

SHIRE OF WYNDHAM EAST KIMBERLEY

Ordinary Council Meeting: Agenda

23 JULY 2024



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



VERNON LAWRENCE

CHIEF EXECUTIVE OFFICER

NOTES

- 1. Councillors wishing to make alternate motions to officer recommendations are requested to provide notice of such motions electronically to the minute taker prior to the Council Meeting.**
- 2. Councillors needing clarification on reports to Council are requested to seek this from relevant Officers prior to the Council meetings.**

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**SHIRE OF WYNDHAM EAST KIMBERLEY
ORDINARY COUNCIL MEETING AGENDA
KUNUNURRA COUNCIL CHAMBERS
TO BE HELD ON TUESDAY 23 JULY 2024 AT 5:00PM**

- 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
- 2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**
- 3. DECLARATION OF INTEREST**
 - Financial Interest
 - Impartiality Interest
 - Proximity Interest
- 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 5. PUBLIC QUESTION TIME**
- 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 25 June 2024.

Note: The Minutes of the Ordinary Council Meeting available on the Shire's website at 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. OFFICE OF THE CEO

12.2.1. Standing Item - Outstanding Actions from Previous Council Resolutions

DATE:	23 July 2024
AUTHOR:	Executive Officer to the CEO
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

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

PURPOSE

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

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

STRATEGIC IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

Attachment 1 is an update of completed actions from previous Council resolutions.

Attachment 2 summarises all other actions that are outstanding from previous Council resolutions.

ATTACHMENTS

Attachment 1 - Council Action Register - July 2024 - Completed

Attachment 2 - Council Action Register - July 2024 - Outstanding Actions

12.2.2. Minutes and Recommendations from the Kimberley Zone and Kimberley Regional Group Meetings of 20 June 2024

DATE:	23 July 2024
AUTHOR:	Chief Executive Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Advocator, Facilitator and Leader
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Receives and endorses the resolutions of the Kimberley Zone and the Kimberley Regional Group as attached in the meeting minutes of 20 June 2024 for the Kimberley Zone and the Kimberley Regional Group as provided at Attachments 1 and 2 to this report.**
- 2. Notes the contents of the State Council Agenda and Minutes of 10 July 2024 as provided in Attachments 3 and 4 to this report.**

PURPOSE

This report, presents for Council's endorsement, the Minutes from the last meeting of the Kimberley Zone and Kimberley Regional Group (KRG).

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Kimberley Zone is a group established to represent regional issues to the State Council of the Western Australian Local Government Association (WALGA). This group includes the four Kimberley Shires in addition to the Shires of Christmas Island and Cocos Keeling Islands.

The KRG is a group defined through a Memorandum of Understanding between the four Kimberley Shires and a Governance agreement, which has recently been updated.

The Shire of Wyndham East Kimberley is the Secretariat for both groups and all meetings are held jointly.

The Minutes of the Kimberley Zone are at Attachment 1 and the Minutes of the KRG are at Attachment 2. A copy of the State Council Agenda and Minutes are at Attachment 3 and 4 respectively.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The work of the KRG and Kimberley Zone strongly reinforces the strategy of the Shire as that relates to improvements to local and regional programs and policy and for the initiation of major projects that promote economic investment and which maximise community benefit. The KRG and Kimberley Zone also promote strong collaboration around common issues and strengthen the Shire's ability to advocate around matters of interest to the community.

The primary role of the Kimberley Zone is to consider the motions put up to the State Council.

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Financial Report tabled at the meeting stated that expenditure to 31 March 2024 was \$97,082 against a year to date budget of \$172,500, Year to date actual income was \$226,569 against a budget of \$228,750. Cash resources available to meet future expenditure was \$391,962 at 31 March 2024.

COMMUNITY ENGAGEMENT

Nil

COMMENTS

There were a number of matters discussed in the KRG meeting to note. These include progressing the Kimberley Housing Roundtable, the Inquiry into Local Government Sustainability, the Election Strategy for both State and Federal elections, the Regional Australia Institute Summit and Canberra trip in August 2024.

The housing roundtable is an attempt for the KRG to take a more active role in addressing the problems associated with housing. Funding of \$10k and \$2.5k has been provided from the Kimberley Development Commission and Regional Development Australia respectively. Housing Australia strongly supports this Roundtable as it provides an opportunity for them to increase government investment in social housing and affordable housing. This event will take place in Broome on 29th July 2024.

Both State and Federal Governments are due to have elections in the next 12 months. The KRG has developed an election strategy and an election advocacy, communication and engagement plan. The Kimberley Prospectus is being finalised to make our case to both levels of government.

The KRG made its submission to the House of Representatives Standing Committee inquiry into local government sustainability. The matters raised were consistent with the views of the Shire Administration.

With respect to the Kimberley Zone matters the information is contained in the attachment. The WALGA President Karen Chappel provided her Presidents Report to the meeting. She highlighted the the WALGA submission to the Inquiry into Local Government Sustainability, their submission to the Regional Telecommunications Review, the State and Federal Budgets, Local Government Legislative Reforms and the Polyphagous Shot-hole Borer issue. The attached minutes provide details of items for the Kimberley country Zone State Council Agenda items.

The next meeting of the KRG, which will be held jointly with the WALGA Zone, is planned for 15 August 2024.

