



MINUTES OF ORDINARY COUNCIL MEETING HELD ON 20 DECEMBER 2005

I hereby certify that the minutes of the Ordinary Meeting of Council, held on 20 December 2005 are a true and accurate record of the proceedings contained therein.

Chairman Confirmed

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.01pm.

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

Attendance

Cr Michele Pucci	Shire President
Cr Bill Barnes	Deputy Shire President
Cr Roch Devenish-Meares	Councillor
Cr Jane Parker	Councillor
Cr John Buchanan	Councillor
Cr Maxine Middap	Councillor
Cr Julee Nelson	Councillor
Cr Keith Wright	Councillor
Mr Peter Stubbs	Chief Executive Officer
Mr Yale Bolto	Acting Executive Manager Corporate & Community Services
Mr Steve Chadwick	Executive Manager Engineering & Development Services
Mr John Gault	Executive Support Officer
Mr Kevin Forrest	Customer Service Officer
<i>Arrived 6.05pm</i>	
Mr Keith Williams	Town Planner
Ms Kelly Fewster	Aboriginal Environmental Health Office for Communities

Apologies

Nil

Leave of Absence

Cr J Nelson requested a leave of absence for the 24th January 2006 Ordinary Council Meeting.

MINUTE NO. 7339

Moved Cr M Middap

Seconded Cr K Wright

That Cr J Nelson be grated a leave of absence for the 24th January 2006 Ordinary Council Meeting.

Carried Unanimously 8-0

Public Gallery

Mr Peter Grieg and Darren Spackman attended the gallery during the course of the meeting.

3. DECLARATION OF:

- **Financial Interest**

Cr K Wright declared a Financial and Impartiality interest on item 12.1.3 – proposed closure of road reserve adjoining Konkerberry Drive and Papuana Street, as he is the director of the company that owns land near the site

- **Members Impartiality Interest**

Cr K Wright declared an impartiality interest on item 12.1.3 – Proposed Road Closure – Petherick Partnership – Papuana St Service Area, as he is a life member of Kununurra Agricultural Society.

Cr B Barnes declared an impartiality interest on item 12.1.8 – Airport cleaning contract, as he operates a business from the airport.

Cr B Barnes declared an impartiality interest on item 12.2.3 – Kununurra Agricultural Society lease, as he is a life member of the society.

Cr J Buchanan declared an impartiality interest on item 12.2.3 – Kununurra Agricultural Society lease, as he is a life member of the society.

Cr J Buchanan declared an impartiality interest on item 12.1.5 – potential boating facility at Reserves 41812 and 29297 near swim beach as he is a member of the Ord Land and Water.

Cr J Nelson declared an impartiality interest on item 12.2.3 – Kununurra Agricultural Society Lease, as she participates in polocross as hobby/interest.

Cr J Nelson declared an impartiality interest on item 12.2.4 – Lease Renewal Kununurra Motocross Club as she participates in this activity as a hobby/interest

Officer Steven Chadwick declared an impartiality interest on item 12.1.5 – Commercial Boat Facility Investigations as he is the chairperson of the Ord River Waterways Management Group

Officer Keith Williams declared an impartiality interest on item 12.1.3 – Proposed Road Closure – Petherick Partnership – Papuana St Service Area, due to his relationship with an employee within the area.

- **Proximity Interest**

Cr J Parker declared a proximity interest in the late item – Department of Housing and Works – Redevelopment of lot 1116 Dulverton St, Wyndham, as she resides next door to this residence.

Cr Devenish Meares declared a proximity interest on item number 12.1.3 – Proposed Road Closure – Petherick Partnership – Papuana St Service Area, as his daughter owns a business across the road.

Cr M Pucci declared a proximity interest on late item – Proposed Lease – Cockburn Lease, as her husband is a member of the Recreational Fishing Advisory Group, which are mentioned within the report.

Cr M Pucci declared a proximity interest on item 12.1.5 – Commercial Boat Facility Investigations, as her husband is a member of the Ord River Water Management Group, which have been consulted.

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. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on the 15 November 2005, be confirmed as a true record of proceedings.

MINUTE NO: 7340

Moved: Cr M Middap

Seconded: Cr J Nelson

That the Minutes of the Ordinary Meeting of Council held on the 15 November 2005, be confirmed as a true record of proceedings.

Carried Unanimously 8-0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

On behalf of Council I congratulate Keith Williams Council's Town Planner on being awarded a Scholarship from the Department of Local Government and Regional Development for the states premier public sector learning experience, the Public Sector Management Program. Keith will complete this program in 2006.

I would also like to take this opportunity to congratulate the Kununurra and Wyndham Volunteers of the year on their efforts.

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

Nil

MINUTE NO: 7341

Moved: Cr K Wright

Seconded: Cr J Buchanan

That Council accepts the three late items as presented, 15.1 Cockburn Lodge, , 15.2 Town Planning Scheme No.6-Proposed amendment – Wyndham Lots, 15.3 Proposed Visitors Centre Re-location.

Carried Unanimously 8-0

MINUTE NO: 7342

Moved: Cr K Wright

Seconded: Cr J Buchanan

That Council bring forward Late Item 15.3 Proposed Visitors Centre Re-location.

Carried Unanimously 8-0

15.3 PROPOSED VISITORS CENTRE RE-LOCATION

DATE:	20 December 2005
PROPONENT:	KVC / SWEK
LOCATION:	Lot 75 Coolibah Drive
ATLAS REFERENCE:	Map 53 A 5
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.4998.02
ASSESSMENT NO:	4998

PURPOSE

For Council to authorise officers to assist the Kununurra Visitors Centre with investigations of a potential new site for the Visitors Centre located on Road Reserve, Reserve 41812 and Unallocated Crown Land between Messmate Way and Weaber Plain Road.

BACKGROUND

The Kununurra Visitors Centre [KVC] has requested Council assistance to facilitate its relocation as the service has outgrown its present accommodation.

Anecdotal advice indicates that Reserve 41812 Victoria Highway was the preferred location, however, was never fully investigated, and the current visitors centre was constructed in its present location.

The KVC currently occupies 126m², and due to a projected increase in business activity and tourism, requires an additional 300m² of space to provide better facilities and maintain existing

tenancies. The development proposal would, depending on a business plan being developed by the KVC, include a café, office space, convention facility, tele-centre, bank, bus transfer station, as well as incidental uses such as pathways and parking for buses and caravans.

Essentially, the KVC considers expansion critical to remaining viable.

Further detailed information about the proposal is contained in the submission to Council dated 6 September 2005.

FINANCIAL IMPLICATIONS

Continuation of investigation of the proposed facility will require officer's time. A feasibility study will need to be prepared by the KVC prior to finalising the preferred location to ensure the new centre is viable, and this will need to examine the future use of the existing site.

CONSULTATION

Limited consultation has occurred with the Lake Kununurra Foreshore Plan Steering Committee, however, once a specific site and design are chosen, a proper consultation process will be required under the provisions of the Planning Scheme. Consultation with the Ord River Waterways Management Group will occur once Council has given in principle support for the proposed location.

COMMENT

The proposal has significant support from the community and from the tourism industry.

Discussions have progressed significantly and key stakeholders are seeking to progress the proposal further. Council officers support further assessment and investigation, and are able to provide the KVC with assistance and professional advice.

The specific location of the visitors centre needs further investigation, and would appear to be located within the road reserve of the Victoria Highway, and within unallocated crown land, with a small portion located within Reserve 41812.

It is considered that the proposed relocation of the visitors centre has considerable merit. Extension to the existing building does not appear feasible, and as the gateway to the Kimberley, a high profile and more accessible visitors centre would be a significant investment in the future of the tourism industry for the Shire. Additionally, it offers the chance to develop an iconic entrance to the town, in a unique location overlooking Lily Creek, and will also have significant synergies with the proposed Rotary Centenary Park, which officers are also assisting with.

Accordingly, it is recommended that the proposed location is endorsed by Council in accordance with the concept plans, and that further assessment and investigation is continued.

This assessment will involve Council officers time and will not involve additional funding or outsourcing. Further agenda items will be presented to Council as the proposal is developed.

ATTACHMENTS

A copy of the concept plans are included in this agenda item.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

1. That Council endorse portion of Reserve 41812, Unallocated Crown Land and Victoria Highway Road reserve between Messmate Way and Weaber Plain Road as the preferred location of a proposed new visitors centre in principal, subject to finalisation of the preferred site to the satisfaction of Council;
2. That Council endorse the provision of assistance by Council officers to assist in further development of the Kununurra Visitors centre relocation proposal.
3. That Council request the Kununurra Visitors Centre to prepare a business plan justifying the concept of a new visitors centre for Council's consideration.

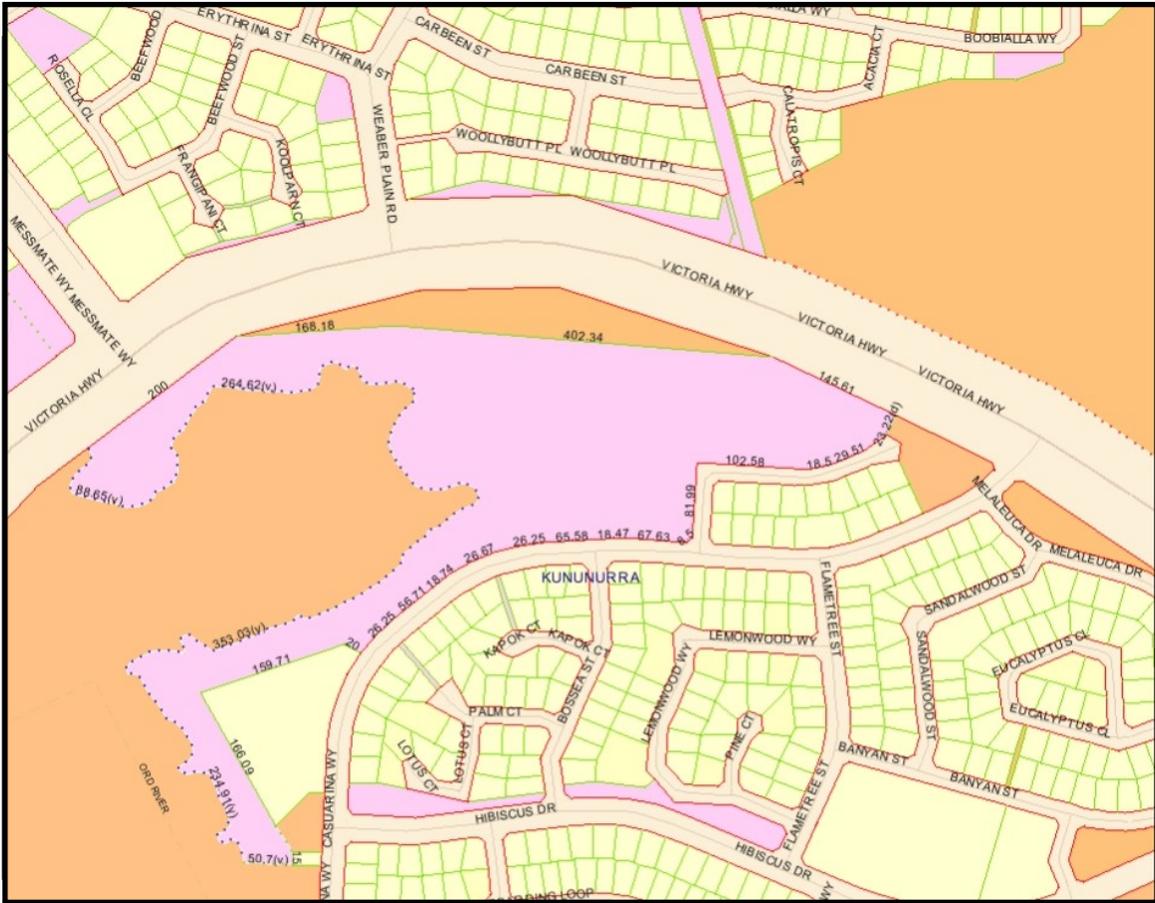
MINUTE NO: 7343

Moved: Cr K Wright

Seconded: Cr J Buchanan

1. ***That Council endorse portion of Reserve 41812, Unallocated Crown Land and Victoria Highway Road reserve between Messmate Way and Weaber Plain Road as the preferred location of a proposed new visitors centre in principal, subject to finalisation of the preferred site to the satisfaction of Council;***
2. ***That Council endorse the provision of assistance by Council officers to assist in further development of the Kununurra Visitors centre relocation proposal.***
3. ***That Council request the Kununurra Visitors Centre to prepare a business plan justifying the concept of a new visitors centre for Council's consideration.***

Carried Unanimously 8-0



12. REPORTS

12.1. ENGINEERING & DEVELOPMENT SERVICES

12.1.1 ENGINEERING & DEVELOPMENT SERVICES MONTHLY REPORT

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Engineering and Development Services Team
REPORTING OFFICER:	Steven Chadwick, Executive Manager Engineering and Development Services
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council information.

BACKGROUND

Engineering and Development Services Monthly Report for Council.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

As part of the strategic plan.

Key Result Area 5 - Governance Goal 1 - Strategic Leadership:

Strategy 4 - Produce succinct monthly reports that graphically indicate key data for financial, human resource, risk and operational management.

COMMUNITY CONSULTATION

Nil

COMMENT

That Council acknowledge the attached reports. Future reports to be provided quarterly to Councillors through Briefing Sessions.

ATTACHMENTS

- Building Surveyors Report – November 2005
- Aboriginal & Environmental Health – November 2005
- Manager Technical Services Report – November 2005
- Town Planner – October & November 2005
- Ranger's Report – November 2005

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council receive the Engineering and Development Services reports for November 2005.

MINUTE NO:7344

Moved Cr K Wright

Seconded Cr J Parker

That Council receive the Engineering and Development Services reports for November 2005.

Carried Unanimously 8-0

BUILDING SURVEYOR'S REPORT

November 2005

Note: Some Statistical information is not available due to data not being collected until mid 2004.

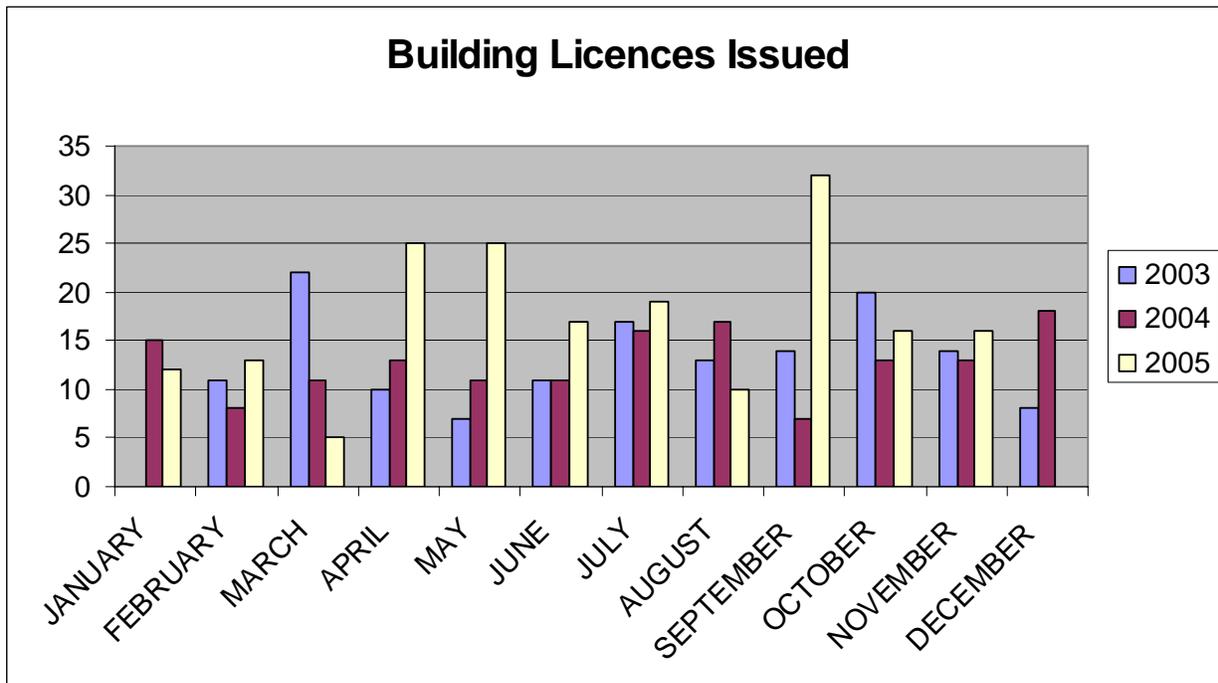
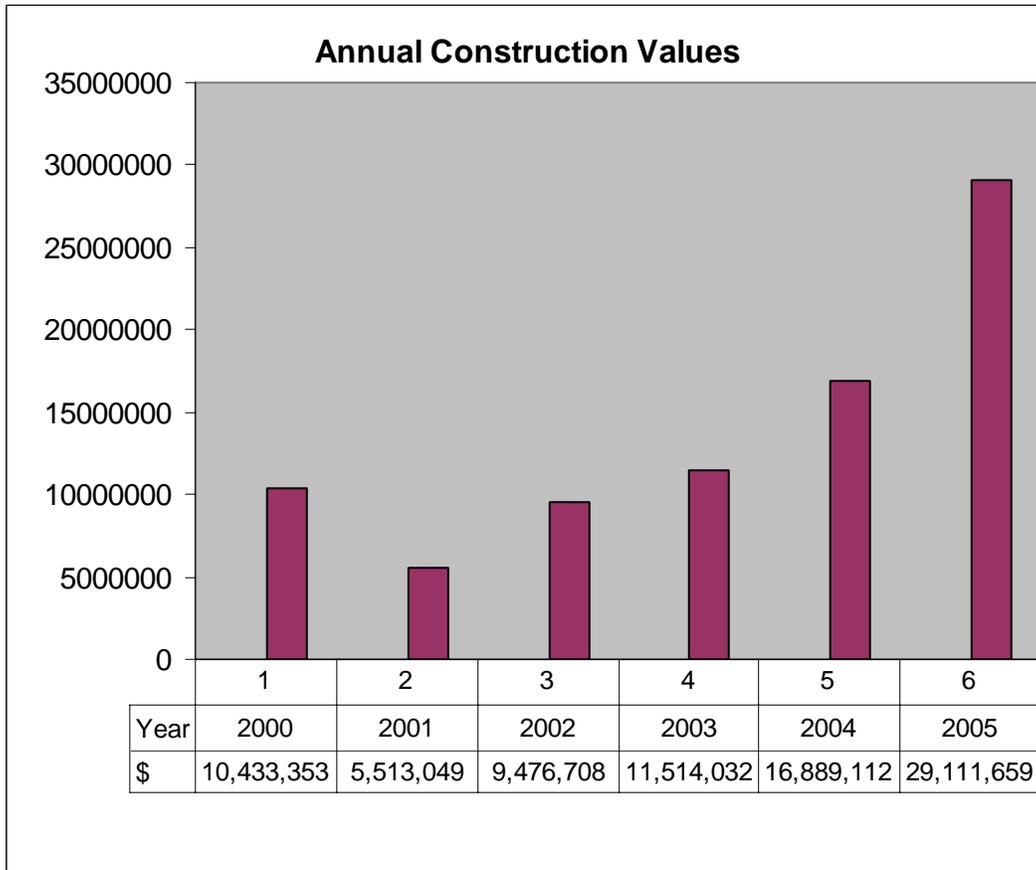
Licences/Certification:

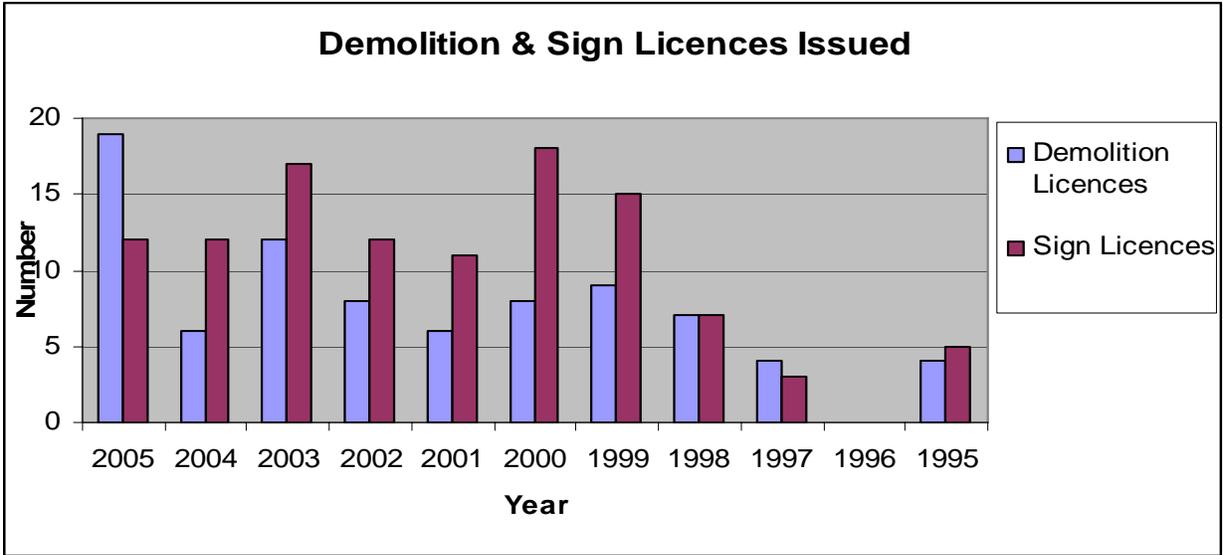
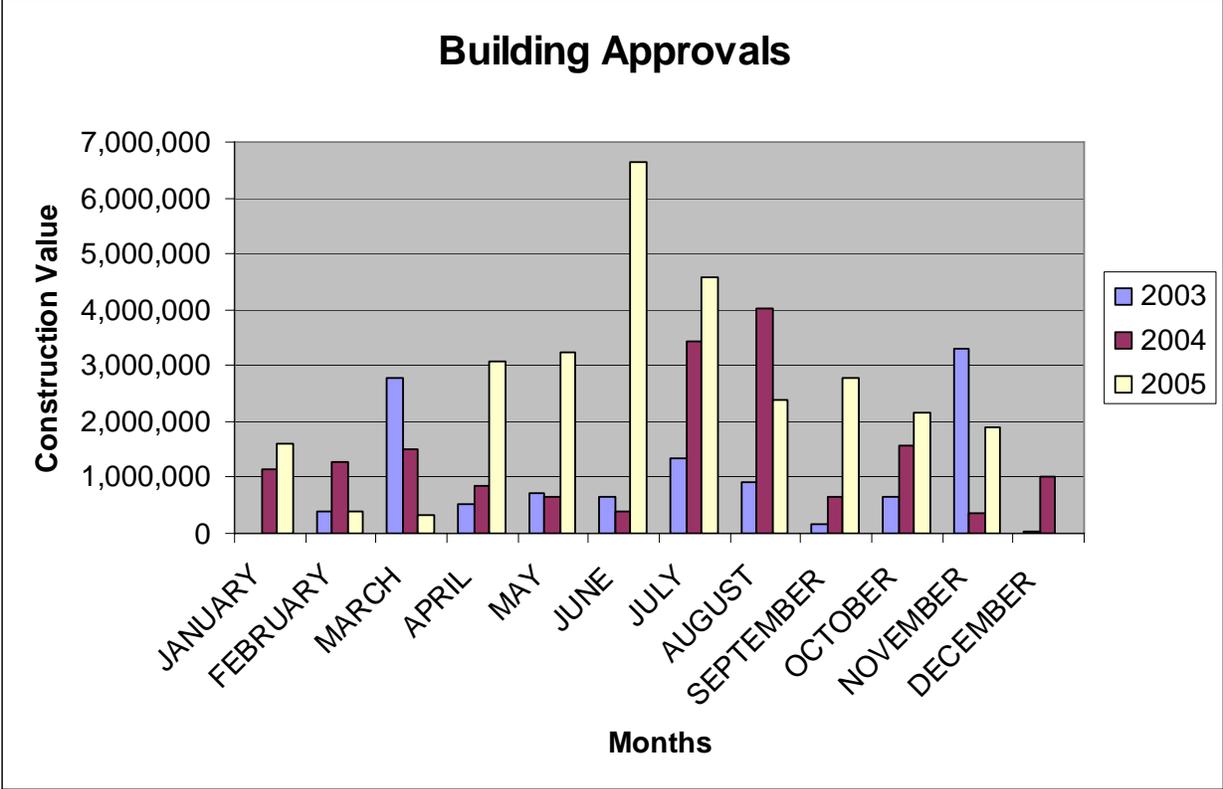
Type of Licence/Certificate	November 2003	November 2004	November 2005
Building Licences	14	13	16
Demolition Licences	2	0	0
Sign Licences	3	0	0
Certificate of Classification	0	0	0
Amended Building Licence	0	3	5
Extension of Time	0	0	0
Site Instruction	0	1	0
Formal Notice	0	0	4 (pending issue)
Land Purchase Enquiry	17	10	10
Invitation to Acknowledge Existing	0	1	0
Service Requests Received	N/A	21	20
Service Requests Completed	N/A	21	16
Purchase Orders <\$5,000	N/A	56	30
Purchase Orders >\$5,000	N/A	0	0
Invoice Authorisations	N/A	N/A	26
Miscellaneous Correspondence	N/A	48	126

Inspections:

Type of Inspection	November 2003	November 2004	November 2005
Preliminary Site	7	14	7
Footing / Slab Inspection	4	8	11
Final Inspection	3	12	10
Swimming Pool	1	2	4
Unauthorised/Undocumented Structures	0	3	0
Aboriginal Communities	0	0	2
DOLA enquiry inspection	0	0	0
Fencing/Neighbour Dispute	0	1	0
Miscellaneous	15	14	16
Subdivision	0	0	0
Strata Titles	0	0	3
Pastoral Stations	0	0	1

2005						KUNUNURRA			WYNDHAM			ABORIGINAL RESERVES/ COMMUNITIES	
MONTH	CONTRACT VALUE \$	No of LICENCES ISSUED	ACKNOWLEDGEMENT OF EXISTING	REMOTE/ PASTORAL BUILDINGS	COMMERCIAL/ INDUSTRIAL	OUT BUILDINGS, POOLS & ADDITIONS	NEW DWELLINGS	COMMERCIAL/ INDUSTRIAL	OUT BUILDINGS, POOLS & ADDITIONS	NEW DWELLINGS	COMMERCIAL/ INDUSTRIAL	OUT BUILDINGS, POOLS & ADDITIONS	
JANUARY	1,594,500	12	0	0	0	14	5	0	1	0	0	0	
FEBRUARY	408,038	13	8	10	2	10	1	0	0	0	0	0	
MARCH	312,700	5	0	0	0	4	0	0	0	0	0	1	
APRIL	3,084,731	25	10	0	7	7	0	0	0	0	0	4	
MAY	3,240,702	25	16	0	2	8	4	0	0	0	0	3	
JUNE	6,642,453	17	5	0	5	13	10	0	0	0	0	0	
JULY	4,585,592	19	13	0	1	14	22	0	0	0	0	0	
AUGUST	2,386,252	10	4	0	5	2	3	0	0	0	0	0	
SEPTEMBER	2,786,368	32	5	0	3	25	6	0	1	0	0	0	
OCTOBER	2,174,029	16	0	0	0	12	9	0	0	0	0	2	
NOVEMBER	1,896,294	16	0	5	0	13	3	0	0	0	0	0	
DECEMBER													
TOTAL 2005	29,111,659	190	61	15	25	122	63	0	2	0	0	10	
TOTAL 2004	16,889,112	153	31	3	18	101	36	2	8	7	0	8	
TOTAL 2003	11,514,032	147	40	3	28	106	13	3	9	2	1	6	
TOTAL 2002	9,476,708	135	22	10	11	94	15	3	3	3	2	15	
TOTAL 2001	5,513,049	91											
TOTAL 2000	10,433,353	102											





Vandalism to Council Property

Vandalism to Council buildings reported to Building Surveyor for September 2005.

