

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

\_\_\_\_\_  
Shire President

\_\_\_\_\_  
Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES  
SPECIAL COUNCIL  
MEETING**

**8 July 2015**



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**SHIRE OF WYNDHAM EAST KIMBERLEY  
MINUTES OF THE SPECIAL COUNCIL MEETING  
KUNUNURRA COUNCIL CHAMBERS**

**HELD ON TUESDAY, 8 JULY 2015 AT 5:00 PM**

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**1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS**

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

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

**ATTENDANCE**

Cr J Moulden	Shire President
Cr R Dessert	Deputy Shire President
Cr K Wright	Councillor
Cr B Robinson	Councillor
Cr D Spackman	Councillor
Cr S Cooke	Councillor
Cr G King	Councillor
C Askew	Chief Executive Officer
L Gee	Director Community Development
N Octoman	Director Corporate Services
D Klye	Director Infrastructure
M Tonkin	Executive Assistant (Minute Taker)

**GALLERY**

Nil

**APOLOGIES**

Cr D Learbuch  
Cr G Taylor

**LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

**3. DECLARATION OF INTEREST**

- Financial Interest

- Impartiality Interest

Councillor	Item	Title	Description of interest
R Dessert	12.1.1	Mediterranean Fruit Fly Eradication Program	I'm in agriculture, primary producer

- Proximity Interest

Nil

#### **4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Public questions taken on notice at the June Ordinary Council Meeting will be responded to at the July Ordinary Council Meeting.

#### **5. PUBLIC QUESTION TIME**

Nil

#### **6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

#### **7. PETITIONS**

Nil

#### **8. CONFIRMATION OF MINUTES**

Nil

#### **9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

#### **10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

#### **11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS**

Nil

#### **12. REPORTS**

##### **12.1 CHIEF EXECUTIVE OFFICER**

Cr R Dessert declares an impartiality interest (I'm in agriculture, primary producer) in this item .

### 12.1.1 Mediterranean Fruit Fly Eradication Program

<b>DATE:</b>	8/07/2015
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Carl Askew, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Carl Askew, Chief Executive Officer
<b>FILE NO:</b>	N/A
<b>DECLARATION OF INTERESTS:</b>	Nil

#### **PURPOSE**

For Council to consider releasing funds from the Shire's Biosecurity Reserve for a Mediterranean Fruit Fly (Medfly) eradication program.

#### **BACKGROUND**

Medfly has been established in Western Australia for over a century and is endemic in most horticultural regions of the State except the Ord River Irrigation Area (ORIA). Medfly is host to most commercial fruit, including avocado, banana (ripe), breadfruit, capsicum, chilli, citrus, coffee, fig, custard apple, grape, guava, lychee, loquat, passionfruit, persimmon, pome fruit, sapodilla, soursop and summer fruit.

Area freedom status for the ORIA has previously been restored after outbreaks in 1995, 1997, 2000 and 2003. The cost of the resultant eradication programs were \$200,000, \$10,000, \$50,000 and \$14,000 respectively. These outbreaks demonstrated the fragility of horticultural markets and how vulnerable the area is to the re-introduction of fruit flies. The ORIA currently has a National Medfly area freedom for host produce to other states and territories. It also has International Medfly Area freedom with New Zealand (NZ) under the Australia-New Zealand Bilateral Quarantine Arrangement.

At the Council meeting on the 15 March 2005, Council agreed to establish a Biosecurity fund to assist the region maintain a competitive advantage in relation to area freedom status of certain pests and diseases. This was done at the request of the Kununurra Crop Pest Committee to ensure market access particularly to products impacted by Mediterranean Fly and Silver Leaf White leaf Fly. The fund was introduced for the 2005/06 year, through Council's adopted budget, and raised funds via rates. \$50,000 in each of 2005/06 and 2006/07 was raised, giving a fund balance of \$100,000.

Councils Audit Committee considered whether this fund should be capped at its meeting on the 13 March 2007 and recommended to Council that the fund be continued and be capped at \$200,000, with it earning interest. Council considered the Audit Committee recommendation to cap this fund at \$200,000 at its Council meeting on the 17 April 2007, and deferred the matter back to the May Briefing Session to enable further consideration with the Ord Guard Committee and Department of Agriculture and Food.