ATTACHMENTS

Attachment 1 - KRG Zone Minutes 20 June 2024

Attachment 2 - KRG Minutes 20 June 2024

Attachment 3 - State Council Agenda 10 July 2024

Attachment 4 - State Council Minutes 10 July 2024

12.3. PLANNING AND COMMUNITY DEVELOPMENT

12.3.1. CSRFF Small Grant Applications - July 2024

DATE	23 July 2024
AUTHOR	Coordinator Recreation and Leisure
RESPONSIBLE OFFICER	Nick Allen, Director Planning and Community Development
FILE NO	GS.05.1
DISCLOSURE OF INTERESTS	NIL
COUNCIL'S ROLE IN THE MATTER	Advocator - advocate and support initiatives on behalf of the community
VOTING REQUIREMENT	Simple Majority

OFFICERS RECOMMENDATION

That Council has no objection to the Kimberley Action Sports Inc CSRFF Small Grants application for the resurfacing of the BMX track located within the Kimberley Action Sport lease area.

PURPOSE

For Council to consider a submission from the Kimberley Actions Sports Incorporated (KASI) for the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facilities Fund (CSRFF) Small Grants round. The submission is for the funding required to finalise designs, and to complete resurfacing works for the BMX track located within the KASI lease area adjacent to the Rodeo Grounds.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

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, Sports and Cultural Industries.

Under the CSRFF program's selection criteria, local government authorities are required to consider applications and advise the Department of Local Government, Sport and Cultural Industries if Council supports the applications. If Council supports the applications, they must rank the applications in priority order - assuming there are more than one.

Through CSRFF, the Western Australian Government has allocated \$12.5 million in the 2025/26 financial year towards the development of quality physical environments in which people can enjoy sport and recreation. There are 2 Small grant rounds advertised annually (February and July) for projects with a project cost up to \$500,000. The maximum grant offered for small grant applications is 50% of the project cost, capped at \$200,000.

However, if the project is located within what the DLGSCI deem as an aboriginal community applicants may be eligible to receive 100% funding. While encouraged to seek co-contributions from local governments, the federal government, private business, philanthropy or relevant Aboriginal Corporations, regional and remote Aboriginal communities may be eligible for up to 100% of the project cost for high priority projects assessed on a needs basis.

The closing date for the current small rounds grants to be submitted to the Department of Local Government, Sport and Cultural Industries is 30 August 2024. Submissions were therefore required by the Shire by the end of June 2024 for Council to consider at the July Ordinary Council Meeting.

The application received by Kimberley Action Sports Incorporated is the only one the Shire has received in this round.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

There are no policy implications associated with this report

STRATEGIC IMPLICATIONS

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

Focus Area: CONNECTION

Focus Area: LIVEABILITY

Goal 2: Healthy communities - Encouraging active, healthy lifestyles

Goal Outcome 2.2: Access to sport and recreation facilities and services - Sport and recreation facilities and services are accessible and well maintained

Strategy 2.2: The Shire will collaborate with a wide range of stakeholders to advocate and provide accessible facilities that support a range of sporting and recreational activities

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

Asset Considerations

The BMX track is on Shire leased land at Kununurra Rodeo Grounds

COMMUNITY ENGAGEMENT

No Community engagement is required

COMMENTS

Officers have considered the project proposal and have no objections associated with the application from Kimberley Action Sports Incorporated noting that the submission received to date was incomplete and missing items such as quotes and final budget.

Shire officers recommend that Council acknowledge that the Shire is aware of the application and has no objection to the proposed application.

ATTACHMENTS

Attachment 1 – KASI Kununurra BMX Application CSRFF July Small Grants.pdf
Attachment 2 - Kununurra BMX Project 26 06 2024.pdf

12.3.2. Town Centre Revitalisation Project

DATE	23 July 2024
AUTHOR	Nick Allen, Director Planning and Community Development
RESPONSIBLE OFFICER	Vernon Lawrence, Chief Executive Officer
FILE NO	LP.02.69
DISCLOSURE OF INTERESTS	Nil
COUNCIL'S ROLE IN THE MATTER	Advocator - advocate and support initiatives on behalf of the community Funder - provide funds or other resources 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	Simple majority

OFFICER'S RECOMMENDATION

That Council:

- a) **Agrees in principle, to the Shire leading in the development of a Town Revitalisation Strategy for Kununurra, in collaboration with key partners and stakeholders, as outlined within this report;**
- b) **Authorises the CEO to commence discussions with key partners and stakeholders aimed at recommending to Council the appropriate governance and co-ordination arrangements to guide a Town Centre Revitalisation project for Kununurra; and**
- c) **Subject to the KDC being successful with their Kununurra Town Centre Leverage Fund application and appropriate governance arrangements being agreed, authorises the allocation of \$50,000 from the 2024/25 Annual Budget towards the project.**

PURPOSE

To provide an update on progress to secure state funding for the preparation of a Kununurra Town Centre Revitalisation Strategy and seek Council's support for the project, including allocation of \$50,000 from the Shire's Annual Budget to the project, contingent upon the success of the KDC's funding application.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The revitalisation of the Kununurra town centre is a pivotal project for the Shire. The revitalisation of town centres is aimed at rejuvenating urban areas to address critical needs, whilst promoting economic growth, enhancing community well-being, liveability, and attracting tourism, making the Shire a destination of choice for residents, businesses, tourists and potential developers/investors.

The Strategic Community Plan and Corporate Business Plan identify urban revitalisation as a key project to improve liveability, connectivity and sustainability for our Community. A key message from community consultation undertaken by the Shire is that both the Kununurra and Wyndham town centres require major revitalisation to meet future needs around tourism, liveability and community safety as well as stimulating economic growth.

A recent visit from State Government Ministers has provided an opportunity to advocate for funding to progress planning of town centre revitalisation projects. A funding request for \$300,000 from the State Government Leverage Fund (only applicable to Regional Development Commissions) has been submitted by the Kimberley Development Commission for this initiative, with Kununurra being put forward in the first instance.

Council should note that while the KDC application focuses solely on the Kununurra town centre, with Wyndham not being considered within this scope of work, Administration is seeking funding to undertake a similar exercise in Wyndham, in which case Balangarra would be engaged as a key stakeholder. KDC is also seeking funding for the revitalisation of the Wyndham Port precinct.