DATE	BUILDING	DAMAGE	REPORTED POLICE	INSURANCE	ACTION TAKEN
1/11/2005	APT	ACCESS DOOR SCRATCHED	YES AS ABOVE	NA	REPORTED TO POLICE
3/11/2005	WAR MEMORAL FLAG POLES ADMIN	FLAG POLE HOIST CABLE	YES	NO	UNTIED DEPOT BOYS WILL FIX
5/11/2005	Peter Reid Memorial Hall	Door Locks jemmied open Fire extinguishers sprayed throughout building	YES 071105080010265	NO	. PO DONE FOR BOAB CARPENTRY 23673
5/11/2005	Peter Reid Memorial Hall	Door Locks jemmied open Fire extinguishers sprayed throughout building	YES 071105080010265	NO	Alan Pardoe - Bell Cleaned mess from Extinguisher
5/11/2005	KUNUNURRA LEISURE CENTER	chairs and other equipment in pool Also Human faeces	YES	NO	Pool flushed out 3 times and shut all Sunday Furniture Removed from pool
23/11/05	WYNDHAM ADMINISTRATION BUILDING	Shattered window panel near Bank area	YES 221105-1740-9479 Offender apprehended & charged – restitution requested	NO	PO 23700 issued for removal & replacement of glass

CAPITAL MAINTENANCE PROGRAMME

	Property	Comment
9103403	CMP 28 Eugenia	Painting prior to new tenant occupation completed– termite treatment not commenced.
9103301	CMP 16 Kimberley	Replacement solar hot water completed– Air conditioner replacement yet to be sourced
9103101	CMP 29 Boobialla	Patio replacement – commenced – old pergola removed – gardens tidied-
9103401	CMP Knx Airport Man	Commenced – quotations sourced for exterior reclad & termite – awaiting further quotes
8103101	CMP Wyndham Child Care	tree removal completed
9103701	CMP 23 Boobialla	Shed installation completed
14203104	Refit Knx Infant Health	Refurbishment 95% complete – communications equipment yet to be installed

ENVIRONMENTAL HEALTH REPORT

November 2005

Swimming Pools – Poor water sample result from Wyndham swimming pool. Pool was super chlorinated and re-opened. Poor result may be due to insufficient filtration. Pool manager will investigate the need for a new filter.

Wyndham effluent re-use scheme – problems with the delivery of chlorine gas led to the water supply being switched over to mains. Samples will resume once the chlorine problem has been resolved and effluent is being re-used again.

Food complaints - ‘Crapalot Sugar’ complaint investigated and resolved with assistance from DoH. Product has been removed from store and DoH to follow-up with importer.

Sentinel Chicken Program - Chickens in Wyndham and Kununurra were bled to check for the presence of antibodies to mosquito borne viruses. No positive results to report since July 2005. The program increases to fortnightly samples in December and continues throughout the wet season.

Mosquito control – Fogging commenced in Wyndham at the end of November following complaints from residents. Fogging around Kununurra is anticipated to begin in December. A mosquito management plan still needs to be developed.

Nuisance/Health complaints - Ongoing noise complaint regarding a Wyndham property. Police to attend property with EHO to try and resolve the matter.

Wyndham Port Effluent Disposal – A recent blocked drain from Wyndham Town Hotel led to sewage ponding on a vacant property opposite. The drain was unblocked and the affected area covered with clean sand. The current practise of allowing sewage from the Hotel and other businesses in the area, run directly to the ocean is illegal and unacceptable. Further investigation and follow-up is required to make all sewage disposals at the Port comply.

Development – Increasing number of septic systems being installed and “covered in” without plumbers contacting the EHO to inspect the system. A letter was sent to all local plumbers reminding them of their obligations. Also, properties will not be issued with a “permit to use” if the system has not been seen by an EHO or as constructed drawings have been submitted and signed off by the plumber.

Legislation – Review of Public Health Act, Video conference with DoH representatives. Comment sent to WALGA to be included in their submission.

Training/Meetings – attended North West regional group meeting at Broome with delegates from Halls Creek, Derby, Broome, Exmouth, East Pilbara, Roebourne and staff from the DoH. Discussions included;

- Aboriginal Environmental Health needs survey
- NEW Aboriginal Health Environmental Health Training package
- Mosquito control training to run in Karratha in Mar/Apr 06
- Importance of legislation review currently occurring and the need for EHO's to get involved
- Improving EH student interest in work experience in the NW region

ABORIGINAL ENVIRONMENTAL HEALTH REPORT

November 2005

Communities visited and jobs involved:

Community	Population				No. of Visits	Purpose of Visits							
	0	<50	50 – 150	>150		PC	DH	SD	BU	HI	WM	WS	OT
Oombulgurri					1								
Kalumburu					1								
Kandiwal					1								
Bow River					1								
Doon Doon					1								

KEY:

PC – Pest Control
 DH – Dog Health Program
 SD – Sewage Disposal
 BU – Building Inspection
 HI – Housing Inspection
 WM – Waste Management (solid)
 WS – Water Supply
 OT - Other

Key Issues:

- **Oombulgurri** – visit with Paul Brown, Office of Aboriginal Health and Gary Daulby, Plumbers Licensing Board, to check compliance of plumbing works completed within the past 3 years.
- **Kalumburu** – One week visit to Kalumburu to carry-out dog health program. Community committee recently passed a decision permitting only 2 dogs per house. Recent dog attacks around the community and Committee incentives to remove dogs aided the success of the program this visit. An effort involving the Shires' AEHO, Ranger and staff from Kimberley Public Health unit managed to see 35 dogs removed from the community, 7 females treated with contraceptive Covinan and 42 dogs treated with Ivomec for parasites.
- **Kandiwal Community** – Site visit to check bore pump and water tank, following reoccurring bacterial presence in water samples. Bore well sealed and tank disinfected annually. Will follow-up with KRSP, sampling organisation, to determine reason for poor results.
- **Bow River** – Dog Health Program. Community keen to get rid of most dogs and 21 dogs were taken on this visit. Ranger will continue to visit on a regular basis to get rid of stragglers.
- **Doon Doon** – met with school teacher, Lyn and discussed possibility of EH related presentations to students next year.

Training/Meetings –

- Attended North West Regional Group Meeting at Broome with delegates from Halls Creek, Derby, Broome, Exmouth, East Pilbara, Roebourne and staff from the DoH. Discussions included;
 - Aboriginal Environmental Health needs survey
 - NEW Aboriginal Health Environmental Health Training package
 - Mosquito control training to run in Karratha in Mar/Apr 06
 - Importance of legislation review currently occurring and the need for EHO's to get involved
 - Improving EH student interest in work experience in the NW region

- Local Laws seminar
 - How to make local laws
 - Procedures to follow when amending local laws

MANAGER TECHNICAL SERVICES REPORT

NOVEMBER 2005

Current Major Works

Project	Status
Konkerberry Drive CBD & TMP	Road widening Leichhardt Street – Ebony Street Practical Completion 9/12/05 Some minor works required for Final Completion Car parking Leichhardt Street to Tristania Street has been undertaken by direct management. Completed 5/12/2005. Developing concept plans for remaining sections.
Lily Creek Boat Ramp	Close out report & payment due prior to Christmas.
Weaber Plain Road Reconstruct, Widen & Seal from LIA	Works completed by direct management.
Wyndham Boat Ramp	Works completed on pontoon extensions, last invoice required for close out report.
Lower Ord Boat Ramps	Mambi ramp, Buttons Crossing ramp & Skull Rock ramp completed & are operational, some minor works, such as signage remain in order to complete close out report. Payment advised prior to Christmas.
Stormwater Management Plan	Plan complete – MTS has uncontrolled copy – Report is being prepared for Council Briefing Session.
Resealing Contract	Contractor has completed Reseal program for 05/06
Ord Farm Roads	Work Completed – Seeking funding for ongoing repairs to remaining sections. Possible funding available if Ord Stage 2 proceeds
Nulleywah Roads	Assisting in contract supervision for Department of Housing and Works. Some minor works required before practical completion.
Landfill Sites	Kununurra land fill site is now licensed to accept liquid waste. Sims Metals have removed 52000 kg of scrap steel / car bodies. Trial of wood chipping / mulching currently underway.
Cyclone Clean Up	Cyclone Clean completed. Early calculation indicate cost are within budget.

Vegetation Control Contract	Survey completed for determination of areas for SWEK & OIC responsibility. Plans will enable future contracts to be performance based rather than schedule of rates. Drawings to be finalized in September
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Other

Internal Clients

- Addressing Service Request forms (Internal & External)
- Staff Issues – numbers / response time / skills / management –ongoing
- Seeking one new Wyndham Depot staff member.

External Clients

- Natural Disaster Funding following Cyclone Ingrid - complete
- Road Safety Issues – Fatal Accident Audit
- Review of Regulatory signage and private advertising signs -ongoing
- Ongoing liaison with developer and contractor involved in Lakeside subdivision. Lakeside Park Reticulation and repairs to playground equipment.
- Preparation of claims, certificate of completions and audit report for all external grants for 2004/2005. - Ongoing
- Preparation of Blackspot submissions for 2006/2007
- Liaising with Main Roads WA on 2006/2007 program and recoups
- Attend HESC meetings in relation to Remote Access Road Funding
- Liaising with Department of Environment on License issue for Landfill site
- Liaising with Department of Environment on Controlled Waste Implementation.
- Funding applications for 2006/2007 Recreational Boating Facilities Scheme – Wyndham Boat Ramp, Lily Creek Toilet Block.

Programming & Contract Issues

- Regular meeting with contractors providing period service contracts
- Ongoing programming and review of contract works
- Planning for Capital Works Program for 2006 /2007

Period Contract Type	Contractor	Tender Number	Contract Expiry
Refuse Collection	Kimberley Waste Services	T12 02/03	30/6/08
Litter Collection	Kimberley Waste Services	T08 04/05	30/6/08
Vegetation Control Contract	S & K Knickel	T04 02/03	30/12/07
Landfill Contractors	Kimberley Metal Recyclers	T14 02/03	30/3/07
Bitumen Sealing Services	PMP(SA) & Associates	T09 1/7/05	30/6/08

TOWN PLANNING REPORT

October & November 2005

Development Applications assessed Year to Date 2005	82
Development Applications assessed Year to Date 2004	70
Development Applications assessed Year to Date 2003	58

Position Tasks

TASK	TOTAL
Planning Approval Applications received	4
Reports to Council	2
Planning Approvals issued under delegation	12
Subdivisions / Strata Applications received	1
Subdivision / Strata Applications approved	2
Current Town Planning Scheme Amendments	2
Planning Scheme Amendments Granted Final Approval by Minister	0
Site Inspections	11

MEETINGS, ATTENDANCE & OTHER MATTERS

Date	Stakeholder	Purpose	Site / Application / Issue
1 ST	SWEK	Meeting	LPS adoption
3 rd	SWEK / SMEC	Meeting	Private Property Local Laws
7 th	J & P Kirby	Meeting	Creek crossing works
9 th	Various - Wyndham	Meeting	Wyndham Townscape
15 th	SWEK	Meeting	Council Meeting
16 th	B Cook	Meeting	Kimberley Wildlife Rescue
17 th	SWEK / D Henry / ELQ	Meeting	Club Mud
18 th	Wunan Foundation	Meeting	Lot1653 Eugenia Street
21 st	I & J Cross	Meeting	Garden Shed and extensions
22 nd	Petherick Partnership	Meeting	Road Closure
23 rd	F Glasser / ADM	Meeting	Co-generation update
	Kimberley Area Cons Committee	Meeting	Various
	Petherick Partnership	Meeting	Road Closure
	M Raven / P Barham	Meeting	Commercial Boat Harbour
25 th	L McKenzie	Meeting	Earthworks

RANGERS' REPORT

November 2005

ITEMS	KNX	WYN
Dogs Impounded	24	15
Dogs Returned	6	1
Dog Complaints	2	1
Dog Attacks	0	0
Cat Cages Delivered/Picked up	4	2
Cats Destroyed	9	2
Dogs Destroyed	55	13
Campers Moved On	2	0
Bags of Rubbish Collected	40	10
Abandoned Vehicles	1	0
Notices to Supermarket re: Abandoned Trolleys	0	0
Shopping Trolleys Impounded	0	0
Community Education (Courses Run)	0	0
Controlled Fire Attendances	3	0
Fire Permits Issued	5	0
Call Outs (After Hours & W/ends)	0	1
Weekend Pound Duties	0	1

KUNUNURRA RANGER STATISTICS – YEARLY COMPARISONS					
ITEMS	2001	2002	2003	2004	Total to end of November 2005
Dogs Impounded	319	275	257	333	298
Dogs Returned	133	89	61	69	79
Dog Complaints	40	58	54	39	47
Dog Attacks	6	12	5	8	12
Cat Cages Delivered/Picked up	60	64	66	87	454
Cats Destroyed	222	222	192	145	144
Dogs Destroyed	198	157	196	258	246
Campers Moved On	106	40	52	71	35
Bags of Rubbish Collected	538	522	497	346	1100
Abandoned Vehicles	0	5	10	11	15
Notices to Supermarket re: Abandoned Trolleys	N/A	N/A	N/A	26	0
Shopping Trolleys Impounded	22	18	0	0	0
Community Education (Courses Run)	0	1	2	0	0
Controlled Fire Attendances	28	21	48	48	28
Fire Permits Issued	36	31	36	48	25
Call Outs (After Hours & W/ends)	42	48	49	29	22
TOTAL	1750	1563	1525	1518	2505

12.1.2 Proposed Policy - Roadside Memorials

DATE:	13 December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Steven Chadwick, Executive Manager Engineering & Development Services
REPORTING OFFICER:	Steven Chadwick, Executive Manager Engineering & Development Services
FILE NO:	21.08.03
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the implementation of a Roadside Memorial Policy E 11

BACKGROUND

The erection of Roadside Memorials is becoming common practice on Road Reserves across Australia and has reached the stage where the respective State Government Departments responsible for the management of transport corridors have implemented policies and guideline controlling the erection of any memorial within the Road Reserve.

Given the liability issues associated with the erection of unauthorised structures, Council Officers have been liaising with other Kimberley Councils and Main Roads Western Australia on a uniform policy covering the erection of Roadside Memorials.

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

POLICY IMPLICATIONS

No existing Shire Policy covers Roadside Memorials

FINANCIAL IMPLICATIONS

This policy should have no financial implications for the Shire; persons wanting a plaque to be erected will be required to pay a fee that will cover the Shire's costs associated with the signage and installation.

STRATEGIC IMPLICATIONS

Key Result Area 5 – Transport
Goal 2 – Roads and Drainage

That the Shire's roads and drainage are commensurate with community expectations.

COMMENT

The draft Policy has been prepared to ensure that Council is not exposed to possible litigation, while ensuring respect for grieving family or friends is considered.

The draft Roadside Memorial Policy will attempt to address the following issues;

The Shire of Wyndham East Kimberley will:

- *Assess the placement of Roadside memorials, ensuring the location is able to cater for the plaque,*
- *Arrange for the manufacture of Roadside memorials, at the applicants cost,*
- *Council will Install the roadside memorials at suitable locations as detailed in the guidelines attached to this policy, for a nominal fee of \$120.00,*
- *Not accept responsibility for the security or maintenance of roadside memorials,*
- *Remove any roadside memorials not conforming to this policy,*
- *Not approve or provide memorials for animals,*
- *Will only approve or provide roadside memorials for accidents where accidents sites where fatalities have occurred within the previous 12 months.*

A comprehensive set of guidelines is attached and provides specific details on the installation and types of memorial that are covered by this policy.

ATTACHMENTS

Draft Roadside Memorial Policy & Guidelines

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council endorse the Roadside Memorial Policy E11.

MINUTE NO:7345

Moved Cr K Wright

Seconded Cr M Middap

That Council endorse the Roadside Memorial Policy E11.

Carried Unanimously 8-0

POLICY No:	E11
DIVISION:	Engineering
SUBJECT:	Roadside Memorials
REPORTING OFFICER:	Executive Manager Engineering and Development Services
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE:

To provide guidance to the general public regarding acceptable roadside memorials within the road reserves or the road network controlled by the Shire of Wyndham East Kimberley.

POLICY:

1. Be considerate and respectful of the needs of persons wishing to install roadside memorials,
2. Assess the placement and type of roadside memorial proposed,
3. Arrange for the manufacture of Roadside memorials, at the applicants cost,
4. Council will Install the roadside memorials at suitable locations as detailed in the guidelines attached to this policy, for a nominal fee as set by Council,
5. Not accept responsibility for the security or maintenance of roadside memorials,
6. Remove any roadside memorials not conforming to this policy,
7. Not approve or provide roadside memorials for animals,
8. Will only approve roadside memorials for accident sites where the location will not interfering with pedestrians or traffic.

ADOPTED:
REVIEWED:
AMENDED:

GUIDELINES

1. DEFINITION OF A ROADSIDE MEMORIAL

A roadside memorial can be described as an object or image constructed, erected, planted, printed or placed on the road or within the road reserve in honour of family or friends whose lives have been lost on the road.

1.1 REQUESTS FOR ROADSIDE MEMORIALS.

When touched by tragedy, family and friends find roadside memorial can help comfort and heal, as it provides a tangible record of a life lived and serves as a reminder to the community to drive carefully. Where requests are received, The Shire of Wyndham East Kimberley can provide support to family and friends by assisting them to understand the requirements of this policy and install a suitable roadside memorial at the safest location. It should be noted that these guidelines are intended to provide guidance to Council Officers and each case should be dealt with in an individual basis.

The Shire of Wyndham East Kimberley's foremost concern is that all road users are provided with a safe road environment and that family and friends and road user are safe whilst a roadside memorial is being erected, visited, or is being maintained. It is important that family and friends park their vehicles safely and clear of the road while attending the roadside memorial.

This policy is only applicable to roads dedicated in the Shire of Wyndham East Kimberley. Where the request for a Roadside Memorial is within the reserves of the Victoria and Great Northern Highways or the Gibb River Road, Main Roads WA will need to provide consent.

1.2 RECORDING REQUESTS FOR ROADSIDE MEMORIALS

All applications for Roadside Memorials shall be directed to the Engineering Department within the Shire, who will arrange for the nominated location to be inspected prior to any approvals being granted. The Shire of Wyndham East Kimberley's, Engineering Department will maintain a record of requests for roadside memorials. The details will be documented so the person/s responsible for the roadside memorial can be contacted if necessary.

1.3 MEMORIAL REQUIREMENTS TO MAXIMISE ROAD SAFETY

The Shire of Wyndham East Kimberley will assess the applications of bereaved family members and install a paver with a plaque as per standard specifications developed by the engineering department, or install other memorial devices deemed appropriate in remote locations.

1.4 ROADSIDE MEMORIALS - TYPES AND STRUCTURE

Note: these specifications should be used as a guide only, common sense should prevail when assessing specific locations for placement of roadside memorials.

1.5 CROSS - RURAL AND REMOTE ROADS ONLY

Crosses are constructed from timber and are:

- 850mm long (600mm out of the ground) and 400mm wide,
- Built from pieces 40mm x 18mm,
- Painted white and are non-reflective.

Crosses shall be located:

- No closer than 1 meter of the line of guideposts; and
- No closer than 3 meters of the edge of any bitumen/road seal; and
- No closer than 1 meter from the edge of any shared path.

Crosses shall not be located:

- Where they may interfere with the role of any traffic control item,
- In residential areas or townships across the Shire of Wyndham East Kimberley,
- On landscaped verges,
- On traffic islands, medians or roundabouts,
- On any roadside structure.

The cost of manufacture or supply of the Cross will be the responsibility of the applicant.

1.6 PAVER

Pavers are to be a grey concrete of 200mm long and 150mm wide.

Pavers shall be laid flush with the existing surface and are permitted to be located:

- Within townships and community boundaries to ensure interference with pedestrian traffic does not occur.

1.7 DECAL

Shall not be permitted for use within the Shire of Wyndham East Kimberley.

1.8 PLANTS

Plants must comply with Councils' vegetation placement guidelines in regards to trunk size and setback distance. The requested plant type must be stated as part of the application/approval process and the Council Officer will verify the appropriateness of the plant type for the location.

Examples of locally occurring plants that would be suitable for the metropolitan area are as follows:

- Adansonia Gregorii 'Boab',
- Eucalyptus Ptychocarpa 'Spring Bloodwood',
- Many of the Melaleucas,
- Plumeria Rubra 'Frangipani',
- Tabebuia Chrysantha 'Golden trumpet Tree'.

Plants shall be located:

- No closer than 3 meters from the edge of any shared path,
- On traffic islands and medians where the landscaping permits.

Plants shall not be located:

- Where they may interfere with the role of any traffic control item,
- In close proximity to residential dwellings where they may cause concern to occupants,
- On landscaped verges.

1.9 ADDITIONAL REQUIREMENTS

Roadside memorials shall not be provide with memorabilia such as artificial flowers, toys, pot plants, shoes, clothing etc. There shall also be no footings, decorative kerbing, rocks, bricks, or fencing around the memorial.

Only one (1) roadside memorial shall be allowed per life lost and memorials will be removed by the Shire of Wyndham East Kimberley 5 years after their initial installation.

1.10 INSTALLATION OF ROADSIDE MEMORIALS

A Council representative will install the roadside memorials, once payment has been received, this is not negotiable. The Shire of Wyndham East Kimberley representative will ensure its placement is in accordance with the Council's standards and requirements and most importantly take into consideration the safety of road users. Council officers will consider safety issues such as where the road geometry is less than optimum i.e. road crests, bends and high-speed locations.

1.11 MAINTENANCE OF ROADSIDE MEMORIALS

The Shire of Wyndham East Kimberley does not accept responsibility for the maintenance of any roadside memorial, or the loss, damage, removal or relocation of roadside memorials that may occur due to road maintenance, construction activities or vandalism.

1.12 ROADWORKS/MAINTENANCE NEAR APPROVED ROADSIDE MEMORIALS

The Shire of Wyndham East Kimberley will continue to perform all construction and maintenance works required within road reserves that contain roadside memorials.

Where works are required to the ground on which an approved roadside memorial is located, the memorial will be carefully shifted away from the work area for the duration of works and then re-installed as close as practical to the original location at the conclusion of the works. Care will be taken to minimise damage to the roadside memorial.

1.13 ROADSIDE MEMORIAL REMOVAL PROCEDURE

One of the Shire of Wyndham East Kimberley's key objectives is to maximise road safety on Council's roads. Any roadside memorial presenting a safety hazard may be removed without notice.

1.14 EXISTING MEMORIALS

The Shire of Wyndham East Kimberley will treat all existing roadside memorials in a sensitive manner and will address each one on an individual basis with the aim of making roadside memorials compliant with this policy

Cr K Wright declared a Proximity Interest and Members Impartiality Interest in item 12.1.3 and left the room at 6.11pm.

12.1.3 PROPOSED ROAD CLOSURE - PETHERICK PARTNERSHIP - PAPUANA STREET SERVICE AREA

DATE:	20 December 2005
PROPONENT:	Petherick Partnership Pty Ltd
LOCATION:	Loading and Delivery Service Area, Papuana Street and Konkerberry Drive Kununurra
ATLAS REFERENCE:	N/A
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.5482.02:01.5483.02:01.6046.02
ASSESSMENT NO:	5482,5483,6046

PURPOSE

For Council to consider a request to close a section of road reserve located between Konkerberry Drive and Papuana Street currently used as a parking and delivery area.

BACKGROUND

The proponents have engaged Council officers in discussions regarding closure of road reserve located behind existing buildings between Konkerberry Drive, Papuana Street, Cotton Tree Avenue and Coolibah Drive. These discussions related to engineering issues associated with the proposed closure.

Correspondence was received requesting closure of the subject road reserve, and Council advertised the proposed closure. A number of submissions were received during advertising, and these are outlined below.

SITE LOCATION

The land that has been requested to be closed is located at the rear of existing shops that front Konkerberry Drive and Papuana Street. The area is surrounded by buildings, with access points located on these two streets. This laneway services the proponents' shops as well as three other buildings bound by the street network. The closure applied for is shown below.

PROPOSED LAND USE / DEVELOPMENT

The proponent intends that, once closed, the land would be amalgamated with the proponents existing landholdings and would be used for the redevelopment of the retail development. The current application is solely for the road closure, and further plans will be lodged for the redevelopment of the retail development once the closure and amalgamation has occurred.

The closure also affects Reserves 38084, which is vested in Council, and Reserve 36337, which is vested in Western Power, and contains some power infrastructure. It is understood that

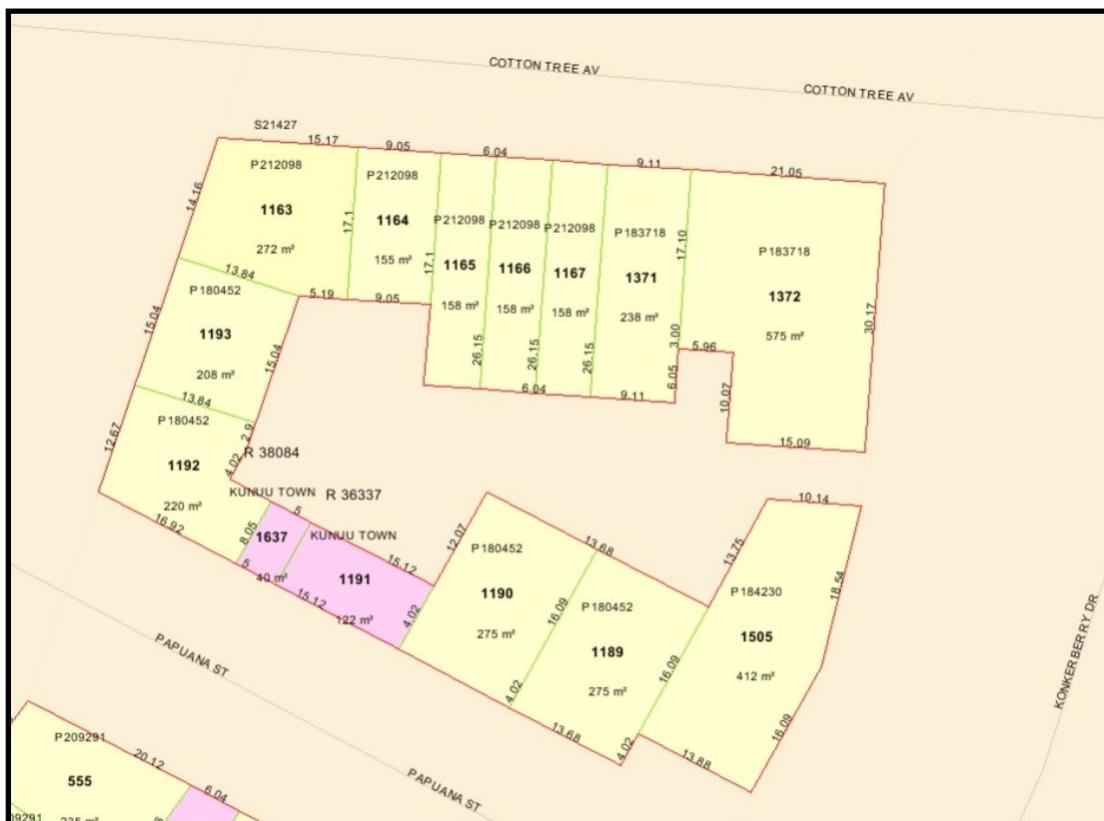
Western Power has no objection to the closure subject to the applicants meeting specific requirements.

The closure would result in a reduction of the number of access ways to surrounding streets.

Figure 1: Land proposed to be closed by Petherick partnership.



Figure 2: Land Tenure



FINANCIAL IMPLICATIONS

The applicant has been requested to pay for advertising costs. No other fees are applicable. No income would be derived from the closure.

CONSULTATION

Advertising for a road closure is required to be 30 days under the Land Administration Act 1997. The proposed closure was advertised for the requisite number of days. Referrals were made to all adjoining and adjacent landholders as well as all appropriate servicing and infrastructure agencies.

A number of submissions were received and these are summarised below:

Agency/Person	Comment	Recommendation
Kimbercrust Bakery	No objection, comment on following issues: 1. Supports development and beautification of town. 2. Parking arrangements not supported. 3. Area should be parking free at all times, including staff parking for other businesses. 4. Drainage may be affected. 5. Policing would be affected. 6. Vehicles reversing onto Konkerberry Drive dangerous. 7. Increased risk in emergency due to lack of exits. 8. No gate should be erected. 9. Bakery is not being relocated.	The following recommendations are made with regard to these comments: 1. Comment supported. 2. Comment supported. 3. Comment supported. 4. Comment supported - would be a development requirement. 5. Comment not supported - discussions with Police confirm no concerns, and may be potential benefits. 6. Comment supported. 7. Building standards address fire safety issues 8. Comment noted. 9. Comment noted.
McLean Enterprises	Objection on the following grounds: 1. Number and size of McLeans deliveries to bakery would be problematic. 2. Insufficient space for servicing with McLean's vehicles. 3. Reversing of vehicles onto Konkerberry Drive is dangerous. 4. Parking arrangements not supported. 5. Closure of exit onto Papuana Street not supported. 6. Allotment of loading times not supported.	The following recommendations are made with regard to these comments: 1. Comment noted. 2. Comment noted. 3. Comment supported - closure should only occur if reversing is prohibited. 4. Comment supported - closure should only occur if parking is prohibited. 5. Comment noted. 6. Comment noted.
Valentines Pizzeria	No objection, comment on the	The following recommendations

	<p>following issues:</p> <ol style="list-style-type: none"> 1. Supports development and beautification of town. 2. Employee parking required. 3. Areas for rubbish bins required. 4. Adequate space required for loading and delivery vehicles to ensure traffic congestion does not occur. 5. Reversing of vehicles onto Konkerberry Drive is dangerous. 6. Closure will impact on visual surveillance. 7. Increased risk in emergency due to lack of exits. 	<p>are made with regard to these comments:</p> <ol style="list-style-type: none"> 1. Comment supported. 2. Comment noted. 3. Comment supported - closure should only occur if bins can be accommodated. 4. Comment supported - closure should only occur if parking is prohibited. 5. Comment supported - closure should only occur if reversing is prohibited. 6. Comment noted. 7. Building standards address fire safety issues
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No submissions were received from servicing and infrastructure agencies.