At the May 2007 Council meeting, the Council resolved to:

## **COUNCIL RESOLUTION**

**Minute No. 7730**

**Moved: Cr K Wright**

**Seconded: Cr D Ausburn**

- 1. That rate contributions to the Biosecurity fund continue until such time as the Biosecurity Reserve attains \$200,000.**
- 2. That the attached policy titled Biosecurity Policy be presented to the June Council Briefing Session.**

**Carried Unanimously: 8/0**

In October 2014, a further report was presented to Council as urgent business. The purpose of this report was for Council to consider providing funding from its Biosecurity Reserve for the installation of signage at the Shire entry points from the Northern Territory advising of the risk to local farming from infection by the Cucumber Green Mottle Mosaic Virus.

At that meeting, Council resolved to:

## **COUNCIL RESOLUTION**

**Minute No. 10632**

**Moved: Cr S Cooke**

**Seconded: Cr K Wright**

- 1. A maximum allocation of \$10,000 from its Bio Security Reserve for the purpose of manufacture and installation of signage and preparation of hand out material, regarding the Cucumber Green Mottle Mosaic Virus at the NT Quarantine Station,**
- 2. Creation of new General Ledger accounts to record the transactions; and**
- 3. Amending the adopted 2014/15 Budget to reflect this allocation as part of the mid-year budget review process.**

**Carried Unanimously: 8/0**

## **STATUTORY IMPLICATIONS**

*Local Government Act 1995*

6.8. *Expenditure from municipal fund not included in annual budget*

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
  - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) *is authorised in advance by resolution\*;* or
  - (c) *is authorised in advance by the mayor or president in an emergency.*

*\* Absolute majority required.*

(1a) *In subsection (1) —*

- **additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) *Where expenditure has been incurred by a local government —*

- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

### **POLICY IMPLICATIONS**

Council currently has no policy related to this matter. A draft policy was presented to Council in May 2007 but was never adopted by Council.

### **FINANCIAL IMPLICATIONS**

The Shire has a Biosecurity Reserve with a balance of \$267,957 (remaining funds as at 31 May 2015). The purpose of this reserve is to hold funds for "use in emergency situations that threaten the bio security of the East Kimberley". This is the current purpose that was adopted by the Council through the budget process.

There is currently no state level agreement on cost sharing between government and industry. Cost estimates are currently being sought from appropriate pest control providers and is likely to be in the order of \$20,000 - \$30,000. These costs will depend on a number of factors, including the effectiveness of early detection and action.

### **STRATEGIC IMPLICATIONS**

*Strategic Community Plan 2012-2022*

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

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

Strategy 2.2.2: Support agricultural opportunities

### **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

### **COMMENT**

Since 3 June 2015 six male Medfly have been detected in the Department of Agriculture and Food WA's (DAFWA) surveillance traps in Kununurra. The Department of Agriculture and Food, WA reference entomologist in Perth has confirmed all flies as Medfly. DAFWA has deployed supplementary traps within 200m of each detection point. Some larval and host plant surveys have been undertaken within this area.

Quarantine road signs are in place before Warmun and Cockburn rest stop (intersection of the Great Northern Highway and the Victoria Highway), where bins to dispose of fruit and vegetables are available. There are also honesty bins at caravan parks in Kununurra.

Area Freedom can be re-instated after 12 weeks if no Medfly is caught in any of the traps.

DAFWA have requested funding from the Shire for an eradication program and have put in place quarantine and movement restrictions as required under a Medfly outbreak scenario.

### **ATTACHMENTS**

Attachment 1 - DAFWA Media Statement, 3 July 2015

### **VOTING REQUIREMENT**

Absolute Majority

### **OFFICER'S RECOMMENDATION**

That Council:

- 1) Pursuant to section 6.8 of the Local Government Act, authorise the expenditure of up to \$20,000 for the purpose of an eradication program for Mediterranean Fruit Fly in partnership with the Department of Agriculture and Food WA, with the funds to come from its Biosecurity Reserve.
- 2) Write to the Department of Agriculture and Food WA and request a "matching contribution" to the overall cost of the eradication program as per part 1.

### **COUNCIL DECISION**

**Minute No.11019**

**Moved: Cr D Spackman**

**Seconded: Cr R Dessert**

**That Council suspends Standing Orders 7.5 Limitation on Number of Speeches to discuss item 12.1.1 Mediterranean Fruit Fly Eradication Program**

**Carried Unanimously 7/0**

Standing Orders 7.5 suspended at 5:04pm.