Several factors drive the Kununurra Town Centre Revitalisation project, including:

1. **Ageing Infrastructure:** Updating seating, footpaths, kerbs, and landscaping to meet future demands and development;
2. **Safety Enhancements:** Upgrading safety features to create secure and welcoming environments for all community members is paramount;
3. **Disability and Access Enhancements:** Improving accessibility for people with disabilities is a crucial aspect of our commitment to inclusivity;
4. **Economic Benefits:** Revitalising the town centres will improve liveability, attract businesses and investors, stimulate economic activity and create job opportunities; and aid staff and business retention
5. **Tourism:** Enhancing the aesthetic and functional appeal of the town centres is vital for increasing tourism, which is a significant economic driver for our region

Administration envisages this project will align to the development of an overarching Master Plan that will address each of our towns and key precincts. This project will also align with the Kununurra Foreshore Precinct project, planned to commence later this year should the Shire be successful in its Regional Precincts and Partnership Program grant submission (announcements due in September 2024).

The preparation of the Kununurra Town Centre Revitalisation Strategy will involve significant community consultation, workshops and Council engagement, to ensure alignment with the aspirations and needs of the community.

Work Completed to Date

Administration has undertaken substantial planning work relating to town centre revitalisation, with a number of key supporting documents available to demonstrate our progress and strategic planning to date. The following plans will inform town centre revitalisation projects:

- Kununurra Landscape Plan prepared by Shire of Wyndham East Kimberley (2010)
- Kununurra Strategic Directions: Town Centre Development Concept Plan & Strategic Land Use Plan (2010)
- Kununurra Foreshore Plan (2012)
- Kununurra and Wyndham Town Centre Lighting Study (2018)
- Local Planning Strategy (2019)
- Kununurra and Wyndham Urban Design Visioning 2021
- Kununurra Foreshore Plan review (2024)
- Overall Development Plans (ODP)
- Regional Precincts and Partnerships Program - Funding application (2024)
- Local Planning Strategy review (in progress)

Project Management

An internal working group has been established consisting of the Director of Planning and Community Development, Director Infrastructure and Strategic Projects, Manager Planning and Regulatory Services, Senior Economic Development Officer, Acting Senior Planner, Contracts Manager Special Projects and Communications Officer, chaired by the CEO.

The project will be delivered in stages, subject to funding. Stage 1 will commence should the KDC Leverage Fund application be successful.

Stage One – Planning and Partnership Development

- Town Centre Preliminary Concept Plan;
- Governance and Partnership Plan;
- Integrated Infrastructure Strategy
- Preliminary Business Case

Stage Two - Detailed Planning and Feasibility Studies (subject to funding)

- Detailed Studies
- Business Case and Project Costings / Feasibility
- Integrated Infrastructure Strategy and Project Implementation Plan

Stage Three - Project Delivery (subject to funding)

- Final Place Development and Urban Design Documents
- Project Delivery (Staged)
 - Quick Wins
 - Shire Projects
 - Advocacy Projects (subject to State and Federal funding)
 - Private investment attraction

Partnerships

Delivery of this project requires all levels of government, the community and private sector to work together. The Shire will work collaboratively with the community, businesses and other tiers of government through strategic partnerships and extensive stakeholder engagement.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this matter.

POLICY IMPLICATIONS

NIL

STRATEGIC IMPLICATIONS

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

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

KDC has applied for approximately \$300,000 toward the development of a Kununurra Town Centre Revitalisation Strategy. If the application is successful, a financial contribution of \$50,000 would be requested from the Shire, along with officer time as an in-kind contribution. Officer time has been estimated to be at least \$100k.

Asset Considerations

Will be assessed project by project.

COMMUNITY ENGAGEMENT

Officers have met with the community and stakeholders on several occasions to identify issues and priorities for improvements within the town centres. In 2021 UDLA were engaged to develop the Kununurra and Wyndham Urban Design Visioning document (**Attachment 1**). The purpose of this engagement was to ensure that all plans were reviewed by the community and stakeholders to guarantee that the consultants correctly exploit all design opportunities and optimise Council's response. This was in effect a 'co-design' process with the community that produced a document that will assist with future master planning documents.

Additionally, other feedback has been received through the Shire's 2024 Community Survey (extract **Attachment 2**) which identified the revitalisation of Kununurra and Wyndham town centres as a priority. The town centres received a performance index score of 35 out of 100, which is well below the industry average of 45, indicating the community sees significant potential for improvement.

Key actions proposed include cleaning up and beautifying the town centres, especially around the main shopping area, by removing graffiti, encouraging landlords to maintain shopfronts, planting trees and gardens, providing more parking, and public toilets. In Kununurra there is a strong desire to develop a town centre precinct with alfresco dining, cafés, restaurants, pedestrian access, and associated amenities. Additionally, the community advocates for providing incentives to attract small businesses. Community members have voiced concerns about the town centre's outdated appearance, emphasising the need for streetscaping, cleanliness, and better amenities to create a more welcoming environment for residents and visitors alike.

COMMENTS

A key element of this project is the emphasis on partnerships. By actively engaging with community members, local businesses, government agencies, and other stakeholders, we will ensure that the planning process is inclusive and reflective of the diverse perspectives and needs of our community. These partnerships will be instrumental in garnering support, securing funding, and driving successful implementation.

While collaboration is essential, the Shire will lead this initiative, ensuring that the outcomes align with our strategic priorities and vision for the future. Our leadership will provide the necessary direction, coordination, and oversight, ensuring that the planning process remains focused, efficient, and effective.