Discussions with the police department confirm that while there may be minor implications with access to the rear of the buildings, the closure is likely to improve policing by reducing the number of escape routes for suspects.

The applicant has provided comment from Western Power that indicates that Reserve 36337 can be closed subject to the retention of a 1 metre buffer around the permitter of its infrastructure, and subject to no development occurring vertically above the infrastructure.

PLANNING ASSESSMENT

The proposed closure will allow for the redevelopment of existing retail facility. Significant benefits may be obtained by permitting the proposed closure:

- Improved streetscapes to Papuana Street
- Increased parking on Papuana Street
- Redevelopment of older buildings
- Improved security to the loading areas

Impacts on other developments would be appear to be limited for the following reasons:

- Trucks cannot presently exit onto Papuana Street due to the geometry of the intersection with the laneway and Papuana Street.
- The laneway/loading areas are predominantly utilised for loading and staff parking

The applicant has liaised with other landholders in the vicinity, and has some support from some, and has also liaised with transport and freight company's that have advised that the proposed closure will have minimal impact on current loading and unloading practices and operations.

Notwithstanding this a number of issues have been raised by the submissions lodged:

- Parking
- Loading and deliveries
- Policing
- Emergency access / egress

While the applicant has provided photos and written support stating that the servicing and loading can occur without significant impacts, this requires reversing of trucks either into or out of the area. It is considered optimal that trucks do not reverse either into or out of the service area.

The applicants have submitted rudimentary plans showing how the service area would work; the plans do not show any detail or turning circles for trucks or vehicles. Without sufficient information from the applicant, a number of strategies are required to address these issues.

It is recommended that there is a reduction in the area proposed to be closed. This reduction is demonstrated on the attached plan. While no surveyed plans are available, it is approximately calculated that this would result in a loss of some 50 - 75 metres in the area applied for. The total area closed would then be about 350 - 400 square metres, [including the portion of the Western Power reserve that would be closed].

It is also recommended that the proposal be conditioned such that all vehicles must enter and exit the delivery area in a forward direction. This will ensure that risks are minimised.

To ensure minimal conflict between loading and servicing vehicles and employee and public parking areas, no employee or public parking shall be permitted within the delivery, loading and service area. It is suggested that critical times would be between 7am and 4pm weekdays and 7 am and 12 noon weekends. This will result in 5-10 parking bays in the vicinity being used by employees of the businesses, however, the introduction of additional parking bays on Konkerberry Drive will provide sufficient parking, and the eventual development of the land will also result in a contribution to parking funds as a result of parking requirements of the Scheme.

It is anticipated that some 15 - 20 bays would be required for the 350 - 400 square metres of retail space that would be created by the closure. The development would require a cash contribution to Councils parking reserve in the order of 50 to 60 thousand dollars dependant on calculated costs.

It is considered that should these conditions not be applied to the closure, then Council should not support the closure until such time as additional information is submitted in support of the application, specifically a traffic management plan.

Its is also evident that some vehicles using the service area are exiting along Papuana Street counter to traffic flow restrictions. This activity should be prevented.

It should be noted that while Petherick Partnership applied for the Road Closure, it may be offered for expressions of Interest if the Petherick Partnership determines not to proceed with purchase of the land.

ATTACHMENTS

A plan showing the area recommended to be closed is below

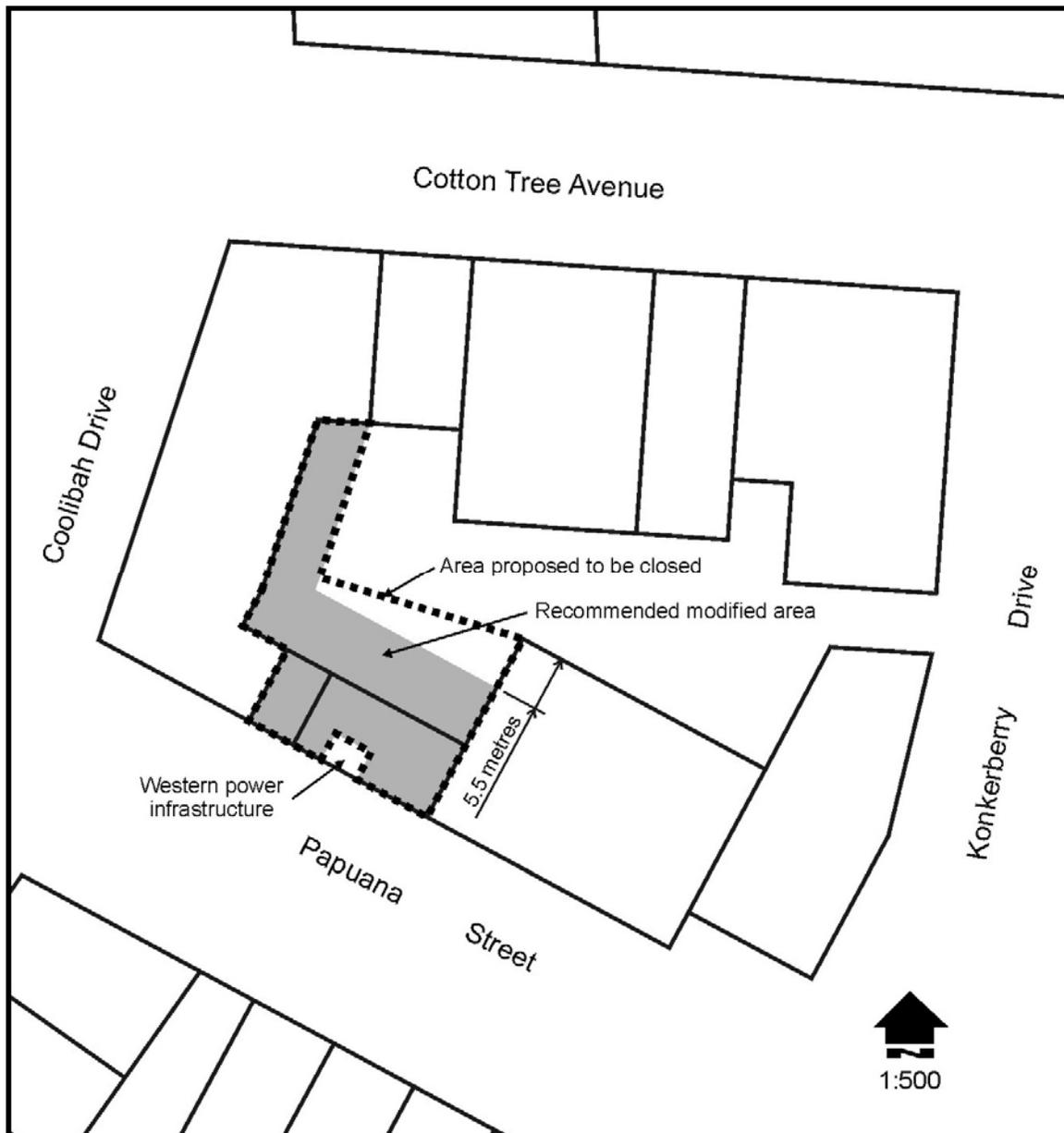


Figure 3: Proposed modified area to be closed [in grey].

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

That Council advise the applicant – Petherick Partnership Pty Ltd that it supports the closure of road reserve adjoining Konkerberry Drive and Papuana Street subject to the following conditions:

1. Only the portion hachured on the attached plan shall be closed;
2. The applicant shall prepare a delivery and servicing management plan addressing the following issues to the satisfaction of Council:
 - A All vehicles entering and exiting the delivery area shall do so in a forward direction
 - B No employee or public parking shall be permitted within the delivery, loading and service area between 7am and 4pm weekdays and 7 am and 12 noon weekends.
3. The Closure is to take place in accordance with the Land Administration Act 1997;
4. Acceptable remuneration to council for the closure of the road.
5. Acceptable remuneration Councillor parking.

MINUTE NO:7346

Moved Cr J Nelson

Seconded Cr M Middap

That Council advise the applicant – Petherick Partnership Pty Ltd that it supports the closure of road reserve adjoining Konkerberry Drive and Papuana Street subject to the following conditions:

1. ***Only the portion hachured on the attached plan shall be closed;***
2. ***The applicant shall prepare a delivery and servicing management plan addressing the following issues to the satisfaction of Council:***
 - A All vehicles entering and exiting the delivery area shall do so in a forward direction***
 - B No employee or public parking shall be permitted within the delivery, loading and service area between 7am and 4pm weekdays and 7 am and 12 noon weekends.***
3. ***The Closure is to take place in accordance with the Land Administration Act 1997;***

Carried Unanimously 8-0

Note: Points 4 & 5 in the Officers Recommendation were unintended and caused by a formatting error in the agenda.

Cr K Wright re-entered the room at 6.22pm

12.1.4 Local Law Amendment Proposal: Activities in Thoroughfares

DATE:	13 December 2005
PROPONENT:	N/A
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Steven Chadwick, Executive Manager Engineering & Development Services
REPORTING OFFICER:	Steven Chadwick, Executive Manager Engineering & Development Services
FILE NO:	N/A
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider making an amendment to the *Shire of Wyndham East Kimberley Activities in Thoroughfares and Public Places and Trading Local Law 2003 - Part 2 – Activities on Thoroughfares and Public Places*

BACKGROUND

Advice received from the Western Australian Police Department indicates that the statement 'sealed container' does not adequately address the issues noted when dealing with people using containers with resealable caps or lids. Issuing infringement notices to persons that have indicated that the container that their alcohol is in complies with the local law because it is sealed with a lid, would clearly be a waste of the Courts, Police and the Shires resources.

Although the intent of this local law is to inhibit consumption and possession of alcohol in thoroughfares within the Shire of Wyndham East Kimberley it does not adequately address the Shires intent and leaves clause 2.3(2) open to speculation and debate.

Current Wording

Councils *Activities in Thoroughfares and Public Places and Trading Local Law 2003, Part 2— Activities On Thoroughfares And Public Places Section 2.3* is currently adopted as below:

- 2.3 *No possession and consumption of liquor on thoroughfare***
- (1) *A person shall not consume any liquor or have in her or his possession or under her or his control any liquor on a thoroughfare unless—*
- (a) *that is permitted under the Liquor Licensing Act 1988 or under another written law; or*
- (b) *the person is doing so in accordance with a permit.*
- (2) *Subclause (1) does not apply where the liquor is in a sealed container.*

An amendment to remove the ambiguity of the current draft is considered necessary.

STATUTORY IMPLICATIONS

The Process of Developing a Local Law

Section 3.12 of the Local Government Act prescribes the process that must be followed to enact a Local Law.

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give State wide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* Absolute majority required.
- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
 - (a) stating the title of the local law;
 - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.

- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
“**making**”~ in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are minor costs associated with the proposed modification of a local law such as advertising, external review and gazettal costs. These costs are not significant and can be absorbed within existing budget resources.

STRATEGIC IMPLICATIONS

Goal 5 – Legislation

That Council has established appropriate responses to legislative and local law issues.

COMMUNITY CONSULTATION

Amendments to local laws are required to be advertised for 42 days. Any public submissions received are to be considered by Council.

COMMENT

The intent of this Local Law is to prohibit the consumption of alcohol on thoroughfares within the Shire of Wyndham East Kimberley. If there is no specific notation within the content of the law that stipulates *‘never before opened’* then the intent of the law fails because bottles and containers that have previously been opened and the content consumed in part or whole are made compliant when the lid or seal is replaced.

The fourth edition of The Australian Concise Oxford Dictionary states; *“A seal is a substance or device used to close an aperture or act as a fastening”*. Ergo, clause (2) does not indicate that the device must not have previously been used or content of the bottle or container accessed.

Below are the changes considered necessary to enforce this Local Law appropriately including the inclusion of a new definition ‘Shop Sealed’:

1. PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Wyndham - East Kimberley Activities In Thoroughfares and Public Places And Trading Local Law*.

1.2 Definitions

In this local law unless the context otherwise requires—

“**Shop Sealed**” means a package, container or bottle that has not had the seal broken and content accessed.

2.3 No possession and consumption of liquor on thoroughfare

(1) A person shall not consume any liquor or have in her or his possession or under her or his control any liquor on a thoroughfare unless—

(a) that is permitted under the *Liquor Licensing Act 1988* or under another written law; or

(b) the person is doing so in accordance with a permit.

(2) Subclause (1) does not apply where the liquor is in an unopened shop sealed container.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That:

Council initiate the following amendment to the Shire of Wyndham East Kimberley Activities in Thoroughfares and Public Places and Trading Local Law 2003.

MINUTE NO:7347

Moved Cr K Wright

Seconded Cr J Buchanan

That item 12.1.4 be deferred pending clarification.

Motion defeated 2-6

Cr K Wright requested that the votes be recorded.

For

Cr J Buchanan

Cr K Wright

Against

Cr J Nelson

Cr B Barnes

Cr M Middap

Cr M Pucci

Cr R Devenish Meares

Cr J Parker

MINUTE NO:7348

Moved Cr B Barnes

Seconded Cr J Nelson

**Council initiate the following amendment to the Shire of Wyndham East Kimberley Activities in Thoroughfares and Public Places and Trading Local Law 2003
With the change of wording from shop to factory sealed.**

Carried 6-2

Cr K Wright requested that the votes be recorded.

For

Cr M Middap

Cr J Nelson

Cr B Barnes

Cr M Pucci

Cr R Devenish Meares

Cr J Parker

Against

Cr J Buchanan

Cr K Wright

LOCAL GOVERNMENT ACT 1995

SHIRE OF WYNDHAM - EAST KIMBERLEY

ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING LOCAL LAW 2003

Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the Shire of Wyndham-East Kimberley resolved on the 8 December 2005 to make the Shire of Wyndham-East Kimberley Amendment Local Law 2003.

In this local law, the Shire of Wyndham-East Kimberley Local Law as published in the Government Gazette on 21st day of October 2003 is referred to as the principal local law. The principal local law is amended as follows:

Subclause 1.2 Definitions amended

Insert into subclause 1.2 Definitions

“**Shop Sealed**” means a package, container or bottle that has not had the seal broken and content accessed.

Subclause 2.3 amended

Delete Subclause 2.3 and substitute

2.3 No possession and consumption of liquor on thoroughfare

- (1) A person shall not consume any liquor or have in her or his possession or under her or his control any liquor on a thoroughfare unless—
 - (a) that is permitted under the *Liquor Licensing Act 1988* or under another written law; or
 - (b) the person is doing so in accordance with a permit.
- (2) Subclause (1) does not apply where the liquor is in an unopened shop sealed container.

12.1.5 COMMERCIAL BOAT FACILITY INVESTIGATIONS

DATE:	20 December 2005
PROPONENT:	SWEK
LOCATION:	NA
ATLAS REFERENCE:	NA
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.2860.02
ASSESSMENT NO:	2860

PURPOSE

For Council to authorise officers to adapt Concept Plan 3 as presented for potential commercial boating facility on Reserve 41812 and Reserve 29297 near Swim Beach, and for Council to consider preparation of a business plan for construction and on going management.

BACKGROUND

Council has been dealing with this issue for some time, and various reports and deliberations have occurred regarding a preferred commercial boating facility.

To date, no concurrence on a facility has been able to be achieved.

In the course of investigating and addressing issues regarding operational impacts of some commercial boat operators, Council officers reviewed a number of potential locations for the temporary relocation of these users, to provide temporary solutions to conflicts.

During assessment of the various identified locations, officers and operators identified the suitability of the recommended site. The existing site consists of a small man made inlet located near the existing sailing club buildings.

This site was assessed and determined by the operators and officers as being highly suited for development of a commercial boating facility, for the following key reasons:

- Capacity for individual leases
- Reduced conflicts with recreational users
- Potential reduced pollution
- Relocates conflicting uses outside the P1 Public Drinking Water Supply Area [PWDSA]

The site is located on two reserves, Reserve 41812, which is the foreshore reserve, and Reserve 29297, which is a reserve for recreation. Advice from the Department for Planning and Infrastructure indicates that both reserves enable leasing.

An initial Strengths, Weaknesses, Opportunities and Threats assessment has determined that there are significant benefits, with relatively minor weaknesses, all of which can be overcome:

Strengths

- Downstream from M1 intake
- Downstream from P1 PDWSA
- Previously cleared of vegetation
- Good water depth
- General support from commercial operators
- Broad stakeholder support
- Easy access to power supply
- Relatively low cost
- No significant impact on Flora
- No significant impact on Fauna
- Not a Ramsar breeding area
- No significant environmental impacts

Weaknesses

- No access to sewerage
- Current level of vandalism anti-social behaviour
- Proximity to Diversion Dam
- Proximity to Gazetted Ski Area
- Possible impacts of storm debris [Cumbungi islands etc.]

Opportunities

- Passive surveillance of community assets
- Increased profile of ski and sail clubs
- Increased foreshore management
- Improved public access to foreshore area

Threats

- Potential conflicts with skiers/sailors
- Water access constraints during floods
- Increased travel distances from town & accommodation

Concept plans have been developed for the proposal.

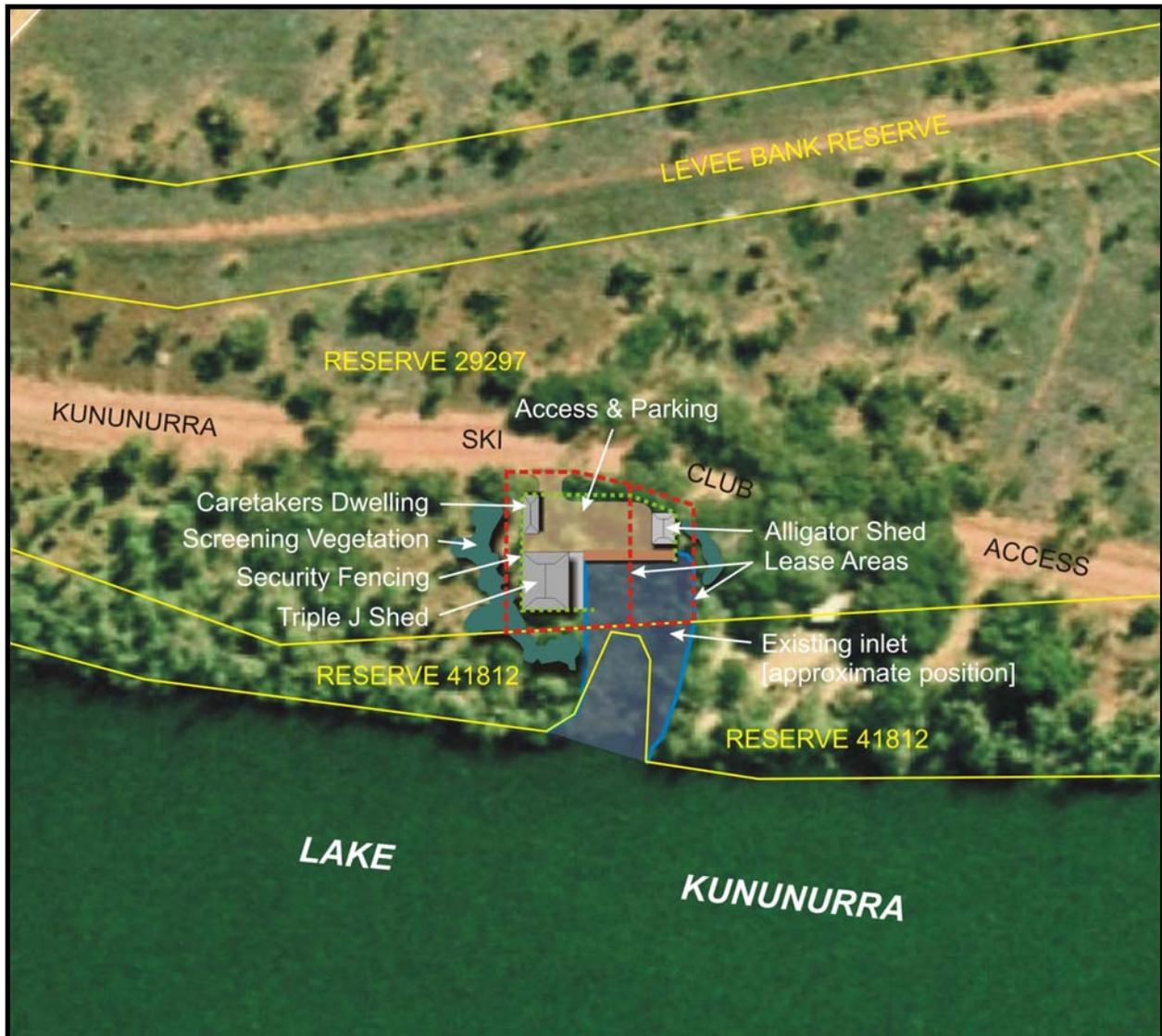
CONCEPT 1

This concept shows a small facility catering for two or three proponents, and was originally envisaged to be a short term lease [5 years] to provide tenure for several operators that are experiencing conflicts.

The tenets of this proposal were:

- 5 year lease
- Lease to expire with development of any commercial boating facility
- Co-located triple j tours and alligator float plane facility

- Caretakers dwelling to provide security only
- Caretakers dwelling limited to two bedrooms and 75 square metres
- All buildings to be aesthetically designed with verandahs and
- Architectural features
- All structures to be removable
- All fuel services to be inside sheds
- Vegetation screening to consist of endemic species



CONCEPT 2A

This concept, modified as a result of consultation, demonstrated how a commercial boating facility could be developed at the subject site if it was developed as a permanent facility. Key tenets of this proposal are:

- Long term leases - 10 to 21 years
- Shire to develop and lease to tourism operators

Ordinary Council
20/12/05 AGENDA

- Developers to develop individual lease areas
- Caretakers dwelling to provide security only
- Caretakers dwelling limited to one bedroom and 60 square metres
- All buildings to be designed in accordance with design guidelines
- All fuel services to be inside sheds
- Vegetation screening to consist of endemic species
- No leases to be issued in other locations



CONCEPT 2B

This concept demonstrates the long term potential of the site to cater for other users and increased tourism operators, if expansion is required beyond existing carriers:



FINANCIAL IMPLICATIONS

Continuation of investigation of the proposed facility will require officer's time. Further investigations will also require engineering input, and this may require external consultants that will incur a fee.

CONSULTATION

Public consultation has occurred as a result of meetings with:

- Commercial Boat Operators
- Ord River Waterways Management Group
- Lake Kununurra Foreshore Plan Steering Committee
- Ord River Sailing Club
- Kununurra Water Ski Club
- Council

Comment from commercial operators is positive and the proposal has broad support from all sectors of the industry. There is some minor concern regarding future operating requirements for hire drive operators, however, it is recognised that this issue will require a separate and distinct solution.

General comment from the Ski Club, ORWMG and LKFPSC is positive, though with a number of issues to be addressed:

- Potential impact of closure during flood events when river is closed between the M1 Channel and Diversion Dam
- Leasing of other foreshore areas must be prohibited and commercial operators must be directed to use the facility, to ensure it remains viable and that ad hoc development of the foreshore does not occur.

Comment from the Ord River sailing club was generally not supportive, for the following reasons:

- Potential impact on sailing club built infrastructure
- Potential impact on sailing club operations
- Potential conflict with commercial users and sailed vessels

While there are serious concerns by the sailing club, the proposal has been redesigned to eliminate these conflicts.

At the September Council meeting, Council resolved as follows:

1. *That Council authorises a community consultation program for the proposed Commercial Boating facility.*

A public meeting was held on 13 October 2005. This meeting was well attended with over 50 people attending. Generally the meeting was very positive, and comments related to incidental issues [such as whether or not to allow a café], and the site of the facility was not called into contention.

A public submissions process was undertaken, and some submissions were received. All submissions support the proposed facility, and no objections were received.

The following summary of submissions details the submissions received:

Name	Submission	Comment
Kununurra Visitors Centre	Strong Support for the subject site and the concept plans	Supports subject site.
	Strong potential for incidental tourism activities	Agreed. Can be addressed during feasibility study.
	Potential issues such as navigation and speeds can be addressed.	Agreed. Can be addressed during feasibility study.
	Should be leased to operators by the Shire to facilitate re-investment in foreshore.	Agreed. Site should be leased by Shire to operators, and revenue should be directed to foreshore.
	Submission includes comment from 8 other agencies/companies that support the preferred location.	Supports subject site.
Tourism Australia Western	Strong Support for the subject site and the concept plans	Supports subject site.
	Access road should be modified to provide direct access.	Agreed. Plan modified accordingly.
	Proposal should include pedestrian links and pathways as well as interpretive signage.	Agreed. Plan modified accordingly.

The plan has been modified as **Concept 3** to address these issues:

COMMENT

The proposal has progressed significantly, and has broad support from a number of key stakeholders, and has potential to provide for operators needs. The proposed facility has critical



support from the public, as well as the tourism industry. The plans have been modified in accordance with the comment received during the submission period. There are a number of other incidental issues that may require modifications to the plans, however, these are minor in nature and can be resolved during the feasibility assessment process.

Significantly, if the project develops simply to cater for two or three operators, the assessment and investigations are still required.

Accordingly, it is recommended that the proposed facility is endorsed by Council in accordance with the modified plans, and that further assessment and investigation is continued.

This assessment will involve Council officer's time and will not involve additional funding or outsourcing. If this is required an agenda item will be put to Council to discuss these issues.

ATTACHMENTS

A copy of the concept plans are included in this agenda item.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

1. That Council endorse the proposed commercial boating facility as per the plan labelled Concept 3.
2. That Council authorise the CEO and officers to undertake a detailed investigation into a potential commercial boating facility as per Concept 3.
3. Preparation of a costed business plan, for Financial engineering components of the proposal of Concept 3.

MINUTE NO:7349

Moved Cr J Buchanan

Seconded Cr R Devenish Meares

1. ***That Council endorse the proposed commercial boating facility as per the plan labelled Concept 3.***
2. ***That Council authorise the CEO and officers to undertake a detailed investigation into a potential commercial boating facility as per Concept 3.***
3. ***Preparation of a costed business plan, for Financial engineering components of the proposal of Concept 3.***

Carried 7-1

12.1.6 Policy E12 Report

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Steven Chadwick, Executive Manager Engineering & Development Services
REPORTING OFFICER:	Steven Chadwick, Executive Manager Engineering & Development Services
FILE NO:	N/A
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider adopting Council Policy No. E 12 Plant and Vehicles – Change Over

BACKGROUND

Annually Council provides a budget identifying a sum of money to purchase light plant, cars and commercial vehicles. At present there is no policy or guidelines that has formal acceptance of Council and provides Management and Staff with an understanding of an accepted purchasing process. The Local Government Act 1995 provides statutory guidance for purchases over \$50,000 however, it is silent on purchasing practices for items costing less than this sum.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

This is a new policy

FINANCIAL IMPLICATIONS

Council annually adopts a budget for the purchase of light vehicles and plant currently at \$384,120 (Reduced). This policy aims to create best practice and value for money in the purchase of light vehicles and plant by providing Management with accepted purchasing practices.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Not Required

COMMENT

To ensure that staff have appropriate written guidance from Council in what purchasing practices it considers appropriate for the purchase of plant, cars and commercial vehicles we need to adopt a policy that provides direction.

Locking purchases to tender contracts inhibits the ability of the Shire to purchase 'run out' specials offered by vehicle manufacturers at various times of the year. Having flexibility to purchase at times when sales of this type are offered would enhance value for money and provide an opportunity to either reduce costs or have required add ons fitted within the cost of the vehicle not as an optional extra.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That Council adopts Council Policy E 12 Plant and Vehicle – Purchase of, as presented.

MINUTE NO:7350

Moved Cr B Barnes

Seconded Cr K Wright

That Council adopts Council Policy E 12 Plant and Vehicle – Purchase of, as presented.

With the change under professional integrity, dot point five 'corporation' to become 'shire'.

Carried Unanimously 8-0

POLICY No:	E 12
DIVISION:	Engineering and Development Services
SUBJECT:	Plant and Vehicles – Change Over
REPORTING OFFICER:	Executive Manager Engineering and Development Services
ENABLING LEGISLATION:	

OBJECTIVE

To provide clear direction to management and staff in relation to the purchase of Shire vehicles, whether cars, commercial vehicles or heavy plant, and establish a decision framework that;

- Ensures purchases are made in an open, fair and transparent manner;
- Delivers best value for money;
- Ensure open and effective competition;
- Encourage local suppliers;
- Ensure the Shire’s purchasing activities are in accordance with its legislative and common law responsibilities.
- Ensure required vehicles are purchased within Councils adopted budget constraints.

