public by the Commissioner.

17. CLOSURE

The Meeting was declared closed at 5.57pm.