By taking this critical step, we are committing to a proactive and strategic approach to planning, and positioning the Shire for sustainable growth and success. The project will not only guide the development of the Shire's key precincts but also enhance our ability to create a vibrant, resilient, and thriving community.

ATTACHMENTS

Attachment 1 - Kununurra and Wyndham Urban Design Visioning document

Attachment 2 - Extract - MARKYT Community Scorecard - Report - 240307

12.3.3. Lake Kununurra Foreshore Plan

DATE	23 July 2024
AUTHOR	Acting Senior Planning Officer
RESPONSIBLE OFFICER	Nick Allen, Director Planning and Community Development
FILE NO	EM.17.1
COUNCIL'S ROLE IN THE MATTER	Leader - plan and provide direction through policy and practices Provider - provide physical infrastructure and essential services
VOTING REQUIREMENT	Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Adopts the revised Lake Kununurra Foreshore Plan (as per Attachment 1);**
- 2. Notes the proposed recommendations contained in the report and the actions associated with the proposed recommendations; and**
- 3. Endorses that Officers will convene an internal working group to establish the priority recommendations to be addressed in an action plan for Council to consider.**

PURPOSE

For Council to adopt an amendment to the Lake Kununurra Foreshore Plan, note the recommendations and associated actions, and to endorse the Administration to develop an action plan to address the recommendations by order of priority..

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Lake Kununurra Foreshore Plan plays a pivotal role as a comprehensive strategic document designed to guide the sustainable development and management of the Lake Kununurra Foreshore. Initially established in 2006, the plan has undergone extensive review processes over the years, with the most recent review initiated in 2021 to ensure it remains relevant and responsive to evolving community needs and aspirations.

The process of updating the plan commenced with community engagement efforts starting in December 2021. This included an online survey aimed at gathering feedback from the community. Subsequent workshops provided a platform for in-depth discussions and refinement of ideas, involving both community representatives and organisational

stakeholders relevant to Foreshore Planning. Individual meetings with key stakeholders helped refine ideas from workshops ensuring feasibility.

Following these engagement phases, the gathered feedback and recommendations were carefully considered and incorporated into the Amended Lake Kununurra Foreshore Plan. The engagement process not only ensured transparency and inclusivity but also strengthened community ownership of the plan's outcomes. A detailed account of these engagement activities, including key findings and participant feedback, is at Attachment 1 in Section 1.7 (pages 20-27).

Advertising of the draft plan was undertaken from 26 March 2024 to 2 July 2024, with 13 responses received. The majority of the comments were in support of the proposed plan. One response raised concerns about the lack of consideration for the farm heritage site in Precinct 3. In light of this, officers have noted in the Foreshore Plan that Aboriginal and European heritage studies should be undertaken, as detailed in Section 2.1: Cultural Values and Section 4.1: Actions for Proposed Recommendations. An amended Lake Kununurra Foreshore Plan is at Attachment 1.

STRATEGIC IMPLICATIONS

The amendment to the Lake Kununurra Foreshore Plan aligns with the Strategic Community Plan 2023-2033 embodying various goals under the three strategies of Liveability, Connection and Sustainability.

Updating Lake Kununurra Foreshore and Aquatic Uses Plan is identified as a project in the Shire's Corporate Business Plan 2022-2025, completion of this project will contribute to the Shire's overall aim of providing a connected, accessible and well-maintained place for our community.

RISK IMPLICATIONS

RISK: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

CONTROL: Action group formalised to provide a feasibility study of recommendations and control achievable outcomes

FINANCIAL IMPLICATIONS

There have been no financial implications with the amendment of the Lake Kununurra Foreshore Plan. However, the implementation of the document will involve financial implications that will require grants, partnerships, and budget allocation, subject to feasibility studies of the proposed recommendations.

COMMUNITY ENGAGEMENT

Initial community engagement commenced in December 2021 via an online community survey. The survey focussed on identifying values, focus areas and recommendations for

future management and development. A large amount of feedback was received from the community (350 responses), demonstrating their passion for the future of the foreshore. Additionally, participants were invited to register their interest in ongoing involvement with the project.

Following the survey, workshops were undertaken which included community and organisational representatives. The workshops were designed to explore and refine the values and recommendations for the precincts by allowing inter-organisational and community discussion in a relaxed setting.

The feedback from the survey and workshops was instrumental in shaping future recommendations for the Foreshore Plan. Individual meetings with key stakeholders provided further insights and helped refine the information gathered during the workshops.

Following individual meetings the formalisation of recommendations were circulated to the Foreshore Committee to ensure correct interpretation and ideas are feasible.

The draft Lake Kununurra Foreshore Plan was advertised from 26 March 2024 to 2 July 2024 through social media, the Shire website, newspaper advertisements, and articles. Feedback was collected via an online survey titled 'Tell us what you think', resulting in 13 responses. The majority of the comments were in support of the proposed plan. One response raised concerns about the lack of consideration for the farm heritage site in Precinct 3. In light of this, officers have noted in the Foreshore Plan that Aboriginal and European heritage studies should be undertaken, as detailed in Section 2.1: Cultural Values and Section 4.1: Actions for Proposed Recommendations.

Community engagement will continue, with annual meetings with the Foreshore Reference Committee once a year to ensure the Foreshore Plan accurately reflects community needs and effectively guides the development of the foreshore

COMMENTS

Through extensive community and stakeholder consultation, recommendations have been provided to develop and manage the foreshore land in a manner that aligns with the community's aspirations while safeguarding the region's ecological wellbeing. The amended plan addresses changing land use patterns, anticipates future development and addresses evolving environmental needs in a sustainable manner.