POLICY:

1. Professional Integrity, Accountability and Probity

To enhance professional integrity, accountability and probity:

- Shire Officers engaged in purchasing will at all times undertake their duties in an ethical and impartial manner, act responsibly and exercise sound judgement;
- The Shire conducts tenders with integrity in accordance with the provisions of the Local Government Act 1995;
- All processes relating to Shire purchases will be open, fair and transparent;
- Shire Officers will not use or disclose information that confers unfair advantage or financial benefit or detriment on a supplier or potential supplier;
- Shire Officers will not engage in any activity that would create conflict between personal interest and the interest of the Corporation;
- Shire Officers have delegated authority to change over the vehicles within the annual adopted budget allocation.

2. Assessment

- For the purpose of tender/quotation assessment the following formula will be utilized;

Price	70%
Operates Local	10%
Availability	10%
Experience	10%

3. Local Business

To enhance the opportunities for local business and industry (which operate and have business situated within the Shires geographical area), local suppliers will be considered for Shire business on the basis of value for money, capability and efficient purchasing practices, in conjunction with the requirements of the Tender assessment or received quotations.

Adopted:
Amendments/Review:

12.1.8 T05 05/06 Shire Cleaning Contract East Kimberley Regional Airport Kununurra Terminal Buildings

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	East Kimberley Regional Airport Kununurra Terminal Building
ATLAS REFERENCE:	Map 38,G5,
AUTHOR:	Rick Spry, Airports Manager
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager of Corporate and Community Services
FILE NO:	63.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider tenders to undertake the cleaning of the East Kimberley Regional Airport Kununurra Terminal Buildings.

BACKGROUND

The tender was advertised in both the West Australian newspaper and the Kimberley Echo on the 23rd and 24th November 2005. The tender documents indicated that tenders for this contract closed at 2.00pm the 9 December 2005. The tender box was opened at the scheduled time/date by the Building Surveyor/Inspector, Sharon McLachlan, Airports Manager, Rick Spry and Engineering and Development Support Officer, Rachel Lines. Due to unforeseen circumstances a Councillor was unable to be in attendance. Two bids for the works were received from the following organisations:

- K & M Allclean
- Delron Group

Whilst in advertising it was indicated that the Shire of Wyndham East Kimberley may prepare an "in-house" bid for the tender, no bid was submitted.

Council's selection criteria for this contract were:

Lump Sum Tendered Price	70%
Ability to do Tasks	15%
Hourly Rate for Unspecified Cleaning Tasks (Labour only)	5%
Previous Experience	10%
TOTAL	100%

STATUTORY IMPLICATIONS

This service has been tendered as the total value of the works is above the \$50,000 maximum contract value legislated by the Local Government Act.

The Local Government Functions and General Regulations stipulate the legislative requirements for the conduct of tenders by local government authorities. This tender process complies with these regulations.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

The current annual cleaning costs that Council incurs are \$55,000.00 plus additional costs for incidental cleaning. The lowest price received for this contract is \$53,106.26.

Given the scope of work, the lowest tendered price is considered to be good value for money for the Shire.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this matter.

COMMUNITY CONSULTATION

N/A

COMMENT

Local Government Employee Award conditions make it difficult to compete with the private sector in this industry. Additionally the equipment purchases required by the Shire (and not by other contractors) would place additional costs on the Shire's in-house bids.

All bids that have been received have been assessed against the Council approved selection criteria. This process has identified Delron Group as the preferred tenderer for the service. This firm has the experience and ability to undertake the necessary works and has submitted a competitive price.

ATTACHMENTS

Tenders will be available for perusal at the Council Meeting.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council award contract T05 05/06 Cleaning Contract East Kimberley Regional Airport Kununurra for 18 months Delron Group for the tendered price of \$53,106.26.00 (GST exclusive) per annum.

MINUTE NO:7351

Moved Cr J Nelson

Seconded Cr R Devenish Meares

That Council award contract T05 05/06 Cleaning Contract East Kimberley Regional Airport Kununurra from 01/01/06 to 30/06/07 to Delron Group for the tendered price of \$53,106.26.00 (GST exclusive) per annum.

Carried Unanimously 8-0

12.2. CORPORATE & COMMUNITY SERVICES

12.2.1 Monthly Corporate and Community Services Report

DATE:	20/12/2005
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Hayley McKeen, Corporate and Community Services Support Officer
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager Corporate and Community Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

For Council's information.

BACKGROUND

Corporate and Community Services Monthly Report to Council.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

As part of the Strategic Plan.

Key Result Area 5 - Governance Goal 1 - Strategic Leadership:

Strategy 4 - Produce succinct monthly reports that graphically indicate key data for financial, human resource, risk and operational management.

COMMUNITY CONSULTATION

Nil

COMMENT

That Council acknowledge the attached report, future Corporate and Community Services reports are to be provided Quarterly in Briefing Sessions.

ATTACHMENTS

Corporate and Community Services Report.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council receive the Corporate and Community Services Report for November 2005.

MINUTE NO:7352

Moved Cr K Wright

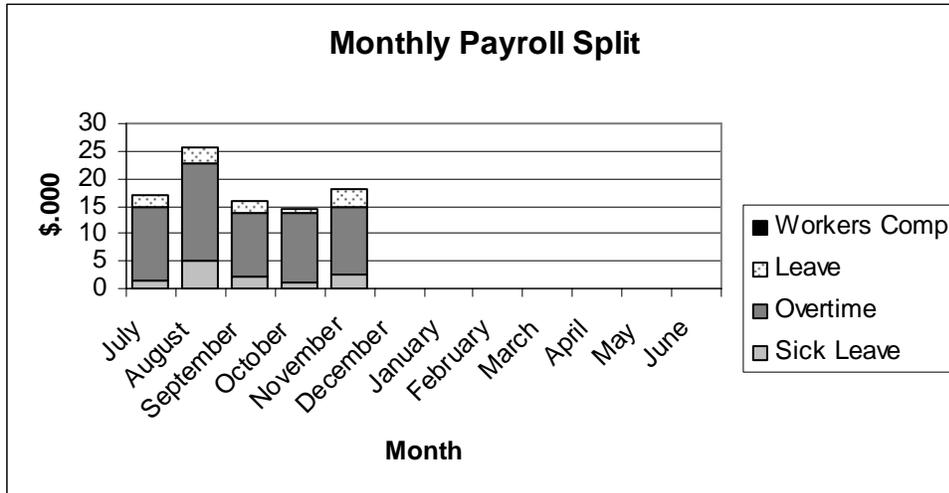
Seconded Cr B Barnes

That Council receive the Corporate and Community Services Report for November 2005.

Carried Unanimously 8-0

FINANCIAL SERVICES

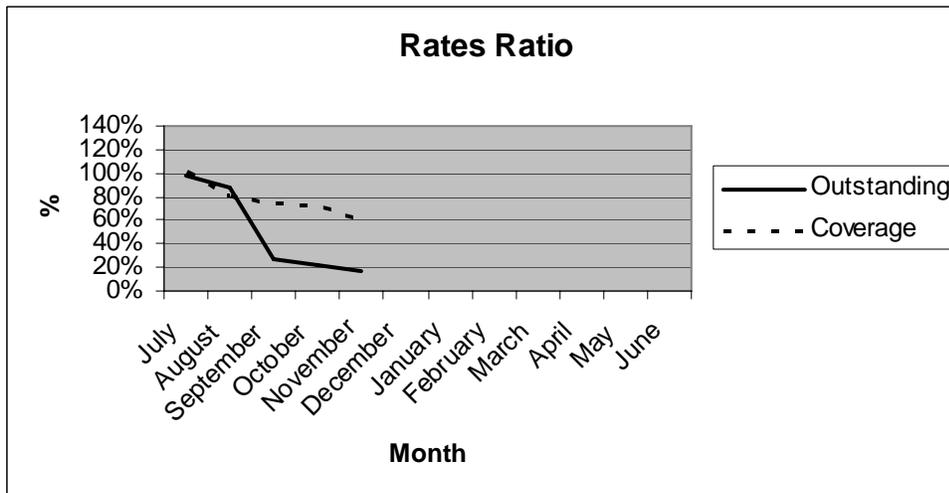
Human Resources



Rates

Outstanding rates ratio – ratio represent the amount of outstanding rates over the total amount of the rates collectable for the year (excluding interims).

Rate coverage ratio – is the ratios of the net rate revenue over the operating revenue.



Community Services

Significant Events:

- Kununurra Child Care Centre tender awarded and site preparation commenced
- Kununurra Youth Centre detailed plans finalized. Tender specifications under preparation

Community Development

Significant Events:

- Knx Youth Advisory Council completes picnic bench & table for Whitegum Park
- Kimberley Cleanup

Recreation

Kununurra Leisure Centre:

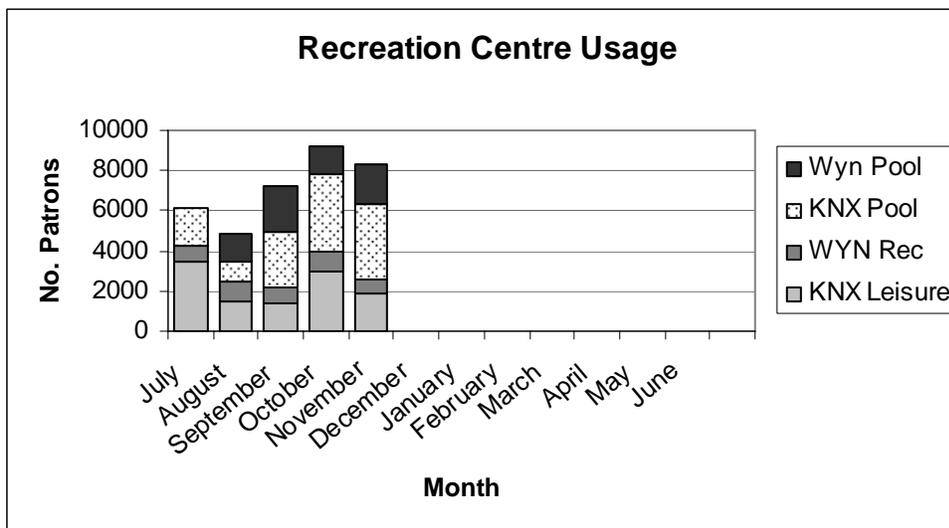
Significant Events:

- Youth Services re-commenced their regular Disco bookings in the Hall;
- Memberships continued to steadily increase;

Wyndham Pool and Recreation Centre:

Significant Events:

- Wyndham District High School and St Josephs Primary school conducted swimming carnivals during November.

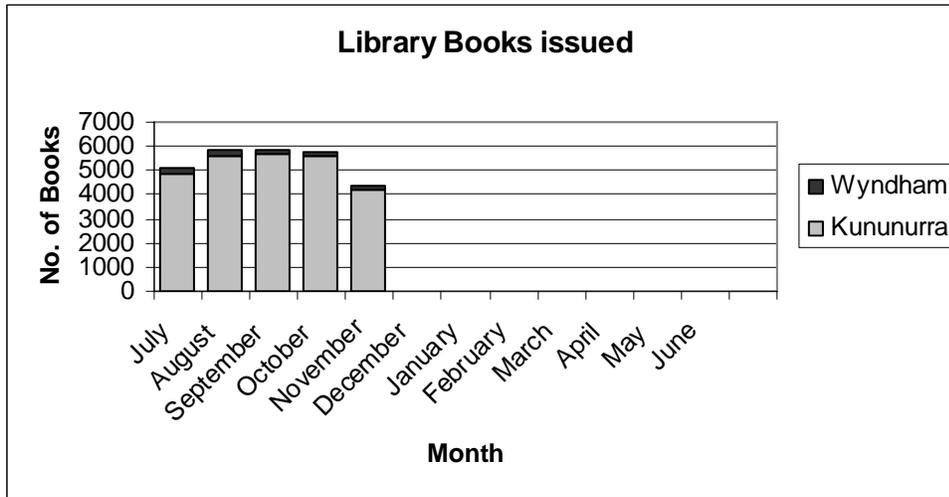


Libraries

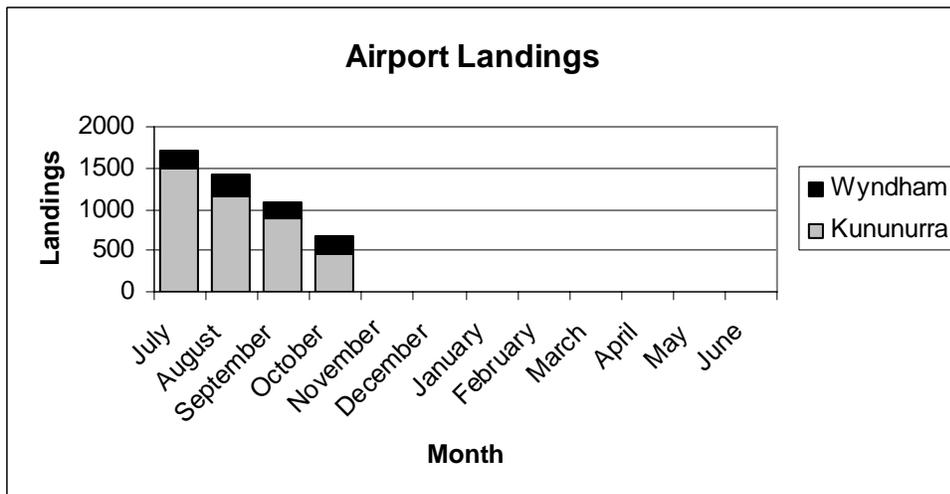
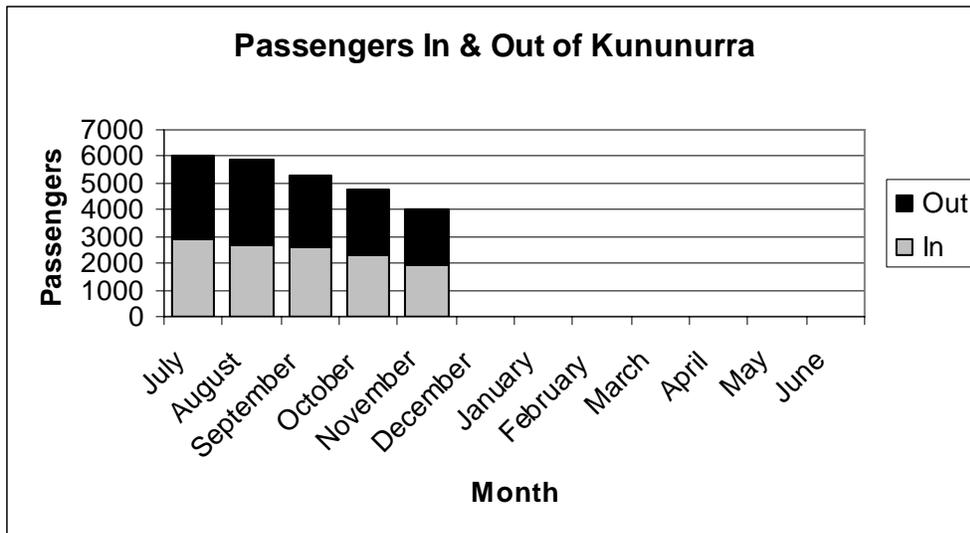
Kununurra Community Library

Significant Events:

- Visiting Author program – Colin Bowles provided writing workshops to students and adults and a meet the author evening
- Successful funding application to Country Arts WA for 2nd Kimberley Writers Festival
- The total number of Library users in November was 6532, being 4200 community members and 2332 students



AIRPORT MANAGER'S REPORT



Avdata will release airport landings for November in the second week of December. Statistics will be available at the February 2006 meeting of Council.

12.2.2 Payments and Debtors for the period ended 30th November 2005

DATE:	20 th December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Amanda Trengove, Senior Finance Officer
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager Corporate and Community Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

To present the listing of Accounts for Payment and Sundry Debtors for the period ended 30th November 2005 in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

A detailed list of all accounts and sundry debtors has been appended as a separate attachment to the Agenda.

BACKGROUND

The List of Payments presented for endorsement covers;

• Municipal cheques numbered 036692 to 036746	\$ 124,435.55
• EFT payments numbered EP007516 to EP007915	\$ 770,578.24
• Direct bank debits	\$ 417,333.05
Total Payment of Accounts totalling	\$ 1,312,346.84

Total cancelled cheques for the month \$ 3,202.21

Outstanding Invoices at month end \$ 0.00

Outstanding over 90 days Sundry Debtors as at month end \$ 25,362.27

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 6.4 (2)

The financial report is to:

- (a) *Be prepared and presented in the manner and form prescribed; and*
- (b) *Contain the prescribed information.*

Local Government (Financial Management) Regulations 1996 – Clause 34 (1) (b) (2)

Clause 35(1) –

“A quarterly financial report is to be in the form that sets out and includes an operating statement and supporting notes.”

POLICY IMPLICATIONS

Policy F7 – Significant Accounting Policies

Objectives: *To provide the basis for Council’s accounting concepts and annual reporting guidelines. To maintain accounting reporting procedures that will comply with statutory requirements and to demonstrate Council’s financial position.*

FINANCIAL IMPLICATIONS

Ongoing management of Council funds.

STRATEGIC IMPLICATIONS

5.5 Key Result Area 5 – Governance
Goal 2 – Financial Management

That the Shire’s finances are well managed, user friendly with expenditure reflecting expressed community priorities.

Strategy 1 – Refine the Shire’s monthly and quarterly financial statements to make them more simple and user-friendly

COMMUNITY CONSULTATION

N/A

COMMENT

The accounts for payment, direct debits and sundry debtors are presented for endorsement by Council.

That the proceeding debtors be written off for the specified reasons.

ATTACHMENTS

1. Accounts for Payment, Direct Debits, Cancelled Cheques and Outstanding Unpaid Invoices.
2. Outstanding Sundry Debtors over 90 days.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

1. That the Accounts for payment as at 30th November 2005 totalling \$1,312,346.84 (GST inclusive) be received.
2. That the Outstanding Sundry Debtors' over 90 days as at 30th November 2005 totalling \$25,362.27 (GST inclusive) be received.

MINUTE NO:7353

Moved Cr K Wright

Seconded Cr B Barnes

1. ***That the Accounts for payment as at 30th November 2005 totalling \$1,312,364.84 (GST inclusive) be received.***
2. ***That the Outstanding Sundry Debtors' over 90 days as at 30th November 2005 totalling \$25,362.27 (GST inclusive) be received.***

Carried Unanimously 8-0

LIST OF ACCOUNTS PAID BY COUNCIL SUBMITTED TO THE COUNCIL MEETING ON 20TH DECEMBER 2005					
CHEQUE	EFT	CREDITOR	DETAILS	MUNI (\$)	AUTH
36692	4/11/2005	WESTERN POWER	ELECTRICITY ACCOUNTS	168.10	EMCCS
36693		COUNCILLOR GEORGE HAMILTON	FIRST QUARTER ALLOWANCES (REISSUED CHEQUE)	1,500.00	EMCCS
36694		STUBBS, PETER	REIMBURSE ACCOMMODATION EXPENSES	385.00	EMCCS
36695		WYNDHAM HISTORICAL SOCIETY INC	FUNDING SCOPING PLAN NEW BUILDING	11,000.00	EMCCS
36696		TELSTRA	MOBILE PHONE ACCOUNT SEPTEMBER/OCTOBER 2005	803.21	EMCCS
36697		CANCER FOUNDATION OF WA	SUNSMART MEMBERSHIP AND GUIDE	50.95	EMCCS
36698		SIGMA CHEMICALS	POOL CHEMICALS	821.00	EMCCS
36699		SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	481.50	EMCCS
36700	11/11/2005	BCITF	BCITF LEVY OCTOBER 2005	3,877.96	EMCCS
36701		WESTERN POWER	ELECTRICITY ACCOUNTS	9,276.50	EMCCS
36702		GREER ASHBY	REFUND RATES OVERPAYMENT	445.59	EMCCS
36703		DEPARTMENT FOR PLANNING & INFRASTRUCTURE	MAMBI ISLAND BOAT RAMP LICENCE	28.00	EMEDS
36704		WINDMILL EDUCATIONAL PTY LTD	ARTS AND CRAFTS PRODUCTS FOR SCHOOL HOLIDAY PROGRAM	11.55	EMCCS
36705		DENISE COUNCILLOR	REFUND BOND AND UNUSED HALL HIRE TIME	115.00	EMCCS
36706		DEREK COUNCILLOR	REFUND OVAL HIRE BOND	100.00	EMCCS
36707		PETTY CASH KUNUNURRA AIRPORT	PETTY CASH REIMBURSEMENT	101.75	EMCCS
36708		GLOBALSTAR AUSTRALIA PTY LTD	SATELLITE PHONE ACCOUNT SEPTEMBER/OCTOBER 2005	184.00	EMEDS
36709		WESTRALIA AIRPORTS CORPORATION PTY LTD	AVIATION SECURITY IDENTIFICATION CARD	300.00	EMCCS
36710	18/11/2005	HAT CREEK PRODUCE PTY LTD	SHEETING MT ELIZABETH ACCESS ROAD (PORTION)	41,096.00	CEO
36711		REWARDS GROUP	REFUND RATES OVERPAYMENT	946.43	EMCCS
36712		BROWN, JANE	REFUND CANCELLED SWIMMING LESSONS	65.00	EMCCS
36713		WESTLAKE, JACKI	REFUND CANCELLED SWIMMING LESSONS	65.00	EMCCS
36714		BELTZ, E	REFUND CANCELLED SWIMMING LESSONS	65.00	EMCCS

36715		HAGGERTY, FIONA	REFUND CANCELLED SWIMMING LESSONS	65.00	EMCCS
36716		FOLEY, ARLENE	REFUND CANCELLED SWIMMING LESSONS	130.00	EMCCS
36717		MCAULIFFE, PETA	REFUND CANCELLED SWIMMING LESSONS	65.00	EMCCS
36718		MACKIE, WENDY	REFUND CANCELLED SWIMMING LESSONS	65.00	EMCCS
36719		A AND A MCKAY	REFUND CANCELLED SWIMMING LESSONS	65.00	EMCCS
36720		TAYLOR, GRAHAM	STORYTELLING (LIBRARY PROGRAM)	120.00	EMCCS
36721		JENNINGS, EDWARD	REFUND PLANNING FEES	75.00	EMEDS
36722		BROOME COPY CATS DIGITAL PRINT	PRINT POSTERS SHARING OUR STORIES	150.00	EMCCS
36723		TELSTRA	RESIDENCE PHONE ACCOUNT OCTOBER 2005	989.56	EMCCS
36724		DEPARTMENT FOR PLANNING & INFRASTRUCTURE	SPECIAL SERIES NUMBER PLATES	115.00	EMCCS
36725		ARGYLE DIAMOND MINE PTY LTD	REFUND OVERPAYMENT EQUIPMENT HIRE	244.00	EMCCS
36726	25/11/2005	DEPARTMENT OF LAND ADMINISTRATION	TITLE SEARCHES	62.80	EMEDS
36727		BUNZL LIMITED	DISPOSABLE DRINK CUPS (LEISURE)	618.75	EMCCS
36728		WESTERN POWER	ELECTRICITY ACCOUNTS	21,111.80	EMCCS
36729		DEPARTMENT OF INDUSTRY & RESOURCES	WATER SAMPLE REPORT	132.00	EMEDS
36730		KUNUNURRA COURIERS	NEVERFAIL SPRING WATER AIRPORT	90.00	EMCCS
36731		REG BIRCH	STORYTELLING (LIBRARY PROGRAM)	120.00	EMCCS
36732		HEWLETT PACKARD AUSTRALIA	1 HP COMPAQ 1.44MG 80GB XP 512MB	968.00	CEO
36733		ROCKMANS	UNIFORM CLOTHING	139.85	CEO
36734		DEPT. CONSUMER & EMPLOYMENT PROTECTION	DANGEROUS GOODS STORAGE LICENCE RENEWAL	16.00	EMEDS
36735		AIRSERVICES AUSTRALIA	REFUND OVERPAYMENT OF INVOICES	443.30	EMCCS
36736		NORTHERN ASSOCIATES	REFUND OVERPAYMENT RATES	186.70	EMCCS
36737		UNITED KFPW FOR TELSTRA	REFUND OVERPAYMENT RATES	1,556.89	EMCCS
36738		TELSTRA	BUSINESS PHONE ACCOUNT OCTOBER 2005	5,585.60	EMCCS
36739		WARINGARRI ABORIGINAL CORPORATION	GRADER HIRE WYNDHAM 29 AUGUST TO 12 OCTOBER 2005	9,504.00	EMEDS
36740		PETTY CASH KUNUNURRA OFFICE	PETTY CASH REIMBURSEMENT	184.40	EMCCS

36741		PETTY CASH KUNUNURRA DEPOT	PETTY CASH REIMBURSEMENT	79.19	EMEDS
36742		KING, LESLIE	REIMBURSE GIFT EXPENSE	150.00	CEO
36743		STEWART AND HEATON CLOTHING CO. PTY LTD	FIRE FIGHTING JACKET	127.11	EMEDS
36744		SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	1,546.02	EMCCS
36745		JAMES O'KENNY AUCTIONEER	HIRE ACTIVITIES ROOM EWIN CENTRE 30 AUGUST TO 1 NOVEMBER 2005	7,592.04	EMCCS
36746		PLUNKETT, LEAH	SHIRE OF WYNDHAM EAST KIMBERLEY CITIZENSHIP AWARD 2005	250.00	EMCCS
			TOTAL OF CHEQUES	124,435.55	

4/11/2005	EP007716	TYRE MARKETERS	TYRE 1BGT779	250.71	EMEDS
	EP007717	KIMBERLEY WASTE SERVICES	CONTRACT REFUSE COLLECTION SEPTEMBER 2005	35,042.53	CEO
	EP007718	GRUNT LABOUR SERVICES PTY LTD	CASUAL LABOUR HIRE (WYNDHAM)	2,152.70	EMEDS
	EP007719	BOAB BOOKS	PUBLICATIONS (LIBRARY)	190.65	EMCCS
	EP007720	COLIN WILKINSON DEVELOPMENTS PTY LTD	CONTRACT PAYMENT CONSTRUCTION DWELLINGS RIVERFIG AVENUE	93,736.72	CEO
	EP007721	OFFICE NATIONAL KUNUNURRA	CASH REGISTER (INCLUDING SETUP) & STATIONERY	967.09	EMCCS
	EP007722	SALEEBA ADAMS ARCHITECTS	CONTRACT PAYMENT KUNUNURRA YOUTH CENTRE DOCUMENTATION	15,114.00	EMEDS
	EP007723	THORLEY'S STORE	TRANSPORT OF SHIRE BAG BETWEEN WYNDHAM & KUNUNURRA	323.40	EMCCS
	EP007724	MARTIN PRINT	BUSINESS CARDS	136.00	EMCCS
	EP007725	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTION	441.38	EMCCS
	EP007726	JR & A HERSEY PTY LTD	LEATHER GLOVES	330.00	EMEDS
	EP007727	THE PAPER COMPANY OF AUSTRALIA	A4 PAPER	2,323.20	EMCCS
	EP007728	LAZY P PUBLISHING	MY KIMBERLEY GUEST' PUBLICATIONS	194.35	CEO
	EP007729	PALM GROVE HOLIDAY RESORT	50% DEPOSIT ACCOMMODATION R FEELEY	345.00	EMEDS
	EP007730	CAUDLE, DONALD	CROCODILE WATCH WYNDHAM JETTY	456.75	EMEDS
	EP007731	JSW HOLDINGS PTY LTD	INSTALL BOAT RAMP SECTIONS AT SKULL ROCK	6,984.45	EMEDS
	EP007732	TNT AUSTRALIA PTY LTD	FREIGHT	289.81	EMEDS
	EP007733	TOP END MOTORS	BULLDOZER HIRE (COVER TYRES)	2,816.00	EMEDS
	EP007734	KIMBERLEY MOTORS	DIESEL GRADER (WYNDHAM)	271.50	EMEDS

