

SHIRE OF WYNDHAM EAST KIMBERLEY

Special Council Meeting: Agenda

5 August 2025



DISCLAIMER

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

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

An audio and/or video record will be made of these proceedings to assist in the taking of minutes.

Signed on behalf of Council

A handwritten signature in black ink, appearing to read 'V.E. Lawrence', written over a horizontal line.

VERNON LAWRENCE

ACTING 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
SPECIAL COUNCIL MEETING
AGENDA
KUNUNURRA COUNCIL CHAMBERS
TO BE HELD ON 5 AUGUST 2025 AT 5:00PM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

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

The Shire President declared the Meeting open at 5:07pm.

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

Cr D Menzel	Shire President (Presiding Member)
Cr T Chafer	Deputy Shire President (video conference)
Cr M Dear	Councillor
Cr D Hearty	Councillor (video conference)
Cr B Kyne	Councillor
Cr S Timms	Councillor (video conference)
Cr C McNeil	Councillor (video conference)
V Lawrence	Chief Executive Officer
N Allen	Director Planning and Community Development (video conference)
N Bray	Minute Taker

Apology

Cr B Robinson	Councillor
Cr J Gooding	Councillor
A Bell	Director Corporate Services
P Webb	Director Infrastructure & Strategic Projects

Leave of Absence

Nil

3. DECLARATION OF INTEREST

Financial Interest - Nil

Impartiality Interest - Nil

Proximity Interest - Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS

Nil

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

9. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

- 15.1. Award Of T22-24/25 Provision of Consultancy Services For Upgrade For Kununurra Leisure Centre (KLC) Stage 1

11. REPORTS

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 05/08/2025 - 119259

Moved: Cr D Menzel

Seconded: Cr

That Council closes the meeting to the members of the public at 5:13pm to consider the Confidential Attachment/s at item 11.1.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr M Dear, Cr D Hearty, Cr B Kyne, Cr C McNeil, Cr B Kyne

Against: Nil

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 05/08/2025 - 119260

Moved: Cr D Menzel

Seconded: Cr M Dear

That Council reopens the meeting to the public at 5.27 pm.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr M Dear, Cr D Hearty, Cr B Kyne, Cr C McNeil, Cr B Kyne

Against: Nil

11.1. EAST KIMBERLEY PLACE BASED PARTNERSHIP

AUTHOR:	Chief Executive Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
FILE NO:	TBA
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices Partner - Collaboration with external stakeholders to deliver service and projects.
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 05/08/2025 - 119261

Moved: Cr M Dear

Seconded: Cr D Menzel

That Council:

1. Note the Draft Partnership Agreement for the East Kimberley Placed-based Partnership under the National Agreement on Closing the Gap; and
2. Authorise the Shire President to sign the agreement on behalf of the Shire of Wyndham East Kimberley.

Carried: 6/1

For: Cr D Menzel, Cr T Chafer, Cr M Dear, Cr D Hearty, Cr B Kyne, Cr C McNeil

Against: Cr B Kyne

PURPOSE

For Council to note the contents of the Draft Partnership Agreement for the East Kimberley Placed-based Partnership (EKPBP) under the National Agreement on Closing the Gap and to authorise the Shire President to sign the agreement on behalf of the Shire of Wyndham East Kimberley.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL OR COMMITTEE

A priority of the Federal and State Governments is their commitment to the National Agreement on Closing the Gap. It would not be surprising to Councillors that there are significant challenges in meeting the goals under this agreement. Recognition has been given to the fact that all tiers of government and Aboriginal community organisations need to work together in a more focused way to delivery on these goals.

The National Agreement is built around four Priority Reform areas the first being “Formal Partnerships and Shared Decision-making” This called for the establishment of six place-based partnerships across Australia and the WA Government formally nominated the East Kimberley as Western Australia’s place-based partnership location to the national Joint Council on Closing the Gap. The Shire was subsequently invited to participate in the formation of this partnership.

Early meetings have been around the detail the establishment of a framework agreement (similar to a Memorandum of Understanding) and the roles and responsibilities of the partners to that agreement. The EKPBP brings all levels of government together with East Kimberley Aboriginal organisations to share decision-making on policy, programs and initiatives at the local level. East Kimberley Aboriginal communities have chosen a priority focus on ‘Early Years’ (pre-birth to age seven) as the most important time to lay strong foundations for the health, learning, development, and identity of Aboriginal children.

The membership of the partnership consists of Binarri-binyja yarrowoo (BBY) Aboriginal Corporation is the Aboriginal partner and local backbone representing Empowered Communities East Kimberley members. The WA and Australian Governments are broadly represented by agencies in the Aboriginal affairs, early childhood education, health, and social services portfolios, alongside the Shires of Halls Creek and Wyndham-East Kimberley.

COMMENTS

It should be noted that item 2.2 of the agreement provides that the provisions of the agreement are not legally enforceable. The Shires possible roles are set out in 6.1 and 6.3 of the agreement and does not require actions beyond what we would do in the ordinary course of our normal operations. From an administrative point of view the Shire’s role would be to help facilitate and enable the actions once the partnership has been formally established.