Implementing the recommendations from the amended plan requires significant resources, necessitating the securing of grants, budget allocation, and partnerships. In light of this, it is recommended an internal project management working group be established to assess the feasibility of these recommendations and prioritise projects accordingly. The internal working group, along with the continuation of the Foreshore Reference Committee will be critical in ensuring the effective implementation of the Lake Kununurra Foreshore Plan in line with the vision of the stakeholders and community. An action plan will be developed for this work for Council to consider at a future date.

Based on these considerations, it is recommended that Council adopt the proposed amendment to the Lake Kununurra Foreshore Plan.

ATTACHMENTS

Attachment 1 – Lake Kununurra Foreshore Plan

12.3.4. Temporary Caravan Park Licence Application - Kununurra Campdraft and Rodeo Association

DATE	23 July 2024
AUTHOR	Senior Environmental Health Officer
RESPONSIBLE OFFICER	Nick Allen, Director Planning and Community Development
ASSESSMENT NO	A8072P
FILE NO	PH.12.5
DISCLOSURE OF INTERESTS	Nil
COUNCIL'S ROLE IN THE MATTER	Regulator - enforce state legislation and local laws
VOTING REQUIREMENT	Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Authorises the Chief Executive Officer to sign the application form for the Temporary Caravan Park and Camping Ground Licence for the Kununurra Campdraft and Rodeo Association at Reserve 30290, Lot 707 Drovers Road, Kununurra; and**
- 2. Grants a temporary caravan park licence to Kununurra Campdraft and Rodeo Association for 60 campsites on Reserve 30290, Lot 707 Drovers Road, Kununurra from 29 July 2024 to 5 August 2024 subject to the following conditions:**
 - a. The holder of a permit shall-**
 - i. display the licence in a position visible to the public; and**
 - ii. upon request of an Environmental Health Officer produce to her or him, the licence; and**
 - iii. if the holder of a permit changes his other place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and a new place or residence; and**
 - iv. the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.**
 - b. Only event staff or competitors associated with the Kununurra Campdraft and Rodeo Association are to be accommodated in the park;**
 - c. The following minimum ablution facilities are to be available for the duration of the licence: 6 toilets, 3 hand basin/s, and 3 showers;**
 - d. All wastewater (including sullage water) is to be collected and**

- removed from site to be disposed of at an approved wastewater dump point;
- e. Rubbish bins are to be sealed and provided within 90 metres of every site. All rubbish is to be removed from the site; and
 - f. Fire extinguishers are to be located within 90 metres of every site.

PURPOSE

For Council to consider an application made by the Kununurra Campdraft and Rodeo Association for a Temporary Caravan Park and Camping Ground Licence at Lot 707 Drovers Road, Kununurra for the annual Kununurra Campdraft and Rodeo.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Kununurra Campdraft and Rodeo is an annual event held at the Kununurra Rodeo Grounds and the Kununurra Campdraft and Rodeo Association has applied for a temporary caravan park and camping ground licence from 29 July 2024 to 5 August 2024. The application notes that 60 campsites are being applied for. The camp sites would be partly on the adjoining licence area (referred to as 'Campground Licence Area') and partly on the Kununurra Race Club lease area, being along the river.

Event staff and participants camping will be able to use the ablution facilities within the licenced area and within the rodeo grounds.

Written approval was obtained from the Kununurra Race Club for the camp sites that partly intrude along the front of their lease boundary and a copy of that approval is at Attachment 2.

A copy of the Temporary Caravan Park and Camping Ground application form is provided at Attachment 1. Authorisation is required from the Chief Executive Officer on this form as Land Owner representative.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

s. 7(5) Before granting a licence a local government must ensure that —

- a) The applicant has complied with the requirements of this Act;*
- b) The applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.*

Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)

r. 47. Applications not dealt with within time are taken to be refused

- 1) If within -*
 - a) 63 days of receiving an application for a licence; or*
 - b) 35 days of receiving an application for a renewal of a licence, the local government to which the application was made has not informed the applicant whether or not the application has been granted, the applicant may give the chief executive officer of the local government a notice requiring the local government to inform the applicant, within 14 days, whether or not*

the application is granted.

- 2) *If within 14 days after receiving a notice referred to in subregulation (1), the local government has not informed the applicant whether or not the application is granted, the local government is to be taken to have refused the application and the applicant may make an application for review to the State Administrative Tribunal under section 27 of the Act.*

r. 54 Temporary licence

- 1) *A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence*
- 2) *A local government is to endorse on a temporary licence for a facility as conditions of the licence -*
 - a) *The maximum number of sites that may be used at the facility;*
 - b) *The maximum number of sites of particular types that may be used at the facility and;*
 - c) *The services and facilities that are to be provided.*

POLICY IMPLICATIONS

Council Policy *POL-3007 Licensing of Temporary Caravan Parks and Camping Grounds* provides guidelines for the approval of temporary licences. The Policy provides for a reduction in amenity and requirements of the Regulations which is considered appropriate as temporary licences are usually issued only for a short time.

STRATEGIC IMPLICATIONS

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

Focus Area: SUSTAINABILITY

Goal 9: Conserving Country - Protect and enhance our unique natural environment for generations to come

Goal Outcome 9.1: Protect and enhance our natural environment - We care for and enjoy our unique natural environment

Strategy 9.1: Work in partnership to implement cooperative programs to manage waste, land, fire, pathogens, introduced animals and weeds

RISK IMPLICATIONS

RISK: Failure to manage developments and projects in line with regulatory planning, building and health requirements, leading to a poorly developed region and environmental degradation.

CONTROL: Inspection by Shire Officers and compliance with minimum requirements based on legislative requirements for Nature Based Parks.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this matter although Council has agreed to provide annual funding for this event as well as the May Rodeo (coinciding with the Ord Valley Muster) through its Community Grant Program.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The ablution facilities that are proposed to be provided for the temporary camping onsite are in line with the Nature Based parks minimum requirements detailed in the regulations. The previous approval, which was in 2021, allowed 50 campsites, so it is believed that the number of campsites approved will be adequate for the event. Other conditions are recommended with regards to waste water disposal, rubbish bins and fire extinguishers in line with the applicable regulations and the camping will only be occupied by event staff and participants.