	EP007735	PEERLESS JAL PTY LTD	WET AND DRY VACUUM CLEANER (WYNDHAM)	363.00	EMCCS
	EP007736	BLACKWOODS ATKINS PTY LTD	SAFETY GLASSES, DANGER TAGS, SUNSCREEN, LAMP HOLDERS (AIRPORT)	288.64	EMCCS
	EP007737	KC'S BOBCAT AND TRUCK HIRE	BOBCAT AND TRUCK HIRE KONKERBERRY CARPARK	1,636.25	EMEDS
	EP007738	THE ROYAL LIFE SAVING SOCIETY AUST.	ENROLMENTS SWIMMING INSTRUCTOR	750.00	EMCCS
	EP007739	ALLGEAR MOTORCYCLE & SMALL ENGINE CENTRE	DIAMOND BLADE & BITUMEN CUTTERS	991.00	EMEDS
	EP007740	CROCODILE SIGNS	SIGNAGE LOWER ORD BOAT RAMP	514.80	EMEDS
	EP007741	JASON SIGNMAKERS LTD	NO THROUGH ROAD SIGNAGE	154.00	EMEDS
	EP007742	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN REPAYMENT	2,004.60	EMCCS
	EP007743	NEAT N TRIM UNIFORMS	UNIFORMS	479.00	EMCCS
	EP007744	HOT WIRE ELECTRICS	FITTING OF METER TO WATER BORE (AIRPORT)	316.80	EMCCS
	EP007745	L.G.R.C.E.U.	PAYROLL DEDUCTIONS	28.60	EMCCS
	EP007746	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	297.00	EMCCS
	EP007747	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTION	258.47	EMCCS
	EP007748	JAB INDUSTRIES	CLEANING OF DRAIN - WEABER PLAIN RD	6,006.00	EMEDS
	EP007749	LAKESIDE BLINDS AND MACHINERY	DINGO HIRE GRIND STUMPS	1,347.50	EMEDS
	EP007750	TOLL WEST	FREIGHT	861.22	EMCCS
	EP007751	TRAVELWORLD KUNUNURRA	TRAVEL H MCKEEN, K FEWSTER, W BARNES, R SPRY	4,153.66	EMCCS
	EP007752	BUSH CAMP SURPLUS STORES	UNIFORMS AND FILM PROCESSING	146.10	CEO
	EP007753	CABCHARGE	CABCHARGE OCTOBER 2005	386.43	EMCCS
	EP007754	BEAUREPAIRES KUNUNURRA	BATTERY & TYRE (WY10427), TYRES (WY9719)	938.85	EMEDS
	EP007755	KIMBERLEY PUMPING SERVICE	SERVICE PUMPS KUNUNURRA LEISURE	5,912.50	EMCCS
	EP007756	KUNUNURRA DIESEL SERVICES	REPAIR SIRENS PACKSADDLE FIRE ATTACK UNIT	137.50	EMEDS
	EP007757	KUNUNURRA TRANSPORT SERVICES PTY LTD	FREIGHT DRUM MUSTER	1,490.20	EMEDS
	EP007758	NORTHERN INFORMATION TECHNOLOGY SERVICE	I.T. WORKS WYNDHAM & KUNUNURRA PLUS ADSL FOR NOVEMBER 2005	816.60	EMCCS
	EP007759	SPORTSWORLD OF WA	ITEMS FOR SALE LEISURE CENTRE	340.45	EMCCS

	EP007760	AUST LOCAL GOVERNMENT JOB DIRECTORY	ADVERTISEMENT VACANT POSITION	660.00	EMCCS
	EP007761	SHIRE OF MURRAY	PAYROLL DEDUCTIONS	56.00	EMCCS
	EP007762	KIMBERLEY TREE AND CONTRACTING SERVICE	TREE REMOVAL KUNUNURRA LEISURE CENTRE	385.00	EMCCS
11/11/2005	EP007763	KIMBERLEY GROUP TRAINING	TRAINEE WAGES	261.03	EMCCS
	EP007764	KNICKEL GARDENING SERVICES	CONTRACT MOWING & ADDITIONAL WORKS SEPTEMBER 2005	31,742.59	EMEDS
	EP007765	ROGERS MACHINERY SERVICE	PRESSURE SWITCH SPRAY UNIT (AIRPORT)	88.10	EMCCS
	EP007766	KIMBERLEY WASTE SERVICES	CONTRACT LITTER COLLECTION SEPTEMBER 2005	8,959.50	EMEDS
	EP007767	CREDIPAC AUSTRALIA	CREDIT CHECK	72.60	EMCCS
	EP007768	K AND M ALLCLEAN	CONTRACT CLEANING SERVICE OCTOBER 05	6,782.23	EMEDS
	EP007769	COMMANDER AUSTRALIA LTD	COMMANDER RENTAL	621.50	EMCCS
	EP007770	FESA ESL	ESL LEVY OCTOBER 2005	8,282.61	EMCCS
	EP007771	WILLIAMS, KEITH	TRAVEL ALLOWANCE REIMBURSEMENT	1,679.63	EMCCS
	EP007772	HALLMARK EDITIONS	RE ADVERTISED VACANT POSITION	198.00	EMCCS
	EP007773	NETWORK DRAFTING	DRAFTING SERVICES	2,818.75	EMEDS
	EP007774	KIMBERLEY METAL RECYCLERS	CONTRACT LANDFILL MANAGEMENT	21,103.50	CEO
	EP007775	BOAB BOOKS	BOOK VOUCHER KUNUNURRA LIBRARY	20.00	EMCCS
	EP007776	OFFICE NATIONAL KUNUNURRA	CANON LASER CARTRIDGES (LEISURE CENTRE)	237.82	EMCCS
	EP007777	SALEEBA ADAMS ARCHITECTS	KUNUNURRA CHILDCARE CENTRE TENDER STAGE	6,571.52	EMCCS
	EP007778	WRIDGWAYS THE REMOVALISTS	REMOVAL EXPENSES K FEWSTER	2,356.20	EMEDS
	EP007779	BOLTO, YALE	REIMBURSE CPA MEMBERSHIP 2005/2006	648.50	EMCCS
	EP007780	COLLEX PTY LTD	WASTE OIL COLLECTION	14,960.00	EMEDS
	EP007781	MELMARK AUSTRALIA PTY LTD	REMOVAL COSTS K APPERLEY	7,144.50	EMCCS
	EP007782	DELRON CLEANING PTY LTD	GENERAL CLEANING OCTOBER 2005	199.10	EMEDS
	EP007783	FRONTIER POST AND NEWS	POSTAGE AND STATIONARY WYNDHAM OCTOBER 2005	267.45	EMCCS
	EP007784	JSW HOLDINGS PTY LTD	INSTALL TRAFFIC ISLANDS, SUPPLY WATER	2,630.54	EMEDS
	EP007785	GUERINONI AND SON	CONSTRUCT PATHWAY LAKESIDE AND MACHINERY HIRE	16,248.10	EMEDS
	EP007786	TNT AUSTRALIA PTY LTD	FREIGHT	82.52	EMEDS

	EP007787	PLANT HIRE SERVICES PTY LTD	SCREEN GRAVEL CROSSING FALLS	27,500.00	CEO
	EP007788	TOP END MOTORS	VEHICLE SERVICE WY 10357	161.26	EMEDS
	EP007789	AUSTRALIA POST	POSTAGE KUNUNURRA OCTOBER 2005	1,519.61	EMCCS
	EP007790	BLACKWOODS ATKINS PTY LTD	GLOBES (ERSKIN HILL LIGHTS)	275.00	EMCCS
	EP007791	TELFORD INDUSTRIES	POOL CHEMICALS & TEST KITS	1,095.60	EMCCS
	EP007792	KUNUNURRA REFIGERATION	REPAIR AIRCONDITIONER 16 KIMBERLEY ST, WYNDHAM	121.00	EMEDS
	EP007793	CHEFMASTER AUSTRALIA	ORANGE LITTER BAGS AND BIN LINERS	1,402.80	EMEDS
	EP007794	ALLGEAR MOTORCYCLE & SMALL ENGINE CENTRE	SPARK PLUG FOR POST HOLE DIGGER	10.00	EMEDS
	EP007795	THE KIMBERLEY ECHO	PRINTING BUILDING ENVELOPES	351.95	EMEDS
	EP007796	JASON SIGNMAKERS LTD	YELLOW GRAB RAILS	440.00	EMEDS
	EP007797	TANAMAI EARTHMOVING	GRADER HIRE WEABER PLAIN ROAD, REFUND RATES INCORRECT PAYMENT	30,778.75	EMCCS
	EP007798	GULLIVERS TAVERN	REFRESHMENTS LIBRARY FUNCTION	20.97	EMCCS
	EP007799	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION OCTOBER 2005	26,094.77	EMCCS
	EP007800	ORD RIVER ELECTRICS	ELECTRICAL REPAIRS BOOBIALLA WAY & KUNUNURRA ADMINISTRATION	642.88	EMEDS
	EP007801	FLICK REFRIGERATION & AIRCONDITIONING	REPAIR ELECTRICAL FAULT & AIRCONDITIONER KUNUNURRA OFFICE	422.40	EMEDS
	EP007802	KIMBERLEY COMMUNICATIONS	INSTALL RADIOS AIRPORT & PACKSADDLE BUSHFIRE BRIGADE	275.00	EMEDS
	EP007803	TOLL WEST	FREIGHT	542.23	EMCCS
	EP007804	KIMBERLEY STEEL	MATERIALS PICNIC TABLES/BENCHES (TAFE PROJECT)	592.14	EMCCS
	EP007805	KIMBERLEY MARKETING	TOILET PAPER AND CLEANING PRODUCTS (WYNDHAM POOL)	91.20	EMCCS
	EP007806	FERTEIS, ELAINE	AEROBIC CLASSES	275.00	EMCCS
	EP007807	KUNUNURRA DIESEL SERVICES	VHF AERIAL JOHN DEERE TRACTOR	82.50	EMCCS
	EP007808	NORTHERN INFORMATION TECHNOLOGY SERVICE	I.T. WORKS WYNDHAM & KUNUNURRA	467.23	EMCCS
18/11/2005	EP007809	BOC GASES AUSTRALIAN LTD	INDUSTRIAL BOTTLE RENTAL OCTOBER 2005	193.10	EMEDS
	EP007810	HASTED, CATHERINE J	EWIN CENTRE BOOK KEEPING	247.50	EMCCS

	EP007811	BOAB CARPENTRY & MAINTENANCE SERVICE	SUPPLY & INSTALL NEW WINDOW WYNDHAM OFFICE	1,045.00	EMEDS
	EP007812	QANTEC MCWILLIAM PTY LTD	PEDESTRIAN REFUGE/LINEMARKING, ROAD WIDENING, HOSPITAL DRAINAGE	4,301.00	EMEDS
	EP007813	OFFICE NATIONAL KUNUNURRA	DRUM CARTRIDGE CP660 PHOTOCOPIER	355.47	EMCCS
	EP007814	FRONTIER FENCING	REPAIR DAMAGED FENCE (LEISURE)	852.50	EMCCS
	EP007815	DELRON CLEANING P/L	GENERAL CLEANING AIRPORT OCTOBER 2005	4,997.15	EMCCS
	EP007816	EAST KIMBERLEY PLUMBING	PLUMBING REPAIRS KUNUNURRA AND WYNDHAM	1,175.79	EMEDS
	EP007817	JSW HOLDINGS PTY LTD	KONKERBERRY DRIVE CARPARK & SHINGLE WYNDHAM FOOTPATHS	8,540.73	EMEDS
	EP007818	KUNUNURRA SECURITY SERVICE	SECURITY CALL OUT	66.00	EMEDS
	EP007819	GUERINONI AND SON	GRADER HIRE KALUMBURU RD, FOOTPATH & RAMPS LAKESIDE	51,038.63	CEO
	EP007820	TOP END MOTORS	HIRE DOZER & SERVICE VEHICLE WY001	1,977.83	EMEDS
	EP007821	PEERLESS JAL PTY LTD	TOILET ROLLS, RUBBISH GRAB STICKS (WYNDHAM)	1,732.98	EMEDS
	EP007822	BLACKWOODS ATKINS PTY LTD	TORCH AND LANOLIN (AIRPORT)	46.43	EMCCS
	EP007823	KUNUNURRA REFRIGERATION	SERVICE & REPAIR AIRCONDITIONERS (WYNDHAM & KUNUNURRA)	341.00	EMEDS
	EP007824	THE ROYAL LIFE SAVING SOCIETY AUST.	FIRST AID BUM BAG KIT LEISURE	194.80	EMCCS
	EP007825	KUNUNURRA DISTRICT HIGH SCHOOL	LIBRARY/TEACHER PART WAGES & SHARED COMPUTER EXPENSES	14,463.67	EMCCS
	EP007826	ALLGEAR MOTORCYCLE & SMALL ENGINE CENTRE	REPAIR WHIPPER SNIPPER AND PARTS (WYNDHAM)	243.80	EMCCS
	EP007827	DY MARK WA PTY LTD	WHITE SPOT PAINT CANS	435.60	EMEDS
	EP007828	AUSTRALIAN FUEL DISTRIBUTORS	FUEL OCTOBER 2005	16,495.49	EMEDS
	EP007829	ST JOHN AMBULANCE ASSOCIATION KUNUNURRA	FIRST AID KIT SUPPLIES 1BUA929	44.99	EMEDS
	EP007830	JASON SIGNMAKERS LTD	NO ENTRY AND DUAL PATH SIGNAGE (WYNDHAM)	385.00	EMEDS
	EP007831	ORD RIVER ELECTRICS	INSPECT AND REPAIR LIGHTS KUNUNURRA BASKETBALL/NETBALL COURTS	317.90	EMCCS
	EP007832	SETON AUSTRALIA PTY LTD	SOAP LOTION LEISURE	207.79	EMCCS

	EP007833	TROPICAL PEST CONTROL AND HEALTH SERVICE	TERMITE TREATMENT AIRPORT MANAGERS RESIDENCE	308.00	EMEDS
	EP007834	TOP END TILT TRAY HIRE	TRANSPORT ROLLER FROM WYNDHAM TO KUNUNURRA	369.60	EMCCS
	EP007835	WYNDHAM TELECENTRE	ADVERTISEMENT VACANT POSITION	33.00	EMCCS
	EP007836	AIRSERVICES AUSTRALIA	REPAIRS & INSPECTIONS WYNDHAM & KUNUNURRA AIRPORTS	5,855.30	EMCCS
	EP007837	DAVEY TYRE AND BATTERY SERVICE	NEW TYRES & TUBES	265.60	EMEDS
	EP007838	NORTHERN INFORMATION TECHNOLOGY SERVICE	INSTALL LOAN ROUTER/REMOVAL LOAN ROUTER	132.00	EMCCS
25/11/2005	EP007839	CSBP	CHLORINE 68KG	264.00	EMEDS
	EP007840	KIMBERLEY GROUP TRAINING	TRAINEE WAGES	707.41	EMCCS
	EP007841	ROGERS MACHINERY SERVICE	SERVICE TO KUBOTA TRACTOR	595.30	EMCCS
	EP007842	KIMBERLEY WASTE SERVICES	CONTRACT LITTER, REFUSE COLLECTION & STREET SWEEPING OCT 2005	49,552.98	CEO
	EP007843	PARDOE-BELL, ALLAN	CLEANING CONTRACT WYNDHAM	1,952.00	EMEDS
	EP007844	KIMBERLEY WATER CARTING	WATER CART HIRE MULLIGANS LAGOON ROAD	1,985.50	EMEDS
	EP007845	CREDIPAC AUSTRALIA	DEBT RECOVERY FEES	252.41	EMCCS
	EP007846	GRUNT LABOUR SERVICES PTY LTD	CASUAL LABOUR HIRE (WYNDHAM)	2,492.60	EMEDS
	EP007847	KIBMERLEY INDUSTRIES METALAND	CAGE MATERIALS, GEN SET WHEELS, LOADER BUCKET REPAIRS, TROLLEY	1,390.80	EMEDS
	EP007848	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES	2,382.45	EMEDS
	EP007849	SAI GLOBAL LTD	ANNUAL FEE STANDARDS SUBSCRIBER SCHEME	374.00	EMEDS
	EP007850	NETWORK DRAFTING	DRAFTING SERVICES	2,736.25	EMEDS
	EP007851	KIMBERLEY METAL RECYCLERS	BACKHOE HIRE FIRE CONTROL WYNDHAM LANDFILL	176.00	EMEDS
	EP007852	KP PUMPS AND IRRIGATION	RETICULATION FITTINGS/SUPPLIES OCTOBER 2005	146.40	EMEDS
	EP007853	OFFICE NATIONAL KUNUNURRA	SERVICE & REPAIR PRINTER/PHOTOCOPIER, STATIONERY	1,382.10	EMCCS
	EP007854	GLOBE AUSTRALIA PTY LTD	RESLIN 20L	1,578.50	EMEDS
	EP007855	FEELY, ROGER	REIMBURSE EXPENSES MEETING	800.34	EMEDS
	EP007856	THORLEYS STORE	FREIGHT WYNDHAM/KUNUNURRA OCTOBER 2005	308.00	EMCCS
	EP007857	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	441.38	EMCCS

	EP007858	ORD ELECTRICAL SPARES	FLOODLIGHTS, RELAYS AND FUSES	211.43	EMCCS
	EP007859	AUSTRALIAN FEDERAL POLICE	FEDERAL POLICE CHECKS	196.04	EMCCS
	EP007860	NORTHERN AIRPORT SERVICES	KUNUNURRA AIRPORT LOCK UP OCTOBER 2005	484.00	EMCCS
	EP007861	BRANKO BP MOTORS	VEHICLE SERVICING AND GENERAL HARDWARE (WYNDHAM)	3,211.56	EMEDS
	EP007862	EAST KIMBERLEY PLUMBING	TOILET & PIPE REPAIRS KUNUNURRA AND WYNDHAM	663.63	EMEDS
	EP007863	JSW HOLDINGS PTY LTD	1M PINDAN EBONY STREET	17.60	EMEDS
	EP007864	KUNUNURRA SECURITY SERVICE	SECURITY PATROLS, CALLOUTS, ALARM LEASES & GUARD AIRPORT	3,982.00	EMEDS
	EP007865	KIMBERLEY STOCK OLIVER	RETICULATION, HARDWARE AND GARDENING SUPPLIES	3,703.69	EMEDS
	EP007866	ORD RIVER DISTRICT CO OPERATIVE	ROUNDUP, KAMBA, SUPERWASH	885.50	EMCCS
	EP007867	GUERINONI AND SON	GRADER HIRE (KALUMBURU RD), MACHINERY HIRE WEABER PLAINS ROAD	41,531.60	CEO
	EP007868	JORRITSMA H & CO	RETICULATION SUPPLIES, CHECK PRESSURE & BY PASS TANK (WYNDHAM)	824.05	EMCCS
	EP007869	VALUER GENERALS OFFICE	VALUATIONS	395.30	EMCCS
	EP007870	BLACKWOODS ATKINS PTY LTD	FLURO TUBE & LAMP	118.53	EMEDS
	EP007871	MINTERELLISON	LEGAL ADVICE	1,233.43	CEO
	EP007872	WYNDHAM TOWN HOTEL	CATERING COUNCIL MEETING	375.00	EMEDS
	EP007873	KUNUNURRA REFRIGERATION	QUARTERLEY SERVICE OF AIRCONDITIONERS (KUNUNURRA AIRPORT)	143.00	EMCCS
	EP007874	CANCELLED	REISSUED (REFER EP007915)	0.00	EMCCS
	EP007875	WYNDHAM SUPERMARKET	CONSUMABLES (WYNDHAM)	277.36	EMCCS
	EP007876	KUNUNURRA DISTRICT HIGH SCHOOL	SHARE OF LEASE LIBRARY SECURITY GATE	1,872.42	EMCCS
	EP007877	ARGYLE ENGINEERING	UNDERTAKE REPAIRS LILY CREEK JETTY	760.65	EMEDS
	EP007878	THE KIMBERLEY ECHO	ADVERTISEMENTS VACANT POSITIONS, PUBLIC NOTICES, LEISURE ACTIVITIES	1,671.95	EMCCS
	EP007879	CROCODILE SIGNS	AIRSIDE WARNING SIGNS KUNUNURRA	1,320.00	EMCCS
	EP007880	JASON SIGNMAKERS LTD	SIGNAGE BUSES, OFFICE NATIONAL & KIMBERLEY STOCK OLIVER	269.50	EMEDS
	EP007881	TANAMAI EARTHMOVING	SHOULDER GRADING WEABER PLAINS ROAD	1,056.00	EMEDS
	EP007882	GULLIVERS TAVERN	REFRESHMENTS AND	457.36	CEO

			CATERING		
	EP007883	KUNUNURRA RURAL TRADERS	RETICULATION SUPPLIES AND FLAGPOLE ROPE	83.05	EMEDS
	EP007884	GARRATT, SARAH	AEROBIC CLASSES	425.00	EMCCS
	EP007885	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION NOVEMBER 2005	29,570.89	EMCCS
	EP007886	WHELANS	KONKERBERRY DRIVE CARPARK SURVEYS	2,343.00	EMEDS
	EP007887	L.G.R.C.E.U.	PAYROLL DEDUCTIONS	28.60	EMCCS
	EP007888	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	297.00	EMCCS
	EP007889	ORD RIVER ELECTRICS	INSTALL LIGHTPOLES, REPAIR STAGE LIGHTS & AIRBLOWER	11,971.00	EMEDS
	EP007890	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	301.35	EMCCS
	EP007891	FYSH GRADER HIRE	GRADER HIRE CARLTON HILL ROAD	2,662.00	EMEDS
	EP007892	LAKESIDE BLINDS AND MACHINERY	TRENCHER HIRE POOL RETICULATION	77.00	EMEDS
	EP007893	FISCHER, CYNTHIA	CLEANING CONTRACT WYNDHAM TOILETS	2,988.15	EMEDS
	EP007894	KIMBERLEY COMMUNICATIONS	REPAIR TO COMMUNICATIONS (LIGHTNING STRIKE)	470.80	EMEDS
	EP007895	TOLL WEST	FREIGHT	946.55	EMCCS
	EP007896	TRAVELWORLD KNX	TRAVEL MR AND MRS SPRY	4,268.58	EMCCS
	EP007897	KIBMERLEY KOOL REFRIGERATION	REPAIRS AIR CONDITIONERS DEPOT (LIGHTNING STRIKE)	368.50	EMEDS
	EP007898	VAGGS LIQUOR STORE	REFRESHMENTS COUNCIL MEETING WYNDHAM	199.96	EMEDS
	EP007899	BUSH CAMP SURPLUS STORES	UNIFORMS	493.50	EMEDS
	EP007900	VANDERFIELD MACHINERY PTY LTD	VARIOUS MOTOR, MOWER PARTS	256.10	EMEDS
	EP007901	BEAUREPAIRES KUNUNURRA	SECOND HAND TYRES AND RIM	481.50	EMEDS
	EP007902	AUSTRALIAN TAX OFFICE	BAS OCTOBER 2005	6,803.00	EMCCS
	EP007903	FERTEIS, ELAINE	AEROBIC CLASSES	200.00	EMCCS
	EP007904	KUNUNURRA DIESEL SERVICES	SERVICE WY9312, TRAILER PLUG, LOCKTITE	291.45	EMEDS
	EP007905	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING, LOCAL GOVT DIRECTORIES, FUTURE OF LIBRARIES FORUM	3,084.56	EMCCS
	EP007906	COATES HIRE OPERATIONS PTY LTD	HIRE PORTABLE TRAFFIC LIGHTS WEABER PLAINS ROAD RECONSTRUCTION	3,103.23	EMEDS
	EP007907	DAVEY TYRE AND BATTERY	TYRES, FITTING, BALANCING & BATTERY	1,420.24	EMEDS
	EP007908	SPORTSWORLD OF WA	ITEMS FOR SALE LEISURE CENTRE	1,014.75	EMCCS

	EP007909	HAINES NORTON WA PTY LTD	AUDIT SERVICES, FINALISE ROAD TO RECOVERY RETURN	8,883.34	EMCCS
	EP007910	BROADCAST AUSTRALIA PTY LTD	POWER RECOVERY SBS/GWNR (WYNDHAM)	623.77	EMEDS
	EP007911	AUST LOCAL GOVERNMENT JOB DIRECTORY	ADVERTISING VACANT POSITION	330.00	EMCCS
	EP007912	G AND J TOMKIN	CATAMUL	484.00	EMCCS
	EP007913	SHIRE OF MURRAY	PAYROLL DEDUCTIONS	56.00	EMCCS
	EP007914	KIMBERLEY TREE AND CONTRACTING SERVICE	CUT/REMOVAL/CHIPPING TREES SHIRE VERGES	11,280.50	EMEDS
	EP007915	TUCKERBOX / RETRAVISION	TUCKERBOX CONSUMABLES OCTOBER 2005	1,702.21	EMCCS
				TOTAL OF EFT PAYMENTS	770,578.24
				TOTAL PAYMENTS	895,013.79

DIRECT DEBITS - NOVEMBER 2005				
		20/33 KONKERBERRY DRIVE		975.00
		BANK FEES		244.68
		MERCHANT FEES		393.16
		SALARY AND WAGES		165670.26
		WESTNET P/L - LIBRARY ADSL		49.95
		TRSF TO NEW TREM DEPOSIT		250000.00
				417333.05

OUTSTANDING INVOICES AS AT 30TH NOVEMBER 2005	
	TOTAL OUTSTANDING
	0.00

CANCELLED CHEQUES				
36617		COUNCILLOR GEORGE HAMILTON	CHEQUE REPORTED LOST, CANCELLED AND PAYMENT RE-ISSUED	1,500.00
EP007874		TUCKERBOX STORES WYNDHAM	INCORRECT CREDITOR. PAYMENT CANCELLED & REISSUED (EP007915)	1,702.21
				TOTAL CANCELLED CHEQUES
				3,202.21

Sundry Debtors as at 30 November 2005

No	Sundry Debtor	Amounts Over 90 Days Outstanding	Balance @ 30 November 2005	Debt Collection Status for Debts over 90 Days
	BIRD HEATHER	1,553.09	1,553.09	Being paid through debt collector - Credipac
	GPS Communications	15.00	15.00	Debtor has advise payment will be made shortly
	JJ MCDONALD & SONS	10.00	30.00	Debtor advised payment to be made 7 Dec
	KIMBERLEY COMMUNICATIONS	10.00	10.00	Debtor advised payment will be made shortly
	KUNUNURRA NETBALL ASSOCIATION	1,050.00	1,050.00	Final Notice Issued
	LAURA BURROWS	345.00	345.00	Debtor making fortnight payments
	NAIDOC COMMITTEE	0.80	0.80	Debtor to forward balance
	ORD RIVER SPORTS CLUB	15,991.73	15,991.73	Change of Bookkeeper. Officer reconciling account
	SOSBY JOHN	130.00	130.00	Officer sent to debt collector.
	TATCHELL MARTIN	216.16	216.16	Officer sent to debt collector.
	TOP END MOTORS	30.00	30.00	Debtor advised payment will be made by 8 Dec
	WYNDHAM COMMUNITY CLUB	6,010.49	6,010.49	Committee dissolved, Audit in process. Officer to follow up.
		25,362.27	25,382.27	

12.2.3 Kununurra Agricultural Society Lease

DATE:	19 April 2005
PROPONENT:	Kununurra Riding Club
LOCATION:	Part Lot 77, Coolibah Drive Kununurra
ATLAS REFERENCE:	Map 51 E5
AUTHOR:	Matthew Scott, Former Executive Manager of Corporate Services
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager of Corporate Services
FILE NO:	60.14.03, 01.0268.01
ASSESSMENT NO:	2153

PURPOSE

For Council to consider amending the current lease with the Kununurra Agricultural Society Inc to incorporate the former lease area of the Kununurra Riding Club grounds.

BACKGROUND

At Council's 15 November 2005 Ordinary Meeting this item was corrupted and was deferred until the correct information could be produced.

As Council may recall, at the Ordinary Council Meeting held on the 19 April 2005, Council resolved the following:

"MINUTE NO 7113

Moved Cr R Devenish-Meaures/J Nelson

That Council:

- 1) *Formally terminate the Lease between the Shire of Wyndham East Kimberley and the Kununurra Riding Club Inc.*
- 2) *That the Manager, Community Services be given delegated authority to commence negotiations for a new lease with the Kununurra Agricultural Society Inc.*
- 3) *That the results of these negotiations be presented to Council, prior to entering into any formal agreement and progressing to dispose of the property (by way of lease).*

CARRIED UNANIMOUSLY (8-0)"

Since that meeting, the lease with Kununurra Riding Club Inc has been terminated and negotiations have occurred with the Kununurra Agricultural Society Inc.

From these negotiations, it has been agreed to amend the current lease between the Shire of Wyndham and representatives from the Kununurra Agricultural Society Inc to include the lease area, previously leased to the Kununurra Riding Club Inc, for \$250 per annum. Agreement has also been made to update the current lease to include standard features of the Shire's current leases. Rent review dates are every five years as per original lease.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

From this agreement the Shire will receive an additional \$250 (plus CPI indexation) until the lease expires in 2012.

STRATEGIC IMPLICATIONS

Nil

COMMENT

On review of the current lease with Kununurra Agricultural Society Inc, and subsequent sub-lease with the Ord River Magpie Football Club, it has been decided that rather than develop a new lease (and hence terminate the current lease), it would be in all parties benefit to simply amend the current lease. This amendment can simply be done by way of exchange of letters, which can be attached to the original lease document.

Representatives from the Kununurra Agricultural Society have agreed to this, and as per Minute 7113, require Council approval to proceed. During the negotiations, it was pointed out to the Society that the current lease document doesn't conform to current Shire lease requirements, and that further amendments could occur at the same time to rectify this situation. The Society has agreed to this if Council would consider increasing the renewal term from one year to twenty one years. On review the Council officer supported this change, as the society will continue to maintain the lease area on Council behalf.

A summary of the Changes are listed below:

1. The Lease area to include the area of land previously leased to the Kununurra Riding Club (as attached);
2. The annual Rent increased to \$750 per annum;
3. The rent be index by the Perth CPI at the next and future rent review dates;
4. That the renewal term be changed to 21 years; and
5. That the minimum public risk insurance be increased to \$10,000,000.