The EKPBP recognises State, Commonwealth and Local Governments each have a role to embody and enact the intention of the *National Agreement on Closing the Gap* by working differently and collaboratively across the three levels of government and in genuine partnership with Aboriginal communities to achieve better outcomes at a local level.

Rather than a focus on new expenditure or investment, the EKPBP will focus on enhancing coordination between and across the levels of government to mitigate duplication and gaps and aligning efforts for greater impact and better outcomes from existing and future expenditure. The parties will work together to map relevant government investment and assess how effectively existing expenditure addresses local priorities. An Action Plan will be developed separately informed by priority initiatives identified by local communities.

The WA Government announced \$1.3 million in the 2024-25 State Budget to support some early years initiatives through the EKPBP. The parties will determine allocation of the funding in development of the future Action Plan.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Focus Area: CONNECTION

Focus Area: LIVEABILITY

Goal 1: Safe communities - A community where we all feel safe

Goal 2: Healthy communities - Encouraging active, healthy lifestyles

Goal Outcome 1.3: Families, Children, Young People - Families are supported and children and young people make better choices

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

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

Strategy 1.3: The Shire will advocate for greater support for families, children and young people

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

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

RISK IMPLICATIONS

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

Control: Providing sufficient resources to have Shire Officers with skills and experience to support community initiatives such as the EKPBP.

FINANCIAL IMPLICATIONS

There is no budget allocation for this item in itself as it requires only Officer time. There is no expectation that Shire funds will be required under this agreement. The Shire will assist where it can with the use of Shire infrastructure if and when required.

Current and Future Asset Considerations

No assets are being constructed and the use of infrastructure assets under the agreement is expected to be minimal

COMMUNITY ENGAGEMENT

No community engagement is required.

ATTACHMENTS

1. Confidential Attachment 1 - DRAFT Partnership Agreement [11.1.1 - 25 pages]

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

Nil

15. MATTERS BEHIND CLOSED DOORS

PROCEDURAL MOTION / COUNCIL DECISION

Minute Number: 05/08/2025 - 119262

Moved: Cr D Menzel

Seconded: Cr M Dear

That Council closes the meeting to the members of the public at 5:32pm to consider Matters Behind Closed Doors listed at item 15.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr M Dear, Cr D Hearty, Cr B Kyne, Cr C McNeil, Cr B Kyne

Against: Nil

15.1. AWARD OF T22-24/25 PROVISION OF CONSULTANCY SERVICES FOR UPGRADE FOR KUNUNURRA LEISURE CENTRE (KLC) STAGE 1

AUTHOR:	Executive Manager Strategy and Grants
RESPONSIBLE OFFICER:	Nick Allen, Director Planning and Community Development
FILE NO:	CM.16.511
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Advocator - advocate and support initiatives on behalf of the community Leader - plan and provide direction through policy and practices Partner - Collaboration with external stakeholders to deliver service and projects. Provider - provide physical infrastructure and essential services
VOTING REQUIREMENT:	Absolute Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Minute Number: 05/08/2025 - 119263

Moved: Cr M Dear

Seconded: Cr B Kyne

That Council:

1. Accept the Tender from Gresley Abas Pty Ltd (ABN: 46 109 290 842) for Tender T22-24/25: Provision of Consultancy Services for the Upgrade of Kununurra Leisure Centre Stage 1, as the most advantageous tender to form a contract, as follows:
 - a. Fixed Scope Table 1 (ex GST):
 - i. Stage 1: Discover and Site Inspection - \$81,498.20
 - ii. Stage 2: Concept Plan - \$74,983.20
 - iii. Stage 2: Schematic Design - \$108,054.80
 - iv. Stage 2: Detailed Design - \$280,106.00
 - v. Stage 3: Tender Documentation – \$18,054.96Total: \$562,697.16 ex GST
 - b. Separable portion services at the discretion of the Shire (the 'Client') in accordance with Table 2 of the Request for Tender.
 - c. Hourly rates for additional services at the discretion of the Shire (the 'Client') in accordance with Table 3 of the Request for Tender.
2. Delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Contract.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr M Dear, Cr D Hearty, Cr B Kyne, Cr C McNeil, Cr B Kyne

Against: Nil

PURPOSE

To consider the tenders received for Award of T22 - 24 25 Provision of Consultancy Services for the Upgrade for Kununurra Leisure Centre (KLC) Stage 1.

MATTER IS BEING CONSIDERED BEHIND CLOSED DOORS

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

PROCEDURAL MOTION / COUNCIL DECISIONS

Minute Number: 05/08/2025 - 119264

Moved: Cr M Dear

Seconded: Cr D Menzel

That Council reopens the meeting to the public at 5:38 pm.

Carried: 7/0

For: Cr D Menzel, Cr T Chafer, Cr M Dear, Cr D Hearty, Cr B Kyne, Cr C McNeil, Cr B Kyne

Against: Nil

Decisions made behind closed doors were read aloud.

16. CLOSURE

Cr D Menzel declared the meeting closed at 5:42pm.