It is recommended that authorisation be provided to the Chief Executive Officer to endorse the application and that a temporary caravan park licence be approved subject to conditions.

ATTACHMENTS

Attachment 1 - Application Form and Map KCRA

Attachment 2 - Written approval for use of Kununurra Race Club leased land

12.3.5. Temporary Caravan Park Licence - Kununurra Race Club

DATE	23 July 2024
AUTHOR	Senior Environmental Health Officer
RESPONSIBLE OFFICER	Nick Allen, Director Planning and Community Development
ASSESSMENT NO	A2859P
FILE NO	PH.12.5
DISCLOSURE OF INTERESTS	Nil
COUNCIL'S ROLE IN THE MATTER	Regulator - enforce state legislation and local laws
VOTING REQUIREMENT	Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Authorises the Chief Executive Officer to sign the application form for the Temporary Caravan Park and Camping Ground Licence for the Kununurra Race Club at Reserve 30290, Lot 707 Drovers Road, Kununurra; and**
- 2. Grants a temporary caravan park licence to Kununurra Race Club for 20 short stay sites on Reserve 30290, Lot 707 Drovers Road, Kununurra from 15 August 2024 to 3 September 2024 subject to the following conditions:**
 - a. The holder of a permit shall-**
 - i. display the licence in a position visible to the public; and**
 - ii. upon request of an Environmental Health Officer produce to her or him, the licence; and**
 - iii. if the holder of a permit changes his other place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and a new place or residence; and**
 - iv. the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.**
 - b. Only event staff or competitors associated with the Kununurra Race Club are to be accommodated in the park;**
 - c. The following minimum ablution facilities are to be available for the duration of the licence: 2 toilets, 1 hand basin, and 1 shower;**
 - d. All wastewater (including sullage water) is to be collected and removed from site to be disposed of at an approved wastewater dump point;**
 - e. Rubbish bins are to be sealed and provided within 90 metres of every site. All rubbish is to be removed from the site and disposed of at an approved landfill site; and**
 - f. Fire extinguishers are to be located within 90 metres of every site.**

PURPOSE

For Council to consider an application made by the Kununurra Race Club for a Temporary Caravan Park and Camping Ground Licence at Lot 707 Drovers Road, Kununurra for the annual Kununurra Race Events.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Kununurra Races are an annual event held at the Kununurra Race Club lease area and the Kununurra Race Club has applied for a temporary caravan park and camping ground licence from 15 August 2024 to 3 September 2024. The application notes that 20 short stay sites are being applied for. The proposed camping area is located wholly within the Kununurra Race Club lease area.

Event staff and participants camping will be able to use the ablution facilities within the Race Course lease area.

A copy of the Temporary Caravan Park and Camping Ground application form and map is provided at Attachment 1. Authorisation is required from the Chief Executive Officer on this form as Land Owner representative.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

s. 7(5) Before granting a licence a local government must ensure that —

- a) The applicant has complied with the requirements of this Act;
- b) The applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.

Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)

r. 47. Applications not dealt with within time are taken to be refused

- 1) If within -
 - a) 63 days of receiving an application for a licence; or
 - b) 35 days of receiving an application for a renewal of a licence, the local government to which the application was made has not informed the applicant whether or not the application has been granted, the applicant may give the chief executive officer of the local government a notice requiring the local government to inform the applicant, within 14 days, whether or not the application is granted.
- 2) If within 14 days after receiving a notice referred to in subregulation (1), the local government has not informed the applicant whether or not the application is granted, the local government is to be taken to have refused the application and the applicant may make an application for review to the State Administrative Tribunal under section 27 of the Act.

r. 54 Temporary licence

- 1) A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence
- 2) A local government is to endorse on a temporary licence for a facility as conditions of the licence -
 - a) The maximum number of sites that may be used at the facility;
 - b) The maximum number of sites of particular types that may be used at the facility and;
 - c) The services and facilities that are to be provided.

POLICY IMPLICATIONS

Council Policy *POL-3007 Licensing of Temporary Caravan Parks and Camping Grounds* provides guidelines for the approval of temporary licences. The Policy provides for a reduction in amenity and requirements of the Regulations which is considered appropriate as temporary licences are usually issued only for a short time.

STRATEGIC IMPLICATIONS

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

Focus Area: SUSTAINABILITY

Goal 9: Conserving Country - Protect and enhance our unique natural environment for generations to come

Goal Outcome 9.1: Protect and enhance our natural environment - We care for and enjoy our unique natural environment

Strategy 9.1: Work in partnership to implement cooperative programs to manage waste, land, fire, pathogens, introduced animals and weeds

RISK IMPLICATIONS

Risk: Failure to manage developments and projects in line with regulatory planning, building and health requirements, leading to a poorly developed region and environmental degradation.

Control: Inspection by Shire Officers and compliance with minimum requirements based on legislative requirements for Nature Based Parks.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this matter although Council has agreed to provide rates assistance to the Kununurra Race Club.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The ablution facilities that are proposed to be provided for the temporary camping onsite are in line with the Nature Based parks minimum requirements detailed in the regulations. It is considered that the number of campsites proposed will be adequate for the event. Other conditions are recommended with regards to waste water disposal, rubbish bins and fire extinguishers in line with the applicable regulations and the camping will only be occupied by event staff and participants.

It is recommended that authorisation be provided to the Chief Executive Officer to endorse the application and that a temporary caravan park licence be approved subject to conditions.