ATTACHMENTS

Map of Lease Area

VOTING REQUIREMENT

Simple Majority

RECOMMENDATIONS

That Council amend the lease with the Kununurra Agricultural Society to include the following:

1. The area shown in attachment 1 of reserve no. 29799 (part of Lot 77, Kununurra);
2. Amend item 3 of “the Schedule” from \$500 to \$750;
3. Amend item 5 to include “indexation of rent to be based on Perth CPI as per Rent Review Dates”;
4. Amend item 6 of the lease schedule to read “a further term of 21 years”;
5. That the required minimum public risk insurance (third party/public liability) be increased to \$10,000,000.

MINUTE NO:7354

Moved Cr M Middap

Seconded Cr J Parker

That Council amend the lease with the Kununurra Agricultural Society to include the following:

- 1. The area shown in attachment 1 of reserve no. 29799 (part of Lot 77, Kununurra);***
- 2. Amend item 3 of “the Schedule” from \$500 to \$750;***
- 3. Amend item 5 to include “indexation of rent to be based on Perth CPI as per Rent Review Dates”;***
- 4. Amend item 6 of the lease schedule to read “a further term of 21 years”;***
- 5. That the required minimum public risk insurance (third party/public liability) be increased to \$10,000,000.***

Carried 7-1

Cr J Nelson requested that the votes be recorded.

For

Cr M Middap

Cr M Pucci

Cr R Devenish Meares

Cr J Parker

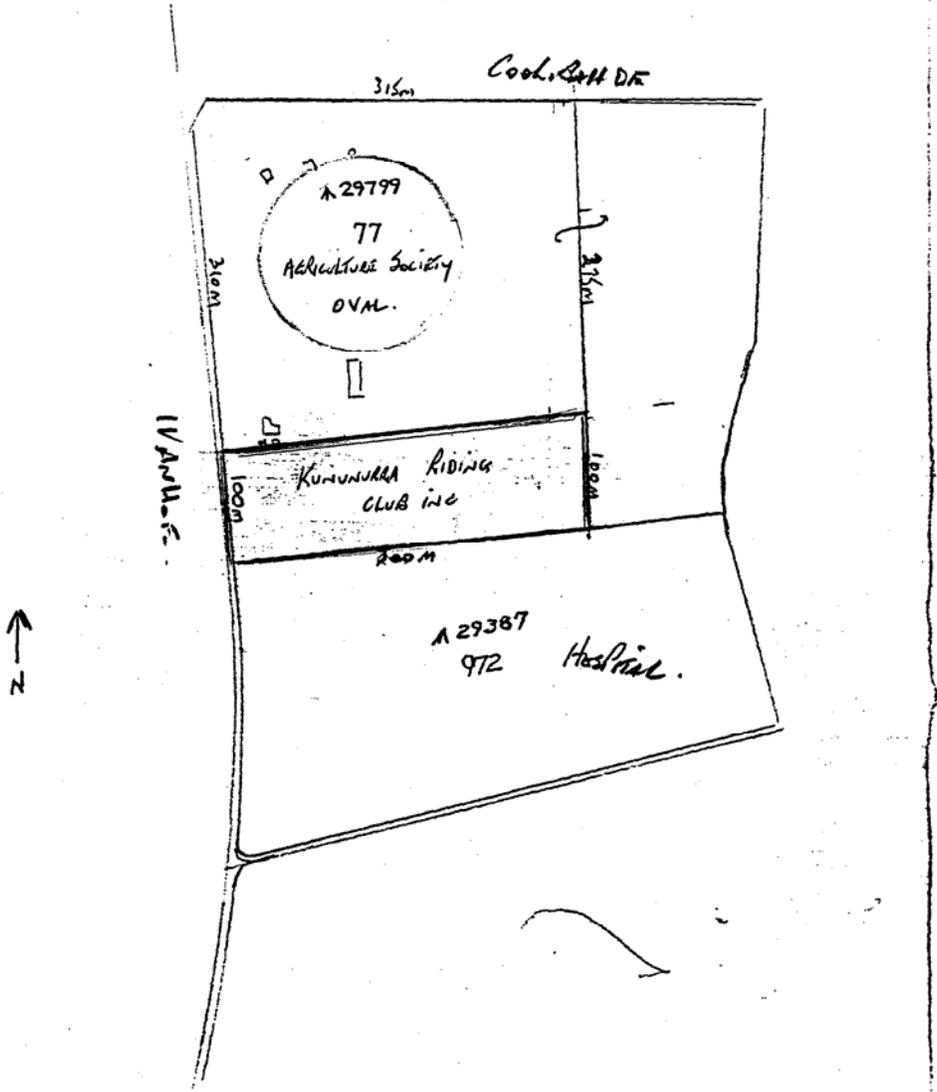
Cr J Buchanan

Cr K Wright

Cr B Barnes

Against

Cr J Nelson



OF WYNDHAM
T KIMBERLEY
 STREET - WYNDHAM
 phone 611002

DESIGNED	DATUM
DRAWN	SCALE 1:5000
CHECKED	SHIRE ENGINEER
APPROVED	

12.2.4 Lease Renewal – Kununurra Motocross Club

DATE:	20 December 2005
PROPONENT:	Kununurra Motocross Club
LOCATION:	Portion of Reserve No.39391, King Location 633
ATLAS REFERENCE:	Map 37, E2
AUTHOR:	Hayley McKeen, Corporate and Community Services Support Officer
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager Corporate and Community Services
FILE NO:	60.14.02:01.5616.01
ASSESSMENT NO:	5616

PURPOSE

For Council to consider a request from the Kununurra Motorcross Club to draft a new lease for Reserve 39391, King Location 633.

BACKGROUND

On the 20 February 1986 a portion of Reserve No.39391, King Location 633 was vested to Council for the purposes of "Recreation (Motorcross Track)".

It is understood that a lease for the Kununurra Motorcross Club previously existed, although neither the Shire nor the Club are able to find records to clarify the previous arrangements.

A new lease has been drafted with negotiations between the Club and Shire Officers are underway.

Based on the fact this is a not for profit organisation and it is has been vested to the Shire for recreation it is suggested by the author that an annual lease fee be kept at a minimal amount. It is anticipated that this will encourage the building of infrastructure for the Club, within the relevant requirements. Minimum rates will be raised for the land.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 3.58

Disposing of Property

3.58

(1) In this section –

“**dispose**” includes sell, lease, or otherwise dispose of, whether absolutely or not

“**property**” includes the whole or any part of the interest of a local government in property , but does not include money.

- (2) Excepted as stated in this section, a local government can only dispose of property to –
- (a) the highest bidder at public auction; or
 - (b) The person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it's the highest tender.
- (3) A local government can dispose of property other than under section (2) if, before agreeing to dispose of the property –
- (a) it gives Statewide public notice of the proposed disposition –
 - (i) describing the property concerned;
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submission made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3) (a) (ii) include –
- (a) the names of all other parties concerned;
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition as ascertained by a valuation carried out not more than six months before the proposed disposition.

As Reserve 39391, King Location 633 has been vested with the Shire specifically for "Recreation (Motorcross)", and it is the same party with which previously held a lease, it is at the discretion of Council to consider this request.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As mentioned in the "Background" should Council agree to this request, the Club would be expected to pay an annual fee of \$100 (excl GST) and minimum rates.

STRATEGIC IMPLICATIONS

Shire of Wyndham East Kimberley Strategic Plan 2005/2006

Goal 5 – Community Pride:

That the community's satisfaction with the quality of life in the Shire remains at a high level.

- Strategy 1 – Support community events and projects that contribute to the development of community spirit.

COMMUNITY CONSULTATION

Negotiations between the Kununurra Motocross Club and the Shire have been carried out.

COMMENT

The Kununurra Motocross Club has gained new momentum with the introduction of new residents in town with a common interest with Broome and Katherine in motor sports. The Club has recently participated in a motocross event in Broome with over 40 participants from Kununurra and Wyndham. The Club encourages safe practices for old and young participants with training courses and regular meets fortnightly.

This is quickly becoming a part of community pride and it is the Officers recommendation that the Shire should be seen to support the Club in their pursuit of recreation through motor sport in a safe and designated area.

The justification for requesting a \$100 annual lease fee is to simply pay for administrative costs. The Club will be providing recreation for members of the community and with foresight, will provide infrastructure for the Club and its patrons. Revenue that may be made for the Club will be put back into infrastructure such as toilets and a shed, therefore increasing the value of the land.

ATTACHMENTS

The lease document will be available for Councillors to peruse at this meeting.

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That the area, known as Reserve 39391, King Location 633 be leased to the Kununurra Motorcross Club for \$100 (GST excl.) with the term of the lease set for a period of five years with a five year renewal option.

MINUTE NO:7355

Moved Cr K Wright

Seconded Cr J Nelson

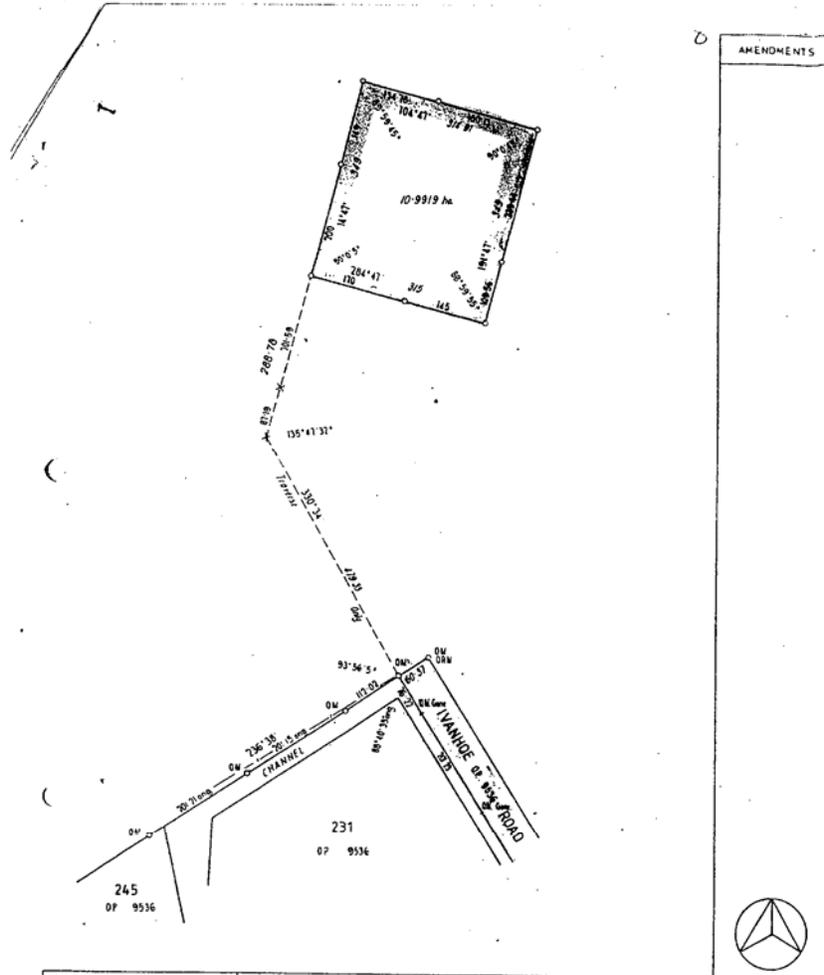
That item 12.2.4 be deferred until the February Briefing Session of Council

Carried Unanimously 8-0

Note: Councillors believed the recommendation needed wider consideration in context with other leases to community groups.

ANNEXURE 'A'

Plan



AMENDMENTS

LAND DISTRICT KING	LOCATION 633.	FILE No. 406-984
SURVEYOR'S CERTIFICATE		SCALE 1:5000 REDUCED
I hereby certify that this survey was performed by me personally for under my personal supervision, inspection and field check, in strict accordance with the Licensed Surveyors (Guidance of Surveyors) Regulations.		ALL measurements in metres
Asimuth observed at or assumed from <u>OP 9536</u>	Calc. Bl. No. _____ Checked with F.S. <u>80/20/</u>	SURVEY APPROVED
Date of marking <u>29th OCTOBER 1994</u>	Account No. _____ Examined <u>80/20/</u>	Date _____ Surveyor General
Surveyor <u>G.G. BALEMAN</u>	Diagram named _____	Recorded as Public Plan
Field Book No. _____ Page <u>1-3</u>	Inspector of Plans and Surveys _____	Approved by <u>10/1/1965</u> of Plans
Cadastral Plan <u>184/1965</u> 175/1965 5/1		DEPT. OF LANDS AND SURVEYS
Reference <u>41-761</u>		DIBBELL No. <u>86722</u>
Source Sheet <u>6-25-26</u> Date _____		

12.2.5 First Quarter Budget Review

DATE:	20/12/2005
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Yale Bolto, Acting Executive Manager, Corporate and Community Services
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager, Corporate and Community Services
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

To present to Council the results of the September budget review, as presented previously to Council's Audit Committee.

BACKGROUND

As Council is aware, the 04/05 financial statements and associated notes have now been audited. This has resulted, firstly in an unqualified Audit opinion, and secondary the ability to finalise the 2004/05 cash surplus position to be carried forward into the 2005/06 accounts.

The cash surplus is equivalent to net current assets, thus representing the cash or liquid funds available for Council to operate with. From the audited statements,

	2004/05	2003/04	Variance
	Actual	Actual	
	\$	\$	\$
Current Cash Assets			
Cash Assets (Muni)*	784,450	115,479	668,971
Receivables	1,311,028	1,593,692	-282,664
Inventories	12,975	7,683	5,292
Payables	-1,182,013	-1,394,383	212,370
Net Current Cash Assets (Cash Surplus)	926,440	322,471	603,969
Estimated Surplus B/Fwd included in the 2004/05 Budget	259,800		
Balance of 2004/05 Surplus available for allocation*	666,640		

- Cash Assets include several restricted assets that are expected to be spent in 2005/06:

DCD Youth Centre Funding	\$600,000
Sustainable Regions Funding	\$88,887
Roads to Recovery Funding	\$532,577
Total	\$1,221,464

These funds have already been recognised as income in previous periods. Therefore Council must ensure that the expenditure is budgeted in 2005/06 to be included in the Carried Forward Surplus.

The revised Carried Forward Surplus has been applied to the 2005/06 budget as part of the October Budget Review, as well as the restricted items that need to be either included or amended in the budget. All line managers have also reviewed their first quarter results, culminating in the following budget amendments across the Shire's functions.

Schedule	Saving/(Loss)
General Purpose Income	\$59,060
Governance	\$1,100
Law, Order and Public Safety	\$13,000
Health Services	\$32,700
Welfare	(\$497,800)
Housing	\$10,200
Community Amenities	\$11,000
Recreation & Culture	(\$559,200)
Transport	\$120,000
Economic Services	\$1,000
Other Works & Services	\$142,300
CWFD Surplus	\$666,640
Total	\$0

The major Budget adjustments are as follows:

Item	Net Saving/(loss)	Reason
Youth Centre	(\$600,000)	\$600,000 received in 04/05, included in CFWD
Roads to Recovery	(\$532,577)	CFWD of unspent Roads to Recovery funds for Konkerberry Road
Child Care Centre Grant Funds	(\$500,000)	KDC Grant not available
Sustainable Regions Grants	(\$88,887)	Grant to be refunded to funding body
KNX Office refurbishment	\$0	Recommendation that this not proceed, no loan need to be raised or reserve transfer
KNX Library Extension	\$0	Library extension not going ahead this year
Rubbish Disposal income	\$60,000	Increased Rubbish Disposal income
Parking Reserve	\$60,000	Town Centre Parking upgrade to be funded from cash in lieu funds
Department of Housing grant for Oombulgurri Road Mtce	\$120,000	New grant funds to maintain Oombulgurri Road
Civic Building Reserve transfer	\$300,000	Proceeds from the Sale of Wyndham Caravan Park & Hospital to fund Care Centre building
Flood damage grant	\$340,000	State grant to reimburse Council for flood damage in 04/05

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 6.4

Local Government (Financial Management) Regulations 1996

31. Net current assets at start of financial year to be shown

- (1) The annual budget is to include the net current assets carried forward from the previous financial year.
- (2) If at the time of preparation of the annual budget the net current assets are not known, an estimate of that figure may, if it is disclosed as an estimate, be included in the annual budget.
- (3) The annual budget is to include or be accompanied by notes containing -
 - (a) a summary explaining the composition of the net current assets; and
 - (b) if the net current assets differs from the figure used in the rate setting statement, a disclosure of the difference and a brief explanation of the reason for the difference.

POLICY IMPLICATIONS

Policy F7 – Significant Accounting Policies

Objective:

To provide the basis for Council's accounting concepts and annual reporting guidelines. To maintain accounting reporting procedures that comply with statutory requirements and to demonstrate Council's financial position.

FINANCIAL IMPLICATIONS

Monitoring and managing the annual budget is a primary tool of Council to manage its finances.

STRATEGIC IMPLICATIONS

Key Result Area 5 - Governance

Goal 2 – Financial Management:

That the Shire's finances are well managed and user friendly, with expenditure reflecting expressed community priorities.

COMMENT

Considering the 2004/05 cash surplus and first quarter 2005/06 results, management has identified significant budgetary issues, including the loss of the KDC grant for the Child Care Centre, in an appropriate way. Operational savings and adjustments have enabled the resulting \$200,000 deficit (\$500k - \$300k) to be funded out of municipal funds, therefore reducing the need to additional loan funds or the sale of the Ewin & Pindan Centres. The Committee should also note that there are no planned service reductions with only minor adjustments to operational budgets. The budget will be further fine tuned over the next three quarters of the year.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATIONS

That Council approve the budget variations as stated in the background commentary of this item.

MINUTE NO:7356

Moved Cr K Wright

Seconded Cr M Middap

That Council approve the budget variations as stated in the background commentary of this item.

Schedule	Saving/(Loss)
General Purpose Income	\$59,060
Governance	\$1,100
Law, Order and Public Safety	\$13,000
Health Services	\$32,700
Welfare	(\$497,800)
Housing	\$10,200
Community Amenities	\$11,000
Recreation & Culture	(\$559,200)
Transport	\$120,000
Economic Services	\$1,000
Other Works & Services	\$142,300
CWFD Surplus	\$666,640
Total	\$0

Carried Unanimously 8-0

12.2.6 Monthly Financial Reports

DATE:	20/12/2005
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Yale Bolto, Acting Executive Manager Corporate and Community Services
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager Corporate and Community Services
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to adopt the Monthly Financial Report for October 2005.

BACKGROUND

Council is required to adopt Monthly Financial Reports, the minimum requirement, as stated in the Local Government (Financial Management) Regulations 1996, is to prepare a "Financial Activity Statement Report". Options were put to the Audit Committee in October to determine what was to be presented to Council. At this meeting, the Committee decided to present to Council every month the following information:

1. Financial Activity Statement report, by Function;
2. Financial Activity Statement report, by Responsible Officer (business unit);
3. Reconciliation of Cash Surplus to Current Assets; and
4. Municipal Bank Reconciliation.

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996 (as amended)

34. Financial activity statement report — s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (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;
(b) an explanation of each of the material variances referred to in sub regulation (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;
(b) by program; or
(c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
(a) presented to the council —
(i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
(ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;
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 AAS 5, to be used in statements of financial activity for reporting material variances.
- (6) In this regulation —
“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;
“restricted assets” has the same meaning as in AAS 27.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Nil

COMMENT

Nil

ATTACHMENTS

Monthly Financial Reports for October 2005

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council adopt the Monthly Financial Reports for month end of October 2005

MINUTE NO:7357

Moved Cr J Buchanan

Seconded Cr K Wright

That Council adopt the Monthly Financial Reports for month end of October 2005

Carried Unanimously 8-0

BANK RECONCILLIATION AS AT 31.10.2005	
Balance as per	
Cash at Bank (131)	\$683,886
Restricted Cash	\$626,387
TOTAL	\$1,310,273
Balance as per	
Trading Account	\$825,231
SUB TOTAL	\$825,231
Add: Outstanding Deposits	\$67,114
Less: Outstanding Cheques	\$106,541
TOTAL	\$785,804
Rounding	
Variance	\$524,469
TOTAL	\$1,310,273
Variance made up of:	
ATO DEPOSIT	\$13,826
TRUST TRSF	\$2,610
TRUST TRSF	\$6,365
TRUST TRSF	\$(7,800)
RESERVE TRSF	\$(11,753)
JOURNAL AT 20.4 INCORRECT - JOURNAL	\$(8,259)
DEBTOR RECEIPT INCORRECT - JOURNAL	\$(20)
SEPTEMBER BILL EXPRESS FEES	\$2,128
rounding	\$(0)
OCTOBER BILL EXPRESS FEES	\$150
TRUST TRSF	\$(4,706)
TRFR TO RESERVE ACCT	\$11,753
TRFR TO NEW TD	\$500,000
11.10 OBB TRANSFER	\$20,000
ZARMYRA	\$(50)
31.10 BILL EXP	\$308
31.10 EFT	\$(83)
Total	\$524,469

MUNICIPAL OUTSTANDINGS	
Outstanding Cheques	
35482	\$45
36350-36366	\$180
36369-36394	\$80
36448-36468	\$512
36469-36477	\$0
36512-36529	\$140
36552-36561	\$15
36610-36626	\$1,719
36627	\$80
36628-36636	\$1,118
36637-36656	\$397
36657-36668	\$140
36669-36678	\$333
36679-36691	\$101,781
	\$106,541
MUNICIPAL OUTSTANDINGS	
Outstanding Deposits	
30.09 DR REC	\$28,528
20.10 DR REC	\$33,725
31.10 DR REC	\$4,861
	\$67,114

Shire of Wyndham East Kimberley				
Statement of Financial Activity by Function				
	Original Budget	Amended Budget	October Actual YTD	%
Operating Expenditure				
General Purpose Funding	247,300	247,300	50,643	20%
Governance	602,850	602,850	164,147	27%
Law, Order and Public Safety	338,050	338,050	106,055	31%
Health	364,250	364,250	89,394	25%
Welfare	262,500	262,500	85,293	32%
Housing	219,600	219,600	61,504	28%
Community Amenities	1,353,200	1,353,200	354,501	26%
Recreation & Culture	2,959,450	2,959,450	910,544	31%
Transport	3,131,650	3,131,650	1,086,432	35%
Economic Services	393,200	393,200	155,573	40%
Public Works Overhead	5,725,650	5,797,530	2,213,549	38%
Airports	1,461,500	1,461,500	502,728	34%
Total Operating Expenditure	17,059,200	17,131,080	5,780,361	34%
Operating Revenue				
General Purpose Funding	(6,946,500)	(6,946,500)	(4,185,525)	60%
Governance	(2,000)	(2,000)	(167)	8%
Law, Order and Public Safety	(91,500)	(91,500)	(19,410)	21%
Health	(121,650)	(121,650)	(78,022)	64%
Welfare	(1,510,600)	(1,510,600)	(31,981)	2%
Housing	(629,040)	(629,040)	(18,914)	3%
Community Amenities	(820,300)	(820,300)	(704,395)	86%
Recreation & Culture	(2,223,500)	(2,223,500)	(227,785)	10%
Transport	(1,504,700)	(1,504,700)	(731,797)	49%
Economic Services	(85,100)	(85,100)	(28,603)	34%
Public Works Overhead	(5,831,950)	(5,831,950)	(2,010,066)	34%
Airports	(1,835,400)	(1,835,400)	(518,283)	28%
Total Operating Revenue	(21,602,240)	(21,602,240)	(8,554,949)	40%
Operating Surplus	(4,543,040)	(4,471,160)	(2,774,588)	62%
Non Operating Expenditure				
General Purpose Funding	130,000	130,000	0	0%
Governance	3,700	3,700	6,666	180%
Law, Order and Public Safety	0	0	0	999%
Welfare	2,363,800	2,363,800	108,366	5%
Housing	1,107,300	1,107,300	158,324	14%
Community Amenities	120,000	120,000	0	0%
Recreation & Culture	2,570,950	2,570,950	404,496	16%
Transport	2,442,900	2,371,020	1,085,469	46%
Economic Services	43,300	43,300	5,459	13%
Public Works Overhead	937,400	937,400	1,352	0%

Airports	511,200	511,200	67,823	13%
Total Non Operating Expenditure	10,230,550	10,158,670	1,837,956	18%
Non Operating Income				
Health	0	0	0	999%
Welfare	(955,100)	(955,100)	0	0%
Housing	(720,000)	(720,000)	0	0%
Community Amenities	(54,600)	(54,600)	0	0%
Recreation & Culture	(492,900)	(492,900)	0	0%
Transport	(551,000)	(551,000)	0	0%
Economic Services	(18,400)	(18,400)	(5,459)	30%
Public Works Overhead	(845,400)	(845,400)	0	0%
Airports	(137,300)	(137,300)	0	0%
Total Non Operating Income	(3,774,700)	(3,774,700)	(5,459)	0%
Depreciation	(2,576,000)	(2,576,000)	(644,000)	25%
(Profit)/Loss on sale	922,990	922,990	0	0%
	(1,653,010)	(1,653,010)	(644,000)	39%
Surplus B/F	(259,800)	(259,800)	(926,440)	357%
Surplus C/F	0	0	(2,512,532)	999%

Shire of Wyndham East Kimberley				
Statement of Financial Activity by Responsibility				
	Original Budget	Amended Budget	October Actual YTD	%
Operating Expenditure				
Aboriginal Environmental Health Officer	166,650	166,650	41,742	25%
Airport Manager	1,461,500	1,461,500	502,728	34%
Building Services Inspector	576,800	576,800	159,148	28%
Emergency Services	100,100	100,100	11,955	12%
Environmental Health Officer	195,200	195,200	46,745	24%
Executive	645,700	645,700	272,088	42%
Executive Support Officer	602,850	602,850	164,147	27%
Information Coordinator	215,800	215,800	52,309	24%
Manager Community Services	2,695,250	2,695,250	871,551	32%
Manager Financial Services	3,752,050	3,823,930	1,490,608	39%
Manager Technical Services	6,235,550	6,235,550	2,030,378	33%
Rangers	237,950	237,950	94,100	40%
Town Planner	173,800	173,800	42,863	25%
Total Operating Expenditure	17,059,200	17,131,080	5,780,361	34%
Operating Revenue				
Aboriginal Environmental Health Officer	(97,250)	(97,250)	(56,116)	58%
Airport Manager	(1,835,400)	(1,835,400)	(518,283)	28%
Building Services Inspector	(706,140)	(706,140)	(47,516)	7%
Emergency Services	(55,800)	(55,800)	(13,171)	24%
Environmental Health Officer	(24,400)	(24,400)	(21,906)	90%
Executive	(107,500)	(107,500)	(5,299)	5%
Executive Support Officer	(2,000)	(2,000)	(167)	8%
Information Coordinator	(1,100)	(1,100)	(130)	12%
Manager Community Services	(3,581,900)	(3,581,900)	(172,031)	5%
Manager Financial Services	(11,294,450)	(11,294,450)	(5,679,500)	50%
Manager Technical Services	(3,840,700)	(3,840,700)	(2,028,085)	53%
Rangers	(35,700)	(35,700)	(6,239)	17%
Town Planner	(19,900)	(19,900)	(6,504)	33%
Total Operating Revenue	(21,602,240)	(21,602,240)	(8,554,949)	40%
Operating Surplus	(4,543,040)	(4,471,160)	(2,774,588)	62%

Non Operating Expenditure				
Airport Manager	511,200	511,200	67,823	13%
Building Services Inspector	1,227,300	1,227,300	158,324	13%
Executive	300,000	300,000	0	0%
Executive Support Officer	3,700	3,700	6,666	180%
Information Coordinator	119,700	119,700	1,352	1%
Manager Community Services	4,683,600	4,683,600	208,004	4%
Manager Financial Services	631,700	631,700	0	0%
Manager Technical Services	2,753,350	2,681,470	1,395,786	52%
Total Non Operating Expenditure	10,230,550	10,158,670	1,837,956	18%
Non Operating Income				
Airport Manager	(137,300)	(137,300)	0	0%
Building Services Inspector	(725,100)	(725,100)	0	0%
Executive	(300,000)	(300,000)	0	0%
Information Coordinator	(25,000)	(25,000)	0	0%
Manager Community Services	(1,461,300)	(1,461,300)	(5,459)	0%
Manager Financial Services	(505,100)	(505,100)	0	0%
Manager Technical Services	(620,900)	(620,900)	0	0%
Total Non Operating Income	(3,774,700)	(3,774,700)	(5,459)	0%
Depreciation	(2,576,000)	(2,576,000)	(644,000)	25%
(Profit)/Loss on sale	922,990	922,990	0	0%
	(1,653,010)	(1,653,010)	(644,000)	39%
Surplus B/F	(259,800)	(259,800)	(926,440)	357%
Surplus C/F	0	0	(2,512,532)	999%

SHIRE OF WYNDHAM EAST KIMBERLEY		
MANAGEMENT REPORT		
01/10/05 - 31/10/05		
	G/L	\$
NET CURRENT ASSETS		
CASH AT BANK	131	\$ 683,886
RESTRICTED CASH	132	\$ 626,387
CASH ON HAND	140-150	\$ 1,500
RATES DEBTORS	151	\$ 1,022,850
DEFERED PENSIONERS		\$ (43,721)
SUNDRY DEBTORS	152	\$ 606,876
ANSETT DEBTOR	155	\$ 163,681
PROVISION FOR DEBTS	153	\$ (220,245)
GST RECEIVABLE	163	\$ 65,628
GST PAYABLE	164	\$ (22,502)
LOANS - CLUBS INSTITUTIONS		\$ 16,064
ACCRUED INCOME	223	\$ -
PREPAYMENTS	190	\$ -
INVENTORIES	162	\$ 5,223
SUSPENSE		\$ (1,298)
		\$ 2,904,329
LESS PAYABLES		
SUNDRY CREDITORS	281	\$ -
ESL CONTROL	181	\$ 10,195.00
ACCRUED EXPENSES	221	\$ -
SUNDRY CREDITOR ATO/SUPER	261-264-267-268	\$ 29,161.00
ACCRUED INTEREST ON LOANS	232	\$ -
ACCRUED SALARIES AND WAGES	233	\$ -
RETENTIONS	270-272	\$ 90,643.00
INSURANCE	169	\$ 260,849.00
RATES REFUND	195	\$ 949.00
		\$ 391,797.00
NET UNRESTRICTED CASH ASSETS		\$2,512,532.00

12.2.7 Proposed Investment Policy

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Yale Bolto, Acting Executive Manager Corporate and Community Services
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager Corporate and Community Services
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the implementation of an Investment Policy.