### **FORESHADOWED MOTION**

Cr J Moulden foreshadows a motion that Council considers DAFWA to be the lead agency in any medfly eradication program and

- 1) Pursuant to section 6.8 of the Local Government Act, authorises expenditure of \$10,000 from the biosecurity reserve to be paid to DAFWA Kununurra Regional Office to initiate an eradication program immediately
- 2) Authorise additional expenditure to a maximum of \$10,000 from the biosecurity reserve, subject to all SWEK contributions being matched by DAFWA on a dollar for dollar basis, with DAFWA to confirm its contribution in writing.
- 3) Requests the CEO to write to the Minister and requests that DAFWA immediately develop an eradication plan for future outbreaks, including appropriate financial commitment.

**COUNCIL DECISION**

**Minute No.11020**

**Moved: Cr S Cooke**

**Seconded: Cr R Dessert**

**That Council resumes Standing Orders 7.5 Limitation on Number of Speeches.**

**Carried Unanimously 7/0**

Standing Orders 7.5 resumed at 5.37pm

**MOTION**

Cr R Dessert moves the Officer's Recommendation.

The motion lapses for want of a seconder.

The foreshadowed motion from Cr J Moulden is considered:

**COUNCIL DECISION**

**Minute No.11021**

**Moved: Cr J Moulden**

**Seconded: Cr R Dessert**

**That Council:**

**Considers DAFWA to be the lead agency in any medfly eradication program and**

- 1) Pursuant to section 6.8 of the Local Government Act, authorises expenditure of \$10,000 from the biosecurity reserve to be paid to DAFWA Kununurra Regional Office to initiate an eradication program immediately**
- 2) Authorise additional expenditure to a maximum of \$10,000 from the biosecurity reserve, subject to all SWEK contributions being matched by DAFWA on a dollar for dollar basis, with DAFWA to confirm its contribution in writing.**
- 3) Requests the CEO to write to the Minister and requests that DAFWA immediately develop an eradication plan for future outbreaks, including appropriate financial commitment.**

**Carried Unanimously 7/0**

*REASON: The foreshadowed motion gave greater clarity.*



## Media Statement

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3 July 2015

### Travellers north urged not to bring fruit

While travellers are flocking to the State's north for the Kimberley tourist season, they are urged to leave fresh fruit at home to prevent bringing the pest, Mediterranean fruit fly (Medfly), into the region.

The strong reminder follows the detection of six male Medfly caught in the Department of Agriculture and Food's surveillance traps in Kununurra over the past four weeks.

DAFWA Plant Biosecurity director John van Schagen said the Medfly were trapped in three separate caravan parks, highlighting the important role of tourists in protecting fruit industries in the Ord from the pest.

Mr van Schagen said the Ord River Irrigation Area (ORIA) in the East Kimberley was the only horticulture producing region in WA that was certified free of the destructive Medfly, enabling access to key interstate and overseas markets.

DAFWA has notified industry of these detections and will work with local industry groups to determine the most appropriate response.

Mr van Schagen said DAFWA would continue to monitor about 100 sites (approximately 240 traps) throughout the Ord Valley, and town of Kununurra for the fruit pest.

DAFWA has also placed supplementary traps within a 200 metre radius of each detection. The extra traps are inspected twice a week to check whether there is evidence of a breeding population.

Mr van Schagen said it was vitally important that travellers played their part in safeguarding the region by disposing of fruit and vegetables before travelling north.

"To protect the horticulture industry, citrus and stone fruit should not be brought into the ORIA," he said.

"In WA, Medfly will attack all citrus except some lemons, and thin-skinned stone fruit (apricots, nectarines, peaches), mangoes, persimmon, apples, pears and mandarins are particularly susceptible.

"Quarantine road signs are in place before Warmun and the Cockburn rest stop (intersection of the Great Northern Highway and the Victoria Highway), where bins to dispose of fruit and vegetables are available. There are also honesty bins at caravan parks in Kununurra."

**Photo caption:** *Travellers flocking to the State's north for the Kimberley tourist season, they are urged to leave fresh fruit at home to prevent bringing the pest, Mediterranean fruit fly (Medfly), into the region.*

### Media contacts:

Jodie Thomson/Lisa Bertram, media liaison  
John van Schagen, plant biosecurity director

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

Nil

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

Nil

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

Nil

**16. MATTERS BEHIND CLOSED DOORS**

Nil

**17. CLOSURE**

The Shire President declares the meeting closed at 5.40pm