ATTACHMENTS

Attachment 1 - Application Form and Map KRC

12.4. CORPORATE SERVICES

12.4.1. Monthly Financial Report

DATE	23 July 2024
AUTHOR	Manager Finance
RESPONSIBLE OFFICER	Meredith Blair - Manager Finance
FILE NO	FM.09.32
DISCLOSURE OF INTERESTS	Nil
COUNCIL'S ROLE IN THE MATTER	Regulator - Responsible for the enforcement of statutory requirements
VOTING REQUIREMENT	Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Monthly Financial Reports for the period ended 30 June 2024

PURPOSE

For Council to receive the Monthly Financial Reports for the period ended 30 June 2024.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Council is to prepare monthly financial reports as required by section 34 of the *Local Government (Financial Management Regulations) 1996*.

At the 28 June 2022 Ordinary Council Meeting, the Council resolved the following:

Council Decision

Minute Number: 28/06/2022 - 118681

That 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.

Moved: Cr M Dear

Seconded: Cr J Farquhar

Decision 7/0

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

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4.

6.4. Financial report

(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

(2) The financial report is to —

(a) be prepared and presented in the manner and form prescribed; and

(b) contain the prescribed information.

(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —

(a) the accounts of the local government, balanced up to the last day of the preceding financial year; and

(b) the annual financial report of the local government for the preceding financial year.

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

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS

POL-2018 Significant Accounting Policies has been applied in the preparation of the report.

FINANCIAL IMPLICATIONS

There are no additional costs associated with the preparation of this report. Monthly financial reporting is a primary financial management and control process. This report provides Council with the ability to oversee the Shire's financial performance against budgeted targets.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2017-2027*

Focus Area 4: Performance - Civic Leadership

Goal 4.4: Sustainably maintain the Shire's financial viability

Strategy 4.4.4: Apply best practice financial management to ensure long term sustainability

RISK IMPLICATIONS

Risk: Failure to manage the disbursement of funds to meet the needs of the Shire's forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plans and Annual Budget.

Controls: Monthly Financial Report and List of Accounts Paid reported to Council on a monthly basis as required by Legislation and Regulations.

COMMUNITY ENGAGEMENT

No community engagement is required in relation to this item.

COMMENTS

The Shire has engaged Moore Australia to prepare the Monthly Financial Report on an ongoing basis. The basis of the report is the same as for previous Monthly Financial Reports. In addition to the Statements of Financial Activity by Program and by Nature or Type, the report includes summary information in the form of graphs showing budgets versus actuals, an executive summary of key financial activities, and additional explanatory notes to the financial statements.

Comments in relation to budget versus actual variances are included at note 15 in the Financial Statements. Councillors should note that no financial year-end adjustments to comply with the annual financial statement reporting requirements have been processed in the attached report. These will be done as part of our processes for year-end audit.

ATTACHMENTS

Attachment 1 - Monthly Financial Report June 2024

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

DATE:	23 July 2024
AUTHOR:	Accountant - Assets, Creditors and Tax
RESPONSIBLE OFFICER:	Meredith Blair, Manager Finance
FILE NO:	FM.09.36
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Regulator - Responsible for the enforcement of statutory requirements
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the lists of accounts paid from the Municipal and Trust funds for June 2024 being:

June 2024

Municipal EFT 149041 - 149436 (07/06/24 - 28/06/24)	\$ 5,198,484.90
Payroll (12/06/24 - 26/06/24)	\$ 510,185.22
Direct Bank Debits (03/06/24 - 29/06/24)	\$ 16,809.58
Total	\$ 5,725,479.70

PURPOSE

For Council to receive the list of accounts paid from the Municipal Fund and Trust Fund in order to meet the requirements of the *Local Government (Financial Management) Regulations 1996*.

BACKGROUND / PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

In accordance with Council's Delegations Register, which was adopted by Council on 27 September 2022, 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

Amendments to the *Local Government (Financial Management) Regulations 1996 (Regulation 13A)* now require the List of Accounts Paid to include payments by employees via purchasing cards. The attached report includes these payments.

Local Government Act 1995 - Section 5.42 Delegation of some power and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Local Government (Financial Management) Regulations 1996 -

Regulation 5. CEO's duties as to financial management (in part)

(1) Efficient systems and procedures are to be established by the CEO of a local government —

(e) to ensure proper authorisation for the incurring of liabilities and the making of payments; and

Regulation 11. Payments, procedures for making etc.

(1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of—

(a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and

(b) petty cash systems.

(2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.

(3) Payments made by a local government —

(a) subject to subregulation (4), are not to be made in cash;

and

(b) are to be made in a manner which allows identification

of—

(i) the method of payment; and

(ii) the authority for the payment; and

(iii) the identity of the person who authorised the payment.

(4) Nothing in subregulation (3)(a) prevents a local government from making payments in cash from a petty cash system.

Regulation 12. Payments from municipal fund or trust fund, restrictions on making.

(1) A payment may only be made from the municipal fund or the trust fund —

(a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or

(b) otherwise, if the payment is authorised in advance by resolution of the council.

Regulation 13. Payments from municipal fund or trust fund by CEO, CEO's duties etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

(a) the payee's name; and

(b) the amount of the payment; and

(c) the date of the payment; and

(d) sufficient information to identify the transaction.

(2) A list of accounts for approval to be paid is to be prepared each month showing —

(a) for each account which requires council authorisation in that month —

(i) the payee's name; and

(ii) the amount of the payment; and

(iii) sufficient information to identify the transaction;

and

(b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under subregulation (1) or (2) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment;
- (d) sufficient information to identify the payment.

(2) A list prepared under subregulation (1) must be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

[Regulation 13A inserted: SL 2023/106 r. 6.]