BACKGROUND

The Shire has two different investment portfolios with different time frames and different accessibility factors. The reserve accounts are long term investments, the majority of funds do not need to be accessed for periods greater than a year. The municipal bank account has a short term focus and is accessed on a daily basis for working capital.

At present Council does not have an investment policy, the investment of excess municipal and reserve funds are the responsibility of the Manager of Finance or the Executive Manager of Corporate and Community services. Three quotes are gained from the four major banks; Bank West Broome is extremely competitive or will match other quotes.

At present all our accounts are with Bank West Broome, we receive good service, competitive rates and minimal fees and charges on our investments.

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

POLICY IMPLICATIONS

No existing Shire Policy covers Investments.

FINANCIAL IMPLICATIONS

This policy will allow present and future finance staff to invest excess shire funds gaining the highest return with minimal risk.

STRATEGIC IMPLICATIONS

Key Result Area 5 - Governance
Goal 2 – Financial Management

Strategy 4 – Review current Shire investment strategies and identify areas where improvement can be made.

COMMENT

The draft policy has been prepared to ensure that present and future finance staff are investing excess funds with minimal risk and the highest possible return. There are numerous investment options available to Council offering different variations in risk. We must be aware that we are investing the community's funds and therefore a risk adverse attitude is to be adopted.

Traditionally cash investments are the sole investment tool used by the finance staff, it offers liquidity, is risk adverse, directly managed, fees and charges are minimal. Other investments such as property, shares, discount securities and managed funds have been ignored because of risk, lack of liquidity, management problems and high fees and charges.

In the past Council has only invested in banks, they are a secure investment and allow finance staff to transfer between accounts with ease. I would suggest our municipal account is kept with Bank West allowing ease of transferring funds, good returns, risk adverse investment, good service and minimal fees and charges. Councils reserve accounts can be diversified into credit unions with a pre determined asset base and split into long term, medium term and short term investing.

The investment policy will act as a guide set by Council to ensure the return and risk profile of future investments by finance staff. Banks will be rated by Standard and Poors and Credit Unions will be rated by their asset base.

ATTACHMENTS

Draft Investment Policy

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council endorse the Investment Policy

MINUTE NO:7358

Moved Cr K Wright

Seconded Cr R Devenish Meares

That Council endorse the Investment Policy

Carried Unanimously 8-0

Note: Council commended the Manager of Financial Services on the Investment policy

POLICY NUMBER:	F17
DIVISION:	Corporate & Community Services
SUBJECT:	Investment Policy
REPORTING OFFICER:	Acting Executive Manager Corporate Services
ENABLING LEGISLATION:	N/A

OBJECTIVE

The investment policy will act as a guide set by Council in relation to the risk profile of investing the community's funds. Banks will be rated by Standard and Poors and Credit Unions will be rated by their asset base.

POLICY

Council has two investment portfolios being short term municipal funds and medium to long term reserve funds. Three quotes are required when investing any funds from municipal or reserve accounts. Once the rate is finalised the investment must be signed by two signatories to the bank account.

Municipal Account

Municipal funds will be invested with the institution that provides our trading account and supports our merchant banking facilities. By keeping our short term municipal investments with the facility which provides our trading account Council allow for, Accountability – separate to reserve accounts.

Transparency – all municipal funds listed on internet banking.

Short term investment – ease of transferring funds between short term investments and working capital.

Risk averse – investment in term deposits.

Reserve Account

Reserve funds are traditionally medium to long term investments, higher returns can be gained from long term investing. We can split our investing into long term, medium term and short term and install guidelines on the different institutions that the funds may be deposited with. Diversifying investments across three institutions reduces the risk when investing funds and is advisable.

Long Term – funds are invested for up to one year with a Bank offering a Standards and Poors long term rating of greater than A. Reserve long term investing may be conducted with a Credit Union with assets greater than one billion dollars.

Medium Term – funds are invested for up to six months with a bank offering a Standards and Poors long term rating of greater than A and a short term rating of greater than A2. Reserve medium term investing may be conducted with a Credit Union with assets greater than one billion dollars.

Short Term – funds are invested in liquid investments in high interest earning bank accounts with short term Standards and Poors ratings of greater than A2. Credit Unions offering traditional trading accounts with an asset base of greater than six hundred million with minimal fees may be utilised. The amount invested will need to be judged by the adopted budget (reserve funding requirements) but should be kept to a minimum as greater returns can be gained from long term investing.

ADOPTED:
AMENDED:
REVIEWED:

12.2.8 Back Rating Refuse Collection Charges on 19 Units at Coolibah Court, Kununurra

DATE:	20 December 2005
PROPONENT:	Owners of 19 units at 28 Coolibah Court
LOCATION:	28 Coolibah Court, Kununurra
ATLAS REFERENCE:	N/A
AUTHOR:	Fiona Kuiper, Rate Officer
REPORTING OFFICER:	Yale Bolto, Acting Executive Manager Corporate and Community Services
FILE NO:	
ASSESSMENT NO:	

PURPOSE

For Council to consider back rating Refuse Collection services on 19 units at 28 Coolibah Court.

BACKGROUND

When the Coolibah Court units were built, all Refuse Collection services were charged to the owners of the time, with the charges being raised against a single Assessment. As the units were sold, this single Assessment was deleted and Refuse Collection services were not added to individual Assessments, therefore charges have not been raised.

This was discovered recently, during the process of the sale and settlement of one of the units. The absence of a Refuse Collection charge on each Assessment has not been noted by previous Rates Officers, Settlement Agents, Sellers or Buyers during the Settlement process.

STATUTORY IMPLICATIONS

Local Government Act 1995

6.39. Rate record

(2) A local government —

(a) is required, from time to time, to amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with this Act; and

(b) may amend the rate record for the 5 years preceding the current financial year.

6.40. Effect of amendment of rate record

(2) Where the rate record in relation to any land is amended under section 6.39(2) as a result of a change in a service charge imposed on that land, the local government is to reassess that service charge and to give notice to the owner or occupier of the land, as

the case requires, of any change in the amount of the service charge payable on the land.

(4) If, as a result of a reassessment of a service charge under subsection (2), a service charge on any land is —

(b) increased, and that service charge was imposed on —

- (i) the owner, that increased service charge is the service charge to which section 6.44 applies; or
- (ii) the occupier, that increased service charge is a debt due to the local government by the person on whom the service charge was imposed.

POLICY IMPLICATIONS

Rate Collection Policy F12

FINANCIAL IMPLICATIONS

Under the Act, Council has three options with regard to back-rating the Refuse Collection charges:

- The current owners of the units, irrespective of the period of ownership, be back-rated 5 years Refuse Collection charges. This would result in back-rated Refuse Collection charges of \$29, 469 being issued.
- The current owners be back-rated for Refuse Collection for their period of ownership only (as per spreadsheet). Back-rated Refuse Collection charges of \$16,224.75 could be issued.
- The current owners be back-rated for the 2004/05 rating period only, Refuse Collection charges of \$5,776 could be issued.

These properties will be correctly charged for Refuse Collection for the 2005/06 rating period resulting in interim Refuse Collection charges of \$5,776 being issued.

CONSULTATION

Nil

COMMENT

The 19 units at 28 Coolibah Court have received continuous Refuse Collection services since they were built and first occupied. The Shire of Wyndham East Kimberley has been paying for these services without collecting service charges since the units began to be sold off in 1998.

Refuse Collection charges will be added to these Assessments immediately for the 2005/06 rating period. The property records will then be correct for future rating.

It is likely that back-rating the current owners for Refuse Collection for the full 5 years, allowable under the Act, will be seen to be harsh and unfair.

ATTACHMENTS

Spreadsheet: Back-Rating Refuse Collection Charges on 19 Units at Coolibah Court up to 5 year limit

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That Council back-rate Refuse Collection charges for the 19 units at Coolibah Court, for at least the 2004/05 rating period. Council should note that it can back-rate the full 5 years allowed under the Act.

MINUTE NO:7359

Moved Cr K Wright

Seconded Cr R Devenish Meares

That Council back-rate Refuse Collection charges for the 19 units at Coolibah Court, for the 2004/05 rating period.

Carried Unanimously 8-0

Back-Rating Refuse Collection Charges on 19 units at 28 Coolibah Court

				Current rating year plus 5 years back rating: pro-rata							Total due
Ass No.	Unit No.	Property Address	Date Ownership commenced	2005/06	2004/05	2003/04	2002/03	2001/02	2000/01		
5851	5	28 Coolibah Drive	5/01/1998	\$304.00	\$304.00	\$304.00	\$230.00	\$209.00	\$200.00		\$1,551.00
5901	4	28 Coolibah Drive	20/12/2004	\$304.00	\$159.91	\$0.00	\$0.00	\$0.00	\$0.00		\$463.91
5897	19	28 Coolibah Drive	1/02/2002	\$304.00	\$304.00	\$304.00	\$230.00	\$109.94	\$0.00		\$1,251.94
5855	9	28 Coolibah Drive	7/11/2001	\$304.00	\$304.00	\$304.00	\$230.00	\$134.56	\$0.00		\$1,276.56
5902	3	28 Coolibah Drive	7/11/2001	\$304.00	\$304.00	\$304.00	\$230.00	\$134.56	\$0.00		\$1,276.56
5859	13	28 Coolibah Drive	2/06/2005	\$304.00	\$23.32	\$0.00	\$0.00	\$0.00	\$0.00		\$327.32
5899	16	28 Coolibah Drive	1/05/2005	\$304.00	\$49.97	\$0.00	\$0.00	\$0.00	\$0.00		\$353.97
5854	8	28 Coolibah Drive	1/04/2005	\$304.00	\$74.96	\$0.00	\$0.00	\$0.00	\$0.00		\$378.96
5853	7	28 Coolibah Drive	5/08/1998	\$304.00	\$304.00	\$304.00	\$230.00	\$209.00	\$200.00		\$1,551.00
5856	10	28 Coolibah Drive	12/07/2005	\$294.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$294.00
5857	11	28 Coolibah Drive	5/01/1998	\$304.00	\$304.00	\$304.00	\$230.00	\$209.00	\$200.00		\$1,551.00
5858	12	28 Coolibah Drive	5/01/1998	\$304.00	\$304.00	\$304.00	\$230.00	\$209.00	\$200.00		\$1,551.00
5896	18	28 Coolibah Drive	14/07/2005	\$292.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$292.34
5852	6	28 Coolibah Drive	3/11/2003	\$304.00	\$304.00	\$199.06	\$0.00	\$0.00	\$0.00		\$807.06

5903	2	28 Coolibah Drive	22/09/1998	\$304.00	\$304.00	\$304.00	\$230.00	\$209.00	\$200.00	\$1,551.00
5860	14	28 Coolibah Drive	12/08/2005	\$268.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$268.19
5861	15	28 Coolibah Drive	15/08/2005	\$265.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$265.69
5904	1	28 Coolibah Drive	24/04/2003	\$304.00	\$304.00	\$304.00	\$42.22	\$0.00	\$0.00	\$954.22
5898	17	28 Coolibah Drive	23/08/2005	\$259.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$259.03
									Total	\$16,224.

12.3. CHIEF EXECUTIVE OFFICER

12.3.1 USE OF COMMON SEAL

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	John Gault, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to receive report on the application of the Shire of Wyndham East Kimberley Common Seal from the period 15 November 2005 – 20 December 2005

BACKGROUND

Information is presented monthly to inform Council on what documents the Shire Common Seal has been used. In the time period specified above, the following documents have had the Shire of Wyndham East Kimberley Common Seal applied:

- Transfer of Land Lot 1069 on Deposited Plan 209188
- T04 05/06 Kununurra Childcare Centre
- Agreement between SWEK and the Country Housing Authority

STATUTORY IMPLICATIONS

Local Government Act 1995

Council's Standing Order Local Law makes reference to the application of the Common Seal.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Goal 2 – Decision Making within the Governance KRA of the Strategic Plan includes a strategy which is relevant to this item:

Strategy 3:

Establish succinct monthly reports that graphically indicate key data for financial, human resource, risk and operational management.

As does Goal 6 – Legislation:

Strategy 3:

Ensure continued compliance with all relevant legislation through the submission of relevant reports and documents.

COMMENT

It is the Officers' recommendation that Council formally receive a report on use of the Shire Common Seal.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 15 November 2005 – 20 December 2005.

MINUTE NO:7360

Moved Cr J Nelson

Seconded Cr J Parker

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 15 November 2005 – 20 December 2005.

Carried Unanimously 8-0

12.3.2 2006 Council Meeting Dates

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	John Gault, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to adopt Council Meeting Dates for 2006.

BACKGROUND

In 2003 Councillors indicated a preference for monthly meetings at a regular time (third Tuesday) and resolved at the August 2003 Council Meeting to change the meeting venue ratio from one Kununurra and one away to three Kununurra and one away.

Councillors also indicated a preference to have a monthly Briefing Session on the first Tuesday of each month. Briefing Sessions allow for Councillors to receive information on projects and issues prior to the Council Meeting which assists in discussion and questions between Councillors and Officers. Briefing Sessions improve the process of making informed decisions at Council Meetings. It also allows outside groups a forum to address Council on current issues which may affect the Shire.

Based on this format which appears to have worked successfully for 2005, a timetable below has been presented for review.

When setting the dates below, an effort has made not to clash with the WALGA Conference in Perth which is held from 6th – 9th August 2005.

<u>Day</u>	<u>Date</u>	<u>Meeting Type</u>	<u>Location</u>	<u>Time</u>
Tuesday	24 th January	Ordinary Meeting	Kununurra	6.00pm
Wednesday	8 th February	Annual Electors Meeting	Knx Library	6.00pm
Tuesday	21 st February	Ordinary Meeting	Kununurra	6.00pm
Tuesday	21 st March	Ordinary Meeting	Wyndham	6.00pm
Tuesday	18 th April	Ordinary Meeting	Kununurra	6.00pm
Tuesday	23 rd May	Ordinary Meeting	Kalumburu	6.00pm
Tuesday	20 th June	Ordinary Meeting	Kununurra	6.00pm
Tuesday	18 th July	Ordinary Meeting	Wyndham	6.00pm
Tuesday	22 nd August	Ordinary Meeting	Kununurra	6.00pm
Tuesday	19 th September	Ordinary Meeting	Waringarri	6.00pm
Tuesday	24 th October	Ordinary Meeting	Kununurra	6.00pm
Tuesday	21 st November	Ordinary Meeting	Wyndham	6.00pm
Tuesday	19 th December	Ordinary Meeting	Kununurra	6.00pm

STATUTORY IMPLICATIONS

The Local Government Act states the following clauses that are relevant to this matter:

- 5.3 (1) *A Council is to hold Ordinary Meetings and may hold special meetings*
- 5.3 (2) *Ordinary meetings are to be held not more than three months apart.*
- 5.5 (10) *The CEO is to convene an ordinary meeting by giving each Council member at least 72 hours notice of the date, time and place of the meeting and an agenda for the meeting*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costs involved with operating Council meetings have been built into the Shire's budget.

STRATEGIC IMPLICATIONS

Council's Draft Strategic Plan for 2005/06 currently includes the following which is relevant for this issue:

Key Result Area 5 – Governance:

Goal 1 – Strategic Leadership

That the Shire of Wyndham East Kimberley is recognised as providing effective and accountable leadership and effective control of Shire Services.

COMMENT

The ability to provide prompt, informed decisions and customer service implications are the key issues that need to be considered by Council when setting meeting dates, times and venues. While the proposed spacing of meetings means that there could potentially be a six week wait to obtain a Council decision, this scenario has been lessened due to the additional delegated authority to Officers on more routine matters and urgent matters can be considered faster if deemed necessary via Special Meetings.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council set the following meetings dates for the 2006 Calendar year:

<u>Day</u>	<u>Date</u>	<u>Meeting Type</u>	<u>Location</u>	<u>Time</u>
Tuesday	24 th January	Ordinary Meeting	Kununurra	6.00pm
Wednesday	8 th February	Annual Electors Meeting	Knx Library	6.00pm
Tuesday	21 st February	Ordinary Meeting	Kununurra	6.00pm
Tuesday	21 st March	Ordinary Meeting	Wyndham	6.00pm
Tuesday	18 th April	Ordinary Meeting	Kununurra	6.00pm
Tuesday	23 rd May	Ordinary Meeting	Kalumburu	6.00pm
Tuesday	20 th June	Ordinary Meeting	Kununurra	6.00pm
Tuesday	18 th July	Ordinary Meeting	Wyndham	6.00pm
Tuesday	22 nd August	Ordinary Meeting	Kununurra	6.00pm
Tuesday	19 th September	Ordinary Meeting	Waringarri	6.00pm
Tuesday	24 th October	Ordinary Meeting	Kununurra	6.00pm
Tuesday	21 st November	Ordinary Meeting	Wyndham	6.00pm
Tuesday	19 th December	Ordinary Meeting	Kununurra	6.00pm

MINUTE NO:7361

Moved Cr B Barnes

Seconded Cr J Nelson

That Standing Orders be suspended as per section 15.1 of the Council's Standing Orders Local Laws 2003, to enable wider discussion on proposed Council Meeting Dates for 2006.

Carried Unanimously 8-0

MINUTE NO:7362

Moved Cr B Barnes

Seconded Cr J Nelson

The Standing Orders be re-established.

Carried Unanimously 8-0

MINUTE NO. 7363

Moved Cr K Wright

Seconded Cr J Buchanan

That Council set the following meetings dates for the 2006 Calendar year:

<u>Day</u>	<u>Date</u>	<u>Meeting Type</u>	<u>Location</u>	<u>Time</u>
Tuesday	24 th January	Ordinary	Wyndham	6.00pm
Tuesday	21 st February	Annual electors / Ordinary Meeting	Kununurra	6.00pm
Tuesday	21 st March	Ordinary Meeting	Wyndham	6.00pm
Tuesday	18 th April	Ordinary Meeting	Kununurra	6.00pm
Tuesday	16 th May	Ordinary Meeting	Kununurra	6.00pm
Tuesday	20 th June	Ordinary Meeting	Kununurra	6.00pm
Tuesday	18 th July	Ordinary Meeting	Wyndham	6.00pm
Tuesday	15 th August	Ordinary Meeting	Kununurra	6.00pm
Tuesday	19 th September	Ordinary Meeting	Kununurra	6.00pm
Tuesday	17 th October	Ordinary Meeting	Kununurra	6.00pm
Tuesday	21 st November	Ordinary Meeting	Wyndham	6.00pm
Tuesday	19 th December	Ordinary Meeting	Kununurra	6.00pm

Carried Unanimously 8-0

12.3.3 Delegated Authority Report

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	John Gault, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, CEO
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

To report to Council on the use of Delegated Authority by Officers from 01/11/05 – 30/11/05.

BACKGROUND

Use of Council approved Delegated Authority by Officers is reported to Council on a monthly basis.

The attached tables outline use of Delegated Authority by relevant officers for the above period.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 5.46 outlines Council's responsibilities in relation to keeping registers and records relevant to delegations to CEO and employees.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Governance KRA of the Shire's Strategic Plan includes a strategy, which is relevant to this item:

Goal 2 – Decision Making, Strategy 1 – To have established procedures and protocols that facilitate timely, effective decision making by the Council.

COMMUNITY CONSULTATION

Not Applicable.

COMMENT

The attached reports outline use of Delegated Authority by relevant Council Officers from 01/11/05 – 30/11/05 for endorsement by Council.

ATTACHMENTS

Delegated Authority Report

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council receive the Delegated Authority Report for the period 01/11/05 – 30/11/05.

MINUTE NO:7364

Moved Cr M Middap

Seconded Cr J Buchanan

That Council receive the Delegated Authority Report for the period 01/11/05 – 30/11/05.

Carried Unanimously 8-0

Delegated Authority for Chief Executive Officer

Nil

Delegated Authority for Executive Manager Corporate and Community Services

Nil

Delegated Authority for Executive Manager Engineering and Development Services

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY 01/11/2005 – 30/11/2005

LIC#	DATE	OWNER	ADDRESS	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	LOT AREA	FLOOR AREA	ROOF CLAD	WALL CLAD	EST. VALUE
175/ 2005	03/11/05	DEPARTMENT OF PLANNING & INFRASTRUCTURE - ABORIGINAL HOUSING - YIRRALLALEM COMMUNITY	PO BOX 630 KUNUNURRA	MARVIC CONSTRUCTIONS	LOC 512 RESERVE 35289 PACKSADDLE ROAD KUNUNURRA "YIRRALLALEM "	DWELLING (Ruben's house)	NEW	6019.5 02	192	STEEL	STEEL	\$298,000.00
176/ 2005	04/11/05	DEPARTMENT OF PLANNING & INFRASTRUCTURE - ABORIGINAL HOUSING - YIRRALLALEM COMMUNITY	PO BOX 630 KUNUNURRA	MARVIC CONSTRUCTIONS	LOC 512 RESERVE 35289 PACKSADDLE ROAD KUNUNURRA "YIRRALLALEM "	DWELLING (Helen's house)	NEW	6019.5 02	218	STEEL	STEEL	\$306,000.00
177/ 2005	08/11/05	BROOKE DULEY	218 ATTUNGA ROAD YOWIE BAY NSW	COLIN WILKINSON DEVELOPMENTS PTY LTD	STRATA LOT 2 , LOT 133 (15) ROSEWOOD AVENUE KUNUNURRA	SHED	NEW	0.0523	9	STEEL	STEEL	\$2,087.00
178/ 2005	08/11/05	DAVEY TYRE & BATTERY SERVICE	PO BOX 1040 KUNUNURRA	KGC ENTERPRISES PTY LTD	LOT 2468 (114) CASUARINA WAY KUNUNURRA	SINGLE DWELLING	NEW		329	STEEL	STEEL	\$307,000.00
179/ 2005	09/11/05	DEPARTMENT OF HOUSING & WORKS	PO BOX 970 KUNUNURRA	FRANMOR CONSTRUCTIONS	LOT 1847 (21) LEMONWOOD WAY KUNUNURRA	REPLACEMENT TIMBER ROOF FRAME WITH STEEL (3 DWELLINGS)	ADD	0.1064	300	STEEL	EXIST	\$240,000.00

180/2005	11/11/05	DEPARTMENT OF HOUSING & WORKS	PO BOX 970 KUNUNURRA	FRANMOR CONSTRUCTIONS	LOT 1954 (21) BANYAN STREET KUNUNURRA	CARPORT	NEW	0.0824	36	STEEL	N/A	\$9,500.00
181/2005	14/11/05	MARK PHILLIPS & SUSAN WILLIAMS	PO BOX 1873 KUNUNURRA	MARK PHILLIPS & SUSAN WILLIAMS	LOT 109 (18) NUTWOOD CRESCENT KUNUNURRA	INTERIOR ALTERATION - REMOVE WALL & INSTALL BEAM	ADD	0.0966	0	EXIST	EXIST	\$3,000.00
182/2005	18/11/05	JTC GRAZING PTY LTD (T/a Hidden Valley Caravan Park)	Shop 10 SANDS SHOPPING CENTRE MANDURAH	EDWARD JENNINGS	BAY 7 LOT 2222 WEABER PLAIN ROAD KUNUNURRA	SOLID ANNEX	ADD	2.4595	24	STEEL	STEEL	\$3,500.00
183/2005	23/11/05	ADRIAN & TRACY GOLDUP	PO BOX 335 KUNUNURRA	ADRIAN & TRACY GOLDUP	LOT 50 (1) DENTATA STREET KUNUNURRA	DOUBLE GARAGE	NEW	0.0983	36	STEEL	STEEL	\$12,500.00
184/2005	23/11/05	ANNETTE EASTON	PO BOX 1900 KUNUNURRA	ANNETTE EASTON	LOT 1633 (28) DRYANDRA ROAD KUNUNURRA	PATIO	NEW	0.0810	36.6	STEEL	N/A	\$6,500.00
185/2005	24/11/05	WAYNE & MICHELLE BROWN	PO BOX 940 KUNUNURRA	WAYNE & MICHELLE BROWN	LOT 16 (3) BAUHINIA STREET KUNUNURRA	BALCONY & CARPORT ADDITION	NEW	0.0991	101	STEEL	N/A	\$20,000.00
186/2005	24/11/05	INDIGENOUS LAND CORPORATION	PO BOX 7502 CLOISTERS SQUARE PERTH WA	HOME VALLEY STATION	HOME VALLEY STATION LOC 8 GIBB RIVER ROAD	SWIMMING POOL	NEW	246753	30	N/A	FIBRE GLASS	\$32,000.00
187/2005	24/11/05	INDIGENOUS LAND CORPORATION	PO BOX 7502 CLOISTERS SQUARE PERTH WA	ECO STRUCTURES AUSTRALIA PTY LTD	HOME VALLEY STATION LOC 8 GIBB RIVER ROAD	FOUR "ECO TENT" STRUCTURES	NEW	246753	95	CANVAS	CANVAS	\$66,000.00
188/2005	29/11/05	MICHAEL DUNNET	PO BOX 255 BROOME WA 6725	COLIN WILKINSON DEVELOPMENTS PTY LTD	LOT 103 (34) HIBSICUS DRIVE KUNUNURRA	SINGLE DWELLING	NEW	0.0870	241	STEEL	STEEL	\$282,827.00
189/2005	30/11/05	REGINALD & BRONWEN BUCKTIN	PO BOX 543 KUNUNURRA	MARVIC CONSTRUCTIONS	LOT 2469 (20) CELTIS STREET KUNUNURRA	SINGLE DWELLING & GARAGE	NEW	0.0748	210	STEEL	STEEL	\$267,380.20
190/2005	30/11/05	NOEL SMITH	PO BOX 929 KUNUNURRA	NOEL SMITH	LOT 302 (KING LOC 243F) MULLIGANS LAGOON ROAD KUNUNURRA	EXTENSION TO EXISTING LIVING QUARTERS & SHED	ADD	108.90	142	STEEL	STEEL	\$40,000.00
												\$1,896,294.20

THERE WERE NO SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY 01/11/2005 – 30/11/2005.

THERE WERE NO DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY 01/11/2005 – 30/11/2005.

APPROVALS ISSUED UNDER DELEGATION BY CEO & EMEDS – NOVEMBER 2005

Application Number	Date Received	Applicant	Owner	Property Address		Proposed Dev't	Assess't Number	Approval Number / OCM Number	Approval Date	Issued By
63/05	24-Aug-05	N Smith	N Smith	Lot 302 Mulligans Lagoon Road	KNX	Caretakers Dwelling	66	Permitted Use. Del No DA54/05	24-Nov-05	CEO
68/05	05-Sep-05	KNX Neighbourhood House	Department of Housing & Works	Lot 694 Leichhardt Street	KNX	Shed in setback	1301	Permitted Use. Del No DA53/05	24-Nov-05	EMEDS
70/05	12-Sep-05	L Dobson	Rewards Group Pty Ltd	Lot 20 Weero Road	KNX	Transient Accommodation	3003	Council Approval & Del No DA63/05	15-Nov-05	Council & EMEDS
72/05	12-Oct-05	Lorimer Holdings	Lorimer Holdings	Lot 100 Konkerberry Drive	KNX	Tourist Accommodation	1567	Council Approval & Del No DA63/05	15-Nov-05	Council & EMEDS
73/05	20-Oct-05	L & R Biorac	L & R Biorac	Lot 1148 Dianella Way	KNX	Verandahs to Shed	800	Permitted development. Del No 56/05	24-Nov-05	EMEDS
74/05	24-Oct-05	M & K Furini	M & K Furini	Lot 2318 Cocus Way	KNX	Verandahs to Shed	5579	Permitted development. Del No 57/05	24-Nov-05	EMEDS
75/05	27-Oct-05	I & V Smaller	I & V Smaller	Lot 144 Whimbrel Road	KNX	Shed & Temporary Accommodation	6030	Permitted Use. Del No DA58/05	24-Nov-05	EMEDS
76/05	28-Oct-05	R M Finckh	R M Finckh	Lot 750 Weaber Plain Road	KNX	Guest Room	1948	Permitted Use. Del No DA59/05	24-Nov-05	EMEDS

77/05	01-Nov-05	J Smith	J Smith	Lot 121 Weaber Plain Road	KNX	Shed	5096	Permitted Use. Del No DA60/05	24-Nov-05	EMEDS
78/05	04-Nov-05	F & W Mills	F & W Mills	Lot 1 Crossing Falls Road	KNX	Single Dwelling	5992	Permitted Use. Del No DA61/05	24-Nov-05	EMEDS
79/05	15-Nov-05	IR & DF Oliver	IR & DF Oliver	Lot 571 Ivanhoe Road	KNX	Shed	109	Permitted Use. Del No DA55/05	24-Nov-05	EMEDS
80/05	21-Nov-05	Wunan Foundation	TE & PJ Holdsworth	Lot 1653 Eugenia Street	KNX	Grouped Dwelling	2156	Permitted Use. Del No DA62/05	24-Nov-05	CEO

12.3.4 Presentation of 2004/05 Annual Report

DATE:	20 December 2004
PROPONENT:	SWEK
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	John Gault, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs Chief Executive Officer
FILE NO:	60.27.01
ASSESSMENT NO:	N/A

PURPOSE

To present the Annual Report for the year ended 30 June 2005 for Council adoption, prior to the Annual Meeting of Electors

BACKGROUND

The Local Government Act, 1995, requires every Local Authority to produce an Annual Report, outlining both the financial and non financial achievements for the previous financial year. Included in the Annual Report is the Audited Financial Statements and independent Auditors report. This report provides statutory required information Shire's financial performance for the preceding year.

This document must be adopted by Council prior to the Annual Meeting Electors (AME). Council has yet to set a date for this years annual meeting of electors.

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995

Annual reports

5.53 . Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president;
 - (b) a report from the CEO;
 - (c) a report of the principal activities commenced or continued during the financial year;
 - (d) an assessment of the local government's performance in relation to each principal activity;
 - (e) an overview of the principal activities that are proposed to commence or to continue in the next financial year;
 - (f) the financial report for the financial year;
 - (g) such information as may be prescribed in relation to the payments made to employees;
 - (h) the auditor's report for the financial year;
 - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services*

Act 1993 ; and

(i) such other information as may be prescribed.

Financial report

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

36. Form of annual financial report - s. 6.4(2)

- (1) The annual financial report is to include -
 - (a) a statement setting out all income, expenditure and movements of money to and from reserve accounts which has not been included in the operating statement but which has been included in the rate setting statement;
 - (b) if the net current assets carried forward from the previous financial year for the purpose of the budget of the financial year to which the report relates is different from the net current assets shown in the audited annual financial report for the previous financial year, the amount of that difference;
 - (e) in relation to the disposal of a class of assets -
 - (i) the net book value of that class of assets;
 - (ii) the sale price of that class of assets; and
 - (iii) the profit or loss on the sale of that class of assets;and
 - (f) notes or statements containing the information set forth in regulations 37 to 50.
- (2) The annual financial report is to include, adjacent to the end-of-year figures in the operating statement (required by AAS 27) and for the items referred to in the Table to this subregulation, the original budget estimates for those items for the financial year.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMENT

The Annual Report has been produced based on statutory requirements. Additional information, such as departmental reports, generic shire facts and statistics is included to assist readers in understanding the statutory information. The Annual Report outlines the achievements of Council over the previous financial year. When read in conjunction with the Strategic and Principal Activities Plan, it demonstrates to ratepayers, residents and general public what the Shire has been doing (in a financial, performance and historical perspective) and where the Shire is going.

ATTACHMENTS

2004/05 Annual Report

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

The Council:

- 1) Receive the Annual Financial Report for the year ended 30 June 2005; contained in the 2004/05 Annual Report
- 2) Receive the Auditors report for year ended 30 June 2005; contained in the 2004/05 Annual Report
- 3) Adopt the 2004/05 Annual Report as presented.

MINUTE NO:7365

Moved Cr B Barnes

Seconded Cr J Nelson

That Council:

- 1) **Receive the Annual Financial Report for the year ended 30 June 2005; contained in the 2004/05 Annual Report**
- 2) **Receive the Auditors report for year ended 30 June 2005; contained in the 2004/05 Annual Report**

Adopt the 2004/05 Annual Report as presented with the following changes

- **Page 1 Should be 54 FTE**
- **Page 3 Paragraph 7 should read Peter has a track record of getting things done**
- **Page 22 Under the Heading Land and Building 11 Kwinana Street and 3 Kwinana St should be to be sold**
- **Page 22 Under the Heading Land and Building 33 Koojarra St should be sold**
- **Page 22 Under the Heading Land and Building 265 RiverFig Ave Should be complete**
- **Page 23 Under the Heading Roads to Recovery – Federal Kulumru/Gibb River and Streetscape KNX/WYD should be complete**
- **Page 23 Under the Heading Resheeting (Own Resources) Bull Run Road, Murphy Street, Parry Parade, Afgan Cemetry access road and Cole Ave should be complete**

Carried Unanimously 8-0

12.4 Shire Presidents Report

DATE:	20 December 2004
PROPONENT:	SWEK
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Michele Pucci, Shire President
REPORTING OFFICER:	Michele Pucci, Shire President
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

Four separate Citizenship Ceremonies have been conducted over the last month with one being held in Wyndham.

A very successful Kimberley Zone Local Government meeting was held in Halls Creek over the weekend of 18th November. It was interesting to see the positive developments currently being undertaken within the Halls Creek Shire particularly the new recreational centre, the new hospital and the State Government move to construct a number of new Homeswest homes within the town.

The meeting also included a number of presentations from key Kimberley agencies and individuals including the Kimberley Development Commission, Clean up the Gibb River Road-organiser Jake Zahl, Tourism WA–Savannah Way Project, and an update on the Kimberley Custodial Plan.

A number of State Politicians were on hand during the weekend providing opportunities for Councillors and Staff to informally raise key regional issues. WALGA President Bill Mitchell outlined some key points of interest to Local Government including the recent announcement of additional Federal funding for strategic road development. Thanks to Councillors, Buchanan, Parker, Nelson and Wright for attending. The next Kimberley Zone meeting is scheduled to be held in Kununurra over the weekend of 18th Feb 2006. This will be a great opportunity to showcase the Shire of Wyndham East Kimberley to the other Kimberley Shires, WALGA and invited guests.

I attended a number of informal meetings during the month including a meeting with the Kimberley Development Commission Board and a presentation from Jeff Strickland Agriculture WA – with regard to GM cotton trials within the valley. Cr Buchanan also attended this meeting. I also attended a Foreshore Planning Committee meeting and am confident with the progress the group is making towards the development of a foreshore plan. The information they have gathered during the consultation period is significant and the plan is looking exciting and importantly realistic and achievable.

On behalf of Council I attended the year 12 Graduation Ceremony held on 30th November and presented Leigh Plunkett with the Shire of Wyndham East Kimberley student Citizenship Award. It was encouraging to see an increase in the number of young people deciding to remain in Kununurra to complete years 11 and 12. A majority of these young people have been

participating in vocational training which would hopefully see them remain within the community to undertake apprenticeships and traineeships

Over the weekend of December 3rd Council hosted the Western Australia Planning Commission (WAPC) visit. The visit was seen as an opportunity to build a strong and productive working relationship with WAPC board members. Significant issues were raised with group including the Wyndham by pass, the urgent release of industrial land for Kununurra and the need to support land release and subdivisions in Wyndham and Kununurra to facilitate future growth. Thanks to Councillors Middap, Barnes, Buchanan, and Wright for their participation and assistance. I am confident in saying that the board left the East Kimberley with positive impressions and a good general understanding of local land and development issues. I would like to acknowledge the staff for their efforts in producing the comprehensive issues booklet. This was a useful guide that clearly identified local issues and explained the potential ways in which WAPC could support the resolution of these issues. Well done.

During the weekend of the 3rd December Council also acknowledged the contributions of our local Volunteers. Congratulations to Wyndham Volunteer of the year Peter Leonard and Kununurra Volunteer of the year Chris Bandis. I thank Councillors Middap, Parker, Wright and Buchanan for attending.

On behalf of Council I was invited to speak at the opening of the new Water Corporation building. I acknowledged the Water Corporation for their commitment to the region and importantly their investment in Kununurra with the construction of a \$1.9million facility on our major highway. I thank Councillors, Barnes, Nelson, Devenish Meares and Cr Middap for also attending.

Cr Barnes and myself continued to meet with the CEO once a week. Discussions generally centre around operational matters. Recent topics have included

- Growing East Kimberley project
- Cane toad round table
- Weaber plain drainage
- ADSL coverage
- Staffing matters
- Airport Committee Structure
- Strategic Planning development
- Ord Stage 2
- P1 area

I am sure Council is by now aware of the recent announcement by Rio Tinto to move their operations under ground. I believe this decision has provided renewed confidence in the region. On behalf of Council I have made a number of public comments with regard to their announcement. I have expressed Council's excitement with the decision and have acknowledged Rio Tinto for its commitment to the employment and training of local people. Additionally, I have acknowledged their support of local business and the general community as good corporate sponsors of a number of community events.

MINUTE NO:7366

Moved Cr B Barnes

Seconded Cr J Nelson

That Council:

Accept the Shire Presidents Report for November 2005.

Carried Unanimously 8-0

12.4.1 Elected Member Reports

DATE:	20 December 2004
PROPONENT:	SWEK
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

Cr Jane Parker

- Attended the Save the Children's (0-5 years) Project meeting as Councils representative.
- Attended the Wyndham Townscape Committee meeting.

Cr Keith Wright

- Attended the Agricultural Protection Board meeting as Board member. The Board is initiating a further round of public consultation for the proposed Biosecurity and Agriculture Management Bill 2005. Public Comments will close on the 31st March 2006. The draft Bill can be found on the Department of Agriculture website.

Cr John Buchanan

- Represented the Rotary Club at meeting with SWEK staff to progress the proposed Rotary Centenary Park concept.

Cr Maxine Middap

- Attend the East Kimberley Volunteer Breakfast awards mornings, and the local Laws Workshop.

Cr Roch Devenish Meares

- Attended the RPG meeting which considered investment in neighbourhood watch.

MINUTE NO:7367

Moved Cr B Barnes

Seconded Cr J Nelson

The Council:

Accept the Elected Members Reports.

Carried Unanimously 8-0

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

15.1 LATE ITEM - PROPOSED LEASE - 'COCKBURN LODGE'

DATE:	20 December 2005
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Gibb River Road
ATLAS REFERENCE:	Map 23
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Steven Chadwick, Executive Manager Engineering and Development Services
FILE NO:	01.0527.02
ASSESSMENT NO:	0527

PURPOSE

For Council to re-consider the proposed lease of the Kurunjie Track Stock Route reserve known as Cockburn Lodge.

BACKGROUND

The DPI referred a request to amalgamate the Karunjie Track stock route [Reserve 22256] with El Questro pastoral lease [lease 3114/1180]. The proposal included a proposed special lease for a tourist facility at 'Cockburn Lodge' [also known as Club Mud].

Council considered an item relating this proposed amalgamation at the February 2005 Council meeting, and resolved as follows:

1. That Council advise the Department for Planning and Infrastructure that it does not support the amalgamation of the Karunjie Wyndham Stock Route [Reserve 22256] with El Questro Pastoral Lease [Lease 3114/1180] on the following grounds:
 - A. The amalgamation may reduce public access along the 'Kurunjie Track';
 - B. Public liability and insurance for users of the 'Kurunjie Track' may be compromised;
 - C. Public access to fishing locations along the Pentecost River may be compromised;
 - D. Public access for camping along the Pentecost River may be compromised;
2. That Council advise the Department for Planning and Infrastructure that it does not support the granting of a Special Lease over the area of land known as 'Cockburn Lodge' on the following grounds:
 - A. Existing development is unauthorised and is located on Council controlled land; and
 - B. Amalgamation of the land will result in loss of public access to the site.

At the March 15 meeting of Council the item was again considered, and Council resolved as follows:

1. That the Department for Planning and Infrastructure be requested to modify the Reserve Vesting of the Kurunjie Wyndham Stock Route Reserve [Reserve 22256] to grant Council the power to enter into a lease to formalise the occupation of the land known as 'Cockburn Lodge'.
2. That the CEO be delegated to enter into negotiations with El Questro with the objective of implementing management controls over portion of the Kurunjie Track addressing issues such as camping and camp sites, rubbish disposal and authorisation of El Questro Rangers to act on Council's behalf.

Initial advice received from the DPI since this decision indicated that the DPI cannot modify the Stock Route reserve to allow the power to lease. The new owner of El Questro has requested re-consideration of the decision, and requesting the excision of Cockburn Lodge and amalgamation with the El Questro pastoral Lease.

Additionally, advice has now been received from the DPI confirming that it is prepared to modify the vesting of the stock route to allow a lease, subject to conditions.

Staff have also visited the site, and have met the current manager of El Questro. It is considered that the lease has considerable merit, as El Questro has developed the site with significant infrastructure, and have developed an asset that can benefit the community.

SITE LOCATION

The land is located within the Kurunjie Stock Route. A plan showing its location is attached.

PROPOSED LAND USE / DEVELOPMENT

No specific development is proposed, and the application seeks to formalise tenure over the land. The site requested to be leased has already been developed, with tourism infrastructure.

FINANCIAL IMPLICATIONS

No fees are payable for the application, however, a retrospective building license process may be required to be implemented. Fees would then be applicable.

CONSULTATION

Community consultation is not required to be undertaken by Council. The Department for Planning and Infrastructure has undertaken some consultation.

Recfishwest, an incorporated body representing recreational fishers, has submitted correspondence stating that it is concerned that the amalgamation will result in restrictions to access to the Pentecost River for public and community members. Recfishwest considers that a high level of public consultation should be undertaken for this proposal.

PLANNING ASSESSMENT

Town Planning and Development Act

The land is not included in any Shire Town Planning Schemes, and is consequently not impacted by the Town Planning and Development Act.

Strategic/Structure Plans

Not Applicable.

Town Planning Scheme No 7

The land is not included in any Shire Town Planning Schemes.

Council Policies

The proposed amendment does not affect any Council Policies.

CONCLUSION

Council resolved not to support the amalgamation of the Stock Route Reserve with El Questro and to lease the land to El Questro. Given the recent advice of the DPI that Council can now implement a modification to the vesting, it is recommended that Council proceed with the proposed lease.

Advice from the DPI indicates that they will allow the vesting to be modified subject to conditions requiring that any revenue gained from the commercial leasing of the land is utilised in the maintenance and development of infrastructure for camping and maintenance of the track itself. This approach will ensure that the use and development of the land by a private party benefits the community.

Cockburn Lodge has been established on the Stock Route without any consent having been obtained. Issues required to be addressed via the lease would include:

- A Provision of indemnity insurance for users of the 'Kurunjie Track' by El Questro;
- B Indemnification of the Shire of Wyndham East Kimberley from any loss or claim for any use of the 'Kurunjie Track';
- C Warning Signs being posted advising of the dangers of using the 'Kurunjie Track' and the condition of the track;
- D No restrictions being placed on public access to the 'Kurunjie Track', except where a danger to the public due to adverse weather or track condition occurs;
- E Provision of details of all buildings and structures at Cockburn Lodge, and plans being submitted to Council to demonstrate the extent of development and payment of any applicable fees; and
- F Installation of suitable waste water treatment facilities at Cockburn Lodge;

The applicant's correspondence also suggests that the new owners of El Questro are still interested in involvement in maintaining access and control of portions of the stock route. This

would also be beneficial to Council and the community, and would result in better control of land that is currently uncontrolled and unmanaged, subject to appropriate negotiations to ensure public access to the Pentecost River is maintained.

RECOMMENDATION

That the Department for Planning and Infrastructure be requested to modify the Reserve Vesting of the Kurunjie Wyndham Stock Route Reserve [Reserve 22256] to grant

1. Council the power to enter into a lease to formalise the occupation of the land known as 'Cockburn Lodge', subject to all revenue raised from any commercial lease of the land being utilised for the development and maintenance of the track, management of public access, and provision of camping infrastructure; and
2. That the CEO be delegated to enter into negotiations with El Questro with the objective of implementing management controls over portion of the Kurunjie Track addressing issues such as camping and camp sites,

MINUTE NO:7368

Moved Cr K Wright

Seconded Cr J Buchanan

1. ***That the Department for Planning and Infrastructure be requested to modify the Reserve Vesting of the Karunjie Wyndham Stock Route Reserve [Reserve 22256] to grant Council the power to enter into a lease to formalise the occupation of the land known as 'Cockburn Lodge', subject to all revenue raised from any commercial lease of the land being utilised for the development and maintenance of the track, management of public access, and provision of camping infrastructure; and***
2. ***That the CEO be delegated to enter into negotiations with El Questro and the community with the objective of implementing management controls over the Karunjie Track addressing issues such as camping and camp sites, rubbish disposal and authorisation of El Questro Rangers to act on Council's behalf.***
3. ***That a full report be presented to council; at the conclusion of the negotiations with El Questro***

Carried Unanimously 8-0

15.2 TOWN PLANNING SCHEME No 6 - PROPOSED AMENDMENT - WYNDHAM LOTS

DATE:	20 December 2005
PROPONENT:	Department of Housing and Works
LOCATION:	4 Lots within Wyndham
ATLAS REFERENCE:	Various
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Peter Stubbs - Chief Executive Officer
FILE NO:	Various
ASSESSMENT NO:	Various

PURPOSE

For Council to consider the initiation of an amendment to Shire of Wyndham East Kimberley Town Planning Scheme No 6 - Wyndham Townsite for the rezoning of various residential lots in Wyndham.

BACKGROUND

A request to initiate a Scheme amendment was received on 16 November 2005. The amendment proposes to amend four lots currently zoned Residential R15 to Residential R20. The four lots would then be able to be developed with group dwellings to provide housing better suited to tenants needs.

SITE LOCATION

The subject sites are located within existing residential areas of Wyndham. The four properties are:

No 10	Lot 1074	Denham Street
No 6	Lot 1092	Dorrigo Street
No 26	Lot 1116	Dulverton Street
No 11	Lot 685	Murphy Street

Plans of the specific lots will be prepared when amendment documents are prepared for Council's further consideration.

PROPOSED LAND USE / DEVELOPMENT

All lots are proposed to be redeveloped with grouped dwellings. The amendment documentation does not incorporate plans of proposed dwellings for the lots. Any design issues can be resolved during development application assessments.

FINANCIAL IMPLICATIONS

A \$500 rezoning application fee is payable upon preparation of the amendment documents and approval by Council. Another fee of \$500 is payable when the amendment is adopted, if the amendment is proceeded with after advertising.

CONSULTATION

Community consultation is required when Council resolves to initiate a Town Planning Scheme amendment. Upon receipt of an assessment from the Environmental Protection Authority, Council must advertise the amendment for a period of 42 days by the following means:

- An advertisement in the Kimberley Echo;
- Erection of a notice in the Shire Offices; and
- Posting of notices to affected parties.

Details of submissions and further information will be presented to Council once the amendment is advertised.

PLANNING ASSESSMENT

Town Planning and Development Act

The amendment is required to be undertaken in accordance with the provisions of the Town Planning and Development Act 1928 (as amended).

Council must initiate the amendment in accordance with the provisions of the Act. This requires Council to initially agree to the amendment, and then the amendment documents are prepared for consideration by Council. The amendment is then advertised and Council will have the opportunity to adopt the documents subject to any modifications arising from advertising, or to refuse the amendment if issues cannot be addressed.

Strategic/Structure Plans

The land is within the Wyndham Residential area of Councils Endorsed Local Planning Strategy. One of the principal objectives of this strategy is to encourage infill development within the Wyndham residential zones to encourage provision of housing better suited to residents needs, and to encourage the redevelopment of older housing stock.

The Kununurra Structure Plan, which forms part of the Kununurra – Wyndham Area Development Strategy (KWADS), designates the subject land as being for Residential - Existing.

Town Planning Scheme No 6

The land is located within the Residential Zone. The Land has a Density coding of R15.

Pursuant to Clause 5.5.1 of the Town Planning Scheme, the objectives of the Residential Zone are:

- a. for the allocation and density coding of the Residential Zone throughout the Scheme Area to be designed to provide for the development of the Scheme Area in such a way as will:
 - (i) provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and populations without unduly restricting the choice sites;
 - (ii) promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas.
- b. Notwithstanding that a proposed development conforms in all other respects with the requirements of the Scheme, Council may at its discretion refuse to grant approval if in its opinion such development would by its siting or construction result in significant deterioration of the amenity or landscape quality of the town.

Council Policies

The proposed amendment does not affect any Council Policies.

CONCLUSION

The proposed rezoning will facilitate development of eight dwellings from four lots. The housing is more likely to provide for the needs of government employees than existing older housing stock, and will be critical to attract new government employees.

The amendment documents will be prepared once Council resolves to amend the Scheme, and Council will have the opportunity to further review the amendment [and to refuse the amendment if required] once the documents have been prepared and again after the amendment has been advertised for public comment.

Rezoning of the land conforms to the objectives of the Local Planning Strategy and the Scheme, and it is considered that initiation of the amendment should be supported.

ATTACHMENTS

No attachments

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council advise the Department of Housing and Works that it is prepared to initiate an amendment to Town Planning Scheme No 6 subject to submission of amendment documents and plans.

MINUTE NO:7369

Moved Cr M Middap

Seconded Cr J Parker

- ***That Council advise the Department of Housing and Works that it is prepared to initiate an amendment to Town Planning Scheme No 6 subject to submission of amendment documents and plans.***
- ***That DHW be approached with a view to consider transferring these residences to Homeswest and demolishing four Homeswest houses that are in a poor state. Department of Housing and Works can then build new homes and duplexes on these four alternative sites.***

Carried Unanimously 8-0

16. MATTERS BEHIND CLOSED DOORS

16.1 CONFIDENTIAL - COMMUNITY RECOGNITION

DATE:	20 December 2005
PROPONENT:	N/A
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	John Gault, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

IN ACCORDANCE WITH SECTION 5.23.2B OF THE LOCAL GOVERNMENT ACT 1995. THIS ISSUE IS BEING CONSIDERED BEHIND CLOSED DOORS ON THE GROUNDS THAT IT DEALS WITH THE PERSONAL AFFAIRS OF A MEMBER OF PUBLIC

MINUTE NO:7368

Moved Cr R Devenish Meares

Seconded Cr J Nelson

That Council award Bev Ozanne a Certificate of Appreciation for her involvement with the Kununurra Gym at its next ordinary meeting.

Carried Unanimously 8-0



**Shire of Wyndham East Kimberley
Council Policy Manual
MC14**

Doc No.	052293
Date	25 NOV 2005
Officer	
Response	
File	

SHIRE OF WYNDHAM EAST KIMBERLEY

Nomination for Community Recognition

I hereby nominate Beverley Ozanne, of

The Body Firm \ Bev Ozanne aerobics

as a candidate for community recognition by the Shire of Wyndham East Kimberley.

The following Community Groups/Association/Organisations support this nomination;

Community Group/Association/Organisation (1) : Demons Football Club

President's Signature:

Community Group/Association/Organisation (2) : Kununurra Swim Club

President's Signature:

Candidate's Signature;

Date 24/11/05

Signature

JOHN GAULT



Shire of Wyndham East Kimberley
Council Policy Manual
MC14

SHIRE OF WYNDHAM EAST KIMBERLEY

Criteria to assist with considering a candidate for Community Recognition

Length of service in a field(s) of activity

- 17 years working in or in relation to the Kununurra Gymnasium and Leisure Centre.
- Bev Ozanne established and setup the Kununurra Gym until selling it to the Kununurra Leisure Centre .
- Bev has also continued to use the Gym and lead Aerobic classes over the past 17 years.

Level of commitment to a field(s) of activity

Bev would spend many hours after work instructing people on proper aerobic exercises and use of gym equipment and hold training session for various sporting clubs around Kununurra. Bev would also consistently cover classes for instructors who could not make their classes due to illness or work commitments often not getting home until late in the evening.

Personal leadership qualities

- Personal Training
- Leading Aerobic Classes

Benefits to the community of the Shire of Wyndham East Kimberley resulting from the Candidate's activities

- Increased usage of the Leisure Centre Facility through aerobic programs
- Commitment to fitness for residents
- Establishment of a Gym in Kununurra
- Continued usage of a gym in the Kununurra area,

Specific achievements of the candidate.

- Owning and operation of Kununurra's first Gym
- 17 years of involvement in fitness in Kununurra

POLICY No:	MC14
DIVISION:	Members of Council
SUBJECT:	Community Recognition
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995 Section 5.5

OBJECTIVE:

To establish a process to recognise members of the public for their contribution to the Shire of Wyndham East Kimberley Community.

POLICY:

Nominations

All candidates must be nominated for recognition under this policy in writing by no less than two (2) recognised and active community groups, associations or organisations, and with permission of the person being nominated. All applications must include all relevant information necessary for the Community Recognition Review Panel to make an informed decision.

Applications for community recognition can be received at anytime during the year.

Once an application has been received, the community recognition review panel must make a recommendation to Council within two (2) calendar months of receipt of the application.

If the candidate has already received a form of recognition in the current year (for example volunteer of the year) the application will be refused and the nominators will be invited to re-apply in the following year. (The intention of this is to ensure that the prestige of other civic awards are not diminished by this policy)

Community Recognition Review Panel

A Community Recognition Review Panel will be created to review all applications for community recognition and make recommendations to Council on the category of recognition each candidate will receive.

The Community Recognition Review Panel will be made up of Shire President, the Deputy Shire President and one Councillor decided by Council.

When considering which category of recognition should be awarded to a candidate, the Community Recognition Review Panel will consider the following:

1. Length of service in a field(s) of activity, and

2. Level of commitment to a field(s) of activity; and
3. Personal leadership qualities; and
4. Benefits to the community of the Shire of Wyndham East Kimberley resulting from the candidate activities; and
5. Specific achievements of the candidate.

Category 3 recognition also requires:

1. The candidate must have lived in the Shire of Wyndham East Kimberley for a significant number of years (significant usually means at least 20 years); and
2. The candidate must have given extensive and distinguished service to the community in a largely volunteer capacity.

Each application will be reviewed in camera.

Community Recognition Categories

There will be three categories of Community Recognition

- 1 Certificate of Appreciation
- 2 Certificate of Appreciation and Gift
- 3 Framed Certificate, and Gift, and Honorary Title of “Freeman of the Municipality”

The value of the gift awarded in categories 2 and 3 will be at the discretion of Council, based on a recommendation from the Community Recognition Review Panel, in consultation with the Chief Executive Officer.

All Category 3 awardees will have their name placed on the Shire’s honour board and will be extended an invitation to and be recognised at all Shire Civic functions. Category 3 awardees will also be given a name badge in a similar style of that of Councillors.

At any one time, a maximum of six living persons may hold the title of “Freeman of the Municipality”. (The title of Freeman is generally considered non gender related, however Council may consider substituting “Freeman/Freewoman” as an alternative)

Presentation of Community Recognition

Presentation of Categories 1 & 2 recognition will made at an Ordinary Meeting of Council

Presentation of Category 3 will be by way of a special ceremony or reception, at an appropriate location hosted by Council. The format of the presentation shall be decided by the Shire President, in consultation with the Chief Executive Officer.

The Chief Executive Officer will arrange a press release regarding the awarding any category recognition.

Attachments

1. Nomination Form
2. Criteria to assist with considering a candidate for Community Recognition

ADOPTED:
REVIEWED:
AMENDED:

SHIRE OF WYNDHAM EAST KIMBERLEY

Nomination for Community Recognition

I hereby nominate _____, of

as a candidate for community recognition by the Shire of Wyndham East Kimberley.

The following Community Groups/Association/Organisations support this nomination;

Community Group/Association/Organisation (1) : _____

President's Signature: _____

Community Group/Association/Organisation (2) : _____

President's Signature: _____

Candidate's Signature; _____

Date _____

Signature _____

SHIRE OF WYNDHAM EAST KIMBERLEY

Criteria to assist with considering a candidate for Community Recognition

Length of service in a field(s) of activity

Level of commitment to a field(s) of activity

Personal leadership qualities

Benefits to the community of the Shire of Wyndham East Kimberley resulting from the Candidate's activities

Specific achievements of the candidate.

17. CLOSURE

The Shire President declared the meeting closed at 8.19pm.