POLICY IMPLICATIONS

Shire of Wyndham East Kimberley Delegation Register 2022-2023 Sub-delegation 6 “Payments from the Municipal Fund and Trust Fund” applies subject to compliance with Council Policy *POL-2004 Purchasing*.

FINANCIAL IMPLICATIONS

There are no financial implications arising out of the preparation of this report. The financial implications arising from the payments made from the Municipal and Trust funds have been provided for in the Adopted Budget and any subsequent amendments thereto. This report provides for the ongoing management of the Shire's funds by providing the Council with sufficient information to monitor and review those payments made, as well as to comply with legislative requirements.

STRATEGIC IMPLICATIONS

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

FOCUS AREA: Sustainability

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

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

STRATEGY 10.4: Integrate all planning and resource management to drive continuous improvement and innovation

RISK IMPLICATIONS

Risk: Failure to manage the disbursement of funds to meet the needs of the Shires forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Budget.

Controls: Monthly Financial Report and List of Accounts Paid reported to Council on a monthly basis as required by Legislation and Regulations.

COMMUNITY ENGAGEMENT

No community engagement is required in relation to this item.

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; the amount of the payment; the date of the payment, and sufficient information to identify the transaction. The list is to be presented to Council at the next Ordinary Council after the list is prepared and is to be recorded in the minutes of the meeting at which it is presented as required by the applicable regulations.

Amendments to the *Local Government (Financial Management) Regulations 1996 (Regulation 13A)* now require the List of Accounts Paid to include payments by employees via purchasing cards. The attached Lists of Accounts Paid include these payments.

ATTACHMENTS

Attachment 1 - List of Accounts Paid June 2024

12.5. INFRASTRUCTURE

12.5.1. Access to Lot 1264 by Managers of Lot 655 Messmate Way.

DATE:	23 July 2024
AUTHOR:	Director Infrastructure and Strategic Projects
RESPONSIBLE OFFICER:	Director Infrastructure and Strategic Projects
ASSESSMENT NO:	A1195
FILE NO:	Nil
DISCLOSURE OF INTERESTS:	To Be Advised - Financial and Proximity Interests
COUNCIL'S ROLE IN THE MATTER:	Partner - Collaboration with external stakeholders to deliver service and projects.
VOTING REQUIREMENT:	Absolute Majority

OFFICER'S RECOMMENDATION

That Council request the Chief Executive Officer formulate a Memorandum of Understanding with Cambridge Gulf Limited, at the cost of the applicant, for use of Reserve 42799 Messmate Way, subject to, but not limited;

- **No permanent or semi permanent structures are to be placed upon the reserve 42799**
- **Surface levels on the hardstand part of Reserve 42799 are not to be altered without consent of the Shire, or in such a way that will reduce the capacity of existing flood routing through Reserve 42799.**
- **The Shire reserves the right to undertake works on Reserve 42799 to mitigate any obstruction to drainage through the location without hindrance or penalty.**
- **Public utility/service providers reserve the right to undertake works on Reserve 42799 without hindrance or penalty.**

PURPOSE

Cambridge Gulf Limited have requested access to Vesting Shire Reserve R42799, Current Purpose Public Utilities and Access, for car parking and landscaping.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Nil

STATUTORY IMPLICATIONS

If approved, an MOU agreement for use will be formed.

POLICY IMPLICATIONS

Nil at this time

STRATEGIC IMPLICATIONS

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

Focus Area: SUSTAINABILITY

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

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

Strategy 10.4: Integrate all planning and resource management to drive continuous improvement and innovation

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Control: Engage with opportunities to reduce the Shires asset load.

FINANCIAL IMPLICATIONS

Nil to the Shire.

MOU agreement to the satisfaction of the Shire at the cost of the applicant

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

A representative of Cambridge Gulf Limited (CGL) has approached the Shire Administration requesting access to Shire Reserve 42799 (Lot 501 on DP423702). The purpose of the request is to include Lot 501 on DP423702 into the fence line of Lot 655 as either parking or landscaping. (Attachment 1, Attachment 2)

Disposal of the lot cannot be considered as there are other interests in the land (other service providers), and the main interest of the Shire of Wyndham East Kimberley is that Reserve 42799 acts as a drainage reserve for flood routing from Beefwood Street.

Brief discussion has identified that the levels of the surface through Reserve 42799 would need to be retained, so as not to interfere with flood routing or back charging drainage water. Additionally, no permanent or semi permanent structure would be permissible at this location. All services provided would be required to have uninterrupted access to the reserve to work, maintain or upgrade their assets without encumbrance.

Attachment 3 demonstrates the current condition of Reserve 42799. The location is maintained to a 'fire cut' standard, that being to minimise fire risk only. Being a main entry to town, this level of service is generally low, unsightly and unappealing, being functional only, not aesthetic. Despite fencing and a gate being installed at the rear of the location, foot traffic continues to force through the location leaving broken glass and general litter in their wake, adding to the general untidiness of the location.

Legal advice has been sought by the reporting officer, and the land can be 'disposed' through the mechanism of an MOU. This would not release any of the rights of the Shire or other utilities, but would facilitate an agreed level of use to the proponent. Provision of access to the Reserve by CGL *may* assist in reducing foot traffic to the location, but would most certainly improve the visual amenity of the location at no cost to the Shire.

Any works on the Reserve would be subject to approval by the Shire, but would most likely be limited to car parking or landscaping.

If the Council were to support the benefits of this interest, the reporting officer will contact CGL and the Shires Legal contractors to formulate an agreed MOU.

ATTACHMENTS

Attachment 1 – Location Lot 501 on DP423702

Attachment 2 – Cadastral and Lot Information

Attachment 3 – Messmate Reserve Lot 501 on DP423702

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

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

16. MATTERS BEHIND CLOSED DOORS

17. CLOSURE